



## AGENDA

CHARTER TOWNSHIP OF  
MERIDIAN  
TOWNSHIP BOARD  
REGULAR MEETING  
February 3, 2015  
6:00 P.M.



1. CALL MEETING TO ORDER<sup>+</sup>
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS
3. ROLL CALL
4. SPECIAL PRESENTATIONS
  - A. Fire Chief Fred Cowper – Appreciation to CEO/Executive Director Sandy Draggoo from CATA and Pastor Rick Stacy from Meridian Christian Church
5. PUBLIC REMARKS\*
6. TOWNSHIP MANAGER REPORT
7. BOARD COMMENTS & REPORTS
8. APPROVAL OF AGENDA
9. CONSENT AGENDA (SALMON)
  - A. Communications
  - B. Minutes – January 20, 2015 Regular Meeting
  - C. Bills
10. QUESTIONS FOR THE ATTORNEY
11. HEARINGS (CANARY)
  - A. 2014 Order to Maintain Sidewalks, Special Assessment District No. 15
  - B. Appeal of Special Use Permit #14111 – 2049 Grand River (Former Northwest Tire Site)
12. ACTION ITEMS (PINK)

\*\*Public Comment

  - A. Appointments to the Board of Review
  - B. Metro Fire Investigation Team Agreement
  - C. Resolution Commemorating Black History Month
13. BOARD DISCUSSION ITEMS (ORCHID)

\*\*Public Comment

  - A. 2014 Order to Maintain Sidewalks, Special Assessment District No. 15
  - B. Appeal of Special Use Permit #14111 – 2049 Grand River (Former Northwest Tire Site)
  - C. Wayne Beyea, MSU School of Planning, Design & Construction – Sustainability Assessment
  - D. Sale of Former Central Fire Station/MARC Property
  - E. Greater Lansing Taxi Authority (GLTA) – City of East Lansing
  - F. Transfer of Comcast Control
14. PUBLIC REMARKS\*
15. FINAL BOARD MEMBER COMMENT
16. POSSIBLE CLOSED SESSION
17. ADJOURNMENT

\*PUBLIC REMARKS (Any topic - 3 minutes per person)

\*\*PUBLIC COMMENT (Agenda item specific - 3 minutes per person)

*Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by writing or calling the following: Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864-1198. (517-853-4258) — Ten days notice required.*

*Meridian Charter Township: 5151 Marsh Road, Okemos, MI 48864-1198, (517) 853-4000 Township Hall Room; [www.meridian.mi.us](http://www.meridian.mi.us)*

<sup>+</sup> Appointment of President Pro Tem and/or Temporary Clerk if necessary

*Meridian Township exists to create a sustainable community through the most effective use of available resources that achieve the highest quality of life.*

TOWNSHIP BOARD REGULAR MEETING COMMUNICATIONS, FEBRUARY 3., 2015

(1) Board Information (BI)

- BI-1 Anna Strong, Senior Civil Engineering Student at Michigan State University; RE: Haslett Village Square Senior Redevelopment Project
- BI-2 Judy Kindel, 2915 Margate Lane, East Lansing; RWE: Support for Meridian Township preparing to become a solar ready community
- BI-3 Comcast Business, 600 Galleria Parkway, Atlanta GA; RE: Monthly price increase effective March 1, 2015 for Business Class Internet Starter services
- BI-4 Richard Harrington, 820 Piper Road, Haslett; RE: Meridian Township's application of the Forfeiture Act

(2) Regional Linkage (RL)

- RL-1 Nathan Triplett, Mayor, City of East Lansing, 410 Abbot Road, East Lansing; RE: Invitation for Lansing Township to become a member of the Greater Lansing Taxi Authority (GLTA)

(3) Staff Communications (SC)

- SC-1 Director Kieselbach; RE: ITC Holdings Tree Grant Award to Meridian Township

**CLERK'S OFFICE  
BOARD COMMUNICATIONS  
FEBRUARY 3, 2015**

**Board Information (BI)**

## Sandy Otto

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**From:** stronga25@gmail.com on behalf of Anna Strong <stronga6@msu.edu>  
**Sent:** Monday, January 26, 2015 7:56 AM  
**To:** Board  
**Subject:** Haslett Village Square Senior Redevelopment Project

Hello,

My name is Anna Strong and I am a senior civil engineering student at Michigan State. I am currently a part of the senior design class, and my project is to perform a preliminary engineering design on the Haslett Village Square at the corner of Haslett and Marsh Roads. It is my understanding that Meridian Township is also invested in this project and the ideas that we could present for redevelopment in the future.

My team is very excited to start this project and we really would like to incorporate aspects into our design that the township would really like to see as part of their community. Our main project is to conduct a redevelopment of Haslett Village Square, including an apartment building and theoretical brewery on site. To better understand the scope of our work, I would like to speak with members that represent Meridian Township such as yourselves to get a sense of the community needs. If there is a better representative that you could direct me to that would have time to speak with me please feel free to do so.

If there is a possibility I would be able to chat with anyone I would greatly appreciate any help you all have to offer. I can be reached at this email address, or by my cell phone at (586) 610-9572 and would be willing to accommodate an in-person chat or by phone. Thank you for all of your assistance and I look forward to hearing from you.

Best,

Anna Strong

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*Anna Strong, EIT*  
Michigan State University  
Civil and Environmental Engineering  
SARV Prevention Peer Educator  
Vice President of Standards, Phi Sigma Rho  
Marshal, Chi Epsilon  
Social Media Coordinator, MSU ASCE  
(586) 610-9572  
[stronga6@msu.edu](mailto:stronga6@msu.edu)

FEB 03 2015

BI-1

FEB 03 2015

## Sandy Otto

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**From:** Paul Kindel <kindel@msu.edu>  
**Sent:** Wednesday, January 28, 2015 2:09 PM  
**To:** Board; Frank Walsh  
**Subject:** community solar

To Board members and Manager Walsh,

I attended the Township Board meeting of January 20 and was pleased with your questions and comments after the presentation by Nancy Popa concerning the Consumers Energy's Community Solar Pilot project.

As a township resident , I encourage the Board to continue to be pro-active in preparing the way for the Township to become a solar ready community. I look forward to the future when residents and businesses will be able to take advantage of renewable energy options in our community. If the Consumers pilot project doesn't work out for the Township, I trust that there will be other options coming along for the Township to pursue.

Thank you for considering the views of residents in your decision making.

Judy Kindel  
2915 Margate Lane

FEB 03 2015

BI-2

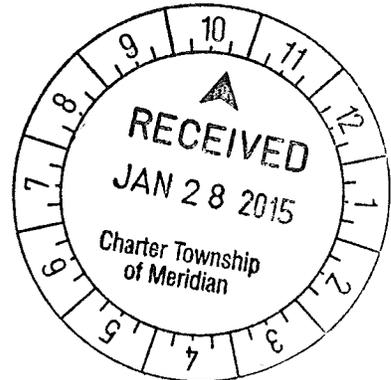
FEB 03 2015

Comcast  
600 Galleria Parkway  
Atlanta, GA 30339

COMCAST  
BUSINESS

January 20, 2015

\*\*\*AUTO\*\*MIXED AADC 601  
Homtv Township  
5151 Marsh Rd  
Okemos MI 48864-1104



### Important Information about your Comcast Business Account

Dear Valued Customer:

As part of our commitment to provide you with the best business communications experience possible, we have invested heavily in our network, advanced technologies and new equipment to make your services even better. We have also worked hard to keep your monthly rate low while we have increased speeds over the last few years.

As we continue to make investments in the network and services, we periodically need to adjust prices due to increases in business costs. Effective **March 1, 2015**, recurring monthly prices for our Business Class Internet Starter services will be:

**Plan / New Monthly Price**

Business Class Internet Starter = \$69.95

The above monthly rates exclude equipment, taxes and any other fees. For additional information and to find out more about the rate change, visit [business.comcast.com/myaccount](http://business.comcast.com/myaccount).

We appreciate your business and look forward to serving you in the future.

Sincerely,  
Comcast Business

FEB 03 2015

BI-3

FEB 03 2015

January 29, 2015

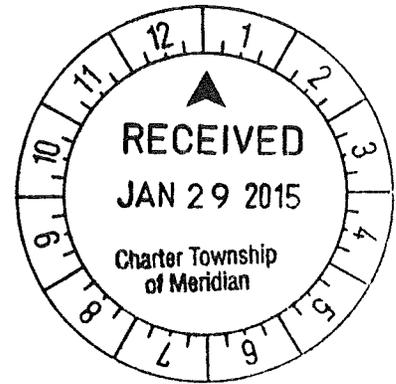
Meridian Township Board of Trustees

Meridian Charter Township

Richard Harrington

820 Piper Rd.

Haslett, MI



Please note in the attached documents that a settlement was reached with the Claimant whereby Meridian Township "agreed to release the seized vehicle in exchange for a payment", and "waived any right to commence forfeiture proceedings" on the *same* day that Meridian Twp., through its prosecuting attorney, Cullen Harkness, notified the County Prosecutor that, "Upon conviction for a qualifying offense it is the township's intent to proceed with forfeiture."

The duplicity in this case is unique only in that it occurred on the same day. In *each* case of "Seizure with Intent to Forfeit " the County Prosecutor was issued this same notice, meanwhile Meridian Township took a cash payment out of court.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Harrington".

Richard Harrington

Cc: Stuart Dunnings III Ingham County Prosecutor

FEB 03 2015

BI-4

FEB 03 2015

BODWIN & ASSOCIATES, P.C.

RANDOLPH L. BODWIN\*<sup>o</sup>  
[rbodwin@aol.com](mailto:rbodwin@aol.com)

CULLEN C. HARKNESS<sup>o</sup>  
[cullenharkness@aol.com](mailto:cullenharkness@aol.com)

JEHAN Y. FARRAG<sup>o</sup>  
[jehanfarrag@aol.com](mailto:jehanfarrag@aol.com)

MICHIGAN ■ ILLINOIS

July 22, 2014

Ingham County Prosecuting Attorney's Office  
Attn: Stuart Dunnings  
303 W. Kalamazoo St.  
Lansing, MI 48933

RE: *State of Michigan v Michael Paul Rhines, Incident No. 14-03571*  
*Vehicle Forfeiture*

Dear Mr. Dunnings:

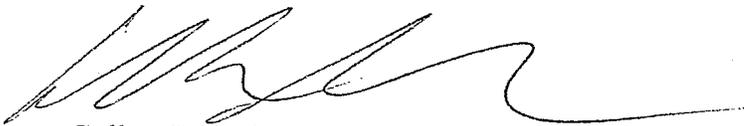
Please find this correspondence as it relates to the above-referenced matter.

Pursuant to MCL 600.4704(3), please consider this correspondence as notice that the Meridian Township Police Department has seized the Defendant's vehicle for forfeiture as a result of the above incident. Upon conviction for a qualifying offense, it is the Township's intent to proceed with forfeiture of the vehicle via the Meridian Township Prosecutor's Office.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

BODWIN & ASSOCIATES



Cullen C. Harkness  
Meridian Township Prosecutor  
CCH/jrc

cc: Sgt. Andrew McCready, Meridian Township Police Department

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BI-4

(page 2 of 3)

FEB 03 2015

216 N. Jefferson, Suite 200  
Chicago, IL 60661  
P. 312.207.2008  
f. 312.207.2009

[www.bodwinlawchicago.com](http://www.bodwinlawchicago.com)

\*licensed in IL  
<sup>o</sup> licensed in MI

2970 E. Lake Lansing Rd.  
East Lansing, Michigan 48823  
p. 517.332-5323  
f. 517.332-0390

[www.bodwinlaw.com](http://www.bodwinlaw.com)



**MERIDIAN TOWNSHIP POLICE DEPARTMENT**  
**Settlement and Release of Liability**

On the day of July 21, 2014, the below listed property was seized from Michael Rhines (Claimant) by the Meridian Township Police Department. Meridian Township and Claimant, by mutual understanding and acknowledgement, agree to release the seized property in exchange for payment of \$150 to Meridian Township. In further consideration for the above referenced payment, Meridian Township agrees to waive any right to commence forfeiture proceedings relating to the seized property listed herein.

Property Seized: 1992 Toyota Corolla, VIN: JT2AE91A5N0260475

In consideration of the payment, release of property and waiver referred to above, Claimants release and discharge Meridian Township, the Meridian Township Police Department, and the Meridian Township Prosecuting Attorney, their heirs, executors, administrators, insurers, successors, assigns, agents, employees, officers, and directors, past and present, from all liability, claims, demands, controversies, debts, wages, damages, rights, liens, charges, lawsuits, and causes of action and any and all other losses and damages of every kind and nature caused by or resulted or hereafter resulting to the undersigned, from the seizure of property which occurred on or about July 21, 2014 in Meridian Charter Township, County of Ingham, State of Michigan, at 2055 Grand River Avenue, and from any and all liability, claims, judgments, demands, controversies, agreements, damages, actions, and causes of action whatsoever, either in law or equity, against any other persons, firms, or corporations which the Claimants, their heirs, executors, administrators, successors, and assigns, can, shall, or may have by reason of or in any way incident to or resulting from the seizure hereinbefore mentioned.

Each party represents, warrants, and agrees that it has not until this time assigned or transferred, to any person or entity any claim, demand, or cause of action based on, arising out of, or in connection with the transactions and events which are the subject of this agreement.

This agreement is binding on the parties and their successors, heirs, representatives, assigns, agents, officers, employees, and personal representatives.

Parties herein acknowledge they have read and understand this Settlement and Release and fully comprehend the terms of agreement and voluntarily agree to be bound by the terms herein.

This Settlement and Release Agreement has been entered into on July 22, 2014

Signed Michael Rhines 7/22/14  
 Claimant Date

Signed And McCordy #672  
 Meridian Township Meridian Township Prosecutor

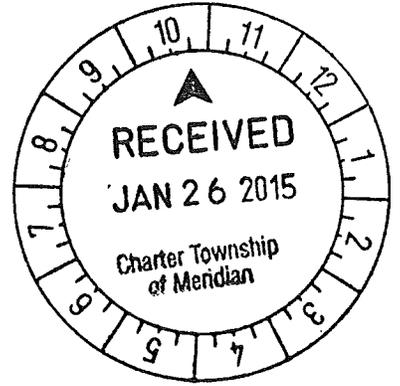
**CLERK'S OFFICE  
BOARD COMMUNICATIONS  
FEBRUARY 3, 2015**

**Regional Linkage (RL)**



**CITY OF EAST LANSING**  
The Home of Michigan State University

January 22, 2015



Elizabeth LeGoff  
Supervisor, Meridian Township  
5151 Marsh Road  
Meridian Township, MI 48864

Dear Supervisor LeGoff:

As you may know, late last year the councils of the City of Lansing and City of East Lansing jointly established the Greater Lansing Taxi Authority (GLTA), the first such authority in the state. The purpose of the Authority is to implement a uniform regional regulatory scheme that will enhance the quality of taxi service available in our communities, as well as safety for passengers. It will also serve to fill an important gap in regulation that will likely exist in the near future due to anticipated changes in the state's approach to the regulation of these vehicles for hire.

The Authority met for the first time on January 13, 2015 during which time its presiding officers were elected. In order to provide regional regulatory uniformity, the Authority wishes to extend the opportunity for membership to the contiguous townships of Delhi, Delta, Lansing and Meridian, along with Michigan State University. I'm pleased that this process has progressed to the point at which we can open this window for expansion. I would certainly be happy to meet with you again and/or any interested members of your board to discuss the benefit of participating in the Authority, which includes a seat on the board, should that be desired.

In terms of timing, the Authority intends to begin its licensing during the licensing and renewal period starting on July 1, 2015. With that in mind, we respectfully request a response from your board no later than Friday, March 27, 2015. This 60-day window will allow your board make a determination and ultimately for the Cities of Lansing and East Lansing to make official your membership via resolution.

I look forward to meeting with you and answering any questions you may have.

Sincerely,

Nathan Triplett  
Mayor

Cc: Board of Trustees of Meridian Township ✓  
Frank Walsh, Meridian Township Supervisor

FEB 03 2015

RL-1

FEB 03 2015

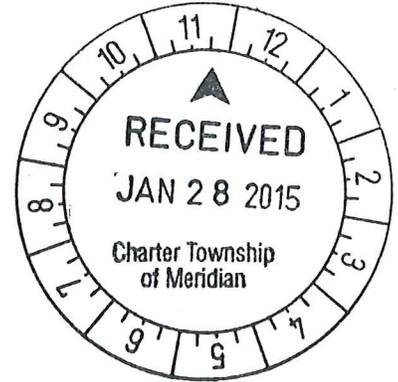
410 Abbot Road  
East Lansing, MI 48823

(517) 337-1731  
Fax (517) 337-1559  
www.cityofeastlansing.com

**CLERK'S OFFICE  
BOARD COMMUNICATIONS  
FEBRUARY 3, 2015**

**Staff Communications (SC)**

# MEMORANDUM



**TO:** Township Board

**FROM:**

Mark Kieselbach  
Mark Kieselbach  
Director of Community Planning and Development

Richard F. Brown, Jr.  
Richard F. Brown, Jr., AICP  
Associate Planner

**DATE:** January 29, 2015

**RE:** ITC Holdings Tree Grant

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On January 14, 2015, ITC Holdings Corporation which owns and maintains the high tension electric lines through the Township announced it will award a second \$5,000 grant to Meridian Township. The funds may be used for any type of green infrastructure, including but not limited to vegetative plantings, benches, trails, and similar features in community open space, neighborhoods parks, and along the pathway system. The donated funds may also be applied to necessary tree stump removal and/or grinding, for tree replacement in residential areas, as well as used as a match for obtaining other grants.

Representatives of ITC will be attending the February 17, 2015 Township Board meeting to present a check to the Township.

G:\Community Planning & Development\Planning\BROWN\Letters & Memos\2015itcgrant.tb1.doc

FEB 03 2015

SC-1

FEB 03 2015

**PROPOSED BOARD MINUTES**

**PROPOSED MOTION:**

**Move to approve and ratify the minutes of the January 20, 2015 Regular Meeting as submitted.**

**ALTERNATE MOTION:**

**Move to approve and ratify the minutes of the January 20, 2015 Regular Meeting with the following amendment(s): [insert amendments].**

**FEBRUARY 3, 2015  
REGULAR MEETING**

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - DRAFT -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, JANUARY 20, 2015 6:00 P.M.

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales (6:01 P.M.), Styka, Veenstra (6:03 P.M.), Wilson  
ABSENT: None  
STAFF: Township Manager Frank Walsh, Director of Community Planning & Development Mark Kieselbach, Police Chief David Hall, Fire Chief Fred Cowper, Director of Information and Technology Stephen Gebes, Director of Parks and Recreation LuAnn Maisner

1. CALL MEETING TO ORDER

Supervisor LeGoff called the meeting to order at 6:00 P.M.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor LeGoff led the Pledge of Allegiance.

3. ROLL CALL

The secretary called the roll of the Board.

4. SPECIAL PRESENTATION

A. Gayelord Mankowski – Children’s Annual Christmas Party

Chief Hall offered a brief summary of Gayelord’s initiative in spearheading the Annual Children’s Christmas Party. He presented a certificate of appreciation to Gayelord for his long term and continued commitment to Meridian Township’s children in need.

B. Tonia Olson – Granger Annual Report

Ms. Olson offered an update on Granger’s recycling program in the Township.

Board discussion:

- Potential for community wide recycling of glass
- Safety concerns with including glass in single stream curbside recycling
- Change to single stream recycling in 2010
- Last year’s recycling efforts conserved 3,443,877 kilowatts of electricity
- Recyclable materials are marketed throughout the United States through single stream separation in Traverse City
- Board member request for information on the percentage of apartments which use recycling services
- Outreach and education to apartment complexes as ways to increase the rate of recycling and amount of recyclable materials
- Board member belief the Township should create an ordinance which requires apartment complexes to offer recycling to its residents
- Board member suggestion for staff to ensure new apartment complexes or commercial developments have recycling space designed into the site during the site plan review process
- In Granger’s service territory, Meridian Township’s rate of recycling far exceeds other communities
- Best way to increase recycling is to change the behavior of individuals eligible to recycle through education and outreach
- Board member suggestion to include an insert in each new utility customer’s first bill about recycling and trash collection
- Program free of charge does not provide a large outreach budget for Granger
- Reminder there are multiple waste providers who service the Township
- Board member belief Granger is the only waste provider who offers recycling

- Board member suggestion to look at expanding the role of the Township's recycling coordinator to full time in order to address some of the concerns mentioned as well as investigating grant opportunities

C. Nancy Popa – Consumers Energy Community Solar

Ms. Popa offered highlights of Consumers Energy's efforts to further solar energy, namely a community "solar-like" pilot program (solar parks). She stated the first step is to build a utility scale solar system to which consumers will subscribe. Ms. Popa noted the customer will make a monthly payment to participate in a flexible solar program and, in return, Consumers will issue a monthly bill credit for the value of the solar energy produced. She indicated the proposed program will offer monthly payments over a three-year, five-year, or seven-year term, with the bill credit extending for 25 years, the life of the system. Ms. Popa added the utility is looking for interested communities which will have sufficient pre-enrolled subscriptions to the proposed program, with a targeted commencement date of January, 2016. She pointed out that Consumers Energy will have online application software which will allow for the public to express interest.

Board and representative discussion:

- Preliminary estimate that the five-year payment plan would have a \$45 monthly fee for two (2) subscriptions
- Bill credits will be based on the energy market price and evaluated every month
- Consumers Energy will need between six (6) and seven (7) acres of land for each one megawatt facility
- Consumers Energy will build up to ten (10) megawatts over the three-year pilot program
- Subscription value will be one-half kilowatt
- Average customer will need ten (10) kilowatts to offset their residential load
- Program will be available to commercial customers as well
- Involvement by the Environmental Commission, Recycling Coordinator, and the Green Team
- Consumers Energy looking for a confirmed interest by a municipality in the May-June timeframe in order to move forward
- Request for staff to investigate any need for a change in Township ordinances
- Western portion of the Township serviced by Board of Water and Light could not participate
- Future discussion item on the Township Board's agenda
- Township participation in the promotion of the Solar Array Program
- Terms of the land lease agreement will be negotiated

5. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke in support of Rezoning #14070, the former Central Fire Station.

Supervisor LeGoff closed Public Remarks.

6. TOWNSHIP MANAGER REPORT

- Working on a new recreation agreement with the City of Williamston
- Removal of Agenda Item 9H from tonight's agenda
- Director of Community Planning & Development will celebrate 35 years of service to Meridian Township tomorrow

7. BOARD COMMENTS & REPORTS

Trustee Styka reported the Cable Communications Commission met last week and additional information on the Comcast merger is forthcoming.

Clerk Dreyfus announced a potential change in the polling location for Precinct 11. He reported his attendance at the Meridian Economic Development Corporation's monthly meeting where the Corridor Improvement Authority (CIA) concept was discussed. Clerk Dreyfus noted a national

organization (stateintegrity.org), reported Michigan ranked 44<sup>th</sup> out of the 50 states in the areas of executive, judicial and legislative accountability, state civil service management, state pension fund management, political financing, lobbying disclosures, ethics enforcement and political redistricting.

Trustee Scales announced a pancake breakfast fundraiser for the Haslett Girls' Basketball team on Sunday, January 25<sup>th</sup> from 8:00 AM until 11:00 AM at the Haslett American Legion, located at 1485 Haslett Road.

Trustee Wilson reported the Groundwater Management Board will receive an award this Thursday for its completion of the Wellhead Protection Audit under the Mid-Michigan Program for Greater Sustainability (a House and Urban Development grant).

Trustee Veenstra urged the public to peruse the Township Board's 2015 Goals and Objectives document, available in the Clerk's Office and on the Township website.

8. APPROVAL OF AGENDA

**Trustee Scales moved to approve the agenda as submitted. Seconded by Treasurer Brixie.**

**Trustee Veenstra moved that Action Item #12F: Resolution Directing the Township Manager to Process FOIA Appeals be moved to Discussion Item #13D.**

**Seconded by Clerk Dreyfus.**

VOICE VOTE: Motion failed 2-5 (Trustees Scales, Styka, Wilson, Supervisor LeGoff, Treasurer Brixie).

VOICE VOTE ON THE MAIN MOTION: Motion carried unanimously.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

**Treasurer Brixie moved to adopt the Consent Agenda. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

A. Communications

(1) Board Information (BI)

BI-1 Kathleen Veith, 4521 Marlborough, Okemos; RE: Appreciation for sidewalk clearing on Dobie Road

(2) Commission Linkage (CL)

CL-1 Christine Tenaglia, 3895 Okemos Road, Okemos; RE: Letter of resignation from her appointment on the Economic Development Corporation effective December 31, 2014

CL-2 Park Commissioner Teri Banas, 5606 Creekwood Lane, Haslett; RE: Letter of resignation from the Park Commission effective January 1, 2015

(3) Regional Linkage (RL)

RL-1 Joseph G Bonsall, Land Bank Coordinator, Ingham County Treasurer's Office, PO Box 215, Mason; RE: Tax Foreclosed Properties

RL-2 U.S. Senator Debbie Stabenow, 221 W. Lake Lansing Road, Suite 100, East Lansing; RE: Response to the Meridian Township Board resolution objecting to the closure of the Lansing Processing and Distribution Center located on Collins Road

(4) Staff Communications (SC)

SC-1 Associate Planner Richard Brown; RE: Appeal of SUP #14111 (MF Okemos)  
 SC-2 Internship Coordinator Brandie Yates; RE: Tentative 2015 Post Script Schedule  
 Treasurer’s Office, PO Box 215, Mason; RE: Tax Foreclosed Properties as of January 9, 2015

**Treasurer Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

B. Minutes

**(1) Treasurer Brixie moved to approve and ratify the minutes of the December 2 ,2014 Regular Meeting as submitted. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

**(2) Treasurer Brixie moved to approve and ratify the minutes of the December 9, 2014 Regular Meeting as submitted. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

**(3) Treasurer Brixie moved to approve and ratify the minutes of the January 6, 2015 Regular Meeting as submitted. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

C. Bills

**Treasurer Brixie moved that the Township Board approve the Manager’s Bills as follows:**

Common Cash	\$ 314,661.21
Public Works	\$ 235,345.79
Total Checks	\$ 550,007.00
Credit Card Transactions	\$ 11,026.53
Total Purchases	<u>\$ 561,033.53</u>
ACH Payments	<u>\$ 690,807.81</u>

**Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
 Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

(Bill list in Official Minute Book)

- D. Resolution Approving a Financial Institution  
**Treasurer Brixie moved to adopt a resolution entitled “Authority to Open an Account” at Horizon Bank. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
 Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

- E. Amendment to the 2015 Township Board Meeting Schedule  
**Treasurer Brixie moved to amend the 2015 Regular Board Meeting Schedule by changing the Tuesday, May 5, 2015 Regular Board Meeting to Thursday, May 7, 2015. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
 Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

- F. Renewal of Employee Computer Purchase Program  
**Treasurer Brixie moved approval of the renewal of the Employee Computer Purchase Program until December 31, 2016. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
 Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

- G. Ratification of Police Officer Appointments  
**Treasurer Brixie moved to ratify the appointments of John Arpino and Adam Stebbins to the position of police officer contingent upon successful completion of those items stipulated in the conditional offer of employment. Seconded by Trustee Styka.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
 Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

10. QUESTIONS FOR THE ATTORNEY (See Agenda Item #12 G)

Q. I just recently received a message that US Attorney General Eric Holder has amended the Federal Forfeiture Activity. I want to know how that affects our forfeiture program. I’m not expecting an answer tonight, but I think we should be looking into it to see if that has any impact on how we operate our forfeiture program. I’m aware of the fact that the American Civil Liberties Union (ACLU) has received complaints against Meridian Township.

11. HEARINGS (None)

12. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, offered a correction to the beginning of the year budget amendment relative to the Cable Fund. He also suggested a grammatical correction on page 2 of the Fire Services Agreement with Alaiendon Township. Mr. Bowlby recommended inclusion of LGBT (lesbian, gay, bisexual, transgender) non-discrimination language within the document for consistency with the Township’s Human Rights Policy.

Supervisor LeGoff closed Public Remarks.

A. Beginning of Year Budget Amendments

**Trustee Styka moved to approve the 2015 beginning of the year budget amendments with a decrease in budgeted fund balance for the General Fund in the amount of \$136,484 which projects a use of fund balance of \$966,458. Based on preliminary 2014 results, the projected fund balance at December 31, 2015 will be \$5,577,577. Seconded by Treasurer Brixie.**

Board and staff discussion:

- Bids received for the Towar Lift Station were over projections
- Board took on additional expenses, forgave revenue but still had a higher fund balance than projected
- Examination of pension liabilities will begin within the next 90 days
- Suggestion to form a committee this year to examine the pension liability
- Appreciation to the Township Manager and staff for its careful scrutiny of the budget

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

B. Update to the Township Emergency Management Plan

**Trustee Scales moved to approve the updated Township Emergency Management Plan and authorize the Township Manager and department contacts to sign the agreement. Seconded by Trustee Styka.**

Board discussion:

- Plan meets all the guidelines for emergency management
- Suggestion to remove the word “sole” in (a) on Page 14
- Emergency Management Protocol calls for the designation of a public information officer who speaks during the emergency

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Wilson, Supervisor LeGoff, Treasurer  
Brixie, Clerk Dreyfus

NAYS: Trustee Veenstra

Motion carried 6-1.

C. Rezoning #14070 (Township Board) former Central Fire Station, 2150 Clinton Street, from RB (Single Family-High Density) to C-2 (Commercial) – **Final Adoption**

**Treasurer Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby FINALLY ADOPTS Ordinance No. 2015-01, entitled “Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning Petition #14070” to rezone approximately 0.48 acres located at 2150 Clinton St. from RB (Single Family, High Density) to C-2 (Commercial).**

**BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is finally adopted at least once prior to the next regular meeting of the Township Board.**

**Seconded by Trustee Styka.**

Board discussion:

- Resolution approval will finalize the rezoning of the former fire station site and will match the zoning of the MARC site directly to the east so both properties can be placed on the market for sale
- Rezoning will enable the Township to sell the property for a higher price

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried unanimously.

- D. Appointment to the Economic Development Corporation (EDC) Board  
**Trustee Scales moved that Mark Epolito be appointed to the Economic Development Corporation for the term ending December 31, 2020. Seconded by Treasurer Brixie.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried unanimously.

- E. Appointment to the Park Commission  
**Trustee Wilson moved to appoint Philip Deschaine to the Meridian Township Park Commission to fill the seat vacated by Teri Banas for the remainder of the term expiring November 20, 2016. Seconded by Trustee Scales.**

Board and staff discussion:

- Teri Banas won election to the Ingham County Board of Commissioners in November, 2014 after serving as a Park Commissioner for ten (10) years
- Applicant’s involvement in service to Township residents and Township government
- Applicant goal to create an Adopt-A-Park Day
- Appreciation to the applicant and the previous Park Commissioner for their efforts in the Haslett Library move
- Weight placed on the Park Commission recommendation of this candidate

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried unanimously.

- F. Resolution Directing the Township Manager to Process FOIA Appeals  
**Treasurer Brixie moved to approve the resolution designating the Township Clerk as Meridian Township’s FOIA Coordinator and directing the Township Manager to accept and respond to FOIA Appeals. Seconded by Trustee Wilson.**

Board discussion:

- Board member belief state law is violated by having the Township Manager receive the FOIA Appeals
- Concern that FOIA requests are handled by staff, and if staff denies the request then the appeal only goes to Township Manager
- In order for the appeal to be independent, it should not go through staff
- Motion is consistent with state government action which allows heads of agencies to delegate responsibility to other individuals

- Law gives the Board the ability to designate this role
- Board member request for the Township Attorney to read the sentence out of the state act for the public which allows the Board to designate someone as the FOIA Appeals Coordinator
- FOIA coordinator does not see FOIA requests which go to the Police Department
- More independent review of the appeal when handled by the Supervisor
- Preference of a non-political individual to make appeal decisions

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
 Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

G. Fire Services Agreement – Alaiedon Township

**Trustee Wilson moved to approve the agreement between Delhi Charter Township and Meridian Charter Township for fire and rescue services within Alaiedon Township and authorize the Township Manager and Fire Chief to sign the agreement. Seconded by Treasurer Brixie.**

Board discussion:

- State law dictates the closest paramedic will provide aid in the event of a medical emergency while responding to a fire
- Alaiedon Township has not agreed to have Meridian Township respond to 911 ambulance calls
- Board member desire for staff to persuade Alaiedon Township to allow Meridian to be the first ambulance responder in the northern section of Alaiedon Township
- Appreciation for the comment by the public that LGBT language is missing from “7. Non Discrimination” in this document
- 

Inclusion of Meridian Township’s non-discrimination language: (Questions for the Attorney (See Agenda Item #10)

- Q. Can we make a motion right now to have “7. Non Discrimination” include the appropriate language that we have in our Human Rights Ordinance, or would you be able to supply us with the language right now. Would it be appropriate for us to approve it with that change in advance?
- A. The motion was made; we can add it. In the language in the Human Rights Ordinance, there’s a definition of discriminate and a whole list of things that aren’t included in here. If that is where you want to move as a Board, then that’s the language to use.
- Q. Could you read it for us?
- A. Sure. Discriminate includes actual perceived race, color, religion, national origin, sex, age, height, weight, condition of pregnancy, marital status, physical or mental limitation, disability, source of income, familial status, educational association, sexual orientation, gender identify or expression, or HIV status of another person. That’s the definition you adopted in the Human Rights Ordinance.

Continued Board and staff discussion:

- Language in the agreement was written by Delhi Township and submitted to Meridian
- Delhi Township has also adopted a human rights ordinance
- Inquiry if Delhi Township approved the agreement first or submitted it to Meridian first
- Staff to speak with Delhi Township to have the language inserted into the agreement
- Only entity which will be hiring under this agreement will be the Meridian Township Fire Department and our township already has a non-discriminatory policy in place
- Lack of clarity whether Alaiedon Township has discrimination prohibitions with regard to LGBT
- Discrimination prohibitions cannot be “forced” onto another municipality through a contract
- Board member preference to include all 20 “grounds” upon which the Township does not discriminate

**Trustee Veenstra moved to expand the list given in Article 7 of grounds on which we forbid discrimination to include all 20 grounds that are in Meridian Township’s antidiscrimination ordinance.**

**The motion died for lack of a second.**

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,  
Treasurer Brixie, Clerk Dreyfus  
NAYS: None  
Motion carried unanimously.

**Treasurer Brixie moved to have Chief Cowper ask Delhi Township to insert new language on non-discrimination from our ordinance if they have not already approved this document and if its acceptable to Alaeidon Township. Seconded by Trustee Veenstra.**

ROLL CALL VOTE: YEAS: Trustees Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer  
Brixie, Clerk Dreyfus  
NAYS: Trustee Scales  
Motion carried 6-1.

[Supervisor LeGoff recessed the meeting at 8:00 P.M.]

Supervisor LeGoff reconvened the meeting at 8:09 P.M.]

**13. BOARD DISCUSSION ITEMS**

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, requested site plans be placed in the online packet for projects which come before the Board. He spoke in support of the Okemos Pointe Mixed Use Planned Unit Development (MUPUD).

Supervisor LeGoff closed Public Remarks.

**A. Proposed Zoning Amendment for Paved Surfaces**

Director Kieselbach summarized the proposed zoning amendment for paved surface area as outlined in staff memorandum dated January 14, 2015.

Board discussion:

- Request by the Zoning Board of Appeals for the Township Board to consider revising our ordinance
- Impact of paved surface runoff draining into the lake
- Drainage language already addressed in the Lake Lansing Overlay
- Pathway would need to be crowned and drained off to the sides into grassy areas
- A crowned pathway would still allow for water runoff into the lake
- Concern with creating an ordinance to address one case on Lake Lansing
- Ordinance currently allows for a pathway to be built up to four (4) foot from the lot line
- Request is being made to avoid a variance if property is adjacent to a natural feature and the owner desired to construct the walkway up to the property line
- Property line of the parcel which precipitated this request is almost to the lake shore
- Proposed ordinance would not include a pathway of stone pavers

**It was the consensus of the Board not to move forward on this proposed zoning amendment.**

**B. Okemos Pointe Mixed Use Planned Unit Development Concept Plan**

Director Kieselbach summarized the Okemos Pointe Mixed Use Planned Unit Development (MUPUD) Concept Plan as outlined in staff memorandum dated January 15, 2015.

Will Randall, 4409 Dobie Road, Okemos, Vice-President, WestPac Campus Communities, gave an overview of the concept plan included in the Board packet.

Board, applicant and staff discussion:

- True wetland delineation is less than shown in the general 2007 wetland map contained in the packet
- All property shown within the concept plan is owned by the Forsberg Family
- Appreciation for the incorporation of recreational assets at the pond
- Concern with inclusion of wetlands and detention ponds to achieve the required pervious surface and open space
- Percentage of stone on the buildings has not yet been calculated
- Appreciation to the applicant for bringing the concept plan to the Board
- Appreciation for the connection to the existing east-west offroad pathway
- Connection between the heavily commercial area and the proposed residential area
- Concern with multi-family units on currently zoned rural residential property (Area C) next to single family homes
- Concern there is no mix of uses within a building
- Project appears to be a multi-family housing development and would require a rezoning to multi-family designation, which is not consistent with the Township's Future Land Use Map (FLUM) for this area
- Density of dwelling units per acre if the property is rezoned multi-family
- Project required clustered housing since it has limited useable acreage
- Need for flexibility of setbacks and density to allow clustering to take place as encouraged by the MUPUD ordinance
- Intent by the applicant to request a density bonus based on the rehabilitation of the existing building
- Redevelopment of the existing building will take place as part of Phase I construction
- Need to make the complex family friendly by having more three (3) bedroom units and a play area for children within the park
- Need for the applicant to confirm the demand for more additional three (3) bedroom units
- Applicant's intent to place three (3) bedroom units at the end of every building in Phase 1 and then continue that trend in Phase 2 if the market demand exists
- Request for covered bicycle parking and bicycle lockers
- Property owner explanation of the nomenclature of Jolly Oak Road/Water Lily Way
- Applicant has proposed several ingress/egress points throughout the development
- Board member suggestion regarding the possibility of connecting to Kansas Road to keep circulation out of the complex would require the developer to pave Kansas
- Developer has shown three story buildings on the plans with some of the units having vaulted ceilings on the third floor
- One goal of a MUPUD is redevelopment
- Metal is discouraged as a building material in the mixed use ordinance
- Corrugated metal siding is planned to be used as an accent to the architecture and not a primary building material
- Under Township regulations, this mostly undeveloped site has a limit of ten (10) dwelling units per acre
- Applicant's intent to request a density bonus with the renovation of the existing building on the current industrial property
- Promotion of single family home ownership as a Township goal over the last 20 years
- Goal of the MUPUD ordinance is primarily for redevelopment of fully developed areas in the Township, particularly for those which have difficulty due to variance constraints on the property
- Increasing density as a part of smart urban planning must include protection of greenspace
- Problem with high density designated on the map as Area C
- Board member belief the areas protected with greenspace are already protected under Township ordinance, and the MUPUD proposal does not add any additional greenspace
- Board member belief the developer has parceled together lots in an effort to "fit" the development
- Project does not fit with the Township's vision of single family ownership

- Property has been in the Forsberg family for over 50 years
- Industrial site was originally the drop point for all equipment in mid-Michigan used to build state highways for Michigan and parts of Indiana, Ohio and Wisconsin
- Old pole barns, piles of millings, cinderblock buildings, semi-trucks, tractors and various implements are currently housed on the industrial property

**It was the consensus of the Board to have the applicant conduct a site tour and then have another discussion on the concept plan.**

C. 2015 Fuel Costs

Township Manager Walsh summarized estimated 2015 fuel costs as outlined in staff memorandum dated January 15, 2015.

Board discussion:

- If fuel costs are down, motor revenue increases and there is an ability to see a decrease in the General Fund contribution to the Motor Pool Fund
- Mileage reimbursement should decrease as well

14. PUBLIC REMARKS

Supervisor LeGoff opened and closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Treasurer Brixie announced winter taxes are due by February 17, 2015 and enrollment in the recurring electronic payment program for tax payments will remain open for 11 more days. She reported her attendance at the Lansing Economic Area Partnership (LEAP) Global Lansing meeting today where the focus was on creating a type of business directory where businesses can follow protocol to become an “internationally friendly” business.

Trustee Veenstra announced US Attorney General Holder made “major” reductions in the National Seizure Forfeiture Program involving local governments and suggested a review of the Township’s forfeiture program for possible amendments.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 9:33 P.M.

\_\_\_\_\_  
ELIZABETH LEGOFF  
TOWNSHIP SUPERVISOR

\_\_\_\_\_  
BRETT DREYFUS  
TOWNSHIP CLERK

Sandra K. Otto, Secretary

9.C

GGOM

**Charter Township of Meridian  
Board Meeting  
02/03/15**

**MOVED THAT THE TOWNSHIP BOARD APPROVE THE MANAGER'S  
BILLS AS FOLLOWS:**

<b>COMMON CASH</b>	<b>\$ 264,619.69</b>
<b>PUBLIC WORKS</b>	<b><u>96,724.07</u></b>
<b>TOTAL CHECKS:</b>	<b>\$ 361,343.76</b>
<b>CREDIT CARD TRANSACTIONS</b>	<b>12,303.06</b>
<b>TOTAL PURCHASES:</b>	<b><u><u>\$ 373,646.82</u></u></b>
<b>ACH PAYMENTS</b>	<b><u><u>\$ 423,370.22</u></u></b>

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INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF MERIDIAN  
 EXP CHECK RUN DATES 02/03/2015 - 02/03/2015  
 JOURNALIZED OPEN AND PAID  
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 COMMON CASH

Vendor Name	Description	Amount	Check #
1. ADP INC.	1/9 PAYROLL PROCESSING FEE	1,645.39	
	12/31 PAYROLL TRAINING	76.50	
	TOTAL	1,721.89	
2. AIRGAS GREAT LAKES	MEDICAL OXYGEN	83.76	
3. ALLGRAPHICS CORP	BASKETBALL JERSEYS FOR WILLIAMSTON	331.00	
4. ANDREWS HOOPER PAVLIK PLC	2014 AUDIT	3,000.00	
5. APEX SOFTWARE	SOFTWARE MAINT RENEWAL-2015	1,435.00	
6. AT &T	JAN SERVICE	39.49	87760
7. AT&T	JAN SERVICE	2,234.82	87754
	JAN SERVICE	124.67	87754
	TOTAL	2,359.49	
8. AT&T MOBILITY	JAN SERVICE	52.02	87761
9. BANNASCH WELDING INC	PLOW REPAIR PARTS/WELDING	292.50	
10. BARYAMES CLEANERS	DEC UNIFORM CLEANING EXPENSE	326.15	
	JAN-UNIFORM CLEANING EXPENSE	256.30	
	TOTAL	582.45	
11. BLUE CROSS BLUE SHIELD OF MICHIGAN	FEB PREMIUM	2,707.68	87756
	FEB PREMIUM	91,101.26	87755
	TOTAL	93,808.94	
12. BOBCAT OF LANSING	TOOL CAT REPAIRS	2,935.67	
13. BODWIN & STOVER, P.C.	JAN UTC - LEGAL FEES	6,672.43	
14. BOGGIO ASSOCIATES INC	PERFORMANCE GUARANTEE REFUND-1801 GRD RIVER/FLAGST	1,000.00	
15. BRD PRINTING	FAMILY FUN GUIDE PRINTING & MAILING	14,299.56	
	ADDITIONAL FAMILY FUN GUIDE POSTAGE	205.65	
	TOTAL	14,505.21	
16. CINTAS CORPORATION #725	MECHANICS UNIFORMS	20.08	
	MECHANICS UNIFORMS	20.08	
	MECHANICS UNIFORMS	20.08	
	TOTAL	60.24	
17. CITY PULSE	TWP NOTICES-BRD MINUTES	140.98	
18. COMCAST CABLE	FEB SERVICE-SERVICE CTR	86.65	87763
	FEB SERVICE-HNC	139.02	87762
	TOTAL	225.67	

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Vendor Name	Description	Amount	Check #
19. CONSUMERS ENERGY			
	CRC FUNDS-PAST DUE UTILITIES	326.81	87764
	JAN SERVICE	24.41	
	JAN SERVICE	281.39	
	JAN SERVICE	515.14	
	DEC/JAN SERVICE	174.82	87765
	TOTAL	1,322.57	
20. COURTESY FORD			
	FORD REPAIR PARTS - DEC 2014	353.80	
21. CUMMINS BRIDGEWAY LLC			
	EQUIP REPAIR	210.30	
22. DBI			
	OFFICE SUPPLIES	16.42	
	CASH REGISTER TAPE	89.75	
	OFFICE SUPPLIES	24.99	
	TOTAL	131.16	
23. DELTA DENTAL			
	FEB PREMIUM	12,690.53	
24. DEWOLF AND ASSOCIATES			
	FTO TRAINING-LYSIK	695.00	
25. DISCOUNT ONE HOUR SIGNS			
	VEHICLE VINYL	40.00	
	BANNER-POLAR BEAR RUN	240.00	
	TOTAL	280.00	
26. DUNN & BALESKY DEVELOPMENT			
	PERFORMANCE GUARANTEE REFUND-BENNETT VILLAGE	5,350.00	
27. FEDEX			
	SHIPPING CHRGS	66.02	
28. FIRE SERVICE MANAGEMENT			
	FIRE GEAR CERTIFICATION/REPAIRS	64.50	
29. GREG GROTHOUS			
	SUPPLIES FOR POLAR BEAR RUN	96.76	
30. HASLETT-OKEMOS ROTARY CLUB			
	1ST QTR DUES-HALL	125.00	
31. HAWORTH INC			
	HAWORTH C/O DBI - ZODY TASK CHAIR	1,351.53	
32. HENDERSON GLASS			
	WINDSHIELD REPAIR	29.95	
33. INGHAM COUNTY 911			
	RADIO SYSTEM FEES - 1ST QTR	1,791.75	
	TWP SHARE OF RADIO COSTS-JAN-SEPT	5,829.51	
	TOTAL	7,621.26	
34. INGHAM COUNTY HEALTH DEPT			
	POLLUTION PREVENTION-INSPEC/REPORTING FEE-FIRE DEP	70.00	
	POLLUTION PREVENTION REPORTING/INSPEC-SRVC CTR	570.00	
	TOTAL	640.00	
35. JEFFORY BROUGHTON			
	RADIO REPAIR-POLICE DEPT	155.00	
36. JOHNSON,ROBERTS & ASSOCIATES			
	PHQ REPORT	62.00	
37. LANSING SANITARY SUPPLY INC			
	CUSTODIAL SUPPLIES	1,018.40	
	CUSTODIAL SUPPLIES	459.40	
	TOTAL	1,477.80	

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COMMON CASH

Vendor Name	Description	Amount	Check #
38. LANSING UNIFORM COMPANY			
	POLICE UNIFORM PURCHASES	22.65	
	POLICE UNIFORM PURCHASE - SHOES AND BOOTS	478.00	
	UNIFORMS-POLICE DEPT	150.00	
	TOTAL	650.65	
39. LAW ENFORCEMENT SYSTEMS INC			
	CASE MGMT FILE ENV-POLICE DEPT	163.00	
40. MARCUS WOURMAN			
	BSKTBALL TRAINING	1,060.00	
41. MEGAN SILVA			
	FITNESS INSTRUCTORS FEE	96.00	
42. MERIDIAN TOWNSHIP			
	TRANS PR WITHHOLDING INTO FLEX SPENDING BANK	2,644.70	87766
43. MERIDIAN TOWNSHIP RETAINAGE			
	RETAINAGE-TOEBE	5,575.80	
44. MERIDIAN TOWNSHIP TREASURER			
	TAXES-2083 TOWNER	1,691.55	
	SPEC ASSESSMENTS-STREETLIGHTS/DRAINS	867.63	
	ST LIGHT ASSESSMENT-SANDER NATURAL AREA	175.73	
	ST LIGHT,DRAIN ASSESSMENTS-LP PROPERTY	607.79	
	TOTAL	3,342.70	
45. MICHIGAN POLICE EQUIPMENT CO			
	POLICE EQUIP	662.66	
46. MICHIGAN RUNNING FOUNDATION			
	TIMEKEEPER FOR POLAR BEAR RACE	864.00	
47. MICHIGAN.COM			
	FARM MRKT ADS	220.50	
48. MIKE & SON ASPHALT			
	PARK IMPROVEMENTS TO NEWTON ROAD PARK	3,355.00	
49. MOLLY HUNSBERGER			
	FITNESS INSTRUCTOR'S FEE	144.00	
50. MOORE MEDICAL LLC			
	EMS OPERATING SUPPLIES	2,247.36	
51. NOKOMIS LEARNING CENTER			
	FEB-REIMB PARKING LOT LIGHTS	70.09	
52. NORTH GRAND RIVER COOPERATIVE			
	AMBULANCE LINEN SERVICE - DEC	418.00	
53. OFFICEMAX			
	OFFICE SUPPLIES	121.57	
	OFFICE SUPPLIES	74.12	
	TOTAL	195.69	
54. PERF			
	2015 DUES - HALL	200.00	
55. POSTMASTER			
	VOTER REG/PARKING TICKET RETURN MAIL PERMIT#900450	220.00	
	BUSINESS REPLY PERMIT RENEWAL #90045001	685.00	
	TOTAL	905.00	
56. PRINTING SYSTEMS INC			
	ACCTS PAYABLE CHECKS	230.33	
	AV POSTCARDS-ELECTIONS	546.89	
	AV RETURN ENVELOPES	693.18	
	TOTAL	1,470.40	
57. PRO AIR			
	SCBA AIR COMPRESSOR MAINTENANCE	1,208.40	

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 COMMON CASH

Vendor Name	Description	Amount	Check #
58. PROFESSIONAL BENEFITS SERVICES INC	FEB PREMIUM/ADMI FEE	9,209.80	
	FLEX BENEFITS ADMIN FEE-FEB	128.00	
	TOTAL	9,337.80	
59. PRO-TECH MECHANICAL SERVICES	RADIATOR REPAIR	70.00	
60. PURCHASE POWER	POSTAGE/SUPPLIES	134.32	87767
61. R&S ENTERPRISES INC	T SHIRTS FOR POLAR BEAR RACE	2,485.61	
62. RED CEDAR YOUTH BASKETBALL LEAGUE	TEAM(13) REGISTRATION FEE	1,950.00	
63. RM ELECTRIC INC	REPAIR-PARKING LOT LIGHTS	545.32	
64. SAFETY KLEEN	PARTS WASHER SOLUTION DISPOSAL FEE	185.66	
65. SCANTRON CORP	TRAFFIC CRASH FORMS	131.34	
66. SCHUPAN RECYCLING	RECYCLE CONTAINERS	1,192.00	
67. SIRCHIE FINGERPRINT LABORATORIES	POLICE SUPPLIES	72.00	
68. SNAP-ON EQUIPMENT	TIRE MACHINE REPAIR	563.39	
69. SPARROW OCCUPATIONAL	EMPLOYEE PHYSICAL	457.00	
70. STATE OF MICHIGAN	2015 INVOICE-MIDEAL	230.00	
	MAILING OF PROPERTY TAX BILLS	5,096.77	
	TOTAL	5,326.77	
71. THE LINCOLN NAT'L LIFE INS CO	FEB PREMIUM	2,809.92	87773
72. THE POLACK CORPORATION	COPIER METER CHRGS-JAN	191.66	
73. TOEBE CONSTRUCTION LLC	OKEMOS ROAD PATHWAY BRIDGE	50,182.20	
74. U.S. BANK EQUIPMENT FINANCE	FEB MAINT/LEASE-COPIERS	862.00	
	FEB- COPIER LEASE/MAINT	92.00	
	TOTAL	954.00	
75. UNUM LIFE INSURANCE CO OF AMERICA	PAYROLL WITHHOLDING- LIFE INS	548.22	87758
76. WEST SHORE FIRE	SCBA TANK PROTECTION BAND	18.61	
TOTAL - ALL VENDORS		264,619.69	

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PUBLIC WORKS

Vendor Name	Description	Amount	Check #
1. ANDREWS HOOPER PAVLIK PLC	2014 AUDIT	12,000.00	
2. BLUE CROSS BLUE SHIELD OF MICHIGAN	FEB PREMIUM	16,925.31	25708
	FEB PREMIUM	359.53	25709
	TOTAL	17,284.84	
3. CHAMPION WOODS, LLC	FEB SETTLEMENT P'MT	4,100.00	
4. CONSUMERS ENERGY	TWP UTILITIES	771.80	25710
	JAN SERVICE	13.19	
	JAN SERVICE	201.35	
	JAN SERVICE	105.29	
	TOTAL	1,091.63	
5. DELTA DENTAL	FEB PREMIUM	1,528.95	
6. FISHBECK, THOMPSON, CARR & HUBER	SAW GRANT-MANHOLE INSPECTIONS	28,936.00	
	WETLAND CONSULTING FEES	27,537.40	
	TOTAL	56,473.40	
7. FTC&H	WETLAND MITIGATION MONITORING - FORMER RYSBERG PRO	421.00	
8. J B SALES	UNIFORM T-SHIRTS/LARRY BOBB	119.80	
9. JOHN & FRANCES KANEENE	REFUND-OVERP'MT OF W/S BILLS	88.79	
10. JOHNSON & ANDERSON INC	CITYWORKS & GIS REVIEW&EXPEDITED IMPLEMENTATION	2,010.00	
11. MICHIGAN PIPE & VALVE	FORD WATER SERVICE MATERIALS - QUOTE# Q000003	1,157.46	
12. THE LINCOLN NAT'L LIFE INS CO	FEB PREMIUM	382.95	25711
13. TIM BEEBE	REFUND-OVERP'MT OF FINAL UB BILL	65.25	
TOTAL - ALL VENDORS		96,724.07	

## Transaction Review

#	Transaction Date	Vendor Name	Settlement A	Cardholder Na
1	01/14/2015	244 AUTO VALUE EAST LANSI	172.95	WILLIAM PRIES
2	01/14/2015	AIS CONSTRUCTION EQUIP	101.76	KEN PUNG
3	01/16/2015	AIS CONSTRUCTION EQUIP	24.78	KEN PUNG
4	01/14/2015	AMAZON MKTPLACE PMTS	56.48	DAVID LESTER
5	01/22/2015	AMAZON MKTPLACE PMTS	69.90	CATHERINE ADA
6	01/22/2015	AMAZON.COM	28.68	CHRISTOPHER D
7	01/22/2015	AMAZON.COM	25.82	CHRISTOPHER D
8	01/23/2015	ASFPM MADISON WI	130.00	YOUNES ISHRAI
9	01/22/2015	BEST ONE TIRE OF LANSING	171.20	KEN PUNG
10	01/27/2015	BFT, L.P.	222.99	DENNIS ANTONE
11	01/15/2015	BIGGBY COFFEE #121	40.26	DAVID D HALL
12	01/22/2015	BIGGBY COFFEE #121	40.26	WILLIAM PRIES
13	01/22/2015	BLIMPIE SUBS	130.00	WILLIAM PRIES
14	01/15/2015	CDW GOVERNMENT	1071.69	STEPHEN GEBES
15	01/23/2015	COMCAST OF LANSING	9.44	KRISTI A SCHA
16	01/27/2015	COMPLETE HITCH	180.00	TODD FRANK
17	01/22/2015	D J WALL-ST-JOURNAL	86.97	JULIE BRIXIE
18	01/21/2015	DICK'S CLOTHING&SPORTING	100.00	JANE GREENWAY
19	01/16/2015	DUSTY'S WINE BAR	61.36	FRANK L WALSH
20	01/22/2015	DUSTY'S WINE BAR	36.01	WILLIAM PRIES
21	01/16/2015	EB 2015 NMFD ICE RESC	225.00	WILLIAM PRIES
22	01/12/2015	FBI NATIONAL ACADEMY ASSO	85.00	KEN PLAGA
23	01/15/2015	FEDEX 780167844412	12.45	WILLIAM PRIES
24	01/20/2015	FIRST DUE FIRE SUPPLY CO	250.00	WILLIAM PRIES
25	01/17/2015	FOSTER SMITH MAIL ORDR	175.02	CATHERINE ADA
26	01/15/2015	GANNETT MICHIGAN NEWSPAP	245.39	DENISE K GREE
27	01/15/2015	GANNETT MICHIGAN NEWSPAP	240.26	DENISE K GREE
28	01/23/2015	GFS MKTPLC #1901	133.27	MICHAEL DEVL I
29	01/27/2015	GIH GLOBALINDUSTRIALEQ	145.93	CHRISTOPHER D
30	01/14/2015	GILLETTES INTERSTATE RV I	-129.00	WILLIAM PRIES
31	01/23/2015	GREAT LAKES III11603008	4.99	TAVIS MILLERO
32	01/17/2015	GUEST SERVICES-UNIT 3750	167.32	TAVIS MILLERO
33	01/22/2015	HAMMOND FARMS LAND	66.00	KEITH HEWITT
34	01/26/2015	HASLETT TRUE VALUE HDW	101.14	PETER VASILIO
35	01/27/2015	HASLETT TRUE VALUE HDW	23.98	DAVID LESTER
36	01/27/2015	HASLETT TRUE VALUE HDW	3.98	CHRISTOPHER D
37	01/27/2015	HASLETT TRUE VALUE HDW	13.07	TODD FRANK
38	01/20/2015	INT'L ASSOC OF ADMIN PRO	156.00	KRISTEN COLE
39	01/28/2015	INT'L CODE COUNCIL INC	39.25	JOHN HECKAMAN
40	01/19/2015	JETS PIZZA OF HASLETT	23.76	KENNITH PHINN
41	01/23/2015	JETS PIZZA OF HASLETT	191.54	JANE GREENWAY
42	01/23/2015	KIMBALL MIDWEST	141.11	TODD FRANK
43	01/15/2015	KOHL'S #0738	72.00	DAVID LESTER
44	01/17/2015	KOHL'S #1097	121.59	JIM ANDERSON
45	01/22/2015	MEIJER #210 Q01	48.90	WILLIAM PRIES
46	01/15/2015	MEIJER INC #025 Q01	17.17	CHRISTOPHER D
47	01/17/2015	MEIJER INC #025 Q01	34.82	MICHAEL DEVL I
48	01/19/2015	MEIJER INC #025 Q01	110.00	TOM OXENDER
49	01/22/2015	MEIJER INC #025 Q01	14.38	JANE GREENWAY
50	01/22/2015	MEIJER INC #025 Q01	113.00	ROBERT MACKEN
51	01/27/2015	MEIJER INC #025 Q01	24.45	KATHERINE RIC
52	01/19/2015	MICHIGAN AGRI-TOURISM	475.00	LUANN MAISNER
53	01/19/2015	MICHIGAN ASSOCIATION OF P	170.00	CAROL L MORG A
54	01/19/2015	MICHIGAN ASSOCIATION OF P	-85.00	CAROL L MORG A
55	01/13/2015	MID MICHIGAN EMERGENCY E	249.50	TODD FRANK
56	01/13/2015	MID MICHIGAN EMERGENCY E	192.80	TODD FRANK

57	01/21/2015	MIDAS 806	153.49	KEN PUNG
58	01/26/2015	OFFICEMAX CT IN#783675	116.69	CAROL HASSE
59	01/15/2015	OFFICEMAX/OFFICEDEPOT #61	27.96	CHRISTOPHER D
60	01/15/2015	OFFICEMAX/OFFICEDEPOT #61	28.47	CHRISTOPHER D
61	01/16/2015	OFFICEMAX/OFFICEDEPOT #61	15.97	CHRISTOPHER D
62	01/20/2015	OFFICEMAX/OFFICEDEPOT #61	126.73	CHRISTOPHER D
63	01/17/2015	OHIO TURNPIKE	12.75	TAVIS MILLERO
64	01/23/2015	OHIO TURNPIKE	12.75	TAVIS MILLERO
65	01/13/2015	OKEMOS HARDWARE INC	9.05	PETER MENSER
66	01/21/2015	OKEMOS HARDWARE INC	7.49	TOM OXENDER
67	01/21/2015	OKEMOS HARDWARE INC	7.94	TOM OXENDER
68	01/21/2015	OKEMOS HARDWARE INC	-7.94	TOM OXENDER
69	01/26/2015	OKEMOS HARDWARE INC	21.52	JIM ANDERSON
70	01/26/2015	OKEMOS HARDWARE INC	37.48	TOM OXENDER
71	01/27/2015	OKEMOS HARDWARE INC	3.98	TOM OXENDER
72	01/14/2015	ONLINE LABELS	40.15	CHRISTOPHER D
73	01/22/2015	PANERA BREAD #715	14.83	WILLIAM PRIES
74	01/26/2015	PANERA BREAD #715	15.76	DEBORAH GUTHR
75	01/13/2015	PAYPAL MABFOUNDATI	275.00	BRANDIE R YAT
76	01/17/2015	PETSMART INC 724	8.50	CATHERINE ADA
77	01/21/2015	PITNEY BOWES PI	91.78	JOAN HORVATH
78	01/22/2015	PRINT MAKERS SVC INC	1740.00	RAYMOND O SEV
79	01/22/2015	PRINT MAKERS SVC INC	107.28	DENISE K GREE
80	01/17/2015	PZA 11193331	15.10	TAVIS MILLERO
81	01/18/2015	QUALITY DAIRY 31120025	59.50	FREDERICK COW
82	01/19/2015	QUILL CORPORATION	50.61	CAROL HASSE
83	01/14/2015	SEARS ROEBUCK 1170	71.23	KEITH HEWITT
84	01/23/2015	SNAPON TOOLS	10.00	KEN PUNG
85	01/13/2015	SOLDAN'S FEEDS & PET S	18.10	CATHERINE ADA
86	01/16/2015	SOLDAN'S FEEDS & PET S	25.90	KATHERINE RIC
87	01/20/2015	SOLDAN'S FEEDS & PET S	10.43	KATHERINE RIC
88	01/23/2015	SOLDAN'S FEEDS & PET S	18.13	KATHERINE RIC
89	01/26/2015	STAMP-RITE INC	148.00	SANDRA OTTO
90	01/19/2015	STAPLES 00103838	42.98	WILLIAM PRIES
91	01/27/2015	STATE DMB SURPLUS	65.00	ROBERT MACKEN
92	01/22/2015	SURVEYMONKEY.COM	250.00	DENISE K GREE
93	01/12/2015	THE HOME DEPOT 2723	36.94	MIKE ELLIS
94	01/14/2015	THE HOME DEPOT 2723	89.81	TODD FRANK
95	01/15/2015	THE HOME DEPOT 2723	224.64	KEITH HEWITT
96	01/16/2015	THE HOME DEPOT 2723	29.97	PETER VASILIO
97	01/16/2015	THE HOME DEPOT 2723	20.94	ROBERT MACKEN
98	01/19/2015	THE HOME DEPOT 2723	16.94	KENNITH PHINN
99	01/20/2015	THE HOME DEPOT 2723	70.88	KEITH HEWITT
100	01/21/2015	THE HOME DEPOT 2723	19.97	PETER VASILIO
101	01/22/2015	THE HOME DEPOT 2723	19.97	PETER VASILIO
102	01/23/2015	THE HOME DEPOT 2723	18.94	MIKE ELLIS
103	01/23/2015	THE HOME DEPOT 2723	104.70	ROBERT MACKEN
104	01/23/2015	THE HOME DEPOT 2723	28.10	CHRISTOPHER D
105	01/24/2015	THE HOME DEPOT 2723	24.40	KENNITH PHINN
106	01/13/2015	THE UPS STORE 0811	21.40	JIM ANDERSON
107	01/13/2015	THE UPS STORE 0811	77.22	JIM ANDERSON
108	01/13/2015	THE UPS STORE 0811	-22.68	JIM ANDERSON
109	01/15/2015	TOP HAT CRICKET FARM INC	28.07	CATHERINE ADA
110	01/21/2015	TRACTOR SUPPLY #1149	119.96	GUY FERRIER
111	01/22/2015	TRACTOR SUPPLY #1149	59.49	JIM ANDERSON
112	01/15/2015	USA BLUE BOOK	121.59	JIM ANDERSON
113	01/16/2015	USA BLUE BOOK	210.49	JOE VANDOMMEL
114	01/13/2015	WAL-MART #2866	13.95	CHRISTOPHER D
115	01/13/2015	WAL-MART #2866	13.54	CHRISTOPHER D
116	01/13/2015	WAL-MART #2866	-13.95	CHRISTOPHER D

117	01/15/2015	WAL-MART #2866	18.97	DAVID LESTER
118	01/23/2015	WAL-MART #2866	499.00	LUANN MAISNER
119	01/21/2015	WEB NETWORKSOLUTIONS	44.98	DEBORAH GUTHR
120	01/24/2015	WM SUPERCENTER #2869	117.60	DAN PALACIOS
Net Transaction Total			12303.06	

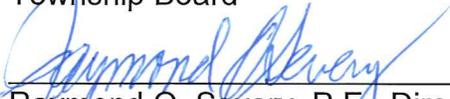
\* Indicates transaction has been posted. No further allocation is allowed.

ACH Transactions  
January 14, 2015 - January 28, 2015

Date	Payee	Amount	Purpose
1/20/2015	MCT-PW	\$ 485.00	Twp Utilities
	PNC Bank	23,791.28	P'mt-Twp Credit Cards
1/22/2015	ADP	365,107.82	1/23 Payroll
1/23/2015	ICMA	33,986.12	Payroll Deductions
	Total ACH Payments	<u>\$ 423,370.22</u>	

**MEMORANDUM**

**TO:** Township Board

**FROM:**   
Raymond O. Severy, P.E., Director  
Public Works & Engineering

**DATE:** January 29, 2015

**RE:** **2014 Order to Maintain Sidewalk  
Special Assessment District #15 - Public Hearing**

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Since 1999 the Township has developed a proactive approach to minimize residential sidewalk hazards and potential liability to the Township by adopting a sidewalk replacement program.

In accordance with ordinance Section 58-32b, and Section 58-32c, the Township Board may order the repair of defective sidewalks. The property owner is given the option of repairing the sidewalk themselves or having the Township repair or replace the sidewalk and bill the cost of construction to the property owner.

As part of the ongoing sidewalk replacement program for this year, engineering staff has designated several locations to continue the sidewalk replacement program. The 2014 Order to Maintain Sidewalk Special Assessment District #15 includes locations in Sections 2, 26, 29, 33 and 34. The project areas include the following subdivisions: Cornell Woods No. 1; Hiawatha Lakes No. 2-5, Hidden Valley No. 4, The Shoals, The Shoals No. 2, 3, 4, 6; Spring Lake, Spring Lake No. 2, 4, 5, 6, 7, 8; including Fairhills Commons and Turtle Creek Commons; Sundance Estates; Sundance No. 2, 3, 4, and Trails at Lake Lansing No. 3; and 3615 Beech Tree. Attached is the assessment roll.

The public hearing is to hear comments on the sidewalk public improvement, estimated special assessment amount and special assessment district.

Attachment

2014 Order to Maintain Sidewalk - SAD #15  
Final Assessment Roll

Parcel #	Subdivision	Lot No.	Repair Address	Mailing Address				Homeowner Cost	
				Primary Name	Street Address	City	State		Zip
1	HIAWATHA LAKES NO. 5	52 +	3665 AUTUMNWOOD	MATSON TRUST, MARY LOUISE	3665 AUTUMNWOOD	OKEMOS	MI	48864	\$146.63
2	HIAWATHA LAKES NO. 5	44	3692 AUTUMNWOOD	NAPOLDES II, JULIUS & LA WAYNE	3692 AUTUMNWOOD	OKEMOS	MI	48864	\$195.50
3	HIAWATHA LAKES NO. 5	42	3712 AUTUMNWOOD	PAWSAT, DAVID E & CLARA M REGAL	3712 AUTUMNWOOD	OKEMOS	MI	48864	\$219.50
4	SUNDANCE ESTATES	12	4200 AZTEC	SHH, CHUNG-CHIN & MEL-YUN WU	4200 AZTEC WAY	OKEMOS	MI	48864	\$146.63
5	SUNDANCE ESTATES NO. 3	38	4263 AZTEC	TOLES-CONNOR, PHYLLIS & MICHAEL E CONNER	4263 AZTEC WAY	OKEMOS	MI	48864	\$71.88
6	SUNDANCE ESTATES NO. 4	51	4321 AZTEC	OKWERECOGU, ALPHONSUS & FIDELIA	4321 AZTEC WAY	OKEMOS	MI	48864	\$244.38
7	N/A	N/A	3615 BEECH TREE	FATTEH, MEHBOOB M	3615 BEECH TREE LANE	OKEMOS	MI	48864	\$287.50
8	SPRING LAKE NO. 4	78	3621 BEECH TREE	GRIFFIS, STANLEY E & JANET E	3621 BEECH TREE LANE	OKEMOS	MI	48864	\$244.38
9	SPRING LAKE NO. 4	68	3650 BEECH TREE	CUISON, REUBEN V & JEANJIKO D	3650 BEECH TREE	OKEMOS	MI	48864	\$219.94
10	SPRING LAKE NO. 4	75	3651 BEECH TREE	ELIA-JACUSIEL, GABRIEL E & GISELLE CLAUX-CABIESES	3651 BEECH TREE LANE	OKEMOS	MI	48864	\$216.50
11	SPRING LAKE NO. 5	108	1923 BIRCH BLUFF	OKA, EVELYN R; TRUSTEE	1923 BIRCH BLUFF DR	OKEMOS	MI	48864	\$71.88
12	SPRING LAKE NO. 5	102	1952 BIRCH BLUFF	SCHAEFER, B PATRICK & GWEN	1952 BIRCH BLUFF DR	OKEMOS	MI	48864	\$273.13
13	HIAWATHA LAKES NO. 3	31	2015 BIRCH BLUFF	GUPTA, DAVE S	2015 BIRCH BLUFF DR	OKEMOS	MI	48864	\$244.38
14	HIAWATHA LAKES NO. 3	PT 28	2020 BIRCH BLUFF	DESAUTEL, STEVEN R & KELLY Q	2020 BIRCH BLUFF DR	OKEMOS	MI	48864	\$93.44
15	THE SHOALS NO. 6	338	4091 BREAKWATER	WIEDEMER, DAVID H & CYNTHIA D SWIACKI-DAVIS	4091 BREAKWATER	OKEMOS	MI	48864	\$109.97
16	THE SHOALS NO. 6	361	4094 BREAKWATER	YAN, XIAOMAN	4094 BREAKWATER	OKEMOS	MI	48864	\$79.06
17	THE SHOALS NO. 6	339	4097 BREAKWATER	THEUER, JEFFREY S & SALLY S SPROAT	4097 BREAKWATER	OKEMOS	MI	48864	\$109.97
18	THE SHOALS NO. 6	359	4102 BREAKWATER	CLARK, JOSEPH M & CAROLYN E	4102 BREAKWATER DR	OKEMOS	MI	48864	\$71.88
19	THE SHOALS NO. 6	351	4149 BREAKWATER	BALDWIN, JACK A & JUANITA N; TRUSTEES	4149 BREAKWATER DR	OKEMOS	MI	48864	\$71.88
20	SPRING LAKE NO. 8	161	3570 BREEZY POINT	MARTINEZ-HACKERT, ERIK & MONIQUE FLOER	3570 BREEZY POINT DR	OKEMOS	MI	48864	\$71.88
21	SPRING LAKE NO. 8	169	3603 BREEZY POINT	BAGRATUNI, SUREN & YOONSOOK SHIM	3603 BREEZY POINT DR	OKEMOS	MI	48864	\$71.88
22	SPRING LAKE NO. 8	167	3621 BREEZY POINT	HODNEY, DONALD C & PAULETTE W	3621 BREEZY POINT DRIVE	OKEMOS	MI	48864	\$146.63
23	SUNDANCE ESTATES	3	2525 CAPESE	SULLIVAN, LONDON & WU, HUJING	2525 CAPESE DR	OKEMOS	MI	48864	\$317.69
24	SUNDANCE ESTATES	9	2532 CAPESE	WARE, PHILLIP L & LORRAINE M	2532 CAPESE DR	OKEMOS	MI	48864	\$71.88
25	SUNDANCE ESTATES	8	2542 CAPESE	SAUNDERS, KEVIN W & MARY E SCOTT	2542 CAPESE DR	OKEMOS	MI	48864	\$21.56
26	SUNDANCE ESTATES	5	2545 CAPESE	STAUB, FRANK K & MELISSA L	2545 CAPESE	OKEMOS	MI	48864	\$266.81
27	SPRING LAKE NO. 8	157	3590 CHIPPENDALE	TIKARIA, ANURAG & RICHA	3590 CHIPPENDALE	OKEMOS	MI	48864	\$43.13
28	SPRING LAKE NO. 2	43	3788 CHIPPENDALE	CRANDELL, CHAD A & DAWN M	3788 CHIPPENDALE	OKEMOS	MI	48864	\$71.88
29	SPRING LAKE NO. 6	114	1832 ELK LANE	PHELPS, THOMAS C & JANICE L BUKOVAC	1832 ELK LANE DR	OKEMOS	MI	48864	\$67.50
30	SPRING LAKE NO. 7	FAIRHILLS COMMONS	0 FAIRHILLS	SPRING LAKE HOMEOWNERS ASSOC; %SPARTAN SERVICES	1048 PIERPOINT, STE 2	LANSING	MI	48813	\$244.38
31	SPRING LAKE NO. 5	81	3604 FAIRHILLS	GALLAGHER, MICHAEL J & ANNA	3604 FAIRHILLS DR	OKEMOS	MI	48864	\$81.94
32	SPRING LAKE NO. 7	138	3691 FAIRHILLS	BECK, BRIAN J & KIMBERLY A	3691 FAIRHILLS DR	OKEMOS	MI	48864	\$747.50

2014 Order to Maintain Sidewalk - SAD #15  
Final Assessment Roll

Parcel #	Subdivision	Lot No.	Repair Address	Mailing Address				Homeowner Cost
				Primary Name	Street Address	City	State Zip	
33	THE SHOALS NO. 3	220	1239 HARBOR CUT	BOGGS, GEORGIA	1239 HARBOR CUT	OKEMOS	MI 48864	\$244.38
34	THE SHOALS	56	1257 HARBOR CUT	CAMERON, DONALD J & ESTHER	1257 HARBOR CUT	OKEMOS	MI 48864	\$57.50
35	THE SHOALS	65	1268 HARBOR CUT	WIERZBA, GREGORY M & JOAN ANN	1268 HARBOR CUT	OKEMOS	MI 48864	\$196.40
36	THE SHOALS	64	1274 HARBOR CUT	VIETS, VICKI J	1274 HARBOR CUT	OKEMOS	MI 48864	\$193.20
37	THE SHOALS	58	1275 HARBOR CUT	MC ALLISTER, LEE & TRESSA	1275 HARBOR CUT	OKEMOS	MI 48864	\$175.95
38	CORNELL WOODS #1	11	4411 HICKORYWOOD	OWCZARZAK, RICK M	4411 HICKORYWOOD	OKEMOS	MI 48864	\$79.06
39	THE SHOALS NO. 4	244	1199 LEEWARD	CHUNG, SUNG S	1199 LEEWARD DR	OKEMOS	MI 48864	\$71.88
40	THE SHOALS	45	1269 LEEWARD	SINGH, HARPREET K	1269 LEEWARD DR	OKEMOS	MI 48864	\$488.75
41	THE SHOALS	40	1315 LEEWARD	HAKIM, MARK J & LINDA A	1315 LEEWARD DR	OKEMOS	MI 48864	\$244.38
42	TRAILS AT LAKE LANSING SUB NO. 3	91	6022 OAKPARK TRAIL	KUEFFNER, CRAIG M & LAURA C	6022 OAKPARK TRAIL	HASLETT	MI 48840	\$195.50
43	HIAWATHA LAKES NO. 4	36	3708 POWDERHORN	DEAN, JOHN & MAINES, GLENDA K	3708 POWDERHORN DR	OKEMOS	MI 48864	\$71.88
44	HIDDEN VALLEY NO. 4	65 & PT 64	1740 SASHABAW	HUG, PATRICK J & JULLIANE P	1740 SASHABAW DR	OKEMOS	MI 48864	\$195.50
45	HIDDEN VALLEY NO. 4	68	1755 SASHABAW	ZACKS, JAMES L & ROSE T	1755 SASHABAW DR	OKEMOS	MI 48864	\$316.25
46	HIDDEN VALLEY NO. 4	71	1771 SASHABAW	UMMERPILLAI, HARSHAKUMAR & CHITRAPRABHA CHANDRAN	1771 SASHABAW DR	OKEMOS	MI 48864	\$122.19
47	HIDDEN VALLEY NO. 4	72	1779 SASHABAW	GARDINER, JOSEPH C & JOSEPHINE D TRUSTEES	1779 SASHABAW DR	OKEMOS	MI 48864	\$366.56
48	HIDDEN VALLEY NO. 4	58	1784 SASHABAW	SHAO, JIANYI JIM & XIAOKUI MICHELLE YOU	1784 SASHABAW DR	OKEMOS	MI 48864	\$244.38
49	THE SHOALS NO. 2	150	4002 SHOALS	FLEMING, MARK A & STEPHANIE I	4002 SHOALS DR	OKEMOS	MI 48864	\$635.33
50	THE SHOALS	24	4148 SHOALS	DUKE, JULIE	300 N ROYAL OAKS #701	FRANKLIN	TN 37057	\$244.38
51	THE SHOALS	25	4154 SHOALS	GREGORY, SHAROLYN K & SHAWN J RILEY (TRUSTEES)	4154 SHOALS DR	OKEMOS	MI 48864	\$244.38
52	THE SHOALS	80	4224 SHOALS	DE GROFF, BRETT MICHAEL & MARISA M	4224 SHOALS DR	OKEMOS	MI 48864	\$215.63
53	SUNDANCE ESTATES NO. 3	45	2531 SOLAR WAY	CHEKMAK, STEVEN M	2531 SOLAR WAY	OKEMOS	MI 48864	\$733.13
54	SUNDANCE ESTATES NO. 3	PT 35	2534 SOLAR WAY	GILLULY, JOHN B & KAREN T	2534 SOLAR WAY	OKEMOS	MI 48864	\$316.25
55	TURTLE CREEK COMMONS	0	0 SPRING LAKE	SPRING LAKE HOMEOWNERS ASSOC, %SPARTAN SERVICES	P O BOX 25125	LANSING	MI 48909	\$288.81
56	SPRING LAKE	PT 28	1762 SPRING LAKE	ZULAKIS, GEORGE & LAURA L BAIRD	1762 SPRING LAKE DR	OKEMOS	MI 48864	\$253.00
57	SPRING LAKE	21	1804 SPRING LAKE	WHYBREW, ROBERT R & CARIN H	1804 SPRING LAKE DR	OKEMOS	MI 48864	\$146.63
58	THE SHOALS NO. 2	114	1266 STARBOARD	YAN, HONGGAO & YUE LI	1266 STARBOARD DR	OKEMOS	MI 48864	\$537.63
59	HIAWATHA LAKES NO. 2	20	3081 SUMMERGATE	SUMBAL, GHULAM R & ABIDA	3081 SUMMERGATE LANE	OKEMOS	MI 48864	\$244.38
60	SUNDANCE ESTATES NO. 2	21	2520 SUNDANCE	SHIH, CHUNG-MINJ & A-MEI SHIH	2520 SUNDANCE LANE	OKEMOS	MI 48864	\$97.98
61	SUNDANCE ESTATES NO. 3	47	2560 SUNDANCE	BAILEY, MARK R & AMY H	2560 SUNDANCE LANE	OKEMOS	MI 48864	\$71.88
62	SUNDANCE ESTATES NO. 3	46	2566 SUNDANCE	GONZALEZ, LUIS A & VILMA E PEREZ	2566 SUNDANCE LANE	OKEMOS	MI 48864	\$244.38
63	SPRING LAKE	24	3773 VICEROY	LIU, DAHSIN & JAN QIANYU WU	3773 VICEROY DR	OKEMOS	MI 48864	\$146.63
64	SPRING LAKE	8	3780 VICEROY	LOWE, YVONNE C	3780 VICEROY	OKEMOS	MI 48864	\$64.69
65	SPRING LAKE	4	3800 VICEROY	IANNI, ROBERT & LYNDA J	3800 VICEROY DRIVE	OKEMOS	MI 48864	\$244.38
66	SPRING LAKE	3	3808 VICEROY	BEZ, DR JOEL L & LESLIE A	3808 VICEROY DRIVE	OKEMOS	MI 48864	\$288.81
67	CONSUMERS ENERGY R.O.W.	N/A	0 VICEROY	CONSUMERS ENERGY CO - EP10 - PROPERTY TAX	ONE ENERGY PLAZA	JACKSON	MI 49201	\$71.88
68	TRAILS AT LAKE LANSING SUB NO. 3	110	1059 WILD GINGER	MAYERS, HENRY L & BONNEY B	1059 WILD GINGER TRAIL	HASLETT	MI 48840	\$57.50
69	TRAILS AT LAKE LANSING SUB NO. 3	109	1067 WILD GINGER	HUBBARD, BRANDON C & SARAH J	1067 WILD GINGER TRAIL	HASLETT	MI 48840	\$195.50

11 - B

# MEMORANDUM

13 - B

TO: Township Board

FROM:

  
Mark Kieselbach  
Director of Community Planning and Development

  
Martha K. Wyatt  
Associate Planner

DATE: January 29, 2015

RE: Appeal of Special Use Permit #14111 (MF Okemos, LLC)

---

Special Use Permit #14111 is a request from MF Okemos, LLC to construct an approximate 6,600 square foot multi-tenant retail building with one drive-through lane at 2049 Grand River Avenue. Northwest Tire and Service store occupied the site most recently and closed in 2013. The applicant intends to raze the existing building and redevelop the site with a multi-tenant building with a drive-through lane on the east side of the building. The approximate 0.9 acre site is zoned C-2 (Commercial). A drive-through is permitted by special use permit in the C-2 district subject to the standards listed in Section 86-404(e)(13), as well as the general special use permit standards found in Section 86-126.

The Planning Commission held the public hearing for Special Use Permit #14111 at its regular meeting on November 24, 2014. During its review of the site plans dated October 24, 2014, the Planning Commission raised several concerns about the project and suggested the applicant consider modifying the plans for further consideration.

The applicant submitted revised site plans, dated December 8, 2014, which were discussed at the December 15, 2014 meeting of the Planning Commission. Some of the revisions included the addition of a by-pass lane for the drive-through; preservation of three exiting trees; reduction of the number of parking spaces (3 spaces); reduction of the landscaped buffer areas on the east and west sides of the site; an increase in the impervious surface coverage when compared with the previous plan; internal driveway connection maintained with the adjacent property to the west; and the addition of a connecting sidewalk from the subject site to the pathway along the frontage of the site.

In its discussion of the project on December 15, 2014 the Planning Commission noted traffic concerns associated with the drive-through use, including traffic entering and exiting the site via Grand River Avenue, internal circulation, and access drive connections with adjacent properties east and west of the subject site; the absence of a dedicated loading space for deliveries; the removal of several existing mature trees on the site; the number of variances required for the proposed site design; and general concerns the subject site is a poor location for a drive-through window.

**Appeal of SUP #14111 (MF Okemos, LLC)**  
**Township Board (1/29/15)**  
**Page 2**

A resolution to approve the drive-through was offered and supported however the motion failed. Then a resolution to deny the drive-through was offered and approved by a vote of 5-3. The Planning Commission denied Special Use Permit #14111 based on the following findings as stated in the resolution to deny:

- The proposed project is not designed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will change the essential character of the same area.
- The proposed project will have a substantial adverse impact on the natural resources of the Township.
- The proposed project does not meet the ordinance standards.
- The proposed project will adversely affect the 3existing roadway traffic.
- The project could be designed to meet the ordinance standards and preserve all healthy assets on the site.

On December 29, 2014 MF Okemos, LLC appealed the Planning Commission's denial of Special Use Permit #14111, in a letter from Matthew M. Haggerty, attorney with Myers and Myers, PLLC, representing the applicant. In the letter Mr. Haggerty requested the appeal be heard at the regular meeting of the Township Board on February 3, 2015. Per the appellant's statement, the grounds of the appeal are based on the fact the Planning Commission's concerns expressed at the public hearing regarding landscaping and tree removals were not directly related to the drive-through use. The appellant further states the revised plans dated December 8, 2014 addressed those concerns and the plans met the requirements for a special use permit outlined in Section 86-126. Additionally MF Okemos, LLC contends the findings listed in the resolution to deny do not relate to the drive-through use, which is the reason for the special use permit request.

The appeal document outlines the applicant's responses to each of the Planning Commission's findings in the resolution to deny.

Section 86-189 of the Zoning Ordinance outlines the process for the appeal of a decision made by the Planning Commission. In its determination of the appeal, the Township Board may take, but is not limited to any of the following actions:

- Affirm the decision of the Planning Commission with or without modification.
- Reverse the decision of the Planning Commission and state its reason(s) therefor.
- Refer the matter back to the Planning Commission for further hearings or other action prior to final determination of the appeal by the Township Board.
- Refer the matter to the Zoning Board of Appeals if the issue appears to be a matter of interpretation of the provisions of this chapter.

When reviewing the appeal of the special use permit the Township Board has all the powers of the Planning Commission as to that appeal.

**Appeal of SUP #14111 (MF Okemos, LLC)**

**Township Board (1/29/15)**

**Page 3**

**Attachments**

1. Appeal letter dated December 29, 2014 and attachments
2. Staff memorandum dated November 21, 2014 and attachments
3. Staff memorandum dated December 11, 2014 and attachments
4. Planning Commission minutes dated November 24, 2014 (public hearing) and December 15, 2014 (decision)
5. Communication from the Environmental Commission, dated January 8, 2015
6. Resolution to deny with signatures (Planning Commission)
7. SUP #14111 denial letter dated December 17, 2014

G:\Community Planning & Development\Planning\SPECIAL USE PERMITS (SUP)\2014\SUP 14111 (MF Okemos)\SUP 14111 Staff Reports\SUP 14111.TB appela.doc

**MYERS & MYERS, PLLC**  
ATTORNEYS AT LAW

Kelly A. Myers  
Roger L. Myers \*

\* Also Admitted to Practice in California

915 N. Michigan Avenue  
Howell, Michigan 48843

(517) 540-1700

Fax: (517) 540-1701

December 29, 2014

Matthew M. Hagerty  
Rebecca J. S. Cassell  
Robert F. Marvin

**VIA ELECTRONIC &  
FIRST CLASS MAIL**

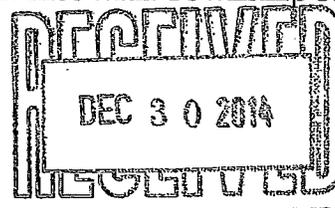
Meridian Charter Township Board of Trustees  
c/o Ms. Martha K. Wyatt  
Associate Planner/Landscape Architect  
5151 Marsh Road, Okemos MI 48864-1198

Re: **Notice of Appeal** of Denial of Special Use Permit # 14111 - MF Okemos,  
LLC

Dear Members of the Board of Trustees:

My office has been retained by MF Okemos, LLC, ("MF Okemos") owner/developer of commercial property located at 2049 Grand River Avenue upon which my client has proposed to raze an existing vacant commercial building and construct a 6,700 square foot multi-tenant building (Jimmy Johns and Mattress Firm) with a single drive-thru lane servicing the customers of the Jimmy John's franchise. A copy of the re-designed preliminary site plan for the project is attached hereto as **Exhibit 1**.

Because the proposed drive-thru is not a use permitted by right in the C-2 Commercial Zoning District, the project necessitated the request of a Special Use Permit to accommodate the drive-thru use, which was submitted to Meridian Township on October 28, 2014 and a public hearing before the Planning Commission thereafter held on November 24, 2014. A copy of the Special Use Permit Application; Response to Application Questions; Township Planning Review Memorandum; Response Memoranda; Health Impact Assessment; Environmental Permits Checklist; and Engineering Review Letter are attached hereto as **Exhibit 2**. After the public hearing, the Planning Commission raised concerns with the project as designed based upon the absence of a drive-thru bypass lane, removal of canopy trees, access drive connections to adjacent property; impervious surface coverage and variances requested. A copy of Associate Planner/Landscape Architect Martha Wyatt's December 11, 2014 Memorandum concerning these issues is attached hereto as **Exhibit 3**. As detailed in the Memorandum, my client met with Township staff on



November 26<sup>th</sup> to address the concerns raised by the Planning Commission at the public hearing and submitted the revised plans set forth in Exhibit 1 attached. The revised plans addressed each of the specific concerns raised by the Planning Commission and included the following revisions:

- Addition of a 10-foot wide bypass lane
- Retention of the existing 30" and 36" oak and 24" hickory trees
- Reduction of 3 parking spaces to preserve existing hickory tree but inclusion of 7 bicycle spaces on the site plan
- Removal of curb and gutter near the oak trees on the northwest corner of the site
- Inclusion of a 5-foot pedestrian sidewalk connected to the 7-foot pedestrian/bicycle pathway along the frontage of the site
- Reduction of the east/west landscape buffers by a few feet
- Retention of the westerly property owner's access drive to the site
- Revised storm-water calculations based upon the re-designed site

Based upon the re-designed site plan, the issues raised by the Planning Commission relative to the bypass lane, tree preservation, and access drive connections were addressed. The re-designed site did necessitate some variances from ordinance standards under Sec. 86 of the Zoning Ordinance, however, in order to accommodate the Planning Commission's requests as detailed in the Exhibit 3 Memorandum. It is MF Okemos's position that none of the requested variations from the strict zoning requirements negatively impact the surrounding area or are out of conformance with the surrounding commercial development. A December 4, 2014 Memorandum prepared by Westwood Professional Services on behalf of my client is attached hereto as **Exhibit 4** and further details drainage calculations for the site.

Upon submittal of the requested information and staff reviews, the Special Use Permit was thereafter considered by the Planning Commission at its December 15, 2014 meeting. Upon the conclusion of the public hearing, a motion was made to deny the requested Special Use Permit. A copy of the Resolution to Deny ("Resolution") is attached hereto as **Exhibit 5**. By a 5-3 vote, the Special Use Permit was denied based upon the following five specific findings:

- The proposed project *"is not designed so as to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity and that such a use will change the essential character of the same area"*;

- That the proposed project “*will have a substantial adverse impact on the natural resources of the township*”;
- That the proposed project “*does not meet the ordinance standards*”;
- That the proposed project “*will adversely affect the existing roadway traffic*”; and
- That the proposed project “*could be designed to meet the ordinance standards and preserve all healthy natural assets on the site.*”

See Resolution at p. 1.

Based upon the foregoing findings of the Planning Commission in its decision to deny the Special Use Permit Application request, and in accordance with Zoning Ordinance Sec. 86-189(1) and (2), *Appeal of decisions made by the Planning Commission*, please let this correspondence serve as a **Notice of Appeal** of the Planning Commission’s December 15, 2014 denial of the requested Special Use Permit. Materials in support of MF Okemos’s appeal are attached hereto and incorporated herein by reference. The grounds of the appeal are based upon the fact that during the public hearing, the focus of the Planning Commission’s concerns with the proposed project centered upon the landscape buffers and existing trees on site that would need to be removed. After re-design to address these concerns ancillary to the drive-thru use, minor variances from the strict application of the Township’s Zoning Ordinance requirements could accomplish the dual goals of retention of a drive-thru and preservation of natural features on site.

More importantly, none of the factors set forth in the December 15, 2014 Resolution specifically relate to the request for a drive-thru for which the Special Use Permit was originally requested. It is MF Okemos’s position that the revised site plan meets the requirements of Section 86-126 for a Special Use Permit and that the five specific findings of the Planning Commission do not comport with the information submitted by MF Okemos, nor the professional reports conducted and submitted in review of the project.

Specifically:

**Planning Commission finding**

The proposed project “*is not designed so as to be harmonious and appropriate in appearance with the existing and intended character of the general vicinity and that such a use will change the essential character of the same area.*”

**MF Okemos response**

The revised site plan meets all the design requirements for new commercial construction in the area. The existing building was built in 1974 and the adjacent buildings roughly in the 1950's. The proposed building is harmonious and appropriate for the area and is not inharmonious with the existing or intended character of the surrounding area but will, in fact, enhance it through application of current zoning and site development requirements.

**Planning Commission finding**

The proposed project *"will have a substantial adverse impact on the natural resources of the township."*

**MF Okemos response**

While 3 existing trees are being removed (and several others saved through site re-design) no natural resources (i.e., wetlands, forests, rivers, streams or lakes) as described in Section 86-126 (9) would be adversely impacted at all by the proposed site design, let alone "substantially" adversely impacted. Reconstruction of the existing parking lot would necessitate removal of trees, with or without a Special Use Permit.

**Planning Commission finding**

The proposed project *"does not meet the ordinance standards."*

**MF Okemos response**

With the exception of the side and rear landscape buffer - and for which minimal variances could potentially be applied for to the Zoning Board of Appeals in order to save the existing natural features - the requirements for a drive-thru for the re-designed site plan containing a bypass lane otherwise meets all the other ordinance standards.

**Planning Commission finding**

The proposed project *"will adversely affect the existing roadway traffic."*

**MF Okemos response**

The Traffic Impact Study prepared by Westwood Engineering verifies that there would be no adverse impact on the roadway system and that the drive-thru use would function adequately as designed. As set forth in the Township's November 21, 2014 Review Memorandum, and contrary to the Planning Commission's findings, MDOT has not issued any concerns over the site plan as proposed.

**Planning Commission finding**

The proposed project "*could be designed to meet the ordinance standards and preserve all healthy natural assets on the site.*"

**MF Okemos response**

While this finding does not appear to be a specific review criterion under Sec. 86-126(1) –(9) inclusive, the design of the site, even absent a Special Use Permit, would necessitate removal of three mature trees on site without variances from the landscape buffer ordinance requirements. If the site was designed without a drive-thru then a Special Use Permit application would not have been required but existing site modifications would necessarily have to take place that minimally impact existing natural assets.

In sum, the razing of the existing vacant building and re-development of the site under existing development standards enhances the existing area and viability of surrounding businesses. It also increases the Township's commercial tax base; makes aesthetic improvements to a now unused site and dilapidated and crumbling parking lot; brings in new employees; and assists to economically revitalize an area with viable new businesses to replace the prior Northwest Tire and Service store, closed since 2013.

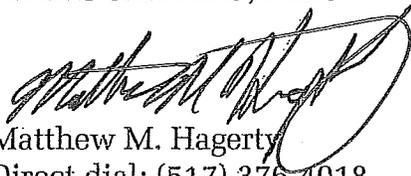
In light of the forgoing, request is made that the Township Board set this matter for formal consideration of MF Okemos's appeal on **February 3, 2014** after notice is given in accordance with Sec. 86-65(b) of the Township Code of Ordinances. After hearing, MF Okemos respectfully requests that the Board of Trustees *reverse* the decision of the Planning Commission with respect to the Special Use Permit application under Sec. 86-189(1)(d)2, and permit MF Okemos to move forward with the site plan as proposed and re-designed after Planning Commission comment. Both the undersigned and a client representative of MF Okemos will be in attendance to answer any additional questions the Board may have.

Meridian Charter Township Board of Trustees  
December 29, 2014  
Page 6

My client and I look forward to meeting with the Board on February 3<sup>rd</sup> and thank you in advance for your consideration.

Very truly yours,

MYERS & MYERS, PLLC



Matthew M. Hagerty  
Direct dial: (517) 376-4018

MH/hs  
Enclos.

Cc: Brett Dreyfus, Township Clerk & Mark Kieselbach, Planning Director, via electronic mail; Client

# Preliminary Plans

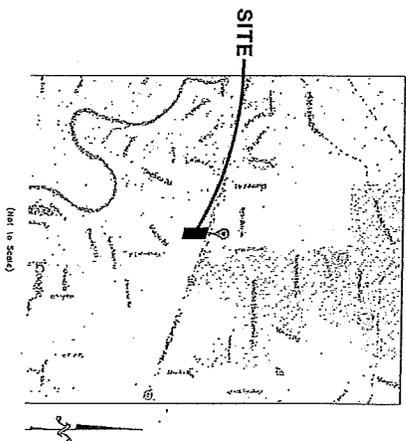
for  
Removals, Site, Grading & Utilities

for  
**Okemos Retail Site**  
2049 Grand River  
Charter Township of Meridian, Michigan

Prepared for:  
**MF Okemos, LLC**  
2165 Louisa Drive  
Belleair Beach, FL 33786  
Contact: Steve Alafazanos  
Phone: 727-709-5266

Prepared by:  
**Westwood**  
Professional Services, Inc.  
10000 Grand River  
East Lansing, MI 48823  
PHONE: 517-333-7433  
FAX: 517-333-7434  
TOLL FREE: 1-800-477-8716  
www.westwoodpro.com  
Project Number: 0002325.00  
Contact: PJ Dean

SHEET NO.	DESCRIPTION	NUMBER
1	Cover Sheet	
2	ALTA/ACSM Land Title Survey	
3	Removals Plan	
4	Site & Landscape Plan	
5	Grading, Drainage & Erosion Control Plan	
6	Utility Plan	
7	Data Sheet	



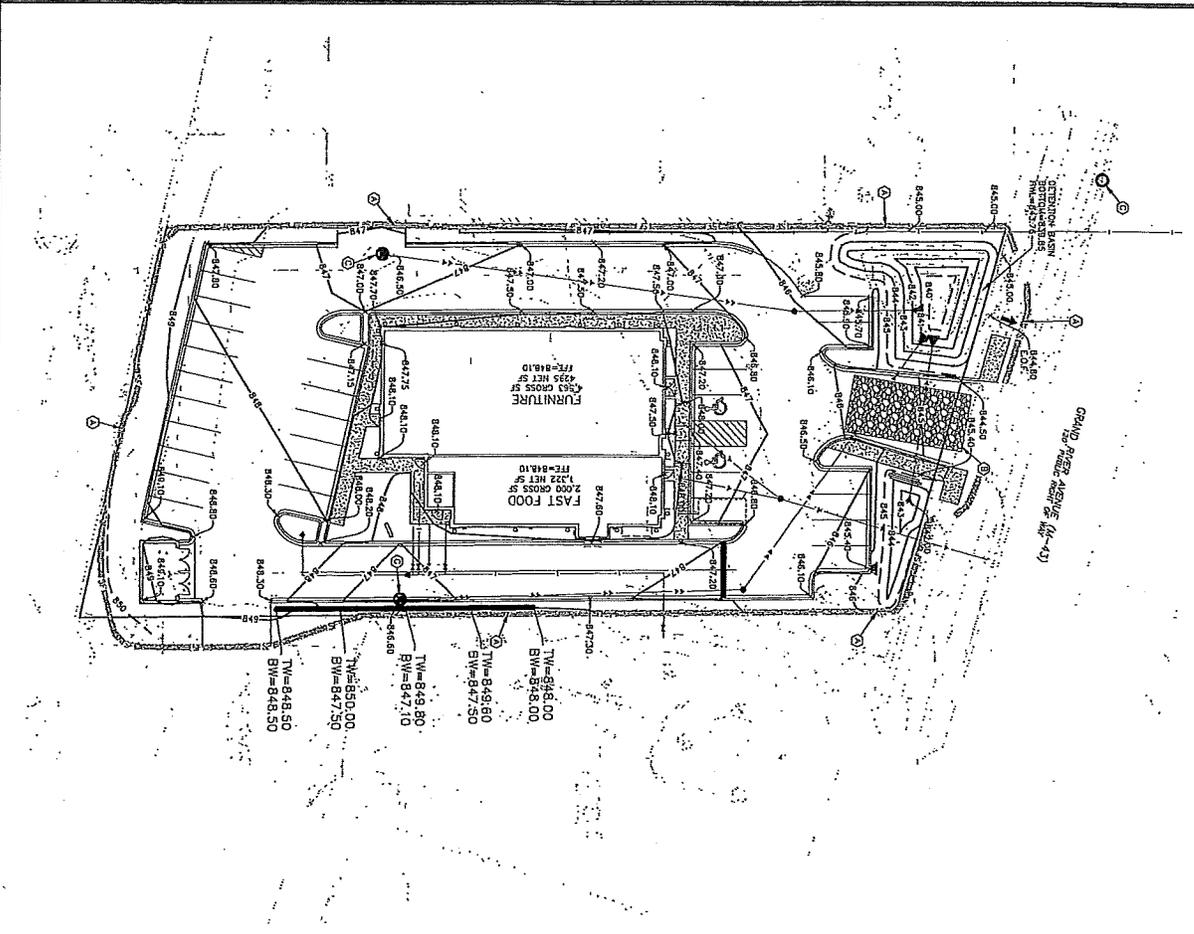
NO.	DATE	REVISION	SHEETS
1	10/24/14	Site Plan Review/Speed Up Permit	All
2	12/09/14	City Submittal	All

NOT FOR CONSTRUCTION  
**Preliminary Plans**

Removals, Site, Grading & Utilities  
for  
**Okemos Retail Site**  
Charter Township of Meridian, Michigan  
Date: 10/24/14 Sheet: 1 of 7







**Grading Notes**

1. LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
2. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VERTICAL, GRADE PAVED, EXIST PAVEMENT, EXIST DRIVEWAYS, EXIST BUILDING DIMENSIONS, EXIST BUILDING FOUNDATIONS, EXIST FOUNDATIONS, AND EXIST FOUNDATIONS AND DIMENSIONS OF DRIVEWAYS.
3. ALL DISTURBED UNPAVED AREAS ARE TO RECEIVE FOUR INCHES OF TOPSOIL AND 500 OR MORE THESE AREAS SHALL BE MAINTAINED UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, SURVEILLANCE SIGNS, BARRICADES TO CONTROL THE MOVEMENT OF TRAFFIC THROUGH NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPLICABLE INDUSTRY STANDARDS.
4. ALL SLOPES SHALL BE GRADED TO 3:1 OR FLATTER, UNLESS OTHERWISE INDICATED ON THE SHEET.
5. CONTRACTOR SHALL UNPAVED DRIVE AREAS WITHIN LIMITS OF GRADING AND PROVIDE A SMOOTH FINISHED SURFACE WITH UNIFORM SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN OR BETWEEN SLOPE POINTS AND EXISTING CONTOURS.
6. SPOT ELEVATIONS SHOWN INDICATE FINISHED PAVED/PAVED ELEVATIONS & CUTTER FLOW LINE UNLESS OTHERWISE NOTED. PROPOSED CONTOURS ARE TO FINISHED SURFACE GRADE.
7. SEE SOILS REPORT FOR PAVED/PAVED THICKNESSES AND HOLD DOWNS.
8. CONTRACTOR SHALL DISPOSE OF ANY EXCESS SOIL MATERIAL THAT EXIST AFTER THE SITE GRADING AND UTILITY CONSTRUCTION IS COMPLETED. THE CONTRACTOR SHALL DISPOSE OF ALL EXCESS SOIL MATERIAL IN A MANNER ACCEPTABLE TO THE OWNER AND THE REGULATING AGENCIES.
9. CONTRACTOR SHALL PROVIDE A STRUCTURAL, RETAINING WALL DESIGN CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER.
10. ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE AND FEDERAL RULES INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
11. PRIOR TO PLACEMENT OF ANY STRUCTURE OR PAVEMENT, A SPECIAL INSPECTION WILL BE REQUIRED ON THE EXISTING PROPOSED GRADING SHALL BE ACCOMPANIED BY A MINIMUM OF 2 COMPLETE PASSES WITH FULLY-LOADED VIBRO-ROLLER TRUCKS OR EQUIVALENT EQUIPMENT. A MINIMUM OF 2 VIBRO-ROLLER OPERATORS SHALL BE ON SITE DURING VIBRO-ROLLING AND DIRECTION OF THE INSPECTION TESTING LABORATORY. AREAS OF FAILURE SHALL BE EXCAVATED AND RECONSTRUCTED AS SPECIFIED HEREIN.
12. DEMONSTRATION MATERIAL, PLACED BEHIND BUILDINGS AND STREET OR PARKING AREAS SHALL BE COMPLETED IN ACCORDANCE WITH THE GEOTECHNICAL ENGINEER.
13. ALL SOILS AND MATERIALS TESTING SHALL BE COMPLETED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. EXCAVATION FOR THE PURPOSE OF OBTAINING SAMPLES SHALL BE COMPLETED AS REQUIRED BY THE GEOTECHNICAL ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED SOILS TESTS AND INSPECTIONS WITH THE GEOTECHNICAL ENGINEER.

**Erosion Control Notes**

1. SILT FENCE SHALL BE INSTALLED AROUND SITE BY ALL UTILITIES AREAS AND LOCATIONS WHERE STORM WATER RUNOFF MAY LEAVE THE SITE PRIOR TO ANY CONSTRUCTION ACTIVITIES.
2. EROSION CONTROL STRATEGIES SHALL BE INSTALLED AT ALL CONSTRUCTION STATIONS AND EROSION CONTROL.
3. STATION AND EROSION CONTROL. THE CONTRACTOR SHALL CONSTRUCT COMPLETE RESPONSIBILITY FOR CONTROLLING ALL STATION AND EROSION CONTROL TO CONFORM WITH THE EROSION CONTROL PLAN. THE CONTRACTOR SHALL USE WATERWAY MEANS NECESSARY TO CONSTRUCT EROSION CONTROL STRATEGIES. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE PROJECT UNTIL ACCEPTANCE OF THE WORK BY THE OWNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MAINTENANCE AS NECESSARY TO KEEP THE EROSION CONTROL MEASURES IN GOOD ORDER THROUGHOUT THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING PAVEMENT OR IN EXISTING STORM SINKS OR STABLE SOILS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING PAVEMENT OR IN EXISTING STORM SINKS OR STABLE SOILS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING PAVEMENT OR IN EXISTING STORM SINKS OR STABLE SOILS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF EXISTING PAVEMENT OR IN EXISTING STORM SINKS OR STABLE SOILS.
4. CONTRACTOR SHALL INSTALL TEMPORARY SILT PROTECTION (MATS) OR CONSTRUCTION MATS TO PREVENT SOIL EROSION AND SEDIMENTATION FROM CONSTRUCTION.
5. ALL DISTURBED AREAS SHALL HAVE TEMPORARY PROTECTION OR PERMANENT COVER OVER EXPOSED SOIL AREAS IF NOT BEING ACTIVELY GRADED WITHIN 14 DAYS OF EXPOSURE.
6. TYPICAL SLOPES SHALL BE 3:1 OR GREATER. RESTORATION WITH 500 OR MORE FEET PER ANCHOR IS REQUIRED.
7. PUBLIC STREETS USED FOR HAULING SHALL BE KEPT FREE OF SOIL AND DEBRIS. STREET SWEEPING SHALL BE COMPLETED DAILY.

**Grading Key Notes**

- a. SILT FENCE
- b. ROCK PROTECTION
- c. SLOPE PROTECTION

**Grading Legend**

	ELEVATION
	EROSION CONTROL
	PROPERTY LINE
	INDEX CONTOUR
	INITIAL CONTOUR
	CORE AND CENTER
	SPOT ELEVATION
	SANITARY SINKER
	ROCK CONSTRUCTION ENTRANCE
	EMERGENCY OVERLOOK
	INLET PROTECTION



Westwood Professional Services, Inc.  
 2111 Westwood Blvd.  
 Suite 100  
 Westwood, NJ 07675  
 Phone: (201) 261-1111  
 Fax: (201) 261-1112  
 www.westwoodps.com

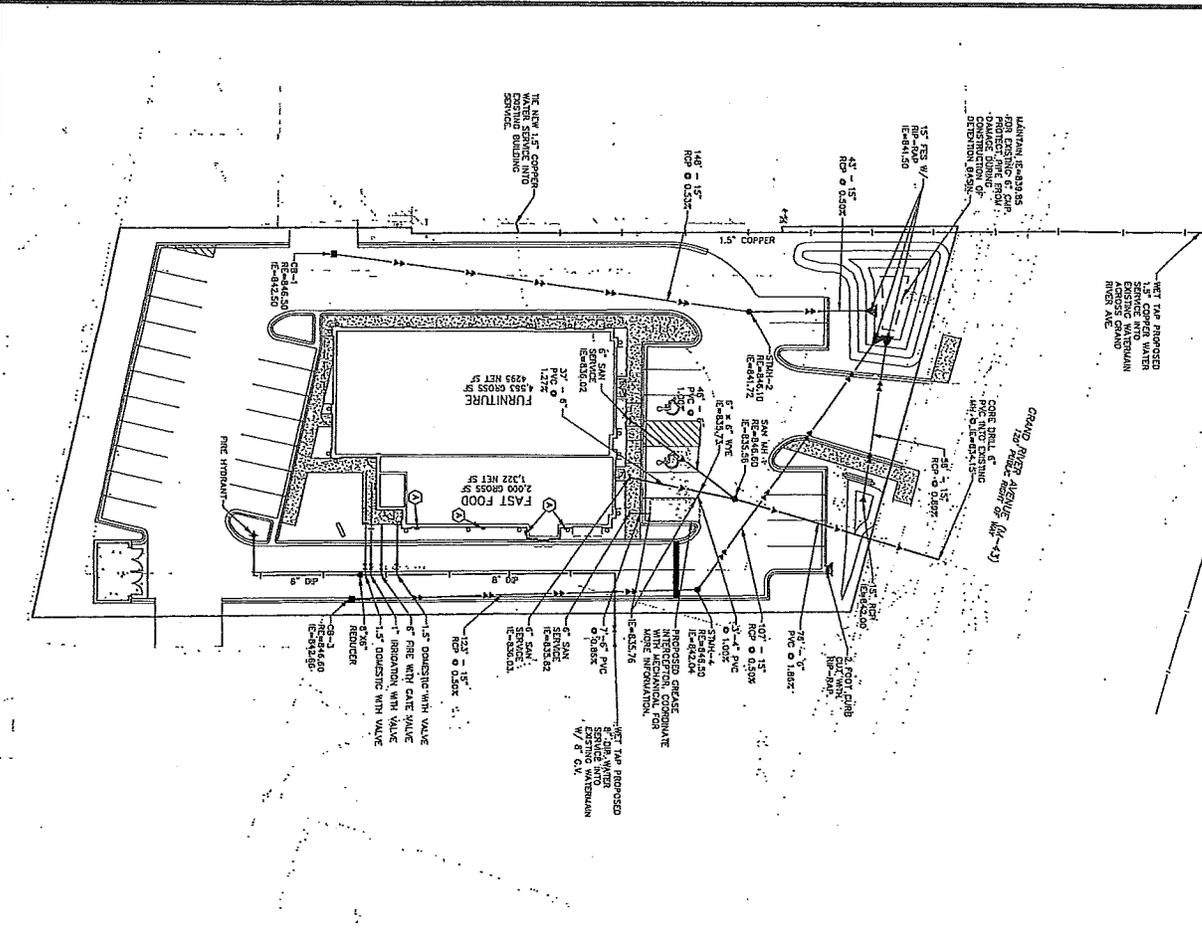
Project:	Okemos Retail Site
Client:	Okemos, LLC
Design:	Westwood
Scale:	As Shown
Sheet:	Grading Plan
Date:	10/24/14

Prepared by: [Name]  
 Checked by: [Name]  
 Approved by: [Name]

**Okemos Retail Site**  
 2325 Louisa Drive  
 Bolivar, Pennsylvania, PA 17008

**Okemos Retail Site**  
 Grading Plan  
 Date: 10/24/14  
 Sheet 5 of 7  
 NOT FOR CONSTRUCTION

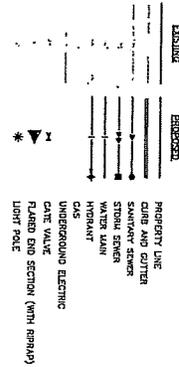




**General Utility Notes**

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR DEPTH OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND LIMITED RECONSTRUCTION TAKEN IN THE FIELD. THE INFORMATION SHALL NOT BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OF ANY DISCREPANCIES OR DISCREPANCIES.
2. ALL SANITARY SEWER, STORM SEWER AND WATER MAIN INSTALLATIONS SHALL BE PER ILLINOIS PLUMBING CODE.
3. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN THE NECESSARY FEDERAL, STATE AND LOCAL PERMITS FOR THE PROPOSED WORK OR VERIFY WITH THE OWNER OR ENGINEER THAT PERMITS HAVE BEEN OBTAINED. PERMIT FEES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNLESS OTHERWISE ARRANGED WITH THE OWNER.
4. LOCATION SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF DOWNHAYS, MANHOLE, TRUCK DOCKS, PRECAST BUILDING DIMENSIONS AND EXACT BUILDING UTILITY CONNECTION WITH THE UTILITY COMPANIES.
5. ALL PRIVATE UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE APPROPRIATE UTILITY COMPANY. THE CONTRACTOR SHALL COORDINATE THE SERVICE LINE CONSTRUCTION WITH THE UTILITY COMPANY. THE CONTRACTOR SHALL BE NOTIFIED 48-HOURS PRIOR TO CONSTRUCTION WITH THE UTILITY COMPANY ON ANY REQUIRED TAPPING. CONSTRUCTION SHALL NOT BE SCHEDULED OR INSCHEDULED DISRUPTIONS OF SERVICE TO THE PUBLIC ARE TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
6. WATER MAIN LENGTHS AS SHOWN ARE APPROXIMATE CITY RECORDS. ALLOW FOR APPROXIMATE VARIATIONS IN LENGTHS OF WHICH DEFLECTIONS ARE REQUIRED. THE JOINT DEFLECTIONS SHALL NOT EXCEED THE MAXIMUM RECOMMENDED BY THE PIPE MANUFACTURER OR BY LOCAL GOVERNING AGENCIES. FINISH ELEVATION TO BE SHOWN WHEN MAIN SHALL BE INCLUDED IN WATER MAIN RECORDS.
7. A MINIMUM VERTICAL SEPARATION OF 18 INCHES IS REQUIRED AT ALL WATER MAIN CROSSINGS WITH SANITARY SEWER OR STORM SEWER.
8. UTILITY SERVICES TYPICALLY TERMINATE 5' OUTSIDE BUILDING WALL UNLESS OTHERWISE SHOWN OR NOTED.
9. ALL WATER LINES SHALL BE INSULATED FROM WEATHER BY POLYETHYLENE GLASS 52 WITH 2.5" MINIMUM COVER, PROTECT ANNUAL SEPARATION OF 18" FROM SANITARY SEWER & STORM SEWER. INSULATE WATER MAIN IF LESS THAN 7.2' OF COVER.
10. INSULATION SHALL BE DOW STYROFOAM R 8800 25 OR EQUIVALENT WITH 4 INCHES OF THICKNESS.
11. SANITARY SEWER PIPE DURING THE BUILDING CONSTRUCTION SHALL BE APPROXIMATE 40" DIA. 20' OR 24' DIA. 20' IS REQUIRED FOR RENTS GREATER THAN 15 FEET. SANITARY SEWER PIPE WITHIN 4 FEET OF BUILDING AND UNDER FOUNDINGS SHALL BE PVC SCHEDULE 40.
12. STORM SEWER PIPE SHALL BE REINFORCED CONCRETE PIPE (CLASS 4 FOR PIPE QUARTERS 24" AND LARGER UNLESS OTHERWISE NOTED) WITH R-4 CASINGS OR HDPE STORM SEWER PIPE IF ALLOWED BY THE CITY. LARGE STORM SEWER PIPE SHALL MEET REQUIREMENTS OF 240 PIPE. CLASS 40 PIPE. CLASS 40 PIPE SECTIONS SHALL BE HIGH WITH THICK COVERS & 6'-0" DIA. FOR LOCATIONS WHERE NOT TO BE RECORDED. PVC STORM SEWER PIPE SHALL BE SCHEDULE 40 PIPE. CLASS 40 PIPE SECTIONS SHALL BE HIGH WITH THICK COVERS & 6'-0" DIA. OF CHANGES TO THE PLAN. CONSTRUCTION TO VERIFY WITH OWNER OR ENGINEER WHETHER A PLAN WITH POST-CONSTRUCTION ELEVATIONS IS REQUIRED.

**Utility Legend**



**Utility Key Notes**

- A. REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF DOWNHAYS, MANHOLE, TRUCK DOCKS, PRECAST BUILDING DIMENSIONS AND EXACT BUILDING UTILITY CONNECTION WITH THE UTILITY COMPANIES.

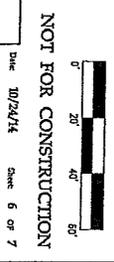
STORM SEWER CASTING SCHEDULE			
NUMBER	TYPE	DIAM.	CASTING TYPE
1	SM	24"	R-2500S
2	SM	36"	R-2500S
3	SM	48"	R-2500S
4	SM	48"	R-2500S



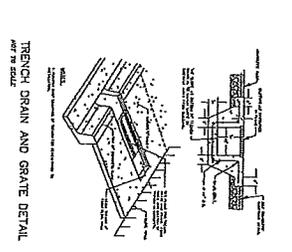
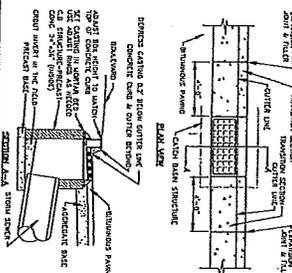
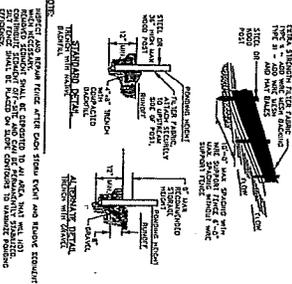
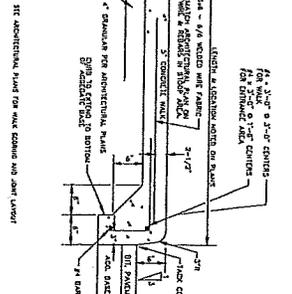
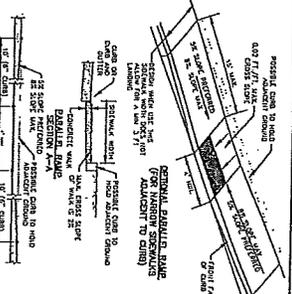
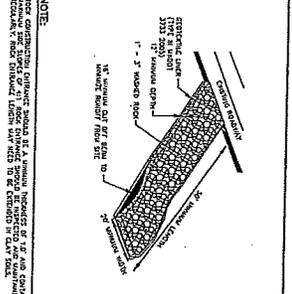
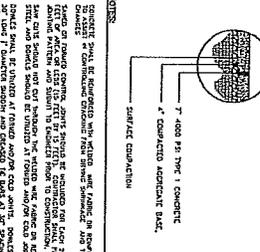
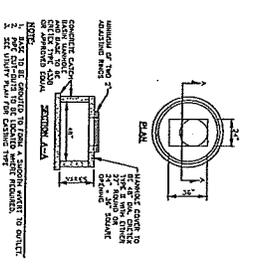
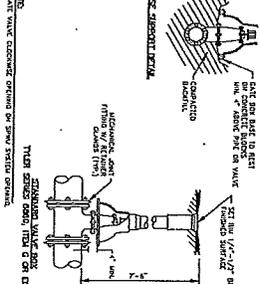
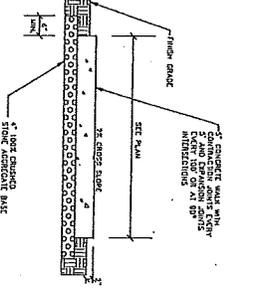
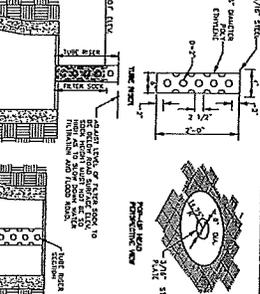
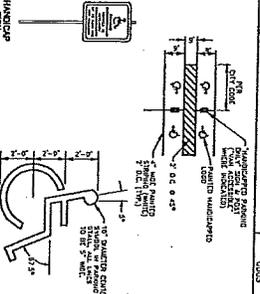
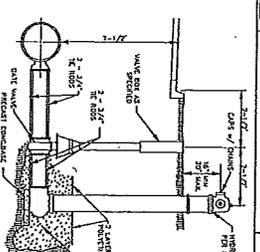
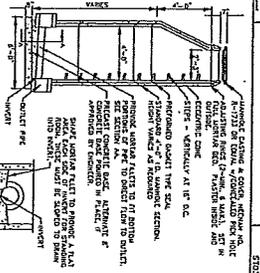
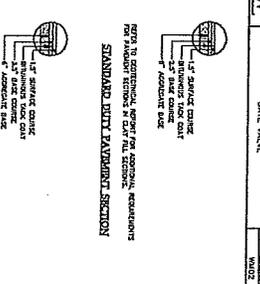
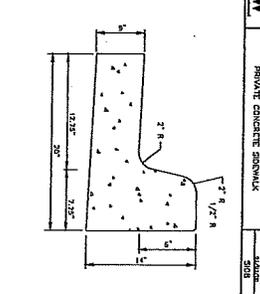
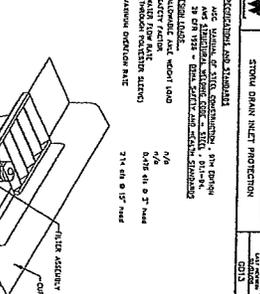
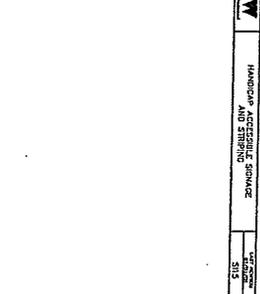
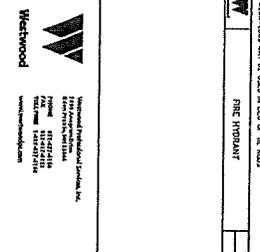
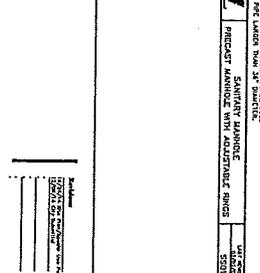
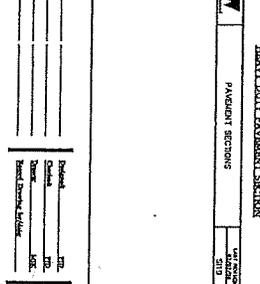
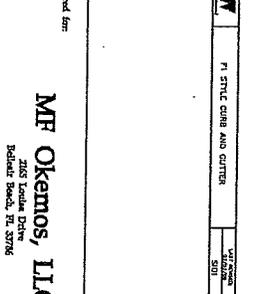
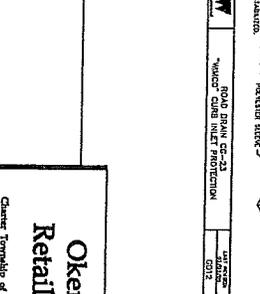
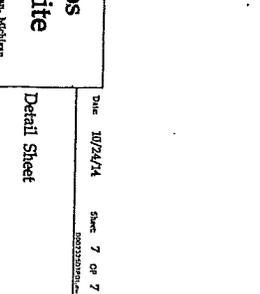
Revisions	
NO.	DESCRIPTION

Prepared by: **MP Okemos, LLC**  
 2345 Leola Drive  
 Okemos, MI 48864  
 Phone: 517-885-1111  
 Fax: 517-885-1112  
 www.wetwood.com

**Okemos Retail Site**  
 Utility Plan  
 Okemos Township of Michigan, Michigan



NOT FOR CONSTRUCTION  
 Date: 10/24/14  
 Sheet 6 of 7  
 002227070000

 <p><b>TRENCH DRAIN AND GRATE DETAIL</b></p> <p>1. SEE DETAIL FOR TRENCH DRAIN AND GRATE DETAIL.</p>	 <p><b>RECONSTRUCTED CATCH BASIN</b></p> <p>1. RECONSTRUCTED CATCH BASIN WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>SET FRAME</b></p> <p>1. SET FRAME SHALL BE CONCRETE WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>INTERNAL CURB AND WALK</b></p> <p>1. SET ADAPTATIONAL AND 12" DIA. CURB AND WALK.</p>	 <p><b>ACCESSIBLE DROPPED CURB</b></p> <p>1. ACCESSIBLE DROPPED CURB WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>ROAD CONSTRUCTION DRAINAGE</b></p> <p>1. ROAD CONSTRUCTION DRAINAGE WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>
 <p><b>CONCRETE PAVEMENT</b></p> <p>1. CONCRETE PAVEMENT WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>STANDARD MANHOLE</b></p> <p>1. STANDARD MANHOLE WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>DATE VALVE</b></p> <p>1. DATE VALVE WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>PRIVATE CONCRETE SIDEWALK</b></p> <p>1. PRIVATE CONCRETE SIDEWALK WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>STREET DRAIN WITH PROTECTION</b></p> <p>1. STREET DRAIN WITH PROTECTION WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>HANDICAP ACCESSIBLE SPACER</b></p> <p>1. HANDICAP ACCESSIBLE SPACER WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>
 <p><b>REINFORCED CONCRETE</b></p> <p>1. REINFORCED CONCRETE WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>STANDARD MANHOLE</b></p> <p>1. STANDARD MANHOLE WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>DATE VALVE</b></p> <p>1. DATE VALVE WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>PRIVATE CONCRETE SIDEWALK</b></p> <p>1. PRIVATE CONCRETE SIDEWALK WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>STREET DRAIN WITH PROTECTION</b></p> <p>1. STREET DRAIN WITH PROTECTION WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>	 <p><b>HANDICAP ACCESSIBLE SPACER</b></p> <p>1. HANDICAP ACCESSIBLE SPACER WITH 12" DIA. MANHOLE AND 12" DIA. TRENCH DRAIN.</p>
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**Westwood**

Westwood Professional Services, Inc.  
 1111 Westwood Blvd.  
 Suite 100  
 Westwood, NJ 07675  
 Phone: 201-261-1111  
 Fax: 201-261-1112  
 Email: info@westwoodps.com

**Okemos Retail Site**

2105 Lehigh Drive  
 Belvidere, NJ 07003

Project No: 2014-001

Client: Okemos Retail Site

Scale: 1/8" = 1'-0"

Sheet: 7 of 7

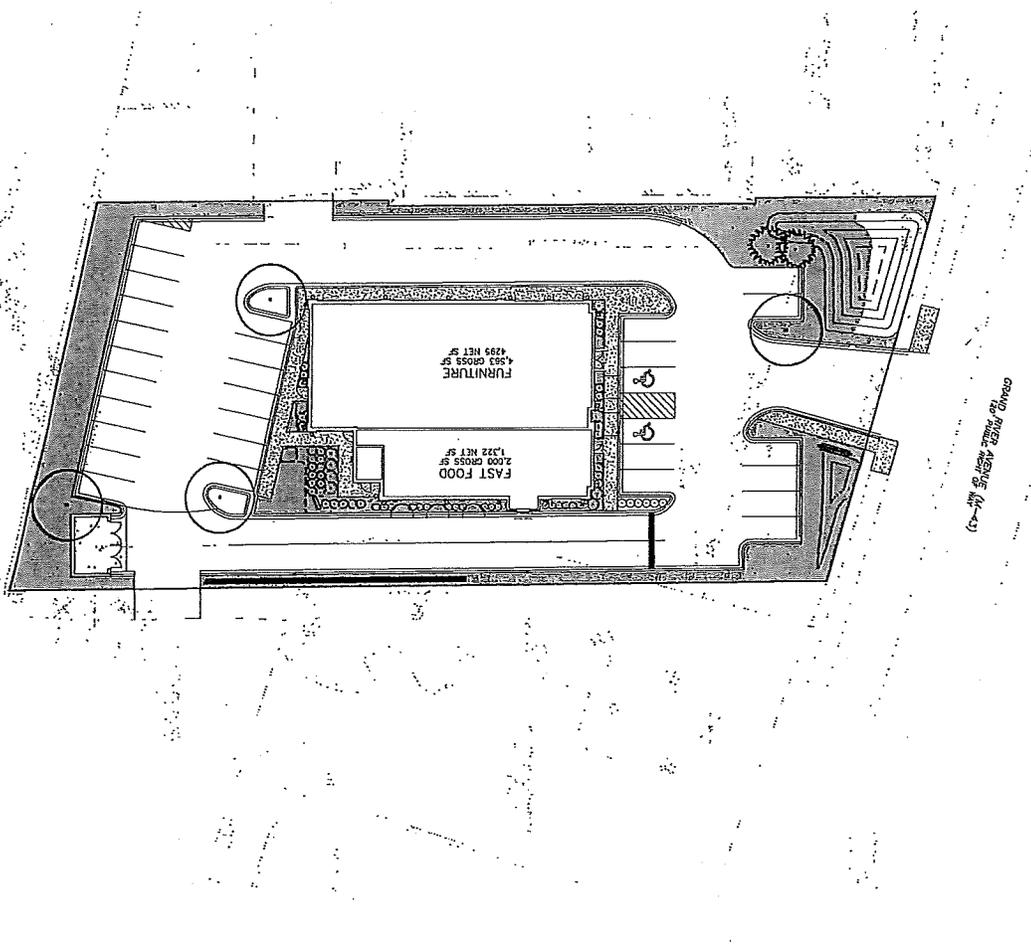
Proposed Item: MF Okemos, LLC

2105 Lehigh Drive  
 Belvidere, NJ 07003

Date: 10/24/14

Sheet: 7 of 7

Client: Township of Mendon, Michigan



**Site Development Summary**

EXISTING SITE	
• REMOVED SURFACE	9,797 SF (94,7%)
• ASPHALT SURFACE	20,724 SF (73.3%)
EXISTING SITE (PER CODE SECTION 86-404(1))	
• REMOVED SURFACE	8,724 SF (22.1%)
• ASPHALT SURFACE	30,624 SF (77.9%)
PROPOSED SITE (ACTUAL)	
• REMOVED SURFACE	9,426 SF (94.2%)
• ASPHALT SURFACE	30,608 SF (76.9%)
PROPOSED SITE (PER CODE SECTION 86-404(1))	
• REMOVED SURFACE	9,426 SF (24.4%)
• ASPHALT SURFACE	31,911 SF (79.6%)



Whitwood Professional Services, Inc.  
 3000 North Loop West  
 Suite 1000  
 Houston, Texas 77028  
 Tel: 281.441.1111  
 Fax: 281.441.1112  
 www.whitwood.com

Project Information	
Project Name	Okemos Retail Site
Client	Okemos, LLC
Address	2345 Tackle Drive Bossier Parish, LA 70706
Scale	1" = 20'
Sheet	1 of 1

**Okemos, LLC**  
 2345 Tackle Drive  
 Bossier Parish, LA 70706

**Okemos Retail Site**  
 Site  
 IMPERVIOUS/PERVIOUS AREAS

Owner: Township of Medina, Michigan

NOT FOR CONSTRUCTION

Date: 10/24/14 Sheet: 1 of 1

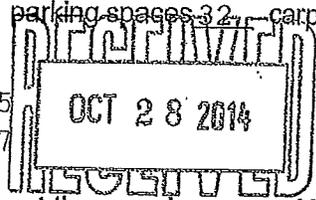
CHARTER TOWNSHIP OF MERIDIAN  
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT  
5151 MARSH ROAD, OKEMOS, MI 48864  
PLANNING DIVISION PHONE: (517) 853-4560, FAX: (517) 853-4095

SPECIAL USE PERMIT APPLICATION

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

Part I

- A. Applicant MF Okemos, LLC.  
Address of Applicant 2165 Louisa Drive, Belleair Beach, FL 33786  
steven@windevelopment.net  
Telephone - Work 727-709-5266 Home \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
Interest in property (circle one): Owner Tenant Option Other  
(Please attach a list of all persons with an ownership interest in the property.)
- B. Site address / location / parcel number 2049 Grand River 33-02-02-21-276-006  
Legal description (please attach if necessary)  
see attached ALTA Survey  
Current zoning C-2 Commercial District  
Use for which permit is requested / project name Fast Food Drive-Through  
Corresponding ordinance number 86-404 (e) (13)
- C. Developer (if different than applicant) Same  
Address \_\_\_\_\_  
Telephone - Work \_\_\_\_\_ Home \_\_\_\_\_ Fax \_\_\_\_\_
- D. Architect, Engineer Planner or Surveyor responsible for design of project if different from applicant:  
Name Westwood Professional Services PJ Disch  
Address 7699 Anagram Drive, Eden Prairie, MN 55344  
Telephone - Work 952-906-7411 Home \_\_\_\_\_ Fax 952-37-5150
- E. Acreage of all parcels in the project: Gross 0.909 Net 0.909
- F. Explain the project and development phases: Demo existig site and build a furniture store along with fast foor restaurant with a drive-through
- G. Total number of:  
Existing: structures 1 bedrooms n/a offices 0 parking spaces 27 carports 0  
garages 0 Proposed: structures 1 bedrooms n/a offices 0 parking spaces 32 carports 0  
0 garages 0
- H. Square footage: existing buildings 8,065 proposed buildings 6,795  
Usable Floor area: existing buildings \_\_\_\_\_ proposed buildings 6,217
- I. If employees will work on the site, state the number of full time and part-time employees working per shift and hours of operation:
- J. Existing Recreation: Type n/a Acreage \_\_\_\_\_  
Proposed Recreation: Type n/a Acreage \_\_\_\_\_



Part II

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

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

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

Part III

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

Yes     No    (Please check one)

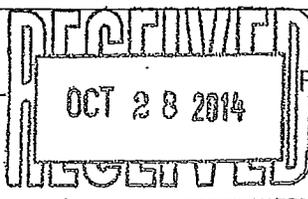
By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate

Steven Alafazan  
Signature of Applicant

10-22-14  
Date

Steven Alafazan  
Type/Print Name

Fee: 500.00



Received by/Date: Manthuyaf 10/22/14

## MEMORANDUM

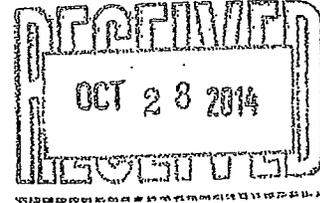
Westwood Professional Services  
7699 Anagram Drive  
Eden Prairie, MN 55344

MAIN 952-937-5150  
FAX 952-937-5822  
TOLL FREE 1-888-937-5150  
EMAIL wps@westwoodps.com  
www.westwoodps.com



Date: October 24, 2014

Re: Special Use Permit Response to Application Questions  
Okemos Retail Site  
Charter Township of Meridian, Michigan  
File: 0002325.00



To: Charter Township of Meridian

From: PJ Disch

The following is a response to the nine questions asked as part of Special Use Permit for the drive-thru at the proposed Okemos Retail Project in the Charter Township of Meridian in Michigan.

1. The Project is consistent with the intent and purposes of this chapter.

The proposed project conforms to the code of Section 86-404 – C-2 Commercial District

2. The project is consistent with applicable land use policies contained in the Township's comprehensive development plan of current adoption.

The proposed project use type is allowed in the proposed zoning district.

3. The project is designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such a use will not change the essential character of the same area.

The proposed project will be an improvement to the existing site. The impervious area of the site will be decreased as part of the project. The proposed building will also meet the setbacks for the site.

4. The project will not adversely affect or be hazardous to existing neighboring uses.

The proposed site will be an improvement to the existing site. The current building does not meet the Townships setback requirements and there is pavement on the site currently that extends to the west and east property line. The proposed project's building will meet the Townships setback requirements. The project will also provide



a minimum of seven feet of separation between the pavement and the east and west property lines

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

The proposed project will enhance the current site conditions

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

The proposed project is served by the noted facilities.

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

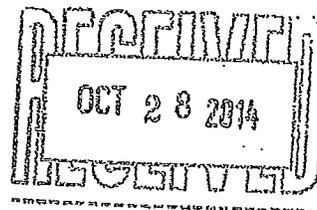
The proposed site is served by water, sanitary and storm sewer off of Grand River Ave.

8. The project will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, fumes, glare or odors.

The proposed project will not involve and activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, fumes, glare or odors

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

The proposed project will not have a substantial adverse impact on the natural resources of the Township.



# CHARTER TOWNSHIP OF MERIDIAN

## MEMORANDUM

TO: Planning Commission

FROM:

*Martha K. Wyatt*  
Martha K. Wyatt  
Associate Planner/Landscape Architect

DATE: November 21, 2014

RE: Special Use Permit #14111 (MF Okemos, LLC), construct a multi-tenant retail building with one drive-through lane

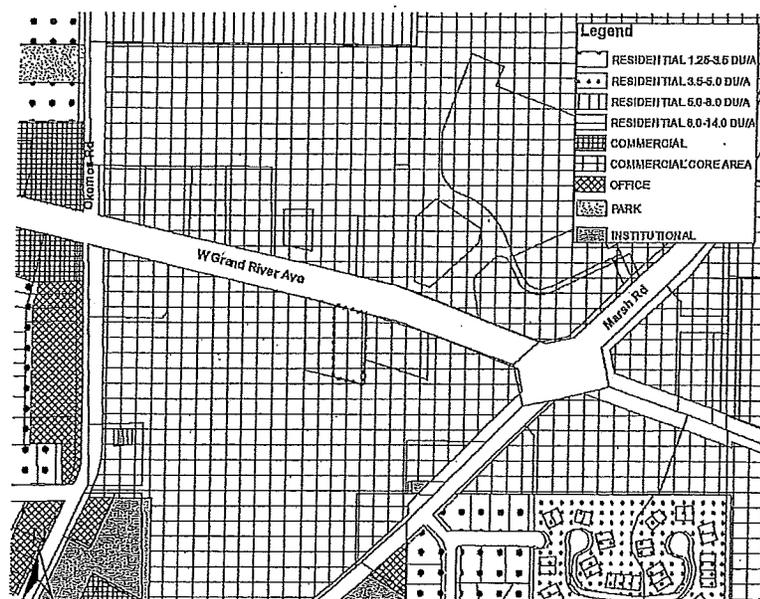
MF Okemos, LLC, the prospective property owner, has requested a special use permit to construct an approximate 6,600 square foot retail building with one drive-through lane at 2049 Grand River Avenue. Northwest Tire and Service store occupied the site most recently and closed in 2013. The applicant intends to raze the existing building and redevelop the site with a multi-tenant building and associated parking. Per the submitted plans, the proposed tenants are a mattress store and a Jimmy John's fast food restaurant with a drive-through lane on the east side of the building. The approximate 0.9 acre site is zoned C-2 (Commercial). A drive-through use is permitted by special use permit in the C-2 district, per Section 86-404(e)(13)

The applicant has requested a decision from the Planning Commission the same night as the public hearing (letter from Steven Alafazan, applicant, dated November 3, 2014).

### Master Plan

The 2005 Master Plan designates the subject site in the Commercial category.

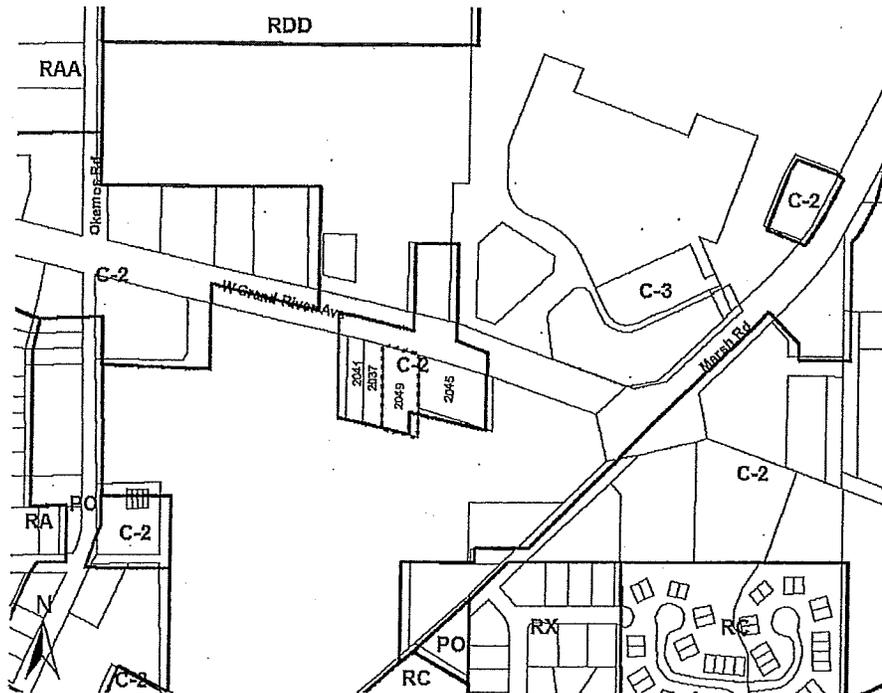
### FUTURE LAND USE MAP



### Zoning

Sites zoned C-2 Commercial require a minimum 100 feet of lot width and 4,000 square feet of lot area. The subject site's lot width along the Grand River Avenue frontage is approximately 140 feet. Lot area is approximately 0.9 acres.

### ZONING MAP



### Physical Features

Currently the former Northwest Tire and Service building (approximately 8,000 square feet) and associated paved parking areas occupy the site. The site gently slopes from the southeast corner to the northwest corner west from a high of approximately 850.5 feet above mean sea level to a low of approximately 840 feet above mean sea level.

Vegetation consists of lawn areas around the parking lot and deciduous trees are located on the north and south sides of the site. The 100-year floodplain is not present on the site. Three oak trees and three hickory trees on the north side of the site will be removed. Three dead trees on the south side will be removed as well.

A Phase I Environment Site Assessment was conducted by Terracon in October 2013 which identified several recognized environmental conditions (REC) on the site which are associated with the former businesses that occupies the site. The RECs include hydraulic lifts, former underground storage tanks, above ground storage tank, oil/water separator and air compressors. Based on the findings from the Phase 1 Assessment further investigation was warranted to evaluate potential impacts to soils and groundwater at the site.

A Limited-Site Investigation (LSI) was conducted in December 2013 by Terracon. Based on the laboratory results of soil and water samples, residual concentrations of chemicals of concern did not exceed the applicable Michigan Department of Environmental Quality (MDEQ) Generic Cleanup Criteria or Risk-Based Screening Levels (RBSLs) and further investigation was not required per applicant's consultant (Terracon).

**Soils**

**SOILS MAP**



The following chart summarizes soil information for the subject site:

SOIL ASSOCIATION	SEVERE BUILDING SITE LIMITATIONS
UtB (Urban Land - Marlette)	None
UpA (Urban Land - Capac)	Wetness

Source: Soil Survey of Ingham County, Michigan, 1992.

The applicant submitted a Geotechnical Engineering Report which was reviewed by the Township's Engineering Department which concurred with the findings of the report.

### Streets & Traffic

The existing Grand River Avenue access drive into the subject site will remain in its current location. Grand River Avenue is a five lane road classified as a primary arterial with two westbound lanes, two eastbound lanes, and a two-way left turn center lane. Michigan Department of Transportation (MDOT) data shows an average of 24,000 vehicles travel along Grand River Avenue, between Okemos Road and Marsh Road daily, based on the MDOT 2013 traffic counts.

There are three signalized intersections, one at Grand River Avenue and Okemos Road and one at Grand River Avenue and Marsh Road. The entrance drive for Meridian Mall at Grand River Avenue is also signalized and is located approximately 210 feet east of the access drive to the subject site. The center turn lane is bi-directional for most of Grand River Avenue in this area; however the center turn lane is marked with a left-turn only arrow at the Meridian Mall entrance, approximately 100 feet west of the traffic signal for the mall entrance.

The Capital Area Transit Authority (CATA) has two routes that stop along Grand River Avenue as follows: Route 1 which runs between downtown Lansing and Meridian Mall; and Route 23 which runs between Michigan State University, Okemos, and Haslett. A Township's Pedestrian-Bicycle Pathway has been constructed along the frontage of the subject site.

The applicant has provided a Traffic Impact Study, prepared by Westwood Professional Services, dated October 22, 2014. The study area includes three intersections: Grand River Avenue and Okemos Road; Grand River Avenue and Marsh Road; and Grand River Avenue at the entrance drive to Meridian Mall. An analysis is also provided for the intersection of the driveway of the subject site (2049 Grand River Avenue) at Grand River Avenue. The report provides an analysis of traffic conditions in the study area for existing conditions, one year after the proposed build-out of the development (2016 Build Condition), and if the property was not developed (2016 No-Build).

The proposed multi-tenant retail building includes two tenant spaces and two uses; a mattress store (4,600 square feet) and a fast-food restaurant (2,000 square feet) with one drive-through lane. Trip generation estimates for AM and PM peak hours are based on the combined total of the two uses, Specialty Retail Center (Land Use Code 826) and Fast Food with Drive Thru 9 (Land Use Code 934), using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9<sup>th</sup> Edition. Approximately 106 total trips are projected for the mid-day peak hour and 77 total trips for the PM peak hour.

The applicant's traffic report provides level of service (LOS) analysis for existing traffic at the intersection of Grand River Avenue and Okemos Road, Grand River Avenue and Marsh Road, and Grand River Avenue. A LOS analysis is provided for future traffic at the same three intersections plus the intersection of Grand River Avenue and the subject site.

- The applicant's traffic consultant offered the following conclusions and recommendations:
- Trip generation associated with the proposed project does not appreciably impact traffic in the study area.
- All intersections in the study area operate at Level of Service D (LOS-D) in the 2016 No-Build and Build conditions.

- The intersection of Grand River Avenue and Okemos Road experiences significant delays on certain movements in the 2016 No-Build and Build conditions.
- There is adequate distance between the access drive of the subject site and the Meridian Mall entrance to accommodate additional traffic.
- The existing pavement striping in the center turn lane near the traffic signal at Meridian Mall does not need to be modified.

The Township's traffic consultant reviewed the site plan and traffic study and noted MDOT should review the pavement markings in the center turn lane near Meridian Mall. The site is located within the Grand River Avenue Corridor Access Management Overlay district. In accordance with Section 86-441, MDOT has reviewed the project and did not have any issues.

#### **Public Utilities and Storm Water Management**

Public water and sanitary sewer services are available to serve the site. The existing stormwater detention basin in the northwest corner of the site will be modified to increase the capacity. The Township's Engineering Department has preliminarily reviewed the stormwater calculations submitted by the applicant and noted review and permits will be required by Michigan Department of Environmental Quality, the Township, and possibly the Ingham County Drain Commissioner's office.

#### **Staff Analysis**

The applicant has requested a special use permit to construct an approximate 6,600 square foot multi-tenant retail building with one drive-through lane located on the east side of the building. The retail use is allowed by right in the C-2 zoning district however the drive-through use requires a special use permit as outlined in Section 86-404(e)(13). As applicable, Special Use Permit criteria (Section 86-126 of the Code of Ordinances) are used to evaluate special use permit requests. A copy of the criteria is attached.

The existing building was built in 1974 and was previously occupied by two tire companies and an oil change facility. The applicant intends to raze the building and construct a retail building and associated parking. Elevation plans show a base course of split-face masonry block and E.I.F.S. for the remainder of the building. Fabric awnings are also proposed on all four elevations. Additional masonry products should be incorporated into the building elevations in order to provide a minimum of 60% masonry products on four sides of the building as is typically required for new buildings.

Parking at the rate of 5 to 5.5 spaces per 1,000 square feet of gross floor area is required. Thus the 6,600 square foot structure requires a minimum of 33 parking spaces but no more than 37 spaces. Thirty-one parking spaces are shown. At a rate of one bicycle parking space for every ten motor vehicle parking spaces, parking for three bicycles is required. Four bicycle racks for eight bicycles are shown on the west side of the building. A reduction in the number of required motor vehicle parking spaces is permitted at the rate of one motor vehicle parking space for every two bicycle parking spaces, not to exceed ten percent of the total number of required motor vehicle parking spaces. In this case a reduction of two motor vehicle parking spaces could be permitted, thus requiring a minimum of 31 motor vehicle parking spaces. As required by ordinance, three stacking spaces are provided for the drive-through lane. A separate by-pass lane is required for a drive-through use, which is not provided on the plans.

The subject site is located in the Grand River Avenue Corridor Access Management Overlay district. The access management plan suggests a service drive connection be provided from the subject site to the Meijer property, which abuts the subject site on the south and east. In order to achieve this, staff is recommending the applicant consider a connection to the Meijer parking lot at the southeast corner of the subject site, subject to the approval of all applicable property owners and the Township. The Township Fire Department has noted it would be in favor of a service drive connection in this location so as to better facilitate access to the proposed fire hydrant at the southeast corner of the proposed building.

There is an existing paved driveway connection between the parking area of the subject site, and adjoining properties west of the site (Family Dentistry/Custom Built at 2037 Grand River Avenue and Heat 'N Sweep at 2041 Grand River Avenue). The property owner of 2037 and 2041 Grand River Avenue, Don Davis, has submitted a letter stating he is in favor of keeping this connection open. The submitted site plans for the proposed project do not show a future connection to the west, but if provided, there would be a service drive connection from Heat 'N Sweep to the Meijer parking lot.

Several variances are required based on the submitted plans, as follows:

- A 20-foot wide side and rear yards are required for a drive-through use and the proposed setbacks do not meet this standard (7.5 feet on the east and west sides and 15.5 feet on the rear)
- A 20-foot wide landscape buffer is required where a parking area adjoins a public street and the parking area is located 10 feet from the front property line at the northeast corner of the site.
- A loading/unloading space is required (12 feet in width and 25 feet in length) and is not provided.
- A 4-foot wide landscaped area is required around the perimeter of the building, or provided elsewhere on the site. Several areas do not meet this standard.
- The maximum allowed impervious surface coverage is 70% and the proposed impervious surface coverage is approximately 75%.

Preliminary landscape and photometric plans have been submitted which will be reviewed in greater detail during site plan review. Comments from the Township's Development Review Committee are incorporated into this memorandum.

#### **Planning Commission Options**

The Planning Commission may approve, approve with conditions or deny the special use permit. A resolution to approve the drive-through lane (use) is provided.

**SUP #14111 (MF Okemos, LLC)**  
**Planning Commission (11/21/14)**  
**Page 7**

**Attachments**

1. Application and Submittals
2. Memorandum from Younes Ishraidi, Chief Engineer, dated November 17, 2014
3. Communication from Don Davis, Heat 'N Sweep, Inc., dated November 20, 1024
4. Resolution to Approve
5. Special Use Permit criteria (Section 86-126)
6. Traffic Impact Study
7. Geotechnical Engineering Report
8. Stormwater Report
9. Phase I Environmental Site Assessment (Summary)
10. Limited Site Assessment (Summary)
11. Building Elevations and Site Plans

G:\Commun Plng & Dev\Plng\Special Use Permits (SUP)\2014\SUP 14111 (MF Okemos\SUP 14111 Staff Reports\SUP 14111.pc1

**MEMORANDUM**

Westwood Professional Services  
7699 Anagram Drive  
Eden Prairie, MN 55344

MAIN 952-937-5150  
FAX 952-937-5822  
TOLL FREE 1-888-937-5150  
EMAIL wps@westwoodps.com  
www.westwoodps.com



Date: November 3, 2014

Re: Natural Features Assessment  
Okemos Retail Site  
Charter Township of Meridian, Michigan  
File: 0002325.00

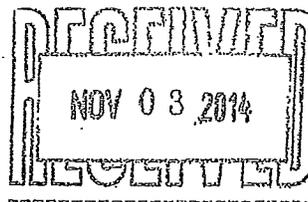
To: Charter Township of Meridian

From: PJ Disch

The following is the response to item #7 of the Special Use permit.

There are going to be 3 oak trees and 3 hickory trees on the north side of the property that are to be removed. The intent of the project was to save the trees, but to provide the required parking onsite the trees need to be removed. The overall site plan has less impervious area than the current existing site.

There is also an existing detention basin that is going to be modified as part of the project. The detention volume of the basin is going to increase in volume even with the decrease of impervious area. The outlet pipe of the existing detention basin will remain and be used as the outlet for the revised detention basin.



Revision Date: March, 2012

### CHARTER TOWNSHIP OF MERIDIAN HEALTH IMPACT ASSESSMENT

Please provide written responses to each applicable question. For those questions which are not applicable, please indicate so on the form. Attach additional sheets if more space is necessary to respond fully to the questions. Submit completed form with your project/development application.

Project Name: Okemos Retail, Address/Location: 2049 Grand River Case # \_\_\_\_\_  
Type of Project:  Residential  Commercial  Office  Public

#### Water Quality Considerations/Impacts

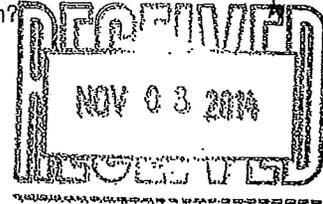
YES NO

- What is the source of water for the proposed project/development? Meridian Township
- What is the estimated daily water demand? 2,700 gallons per day
- If public water, is there available capacity to handle this project in the municipal facilities?
- If private well, is the water considered potable (safe)?
- Is the project/development within existing municipal service areas?
- Are there nearby sources of potential water contamination? IF YES LIST \_\_\_\_\_
- Are there underground storage tanks? IF YES LIST \_\_\_\_\_
- Are their gasoline or oil pipelines? IF YES LIST \_\_\_\_\_
- Is there a nearby known source of contaminated soil? IF YES LIST \_\_\_\_\_
- Are there abandoned wells on the site? IF YES LIST \_\_\_\_\_
- Will the water supply require on-site treatment, such as iron removal?
- Are there any wetlands on the site?  
If YES what is/are the size(s) of the wetland(s)? \_\_\_\_\_
- If wetlands are being impacted, is adequate mitigation being proposed?
- Is the project located in a known floodplain?
- Will the proposed project affect groundwater recharge?
- What percentage of the parcel is covered by impervious surfaces? \_\_\_\_\_
- Does the project affect the overall percentage of impervious surfaces in the watershed?

#### Wastewater Considerations/Impacts

YES NO

- Does the project/development require an on-site wastewater system?
- If YES, are the soils appropriate to support a septic system?
- Is project/development within the service area of the municipal sewage system?



#### Air Quality Considerations/Impacts

YES NO

- Does the project/development entail demolition activities?
- If YES, has the site been examined for asbestos and/or lead?
- Are there plans for mitigating dust?
- Will the project/development result in increased stationary air emissions?
- If YES, are emissions controlled contaminants? PLEASE LIST \_\_\_\_\_
- Has the applicant obtained necessary permits?
- Will the project result in increased air emissions from cars?  
What is the increase in traffic volume projected for peak hours? \_\_\_\_\_
- Is the proposed use compatible with adjacent uses?
- Is the site near known areas affected by radon?

#### Solid & Hazardous Waste Disposal

YES NO

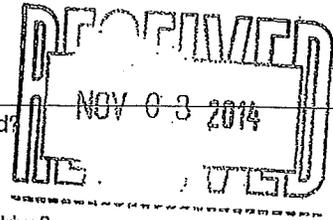
- Is the proposed project/development located near any facility handling or disposing of hazardous waste?
- Will the proposed project/development provide on-site recycling?
- Is there historic evidence of solid or hazardous waste disposal or releases on or adjacent to the site?
- Are there plans in place to prevent the release of hazardous materials into the environment in the case of fire?  
If YES describe \_\_\_\_\_
- Does the project entail hazardous waste disposal?  
If YES is the proposed waste handling or disposal activity compatible with adjacent use and/or zoning?
- Is the proposed waste handling or disposal activity compatible with the Ingham County Solid Waste Management Plan?
- Is the facility near vulnerable resources (e.g. nursing homes) that may require contingency planning for extra protection in the event of an on-site fire? IF ANY LIST \_\_\_\_\_

**Noise Considerations/Impacts**

- YES NO  
  Is the project/development likely to generate noises that will create a nuisance to neighboring uses?  
 If YES please list type of noise(s) and hours \_\_\_\_\_  
  Are there engineered or non-engineered measures that can be employed to mitigate nuisance noises?  
 If YES please list \_\_\_\_\_  
  Does the generated noise violate the noise ordinance?

**Social Capital**

- YES NO  
  Does the project/development promote interaction between neighbors?  
 If Yes please list \_\_\_\_\_  
  Is the physical design of the project harmonious with the overall neighborhood?



**Physical Activity and Injury Prevention**

- YES NO  
  Does the project/development provide mobility options for those who cannot drive?  
  Does the project/development have sidewalks that lead to local destinations?  
 If YES what is the proposed width of the sidewalks? 5 feet  
  Does the project/development have or connect to a trail system for walking or biking?  
  Does the project/development contain elements that enhance the feeling of neighborhood safety?  
  Are local streetlights being provided?  
  Are houses oriented toward the street to provide "eyes on the street?"  
  Can a child walk safely to school?  
  Are there sidewalks/pathways along the route to the school(s)?  
  What is the walking distance to the area's schools? \_\_\_\_\_  
  Is the visibility at intersections good?/Can drivers see short children?  
  Does the route contain known dangerous intersections?  
 If YES please list \_\_\_\_\_  
  Are there crossing guards at these intersections?  
  Will the project/development contain a significant elderly population?  
  Can the elderly walk to important destinations (i.e. banks, post office, and library)?  
 What is the walking distance to these destinations? \_\_\_\_\_  
  Are there sidewalks/pathways along the routes to these destinations?  
  Does the route contain known dangerous intersections?  
  Does the project contain design elements to calm traffic such as speed humps, extended corners, raised street crossings, or similar features? IF ANY LIST \_\_\_\_\_  
  Does the project/development present unsafe conditions or deter access and free mobility for the physically handicapped?  
  For projects/development on arterial streets does the plan include pedestrian crossing signals and/or mid-street islands?  
  Is public transportation available? If YES where and how close is the nearest bus stop? On Grand River  
  Does the nearest bus stop have a shelter?  
  Does the nearest the bus stop have a bench?

**Health Equity/Food Systems (HOUSING PROJECTS ONLY)**

- YES NO  
  Does the project provide for a diversity of housing types to accommodate a variety of income groups?  
 What is the square footage of the smallest dwelling unit? \_\_\_\_\_  
 What is the estimated market price? \_\_\_\_\_  
  Does this price represent an "affordable house" given the area median income?  
  Is the proposed project/development located in an area that provides easy access to healthy foods?  
 What is the distance to the nearest full service grocery store? \_\_\_\_\_  
 What is the distance to the nearest convenience store? \_\_\_\_\_  
  Will dwelling units (multiple family housing projects) be smoke-free?  
  Does the neighborhood have a disproportionate number of liquor/party stores?  
  Is the project/development located in a neighborhood or region characterized by concentrated poverty?  
  Are affected residents involved in the planning process?  
  Are disadvantaged populations at greater risk of exposure to environmental hazards?

**Growth Objectives/Regional Growth Project**

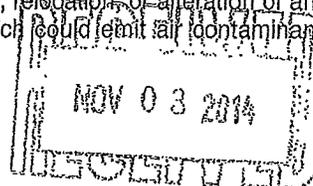
- YES NO  
  Is the project located within the designated growth area of the Tri-County Regional Growth Project?

**CHARTER TOWNSHIP OF MERIDIAN  
ENVIRONMENTAL PERMITS CHECKLIST**

Name: Okemos Retail Site  
Mailing Address: 2165 Louisa Drive, Belleair Beach, FL 33786  
Telephone: 727-709-5266 Fax: \_\_\_\_\_ E-Mail: steven@windevelopment.net  
Type of Business (if applicable): Furniture/Fast Food  
Owner/Manager: Steven Alafazan  
Date: 11/03/2014 Signature: \_\_\_\_\_ *Alafazan*

Circle (Y/N) the items that may pertain to your project or facility; then contact the office(s) listed to determine specific requirements. Return a copy of this checklist to the Department of Community Planning & Development as part of your project or development submittal – even if the approvals have not yet been obtained. This list includes the most common permits and approvals related to water and air quality, waste, and the environment. Other permits and approvals, including Township approvals may also be necessary.

1. Y  N  Will the project involve the discharge of any type of wastewater to a storm sewer, drain, lake, wetland, or other surface water? Contact: MDNRE/Water Bureau @ (517) 335-4176; MDNRE/Land & Water Management @ (517) 373-1170; Meridian Township Dept. of Community Planning and Development @ (517) 853-4560.
2. Y  N  Will the project involve any construction work, fill with any material, or soil disturbance in the 100-year floodplain? Contact: MDNRE Land & Water Management/Floodplain Management @ (517) 335-3181 and Meridian Township Dept. of Community Planning & Development @ (517) 853-4560.
3. Y  N  Will the project involve the direct or indirect discharge of waste, waste effluent, wastewater, pollutants, and/or cooling water into the groundwater or on the ground? Contact: MDNRE/ Waste & Hazardous Materials @ (517) 335-2690.
4. Y  N  Will the project involve construction or alteration of any sewage collection or treatment facility? Contact: MDNRE/Water Bureau @ (517) 335-4176. For discharging to surface waters; Contact: MDNRE/Water Bureau @ (517) 335-4176. For discharging to groundwater; Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
5. Y  N  Will the project or facility store or use chemicals, petroleum products, or salt? Depending on the type of substance, secondary containment and a Pollution Incident Prevention Plan (PIPP) may be required. Contact: MDNRE/Waste & Hazardous Materials @ (517) 373-8481; Ingham County Health Dept./Environmental Health Division @ (517) 887-4312; Meridian Township Fire Administration @ (517) 853-4700.
6. Y  N  Will the project involve the installation, operation, or removal of an underground or above ground storage tank containing a petroleum product or hazardous substance? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-4035 and Meridian Township Fire Administration @ (517) 853-4700.
7. Y  N  Will the project involve liquefied petroleum gas storage tanks, container filling station, or a compressed natural gas dispensing station? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-4035.
8. Y  N  Will the project involve the generation of hazardous waste or medical waste? Hazardous Waste Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-9875. Medical Waste Contact: MDNRE/Waste & Hazardous Materials @ (517) 241-1320 or (517) 335-1146.
9. Y  N  Will the project involve the on-site treatment, storage, or disposal of hazardous waste? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-9875.
10. Y  N  Will the project involve the transport of hazardous waste or non-hazardous liquid industrial waste? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-9875.
11. Y  N  Will the project involve landfilling, transferring or processing solid non-hazardous wastes on site? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
12. Y  N  Will the project involve the installation, construction, reconstruction, relocation, or alteration of any process or process equipment (including air pollution control equipment) which could emit air contaminants? Contact: MDNRE/Air Quality @ (517) 373-7023.



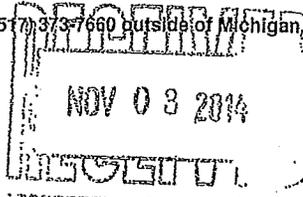
13. Y  N Will the project or facility involve the storage, mixing, or distribution of pesticides or fertilizers in bulk quantities? Contact: Michigan Department of Agriculture/Region 6 Pesticide & Plant Pest Management @ (517) 335-1830.
14. Y  N Will the project involve a manmade change in the natural cover (land clearing) and/or topography of land, such as cut/fill activities that may contribute to soil erosion/sedimentation? Contact: Meridian Township Dept. of Public Works & Engineering @ (517) 853-4440 and MDNRE/Land & Water Management @ (517) 373-1170.
15. Y  N Will the project involve any dredging, filling with any material, or construction in, across, under, or within 500 feet of a river, stream, creek, ditch, drain, lake, pond, swamp, or wetland(s)? Contact: MDNRE/Land & Water Management @ (517) 373-1170 and Meridian Township Dept. of Community Planning & Development (517) 853-4560.
16. Y  N Will an on-site wastewater treatment system or septic system be installed?  
 For subsurface sanitary sewage disposal in quantities of 10,000 gallons per day or less: For any subsurface discharge or sanitary sewage in quantities equal to or greater than 10,000 gallons per day, Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.  
  
 For subsurface disposal of sanitary sewage in quantities of 6,000 to 10,000 gallons per day: In addition to obtaining a construction permit from the Ingham County Health Department, submit a state wastewater discharge notification form. Flow monitoring and reporting are required. Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.  
  
 For industrial or commercial wastewater (other than sanitary sewage) in any quantity. Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
17. Y  N Will the project involve construction of a water supply well or extension of a water supply service from an existing water system? Contact: MDNRE/Water Bureau @ (517) 241-1374 and Ingham County Health Dept./Environmental Health @ (517) 887-4312.
18. Y  N Are there out-of-service wells, abandoned wells, or cisterns on the site? (drinking water, irrigation & monitoring wells). Contact: MDNRE/Water Bureau @ (517) 241-1413; Ingham County Health Dept./Environmental Health @ (517) 887-4312; and Meridian Township Department of Community Planning & Development @ (517) 853-4560.
19. Y  N Will the project involve a subdivision or site condominium project utilizing individual on-site subsurface disposal systems or individual wells? Contact: Ingham County Health Dept./Environmental Health @ (517) 887-4312.
20. Y  N Will the project involve the on-site storage of sanitary sewage prior to transport and disposal off-site (pump and haul)? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
21. Y  N Has the site/facility ever been subject to a remedial action, limited closure, or other environmental cleanup response under Part 201, Natural Resources and Environmental Protection Act (NREPA)? Is the property currently subject to a response action? Has a Baseline Environmental Assessment (BEA) been completed for the property? Contact: MDNRE/Remediation & Redevelopment @ (517) 373-9837 and/or MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
22. Y  N Will the project involve the installation of a seawall or bulkhead? Contact: MDNRE/Land & Water Management @ (517) 373-1170 and Meridian Township Dept. of Community Planning & Development @ (517) 853-4560.

**Notes:**

- For assistance with permits and approvals from the Michigan Department of Natural Resources and Environment (MDNRE), including coordination among MDNRE divisions, contact the Permit Coordination Unit at (517) 373-9244.
- For assistance on environmental issues at the MDNRE, contact the Environmental Assistance Center at (800) 662-927
- For Spill/Release reporting to the MDNRE, call (517) 373-8481.
- For pollution emergencies, call the MDNRE at (800) 292-4706 in Michigan and (517) 373-7660 outside of Michigan.

Last updated, June 2010

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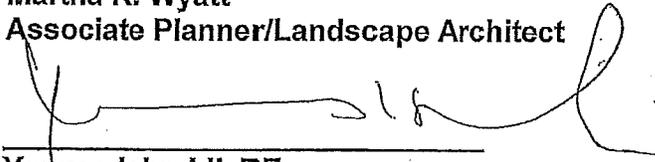


CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

DATE: November 17, 2014

TO: Martha K. Wyatt  
Associate Planner/Landscape Architect

FROM:   
Younes Ishraidi, PE  
Chief Engineer

RE: 2049 Grand River Avenue – SUP#14111

Based upon our review of the plan submitted for the subject development, we offer the following comments:

**Sanitary System:**

- The existing sanitary lateral is proposed to be replaced entirely from an existing manhole to the building, a new connection to the manhole is proposed; we are not clear as to why. Please share with us the reason(s) for this approach.
- An outdoor grease interceptor will be required for the proposed restaurant. The interior plumbing shall be designed to ensure all grease laden fixtures, including dishwashers are plumbed thru the interceptor. The proposed plumbing plan must be approved by the Township's engineering office. Maintenance agreements for the grease interceptors will be required.

**Water System:**

- The water main can be accessed from the adjacent property to the east; this will preclude the need for crossing Grand River Avenue, and will reduce the amount and cost of the water system installation. The developer's engineer is encouraged to contact our office to further discuss the water system installation.
- Fire hydrants shall be shown in accordance with Township requirements.
- The fire protection system installation and maintenance shall be in accordance with Meridian Township policy. Fire protection plans must be approved by this office and the fire department. A maintenance agreement for the backflow prevention devices will be required. The fire protection line must have a "PIV" per Township standard detail.
- A water easement will be required.

**Storm system and drainage:**

- The storm run-off, storage and discharge calculations are currently review.
- Review & permits of the storm system will be needed from MDOT, the Township, and possibly the Ingham County Drain Commissioner's office.

**Pathway and sidewalks:**

- Sections of the existing pathway sections may need to be replaced if they don't meet current Township standards. Detailed comments will follow later.
- Provide 5' sidewalk connections to the existing 7' pedestrian/bicycle pathway along Grand River Avenue.

**Grading & Soil Erosion & Sedimentation Control (SESC):**

- SESC plans and permit will be required. SESC permits are issued by the Township's Engineering Department.

**Road & parking lot:**

- Approval from MDOT is required.
- Shared access to adjacent parcels are not proposed. One possible access the can be easily accomplished is at the southeast corner to the Meijer's site.

**General:**

- Provide a location map on cover sheet, and show the site address.
- Gas, electric, telephone, transformer boxes, and cable lines are not shown. These utilities shall be shown on site plans for review. Also, parking lot lights, and other outdoor lights shall be shown.
- All existing easements shall be shown with liber & page numbers.
- As-builts will be required on mylar and AutoCAD CD.
- When all mentioned items have been attended to, we will need two complete revised sets of plans for further review. Upon approval, seven sets of sealed plans will be required. A pre-construction meeting will be scheduled when all required fees and permits have been obtained. A notice to proceed will be issued after that.
- Include Township's current standard detail sheets for water, sanitary and pathway/sidewalk. You may contact our office for digital files of these sheets.
- Show Township's standard notes for construction, water, sanitary, and pathway on cover sheet. You may contact our office for digital files of these sheets.

**Fees:**

The following fees and/or deposits will be required:

- Sanitary and water fees will be required for all new buildings. Exact cost will be determined on size(s) of meters desired.

- Engineering Review Fee : to be determined\*
- Inspection Escrow Deposit : to be Determined\*
- SESC permit fees : To be determined

\*Exact amount will be determined when itemized cost estimates of all proposed sanitary, water and pathways work are provided.

## CHARTER TOWNSHIP OF MERIDIAN

### MEMORANDUM

**TO:** Planning Commission

**FROM:** Martha K. Wyatt  
Associate Planner/landscape Architect

**DATE:** December 11, 2014

**RE:** Special Use Permit #14111 (MF Okemos, LLC), construct a multi-tenant retail building with one drive-through lane

The Planning Commission held a public hearing on November 24, 2014 regarding MF Okemos, LLC's request for a special use permit to construct an approximate 6,600 square foot retail building with one drive-through lane at 2049 Grand River Avenue. The approximate 0.9 acre site is zoned C-2 (Commercial). A drive-through use is permitted by special use permit in the C-2 district, per Section 86-404(e)(13).

The following concerns were raised by the Planning Commission at the public hearing: absence of a by-pass lane for the drive-through window; the removal of several existing canopy trees on the north side of the site; access drive connections to the adjacent properties east and west of the subject site; increase in the impervious coverage of the site when comparing existing and proposed site plans; numerous variances being requested; and the concern the proposed development plan is too much for the site. The Planning Commission did not make a decision the same night as the public hearing as was requested by the applicant.

Staff met with the applicant on November 26, 2014 to discuss ways to redesign the site plans to address the concerns raised by the Planning Commission. Revised plans have been provided and include the following changes:

- A 10-foot wide by-pass lane has been added east of the drive-through lane.
- Three existing trees have been saved (30" and 36' oak trees in the northwest corner of the site and 24" hickory in the northeast corner of the site).
- One vehicle parking spaces has been eliminated in the northeast corner of the site in order to preserve the hickory tree. A total of 30 vehicle parking spaces are provided. A minimum of 33 vehicle parking spaces are required, however the number may be reduced to 30 spaces because 7 bicycle parking spaces are provided on the plan.
- Curb and gutter has been on eliminated on a portion of the drive aisle near the oak trees on the northwest side of the site.
- A 5-foot wide sidewalk has been added that connects to the 7-foot pedestrian/bicycle pathway along the frontage of the site.
- The east and west landscape buffers have been reduced from approximately 7.5 feet in width to 5 feet (east) and 4 feet (west).
- The adjacent owner to the west will continue to have an access drive connection from their site to the subject site.

- The applicant has contacted Meijer regarding an access drive connection from the subject site (southeast lot line) to the Meijer parking lot.

The impervious surface coverage of the site has increased from the previous plan reviewed at the November 24, 2014 public hearing. The previous plans showed the site to be approximately 75% impervious; the revised plans show the site to be approximately 78.6% impervious. The maximum allowed impervious coverage is 70% for a commercial site. The existing site is approximately 77.9% impervious. The applicant has provided revised stormwater calculations that are based on the revised site plans.

Based on the revised plans, the following ordinance requirements have not been met:

- Section 86-402(13): A 4-foot wide landscaped area is required around the perimeter of the building, or provided elsewhere on the site. Several areas do not meet this standard.
- Section 86-402(17): The maximum allowed impervious surface coverage is 70% and the proposed impervious surface coverage is approximately 78.6%.
- Section 86-404(e)(13)a.1.: 20-foot wide side and rear yards are required for a drive-through use and the proposed setbacks do not meet this standard (5.1 feet on the east side; 4.0 feet on the west side; and 15.0 feet on the rear)
- Section 86-721(b): A loading/unloading space is required (12 feet in width and 25 feet in length) and is not provided.
- Section 86-756(7): Curb and gutter is required in parking areas and is not provided in the northwest corner of the site.
- Section 86-756(11): A 20-foot wide landscape buffer is required where a parking area adjoins a public street. The parking area is located approximately 11 feet from the front property line at the northeast corner of the site.

The plans could be revised to meet the standards or variances may be requested to the Zoning Board of Appeals. A complete review of the plans will occur during site plan review. Additional variances may be required at that time.

### **Planning Commission Options**

The Planning Commission may approve, approve with conditions or deny the special use permit. At the public hearing on November 24, 2014, the Planning Commission requested staff to provide a resolution to approve and a resolution to deny the drive-through use, based on the plans dated October 24, 2014. A resolution to approve and a resolution to deny are attached.

### **Attachments**

1. Summary letter from applicant dated December 9, 2014
2. Resolution to approve
3. Resolution to deny
4. Special use permit review criteria (Section 86-126)
5. Revised stormwater calculations
6. Revised site plans dated December 8, 2014
7. Revised impervious/pervious plan received by the Township on December 9, 2014

## MEMORANDUM

Westwood Professional Services  
7699 Anagram Drive  
Eden Prairie, MN 55344

MAIN 952-937-5150  
FAX 952-937-5822  
TOLL FREE 1-888-937-5150  
EMAIL [wps@westwoodps.com](mailto:wps@westwoodps.com)  
[www.westwoodps.com](http://www.westwoodps.com)



Date: December 4, 2014

Re: **Okemos Retail Project**  
**2049 Grand River**  
**Stormwater Narrative**  
File 0002325.00

To: Charter Township of Meridian

From: PJ Disch

### Project Description

The plan is to install a one story furniture/fast food building with surface parking. The current site is 39,575 square feet in size.

### Existing and Proposed Site Areas

This is the breakdown of the existing and proposed areas.

Existing	
Pervious	9,787 sf 24.7%
Impervious	29,788 sf 75.3%
Total	39,575 sf

Proposed	
Pervious	9,490 sf 24.0%
Impervious	30,085 sf 76.0%
Total	39,575 sf

### Existing Conditions

The existing site is broken up into two drainage areas. There is a small portion of the site that drains directly onto Grand River. The majority of the site drains to the small detention basin on the northwest corner of the site. There is a 6" CM pipe that controls the discharge rate leaving the basin.

### Proposed Conditions

The proposed site is also broken up into two drainage areas. There is a small portion of the site that will continue to drain directly onto Grand River. The proposed area is smaller than the existing area. The majority of the site will continue to drain to the detention basin on the northwest corner of the site. The detention basin has been



expanded with the increase of impervious area on the site. The existing 6" CM pipe will also remain in place to control the discharge rate of the stormwater leaving the detention basin.

**Stormwater Runoff Summary**

The following table summarizes the existing conditions and post-development peak runoff rates from the site for the 2-year, 10-year & 100-year storm events.

**Runoff Rates**

Drainage Area	Storm Event		
	2-Year (2.5") (cfs)	10-Year (3.4") (cfs)	100-Year (4.9") (cfs)
<b>1E (to basin)</b>	1.29	1.55	1.84
<b>2E (offsite)</b>	0.24	0.39	0.66
<b>Existing Total</b>	<b>1.53</b>	<b>1.94</b>	<b>2.50</b>
<b>1P (to basin)</b>	1.26	1.53	1.81
<b>2P (offsite)</b>	0.09	0.12	0.18
<b>Proposed Total</b>	<b>1.35</b>	<b>1.65</b>	<b>1.99</b>

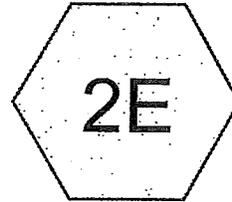
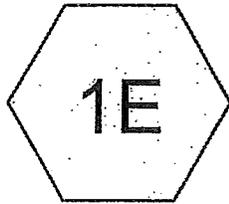
	Detention Basin Elevation		
	2-Year	10-Year	100-Year
<b>Existing</b>	841.95	842.77	843.89
<b>Proposed</b>	841.88	842.72	843.76

**Attachments**

- A Existing and Proposed Drainage Maps
- B Existing and Proposed HydroCAD model

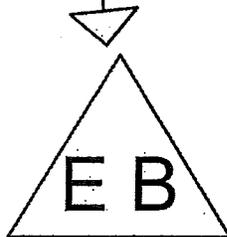




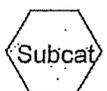


EXISTING TO  
DETENTION BASIN

EXISTING OFFSITE



EXISTING DETENTION  
BASIN



14-12-08 Okemos

Type II 24-hr 2 YEAR Rainfall=2.50"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=1.87"  
Tc=15.0 min CN=94 Runoff=1.79 cfs 0.120 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,074 sf 40.15% Impervious Runoff Depth=1.12"  
Tc=10.0 min CN=84 Runoff=0.24 cfs 0.013 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=841.95' Storage=438 cf Inflow=1.79 cfs 0.120 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 1' Outflow=1.29 cfs 0.120 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.133 af Average Runoff Depth = 1.75"**  
**24.87% Pervious = 0.226 ac 75.13% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 1.79 cfs @ 12.06 hrs, Volume= 0.120 af, Depth= 1.87"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.24 cfs @ 12.02 hrs, Volume= 0.013 af, Depth= 1.12"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,635	74	>75% Grass cover, Good, HSG C
6,074	84	Weighted Average
3,635		59.85% Pervious Area
2,439		40.15% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 1.87" for 2 YEAR event  
 Inflow = 1.79 cfs @ 12.06 hrs, Volume= 0.120 af  
 Outflow = 1.29 cfs @ 12.17 hrs, Volume= 0.120 af, Atten= 28%, Lag= 6.3 min  
 Primary = 1.29 cfs @ 12.17 hrs, Volume= 0.120 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 841.95' @ 12.17 hrs Surf.Area= 487 sf Storage= 438 cf

Plug-Flow detention time= 1.7 min calculated for 0.120 af (100% of inflow)  
 Center-of-Mass det. time= 1.7 min ( 802.4 - 800.7 )

**14-12-08 Okemos**

Type II 24-hr 2 YEAR Rainfall=2.50"

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Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/ Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.28 cfs @ 12.17 hrs HW=841.94' (Free Discharge)  
 ↑ **1=Culvert** (Inlet Controls 1.28 cfs @ 6.52 fps)

14-12-08 Okemos

Type II 24-hr 10 YEAR Rainfall=3.40"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=2.74"  
Tc=15.0 min CN=94 Runoff=2.57 cfs 0.175 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,074 sf 40.15% Impervious Runoff Depth=1.85"  
Tc=10.0 min CN=84 Runoff=0.39 cfs 0.022 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=842.77' Storage=938 cf Inflow=2.57 cfs 0.175 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/' Outflow=1.55 cfs 0.175 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.197 af Average Runoff Depth = 2.60"**  
**24.87% Pervious = 0.226 ac 75.13% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 2.57 cfs @ 12.06 hrs, Volume= 0.175 af, Depth= 2.74"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.39 cfs @ 12.02 hrs, Volume= 0.022 af, Depth= 1.85"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,635	74	>75% Grass cover, Good, HSG C
6,074	84	Weighted Average
3,635		59.85% Pervious Area
2,439		40.15% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 2.74" for 10 YEAR event  
 Inflow = 2.57 cfs @ 12.06 hrs, Volume= 0.175 af  
 Outflow = 1.55 cfs @ 12.20 hrs, Volume= 0.175 af, Atten= 40%, Lag= 8.3 min  
 Primary = 1.55 cfs @ 12.20 hrs, Volume= 0.175 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 842.77' @ 12.20 hrs Surf.Area= 732 sf Storage= 938 cf

Plug-Flow detention time= 3.1 min calculated for 0.175 af (100% of inflow)  
 Center-of-Mass det. time= 3.1 min ( 793.3 - 790.2 )

14-12-08 Okemos

Type II 24-hr 10 YEAR Rainfall=3.40"

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Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 ' S= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.55 cfs @ 12.20 hrs HW=842.77' (Free Discharge)  
↑1=Culvert (Inlet Controls 1.55 cfs @ 7.87 fps)

14-12-08 Okemos

Type II 24-hr 100 YEAR Rainfall=4.90"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=4.21"  
Tc=15.0 min CN=94 Runoff=3.85 cfs 0.270 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,074 sf 40.15% Impervious Runoff Depth=3.18"  
Tc=10.0 min CN=84 Runoff=0.66 cfs 0.037 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=843.89' Storage=1,982 cf Inflow=3.85 cfs 0.270 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 ' Outflow=1.84 cfs 0.270 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.307 af Average Runoff Depth = 4.05"**  
**24.87% Pervious = 0.226 ac 75.13% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 3.85 cfs @ 12.06 hrs, Volume= 0.270 af, Depth= 4.21"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.66 cfs @ 12.01 hrs, Volume= 0.037 af, Depth= 3.18"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,635	74	>75% Grass cover, Good, HSG C
6,074	84	Weighted Average
3,635		59.85% Pervious Area
2,439		40.15% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 4.21" for 100 YEAR event  
 Inflow = 3.85 cfs @ 12.06 hrs, Volume= 0.270 af  
 Outflow = 1.84 cfs @ 12.24 hrs, Volume= 0.270 af, Atten= 52%, Lag= 10.5 min  
 Primary = 1.84 cfs @ 12.24 hrs, Volume= 0.270 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 843.89' @ 12.24 hrs Surf.Area= 1,153 sf Storage= 1,982 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)  
 Center-of-Mass det. time= 5.7 min ( 784.6 - 778.9 )

**14-12-08 Okemos**

Type II 24-hr 100 YEAR Rainfall=4.90"

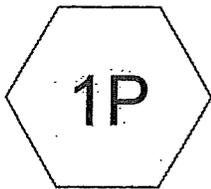
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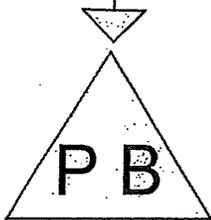
Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

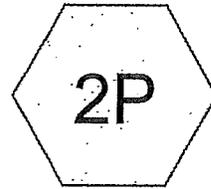
**Primary OutFlow** Max=1.84 cfs @ 12.24 hrs HW=843.88' (Free Discharge)  
 ↑1=Culvert (Inlet Controls 1.84 cfs @ 9.37 fps)



PROPOSED TO  
DETENTION BASIN



PROPOSED  
DETENTION BASIN



PROPOSED OFFSITE



14-12-08 Okemos

Type II 24-hr 2 YEAR Rainfall=2.50"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points  
Runoff by SCS TR-20 method, UH=SCS  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,279 sf 75.21% Impervious Runoff Depth=1.69"  
Tc=15.0 min CN=92 Runoff=1.88 cfs 0.124 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,296 sf 100.00% Impervious Runoff Depth=2.27"  
Tc=10.0 min CN=98 Runoff=0.09 cfs 0.006 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=841.88' Storage=623 cf Inflow=1.88 cfs 0.124 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 ' Outflow=1.26 cfs 0.124 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.130 af Average Runoff Depth = 1.71"**  
**23.98% Pervious = 0.218 ac 76.02% Impervious = 0.691 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 1.88 cfs @ 12.07 hrs, Volume= 0.124 af, Depth= 1.69"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
28,789	98	Paved parking, HSG A
9,490	74	>75% Grass cover, Good, HSG C
38,279	92	Weighted Average
9,490		24.79% Pervious Area
28,789		75.21% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.09 cfs @ 12.01 hrs, Volume= 0.006 af, Depth= 2.27"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.879 ac, 75.21% Impervious, Inflow Depth = 1.69" for 2 YEAR event  
Inflow = 1.88 cfs @ 12.07 hrs, Volume= 0.124 af  
Outflow = 1.26 cfs @ 12.19 hrs, Volume= 0.124 af, Atten= 33%, Lag= 7.1 min  
Primary = 1.26 cfs @ 12.19 hrs, Volume= 0.124 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 841.88' @ 12.19 hrs Surf.Area= 566 sf Storage= 623 cf

Plug-Flow detention time= 4.0 min calculated for 0.124 af (100% of inflow)  
Center-of-Mass det. time= 4.0 min ( 816.2 - 812.2 )

Volume #1	Invert	Avail.Storage	Storage Description
	839.85'	4,655 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

**14-12-08 Okemos**

Type II 24-hr 2 YEAR Rainfall=2.50"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	126	9	9
841.00	322	224	233
842.00	600	461	694
843.00	1,075	838	1,532
844.00	1,776	1,426	2,957
844.80	2,467	1,697	4,655

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.26 cfs @ 12.19 hrs HW=841.87' (Free Discharge)

↑**1=Culvert** (Inlet Controls 1.26 cfs @ 6.40 fps)

14-12-08 Okemos

Type II 24-hr 10 YEAR Rainfall=3.40"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,279 sf 75.21% Impervious Runoff Depth=2.54"  
Tc=15.0 min CN=92 Runoff=2.78 cfs 0.186 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,296 sf 100.00% Impervious Runoff Depth=3.17"  
Tc=10.0 min CN=98 Runoff=0.12 cfs 0.008 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=842.72' Storage=1,250 cf Inflow=2.78 cfs 0.186 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/ Outflow=1.53 cfs 0.186 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.194 af Average Runoff Depth = 2.56"**  
**23.98% Pervious = 0.218 ac 76.02% Impervious = 0.691 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 2.78 cfs @ 12.06 hrs, Volume= 0.186 af, Depth= 2.54"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
28,789	98	Paved parking, HSG A
9,490	74	>75% Grass cover, Good, HSG C
38,279	92	Weighted Average
9,490		24.79% Pervious Area
28,789		75.21% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.12 cfs @ 12.01 hrs, Volume= 0.008 af, Depth= 3.17"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.879 ac, 75.21% Impervious, Inflow Depth = 2.54" for 10 YEAR event  
Inflow = 2.78 cfs @ 12.06 hrs, Volume= 0.186 af  
Outflow = 1.53 cfs @ 12.22 hrs, Volume= 0.186 af, Atten= 45%, Lag= 9.1 min  
Primary = 1.53 cfs @ 12.22 hrs, Volume= 0.186 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 842.72' @ 12.22 hrs Surf.Area= 942 sf Storage= 1,250 cf

Plug-Flow detention time= 5.7 min calculated for 0.186 af (100% of inflow)  
Center-of-Mass det. time= 5.7 min ( 806.5 - 800.8 )

Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	4,655 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

**14-12-08 Okemos**

Type II 24-hr 10 YEAR Rainfall=3.40"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	126	9	9
841.00	322	224	233
842.00	600	461	694
843.00	1,075	838	1,532
844.00	1,776	1,426	2,957
844.80	2,467	1,697	4,655

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 ' S= 0.0368 ' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.53 cfs @ 12.22 hrs HW=842.71' (Free Discharge)

↑1=Culvert (Inlet Controls 1.53 cfs @ 7.78 fps)

14-12-08 Okemos

Type II 24-hr 100 YEAR Rainfall=4.90"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,279 sf 75.21% Impervious Runoff Depth=3.99"  
Tc=15.0 min CN=92 Runoff=4.26 cfs 0.292 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,296 sf 100.00% Impervious Runoff Depth=4.66"  
Tc=10.0 min CN=98 Runoff=0.18 cfs 0.012 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=843.76' Storage=2,559 cf Inflow=4.26 cfs 0.292 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/ Outflow=1.81 cfs 0.292 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.304 af Average Runoff Depth = 4.01"**  
**23.98% Pervious = 0.218 ac 76.02% Impervious = 0.691 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 4.26 cfs @ 12.06 hrs, Volume= 0.292 af, Depth= 3.99"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
28,789	98	Paved parking, HSG A
9,490	74	>75% Grass cover, Good, HSG C
38,279	92	Weighted Average
9,490		24.79% Pervious Area
28,789		75.21% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.18 cfs @ 12.01 hrs, Volume= 0.012 af, Depth= 4.66"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.879 ac, 75.21% Impervious, Inflow Depth = 3.99" for 100 YEAR event  
Inflow = 4.26 cfs @ 12.06 hrs, Volume= 0.292 af  
Outflow = 1.81 cfs @ 12.26 hrs, Volume= 0.292 af, Atten= 58%, Lag= 11.7 min  
Primary = 1.81 cfs @ 12.26 hrs, Volume= 0.292 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 843.76' @ 12.26 hrs Surf.Area= 1,611 sf Storage= 2,559 cf

Plug-Flow detention time= 9.1 min calculated for 0.292 af (100% of inflow)  
Center-of-Mass det. time= 9.1 min ( 797.5 - 788.4 )

Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	4,655 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

**14-12-08 Okemos**

Type II 24-hr 100 YEAR Rainfall=4.90"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	126	9	9
841.00	322	224	233
842.00	600	461	694
843.00	1,075	838	1,532
844.00	1,776	1,426	2,957
844.80	2,467	1,697	4,655

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.81 cfs @ 12.26 hrs HW=843.76' (Free Discharge)

↑ **1=Culvert** (Inlet Controls 1.81 cfs @ 9.21 fps)

**RESOLUTION TO DENY**

**Special Use Permit #14111  
(MF Okemos, LLC)  
2049 Grand River Avenue**

**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 15th day of December 2014, at 7:00 p.m., Local Time.

PRESENT: Chair Jackson, Vice-Chair Deits, Secretary Cordill, Commissioners Hildebrandt,  
Honicky, Ianni, Scott-Craig, Van Coevering

ABSENT: None

The following resolution was offered by Commissioner Honicky and supported by Commissioner Hildebrandt.

WHEREAS, MF Okemos, LLC, requested a special use permit (Special Use Permit #14111) to construct a multi-tenant retail building with one drive-through lane on an approximate 0.9 acre site zoned C-2 (Commercial) and located at 2049 Grand River Avenue; and

WHEREAS, the Planning Commission held a public hearing for Special Use Permit #14111 at its November 24, 2014 meeting; and

WHEREAS, the Planning Commission reviewed and discussed staff material forwarded under cover memorandums dated November 21, 2014 and December 11, 2014; and

WHEREAS, the proposed project is not designed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will change the essential character of the same area; and

WHEREAS, the proposed project will have a substantial adverse impact on the natural resources of the township; and

WHEREAS, the proposed project does not meet the ordinance standards; and

WHEREAS, the project will adversely affect the existing roadway traffic; and

WHEREAS, the project could be designed to meet the ordinance standards and preserve all healthy natural assets on the site.

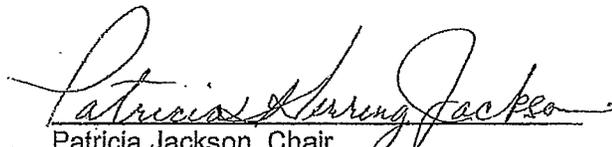
NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies Special Use Permit #14111.

**Resolution to Deny  
SUP #14111 (MF Okemos, LLC)  
December 11, 2014  
Page 2**

ADOPTED: YEAS: Commissioners Cordill, Hildebrandt, Honicky, Scott-Craig, Chair  
Jackson  
NAYS: Commissioners Deits, Ianni, Van Coevering

STATE OF MICHIGAN     )  
                                  ) ss  
COUNTY OF INGHAM    )

I, the undersigned, the duly qualified Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 15th day of December, 2014.

  
Patricia Jackson, Chair  
Meridian Township Planning Commission

**Special Use Permit #14111  
(MF Okemos, LLC)  
November 24, 2014**

**APPLICANT:** Steven Alafazanos  
MF Okemos, LLC  
2165 Louisa Drive  
Belleair Beach, FL 33786

**STATUS OF APPLICANT:** Prospective property owner

**REQUEST:** SUP to construct a retail building with one drive-through lane

**CURRENT ZONING:** C-2 (Commercial)

**LOCATION:** 2049 Grand River Avenue

**AREA OF SUBJECT SITE:** Approximately 0.9 acres

**EXISTING LAND USE:** Former Northwest Tire and Service

**EXISTING LAND USES  
IN AREA:**  
N: Burger King  
S: Meijer  
E: Belle Tire  
W: Family Dentistry and Custom Built

**CURRENT ZONING IN AREA:**  
N: C-3 and C-2 (Commercial)  
S: C-3 (Commercial)  
E: C-2 (Commercial)  
W: C-2 (commercial)

**FUTURE LAND USE  
DESIGNATION:** Commercial

**FUTURE LAND USE MAP:**  
N: Commercial Core  
S: commercial Core  
E: Commercial Core  
W: commercial Core

# CHARTER TOWNSHIP OF MERIDIAN

## MEMORANDUM

TO: Planning Commission

FROM: Martha K. Wyatt  
Martha K. Wyatt  
Associate Planner/Landscape Architect

DATE: November 21, 2014

RE: Special Use Permit #14111 (MF Okemos, LLC), construct a multi-tenant retail building with one drive-through lane

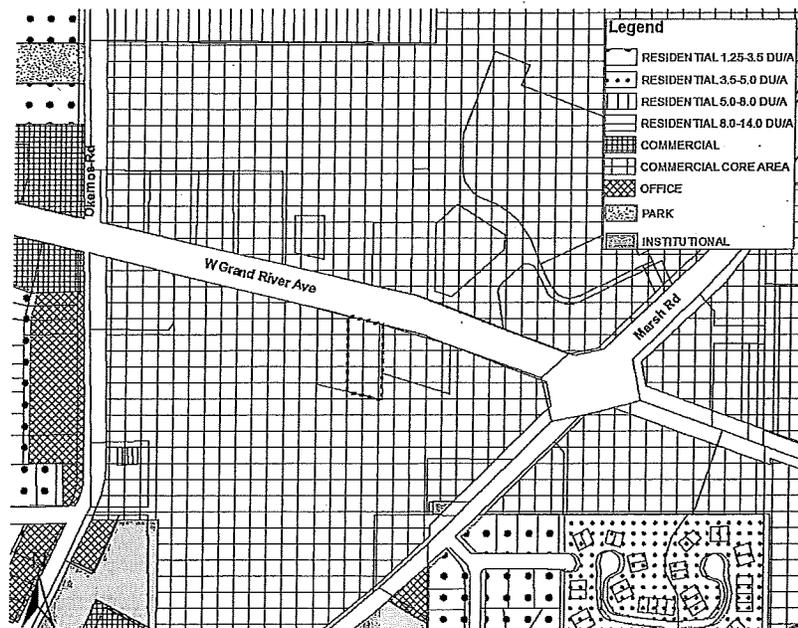
MF Okemos, LLC, the prospective property owner, has requested a special use permit to construct an approximate 6,600 square foot retail building with one drive-through lane at 2049 Grand River Avenue. Northwest Tire and Service store occupied the site most recently and closed in 2013. The applicant intends to raze the existing building and redevelop the site with a multi-tenant building and associated parking. Per the submitted plans, the proposed tenants are a mattress store and a Jimmy John's fast food restaurant with a drive-through lane on the east side of the building. The approximate 0.9 acre site is zoned C-2 (Commercial). A drive-through use is permitted by special use permit in the C-2 district, per Section 86-404(e)(13)

The applicant has requested a decision from the Planning Commission the same night as the public hearing (letter from Steven Alafazan, applicant, dated November 3, 2014).

### Master Plan

The 2005 Master Plan designates the subject site in the Commercial category.

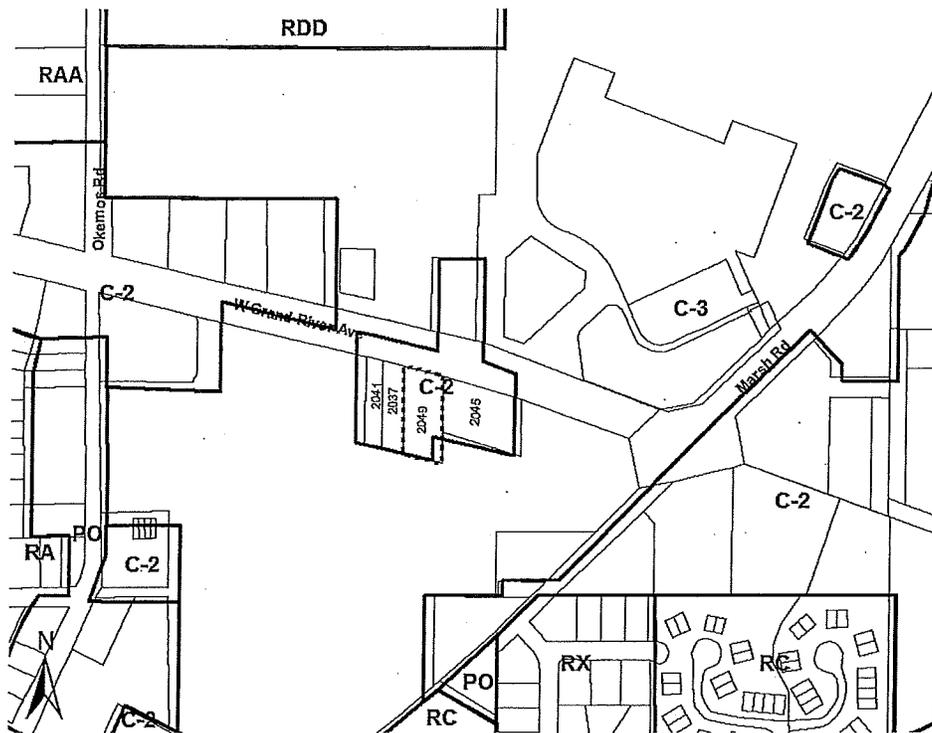
### FUTURE LAND USE MAP



**Zoning**

Sites zoned C-2 Commercial require a minimum 100 feet of lot width and 4,000 square feet of lot area. The subject site's lot width along the Grand River Avenue frontage is approximately 140 feet. Lot area is approximately 0.9 acres.

**ZONING MAP**



**Physical Features**

Currently the former Northwest Tire and Service building (approximately 8,000 square feet) and associated paved parking areas occupy the site. The site gently slopes from the southeast corner to the northwest corner west from a high of approximately 850.5 feet above mean sea level to a low of approximately 840 feet above mean sea level.

Vegetation consists of lawn areas around the parking lot and deciduous trees are located on the north and south sides of the site. The 100-year floodplain is not present on the site. Three oak trees and three hickory trees on the north side of the site will be removed. Three dead trees on the south side will be removed as well.

A Phase I Environment Site Assessment was conducted by Terracon in October 2013 which identified several recognized environmental conditions (REC) on the site which are associated with the former businesses that occupies the site. The RECs include hydraulic lifts, former underground storage tanks, above ground storage tank, oil/water separator and air compressors. Based on the findings from the Phase 1 Assessment further investigation was warranted to evaluate potential impacts to soils and groundwater at the site.

A Limited Site Investigation (LSI) was conducted in December 2013 by Terracon. Based on the laboratory results of soil and water samples, residual concentrations of chemicals of concern did not exceed the applicable Michigan Department of Environmental Quality (MDEQ) Generic Cleanup Criteria or Risk-Based Screening Levels (RBSLs) and further investigation was not required per applicant's consultant (Terracon).

**Soils**

**SOILS MAP**



The following chart summarizes soil information for the subject site:

SOIL ASSOCIATION	SEVERE BUILDING SITE LIMITATIONS
UtB (Urban Land - Marlette)	None
UpA (Urban Land - Capac)	Wetness

Source: Soil Survey of Ingham County, Michigan, 1992.

The applicant submitted a Geotechnical Engineering Report which was reviewed by the Township's Engineering Department which concurred with the findings of the report.

### **Streets & Traffic**

The existing Grand River Avenue access drive into the subject site will remain in its current location. Grand River Avenue is a five lane road classified as a primary arterial with two westbound lanes, two eastbound lanes, and a two-way left turn center lane. Michigan Department of Transportation (MDOT) data shows an average of 24,000 vehicles travel along Grand River Avenue, between Okemos Road and Marsh Road daily, based on the MDOT 2013 traffic counts.

There are three signalized intersections, one at Grand River Avenue and Okemos Road and one at Grand River Avenue and Marsh Road. The entrance drive for Meridian Mall at Grand River Avenue is also signalized and is located approximately 210 feet east of the access drive to the subject site. The center turn lane is bi-directional for most of Grand River Avenue in this area; however the center turn lane is marked with a left-turn only arrow at the Meridian Mall entrance, approximately 100 feet west of the traffic signal for the mall entrance.

The Capital Area Transit Authority (CATA) has two routes that stop along Grand River Avenue as follows: Route 1 which runs between downtown Lansing and Meridian Mall; and Route 23 which runs between Michigan State University, Okemos, and Haslett. A Township's Pedestrian-Bicycle Pathway has been constructed along the frontage of the subject site.

The applicant has provided a Traffic Impact Study, prepared by Westwood Professional Services, dated October 22, 2014. The study area includes three intersections: Grand River Avenue and Okemos Road; Grand River Avenue and Marsh Road; and Grand River Avenue at the entrance drive to Meridian Mall. An analysis is also provided for the intersection of the driveway of the subject site (2049 Grand River Avenue) at Grand River Avenue. The report provides an analysis of traffic conditions in the study area for existing conditions, one year after the proposed build-out of the development (2016 Build Condition), and if the property was not developed (2016 No-Build).

The proposed multi-tenant retail building includes two tenant spaces and two uses; a mattress store (4,600 square feet) and a fast-food restaurant (2,000 square feet) with one drive-through lane. Trip generation estimates for AM and PM peak hours are based on the combined total of the two uses, Specialty Retail Center (Land Use Code 826) and Fast Food with Drive Thru 9 (Land Use Code 934), using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9<sup>th</sup> Edition. Approximately 106 total trips are projected for the mid-day peak hour and 77 total trips for the PM peak hour.

The applicant's traffic report provides level of service (LOS) analysis for existing traffic at the intersection of Grand River Avenue and Okemos Road, Grand River Avenue and Marsh Road, and Grand River Avenue. A LOS analysis is provided for future traffic at the same three intersections plus the intersection of Grand River Avenue and the subject site.

- The applicant's traffic consultant offered the following conclusions and recommendations:
- Trip generation associated with the proposed project does not appreciably impact traffic in the study area.
- All intersections in the study area operate at Level of Service D (LOS-D) in the 2016 No-Build and Build conditions.

- The intersection of Grand River Avenue and Okemos Road experiences significant delays on certain movements in the 2016 No-Build and Build conditions.
- There is adequate distance between the access drive of the subject site and the Meridian Mall entrance to accommodate additional traffic.
- The existing pavement striping in the center turn lane near the traffic signal at Meridian Mall does not need to be modified.

The Township's traffic consultant reviewed the site plan and traffic study and noted MDOT should review the pavement markings in the center turn lane near Meridian Mall. The site is located within the Grand River Avenue Corridor Access Management Overlay district. In accordance with Section 86-441, MDOT has reviewed the project and did not have any issues.

#### **Public Utilities and Storm Water Management**

Public water and sanitary sewer services are available to serve the site. The existing stormwater detention basin in the northwest corner of the site will be modified to increase the capacity. The Township's Engineering Department has preliminarily reviewed the stormwater calculations submitted by the applicant and noted review and permits will be required by Michigan Department of Environmental Quality, the Township, and possibly the Ingham County Drain Commissioner's office.

#### **Staff Analysis**

The applicant has requested a special use permit to construct an approximate 6,600 square foot multi-tenant retail building with one drive-through lane located on the east side of the building. The retail use is allowed by right in the C-2 zoning district however the drive-through use requires a special use permit as outlined in Section 86-404(e)(13). As applicable, Special Use Permit criteria (Section 86-126 of the Code of Ordinances) are used to evaluate special use permit requests. A copy of the criteria is attached.

The existing building was built in 1974 and was previously occupied by two tire companies and an oil change facility. The applicant intends to raze the building and construct a retail building and associated parking. Elevation plans show a base course of split-face masonry block and E.I.F.S. for the remainder of the building. Fabric awnings are also proposed on all four elevations. Additional masonry products should be incorporated into the building elevations in order to provide a minimum of 60% masonry products on four sides of the building as is typically required for new buildings.

Parking at the rate of 5 to 5.5 spaces per 1,000 square feet of gross floor area is required. Thus the 6,600 square foot structure requires a minimum of 33 parking spaces but no more than 37 spaces. Thirty-one parking spaces are shown. At a rate of one bicycle parking space for every ten motor vehicle parking spaces, parking for three bicycles is required. Four bicycle racks for eight bicycles are shown on the west side of the building. A reduction in the number of required motor vehicle parking spaces is permitted at the rate of one motor vehicle parking space for every two bicycle parking spaces, not to exceed ten percent of the total number of required motor vehicle parking spaces. In this case a reduction of two motor vehicle parking spaces could be permitted, thus requiring a minimum of 31 motor vehicle parking spaces. As required by ordinance, three stacking spaces are provided for the drive-through lane. A separate by-pass lane is required for a drive-through use, which is not provided on the plans.

The subject site is located in the Grand River Avenue Corridor Access Management Overlay district. The access management plan suggests a service drive connection be provided from the subject site to the Meijer property, which abuts the subject site on the south and east. In order to achieve this, staff is recommending the applicant consider a connection to the Meijer parking lot at the southeast corner of the subject site, subject to the approval of all applicable property owners and the Township. The Township Fire Department has noted it would be in favor of a service drive connection in this location so as to better facilitate access to the proposed fire hydrant at the southeast corner of the proposed building.

There is an existing paved driveway connection between the parking area of the subject site and adjoining properties west of the site (Family Dentistry/Custom Built at 2037 Grand River Avenue and Heat 'N Sweep at 2041 Grand River Avenue). The property owner of 2037 and 2041 Grand River Avenue, Don Davis, has submitted a letter stating he is in favor of keeping this connection open. The submitted site plans for the proposed project do not show a future connection to the west, but if provided, there would be a service drive connection from Heat 'N Sweep to the Meijer parking lot.

Several variances are required based on the submitted plans, as follows:

- A 20-foot wide side and rear yards are required for a drive-through use and the proposed setbacks do not meet this standard (7.5 feet on the east and west sides and 15.5 feet on the rear)
- A 20-foot wide landscape buffer is required where a parking area adjoins a public street and the parking area is located 10 feet from the front property line at the northeast corner of the site.
- A loading/unloading space is required (12 feet in width and 25 feet in length) and is not provided.
- A 4-foot wide landscaped area is required around the perimeter of the building, or provided elsewhere on the site. Several areas do not meet this standard.
- The maximum allowed impervious surface coverage is 70% and the proposed impervious surface coverage is approximately 75%.

Preliminary landscape and photometric plans have been submitted which will be reviewed in greater detail during site plan review. Comments from the Township's Development Review Committee are incorporated into this memorandum.

#### **Planning Commission Options**

The Planning Commission may approve, approve with conditions or deny the special use permit. A resolution to approve the drive-through lane (use) is provided.

**SUP #14111 (MF Okemos, LLC)**  
**Planning Commission (11/21/14)**  
**Page 7**

**Attachments**

1. Application and Submittals
2. Memorandum from Younes Ishraidi, Chief Engineer, dated November 17, 2014
3. Communication from Don Davis, Heat 'N Sweep, Inc., dated November 20, 1024
4. Resolution to Approve
5. Special Use Permit criteria (Section 86-126)
6. Traffic Impact Study
7. Geotechnical Engineering Report
8. Stormwater Report
9. Phase I Environmental Site Assessment (Summary)
10. Limited Site Assessment (Summary)
11. Building Elevations and Site Plans

G:\Commun Plng & Dev\Plng\Special Use Permits (SUP)\2014\SUP 14111 (MF Okemos)\SUP 14111 Staff Reports\SUP 14111.pc1

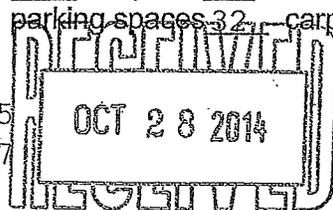
**CHARTER TOWNSHIP OF MERIDIAN  
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT  
5151 MARSH ROAD, OKEMOS, MI 48864  
PLANNING DIVISION PHONE: (517) 853-4560, FAX: (517) 853-4095**

**SPECIAL USE PERMIT APPLICATION**

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

**Part I**

- A. Applicant MF Okemos, LLC.  
 Address of Applicant 2165 Louisa Drive, Belleair Beach, FL 33786  
 \_\_\_\_\_ steven@windevelopment.net  
 Telephone - Work 727-709-5266 Home \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
 Interest in property (circle one): Owner Tenant Option Other  
 (Please attach a list of all persons with an ownership interest in the property.)
- B. Site address / location / parcel number 2049 Grand River 33-02-02-21-276-006  
 Legal description (please attach if necessary)  
see attached ALTA Survey  
 Current zoning C-2 Commercial District  
 Use for which permit is requested / project name Fast Food Drive-Through  
 Corresponding ordinance number 86-404 (e) (13)
- C. Developer (if different than applicant) Same  
 Address \_\_\_\_\_  
 Telephone - Work \_\_\_\_\_ Home \_\_\_\_\_ Fax \_\_\_\_\_
- D. Architect, Engineer Planner or Surveyor responsible for design of project if different from applicant:  
 Name Westwood Professional Services PJ Disch  
 Address 7699 Anagram Drive, Eden Prairie, MN 55344  
 Telephone - Work 952-906-7411 Home \_\_\_\_\_ Fax 952-37-5150
- E. Acreage of all parcels in the project: Gross 0.909 Net 0.909
- F. Explain the project and development phases: Demo existig site and build a furniture store along with fast foor restaurant with a drive-through
- G. Total number of:  
 Existing: structures 1 bedrooms n/a offices 0 parking spaces 27 carports 0  
 garages 0 Proposed: structures 1 bedrooms n/a offices 0 parking spaces 32 carports 0  
 garages 0
- H. Square footage: existing buildings 8,065 proposed buildings 6,795  
 Usable Floor area: existing buildings \_\_\_\_\_ proposed buildings 6,217
- I. If employees will work on the site, state the number of full time and ~~part-time employees working~~ per shift and hours of operation:
- J. Existing Recreation: Type n/a Acreage \_\_\_\_\_  
 Proposed Recreation: Type n/a Acreage \_\_\_\_\_



Part II

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

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

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

Part III

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

Yes     No    (Please check one)

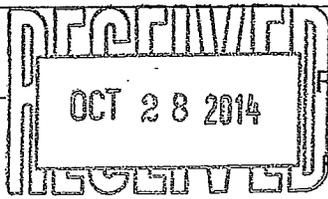
By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate

Steven Alafazan  
Signature of Applicant

10-22-14  
Date

Steven Alafazan  
Type/Print Name

Fee: 500.00



Received by/Date: Manthia [Signature] 10/22/14

**MEMORANDUM**

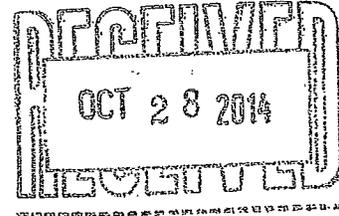
Westwood Professional Services  
7699 Anagram Drive  
Eden Prairie, MN 55344

MAIN 952-937-5150  
FAX 952-937-5822  
TOLL FREE 1-888-937-5150  
EMAIL wps@westwoodps.com  
www.westwoodps.com



Date: October 24, 2014

Re: **Special Use Permit Response to Application Questions**  
**Okemos Retail Site**  
**Charter Township of Meridian, Michigan**  
File: 0002325.00



To: Charter Township of Meridian

From: PJ Disch

The following is a response to the nine questions asked as part of Special Use Permit for the drive-thru at the proposed Okemos Retail Project in the Charter Township of Meridian in Michigan.

1. The Project is consistent with the intent and purposes of this chapter.

The proposed project conforms to the code of Section 86-404 – C-2 Commercial District

2. The project is consistent with applicable land use policies contained in the Township's comprehensive development plan of current adoption.

The proposed project use type is allowed in the proposed zoning district.

3. The project is designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and such a use will not change the essential character of the same area.

The proposed project will be an improvement to the existing site. The impervious area of the site will be decreased as part of the project. The proposed building will also meet the setbacks for the site.

4. The project will not adversely affect or be hazardous to existing neighboring uses.

The proposed site will be an improvement to the existing site. The current building does not meet the Townships setback requirements and there is pavement on the site currently that extends to the west and east property line. The proposed project's building will meet the Townships setback requirements. The project will also provide



Westwood

a minimum of seven feet of separation between the pavement and the east and west property lines

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

The proposed project will enhance the current site conditions

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

The proposed project is served by the noted facilities.

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

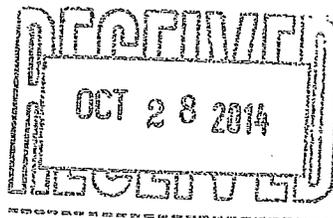
The proposed site is served by water, sanitary and storm sewer off of Grand River Ave.

8. The project will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, fumes, glare or odors.

The proposed project will not involve and activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property, or the general welfare by reason of excessive production of traffic, noise, fumes, glare or odors

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

The proposed project will not have a substantial adverse impact on the natural resources of the Township.



# MF OKEMOS, LLC

2165 Louisa Drive  
Belleair Beach, FL 33786

November 3, 2014

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

Re: Mattress Firm and Jimmy Johns  
2049 Grand River Avenue  
Okemos, MI 48864

To Whom It May Concern:

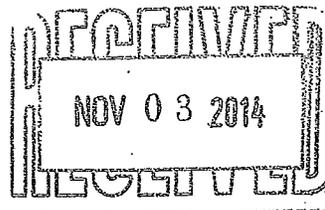
Please accept this letter as a request for a resolution to our petition the night of November 24<sup>th</sup> as we are tied into a very tight closing schedule for the end of the month. We could not secure any extensions from the seller on the parcel and would like to have an approval even with conditions to move forward.

If you have any questions or require any additional information please feel free to contact me at 727-709-5266.

Thank you,



Steven Alafazan  
VP of Development



**MEMORANDUM**

Westwood Professional Services  
7699 Anagram Drive  
Eden Prairie, MN 55344

MAIN 952-937-5150  
FAX 952-937-5822  
TOLL FREE 1-888-937-5150  
EMAIL wps@westwoodps.com  
www.westwoodps.com



Date: November 3, 2014  
Re: Natural Features Assessment  
Okemos Retail Site  
Charter Township of Meridian, Michigan  
File: 0002325.00

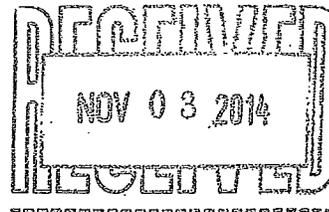
To: Charter Township of Meridian

From: PJ Disch

The following is the response to item #7 of the Special Use permit.

There are going to be 3 oak trees and 3 hickory trees on the north side of the property that are to be removed. The intent of the project was to save the trees, but to provide the required parking onsite the trees need to be removed. The overall site plan has less impervious area than the current existing site.

There is also an existing detention basin that is going to be modified as part of the project. The detention volume of the basin is going to increase in volume even with the decrease of impervious area. The outlet pipe of the existing detention basin will remain and be used as the outlet for the revised detention basin.



**CHARTER TOWNSHIP OF MERIDIAN  
HEALTH IMPACT ASSESSMENT**

Revision Date: March, 2012

Please provide written responses to each applicable question. For those questions which are not applicable, please indicate so on the form. Attach additional sheets if more space is necessary to respond fully to the questions. Submit completed form with your project/development application.

**Project Name:** Okemos Retail, **Address/Location:** 2049 Grand River **Case #** \_\_\_\_\_

**Type of Project:**  Residential  Commercial  Office  Public

**Water Quality Considerations/Impacts**

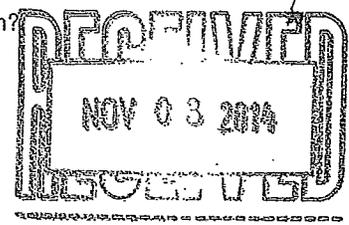
YES NO

- What is the source of water for the proposed project/development? Meridian Township
- What is the estimated daily water demand? 2,700 gallons per day
- If public water**, is there available capacity to handle this project in the municipal facilities?
- If private well**, is the water considered potable (safe)?
- Is the project/development within existing municipal service areas?
- Are there nearby sources of potential water contamination? IF YES LIST \_\_\_\_\_
- Are there underground storage tanks? IF YES LIST \_\_\_\_\_
- Are their gasoline or oil pipelines? IF YES LIST \_\_\_\_\_
- Is there a nearby known source of contaminated soil? IF YES LIST \_\_\_\_\_
- Are there abandoned wells on the site? IF YES LIST \_\_\_\_\_
- Will the water supply require on-site treatment, such as iron removal?
- Are there any wetlands on the site?  
If YES what is/are the size(s) of the wetland(s)? \_\_\_\_\_
- If wetlands are being impacted, is adequate mitigation being proposed?
- Is the project located in a known floodplain?
- Will the proposed project affect groundwater recharge?
- What percentage of the parcel is covered by impervious surfaces? \_\_\_\_\_
- Does the project affect the overall percentage of impervious surfaces in the watershed?

**Wastewater Considerations/Impacts**

YES NO

- Does the project/development require an on-site wastewater system?
- If YES, are the soils appropriate to support a septic system?
- Is project/development within the service area of the municipal sewage system?



**Air Quality Considerations/Impacts**

YES NO

- Does the project/development entail demolition activities?
- If YES, has the site been examined for asbestos and/or lead?
- Are there plans for mitigating dust?
- Will the project/development result in increased stationary air emissions?
- If YES, are emissions controlled contaminants? PLEASE LIST \_\_\_\_\_
- Has the applicant obtained necessary permits?
- Will the project result in increased air emissions from cars?  
What is the increase in traffic volume projected for peak hours? \_\_\_\_\_
- Is the proposed use compatible with adjacent uses?
- Is the site near known areas affected by radon?

**Solid & Hazardous Waste Disposal**

YES NO

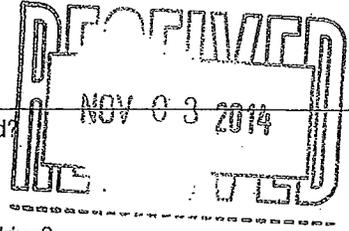
- Is the proposed project/development located near any facility handling or disposing of hazardous waste?
- Will the proposed project/development provide on-site recycling?
- Is there historic evidence of solid or hazardous waste disposal or releases on or adjacent to the site?
- Are there plans in place to prevent the release of hazardous materials into the environment in the case of fire?  
If YES describe \_\_\_\_\_
- Does the project entail hazardous waste disposal?  
If YES is the proposed waste handling or disposal activity compatible with adjacent use and/or zoning?
- Is the proposed waste handling or disposal activity compatible with the Ingham County Solid Waste Management Plan?
- Is the facility near vulnerable resources (e.g. nursing homes) that may require contingency planning for extra protection in the event of an on-site fire? IF ANY LIST \_\_\_\_\_

**Noise Considerations/Impacts**

- YES NO  
  Is the project/development likely to generate noises that will create a nuisance to neighboring uses?  
 If YES please list type of noise(s) and hours \_\_\_\_\_  
  Are there engineered or non-engineered measures that can be employed to mitigate nuisance noises?  
 If YES please list \_\_\_\_\_  
  Does the generated noise violate the noise ordinance?

**Social Capital**

- YES NO  
  Does the project/development promote interaction between neighbors?  
 If Yes please list \_\_\_\_\_  
  Is the physical design of the project harmonious with the overall neighborhood?



**Physical Activity and Injury Prevention**

- YES NO  
  Does the project/development provide mobility options for those who cannot drive?  
  Does the project/development have sidewalks that lead to local destinations?  
 If YES what is the proposed width of the sidewalks? 5 feet  
  Does the project/development have or connect to a trail system for walking or biking?  
  Does the project/development contain elements that enhance the feeling of neighborhood safety?  
  Are local streetlights being provided?  
  Are houses oriented toward the street to provide "eyes on the street?"  
  Can a child walk safely to school?  
  Are there sidewalks/pathways along the route to the school(s)?  
  What is the walking distance to the area's schools? \_\_\_\_\_  
  Is the visibility at intersections good?/Can drivers see short children?  
  Does the route contain known dangerous intersections?  
 If YES please list \_\_\_\_\_  
  Are there crossing guards at these intersections?  
  Will the project/development contain a significant elderly population?  
  Can the elderly walk to important destinations (i.e. banks, post office, and library)?  
 What is the walking distance to these destinations? \_\_\_\_\_  
  Are there sidewalks/pathways along the routes to these destinations?  
  Does the route contain known dangerous intersections?  
  Does the project contain design elements to calm traffic such as speed humps, extended corners, raised street crossings, or similar features? IF ANY LIST \_\_\_\_\_  
  Does the project/development present unsafe conditions or deter access and free mobility for the physically handicapped?  
  For projects/development on arterial streets does the plan include pedestrian crossing signals and/or mid-street islands?  
  Is public transportation available? If YES where and how close is the nearest bus stop? On Grand River  
  Does the nearest bus stop have a shelter?  
  Does the nearest the bus stop have a bench?

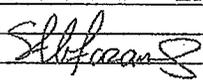
**Health Equity/Food Systems (HOUSING PROJECTS ONLY)**

- YES NO  
  Does the project provide for a diversity of housing types to accommodate a variety of income groups?  
 What is the square footage of the smallest dwelling unit? \_\_\_\_\_  
 What is the estimated market price? \_\_\_\_\_  
  Does this price represent an "affordable house" given the area median income?  
  Is the proposed project/development located in an area that provides easy access to healthy foods?  
 What is the distance to the nearest full service grocery store? \_\_\_\_\_  
 What is the distance to the nearest convenience store? \_\_\_\_\_  
  Will dwelling units (multiple family housing projects) be smoke-free?  
  Does the neighborhood have a disproportionate number of liquor/party stores?  
  Is the project/development located in a neighborhood or region characterized by concentrated poverty?  
  Are affected residents involved in the planning process?  
  Are disadvantaged populations at greater risk of exposure to environmental hazards?

**Growth Objectives/Regional Growth Project**

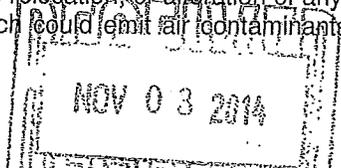
- YES NO  
  Is the project located within the designated growth area of the Tri-County Regional Growth Project?

**CHARTER TOWNSHIP OF MERIDIAN  
ENVIRONMENTAL PERMITS CHECKLIST**

Name: Okemos Retail Site  
Mailing Address: 2165 Louisa Drive, Belleair Beach, FL 33786  
Telephone: 727-709-5266 Fax: \_\_\_\_\_ E-Mail: steven@windevelopment.net  
Type of Business (if applicable): Furniture/Fast Food  
Owner/Manager: Steven Alafazan  
Date: 11/03/2014 Signature: 

Circle (Y/N) the items that may pertain to your project or facility; then contact the office(s) listed to determine specific requirements. Return a copy of this checklist to the Department of Community Planning & Development as part of your project or development submittal – even if the approvals have not yet been obtained. This list includes the most common permits and approvals related to water and air quality, waste, and the environment. Other permits and approvals, including Township approvals may also be necessary.

1. Y  N  Will the project involve the discharge of any type of wastewater to a storm sewer, drain, lake, wetland, or other surface water? Contact: MDNRE/Water Bureau @ (517) 335-4176; MDNRE/Land & Water Management @ (517) 373-1170; Meridian Township Dept. of Community Planning and Development @ (517) 853-4560.
2. Y  N  Will the project involve any construction work, fill with any material, or soil disturbance in the 100-year floodplain? Contact: MDNRE Land & Water Management/Floodplain Management @ (517) 335-3181 and Meridian Township Dept. of Community Planning & Development @ (517) 853-4560.
3. Y  N  Will the project involve the direct or indirect discharge of waste, waste effluent, wastewater, pollutants, and/or cooling water into the groundwater or on the ground? Contact: MDNRE/ Waste & Hazardous Materials @ (517) 335-2690.
4. Y  N  Will the project involve construction or alteration of any sewage collection or treatment facility? Contact: MDNRE/Water Bureau @ (517) 335-4176. For discharging to surface waters; Contact: MDNRE/Water Bureau @ (517) 335-4176. For discharging to groundwater; Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
5. Y  N  Will the project or facility store or use chemicals, petroleum products, or salt? Depending on the type of substance, secondary containment and a Pollution Incident Prevention Plan (PIPP) may be required. Contact: MDNRE/Waste & Hazardous Materials @ (517) 373-8481; Ingham County Health Dept./Environmental Health Division @ (517) 887-4312; Meridian Township Fire Administration @ (517) 853-4700.
6. Y  N  Will the project involve the installation, operation, or removal of an underground or above ground storage tank containing a petroleum product or hazardous substance? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-4035 and Meridian Township Fire Administration @ (517) 853-4700.
7. Y  N  Will the project involve liquefied petroleum gas storage tanks, container filling station, or a compressed natural gas dispensing station? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-4035.
8. Y  N  Will the project involve the generation of hazardous waste or medical waste? Hazardous Waste Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-9875. Medical Waste Contact: MDNRE/Waste & Hazardous Materials @ (517) 241-1320 or (517) 335-1146.
9. Y  N  Will the project involve the on-site treatment, storage, or disposal of hazardous waste? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-9875.
10. Y  N  Will the project involve the transport of hazardous waste or non-hazardous liquid industrial waste? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-9875.
11. Y  N  Will the project involve landfilling, transferring or processing solid non-hazardous wastes on site? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
12. Y  N  Will the project involve the installation, construction, reconstruction, relocation, or alteration of any process or process equipment (including air pollution control equipment) which could emit air contaminants? Contact: MDNRE/Air Quality @ (517) 373-7023.



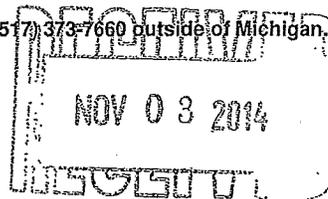
13. Y  N Will the project or facility involve the storage, mixing, or distribution of pesticides or fertilizers in bulk quantities? Contact: Michigan Department of Agriculture/Region 6 Pesticide & Plant Pest Management @ (517) 335-1830.
14. Y  N Will the project involve a manmade change in the natural cover (land clearing) and/or topography of land, such as cut/fill activities that may contribute to soil erosion/sedimentation? Contact: Meridian Township Dept. of Public Works & Engineering @ (517) 853-4440 and MDNRE/Land & Water Management @ (517) 373-1170.
15. Y  N Will the project involve any dredging, filling with any material, or construction in, across, under, or within 500 feet of a river, stream, creek, ditch, drain, lake, pond, swamp, or wetland(s)? Contact: MDNRE/Land & Water Management @ (517) 373-1170 and Meridian Township Dept. of Community Planning & Development (517) 853-4560.
16. Y  N Will an on-site wastewater treatment system or septic system be installed?  
 For subsurface sanitary sewage disposal in quantities of 10,000 gallons per day or less: For any subsurface discharge or sanitary sewage in quantities equal to or greater than 10,000 gallons per day. Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.  
  
 For subsurface disposal of sanitary sewage in quantities of 6,000 to 10,000 gallons per day: In addition to obtaining a construction permit from the Ingham County Health Department, submit a state wastewater discharge notification form. Flow monitoring and reporting are required. Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.  
  
 For industrial or commercial wastewater (other than sanitary sewage) in any quantity. Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
17. Y  N Will the project involve construction of a water supply well or extension of a water supply service from an existing water system? Contact: MDNRE/Water Bureau @ (517) 241-1374 and Ingham County Health Dept./Environmental Health @ (517) 887-4312.
18. Y  N Are there out-of-service wells, abandoned wells, or cisterns on the site? (drinking water, irrigation & monitoring wells). Contact: MDNRE/Water Bureau @ (517) 241-1413; Ingham County Health Dept./Environmental Health @ (517) 887-4312; and Meridian Township Department of Community Planning & Development @ (517) 853-4560.
19. Y  N Will the project involve a subdivision or site condominium project utilizing individual on-site subsurface disposal systems or individual wells? Contact: Ingham County Health Dept./Environmental Health @ (517) 887-4312.
20. Y  N Will the project involve the on-site storage of sanitary sewage prior to transport and disposal off-site (pump and haul)? Contact: MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
21. Y  N Has the site/facility ever been subject to a remedial action, limited closure, or other environmental cleanup response under Part 201, Natural Resources and Environmental Protection Act (NREPA)? Is the property currently subject to a response action? Has a Baseline Environmental Assessment (BEA) been completed for the property? Contact: MDNRE/Remediation & Redevelopment @ (517) 373-9837 and/or MDNRE/Waste & Hazardous Materials @ (517) 335-2690.
22. Y  N Will the project involve the installation of a seawall or bulkhead? Contact: MDNRE/Land & Water Management @ (517) 373-1170 and Meridian Township Dept. of Community Planning & Development @ (517) 853-4560.

**Notes:**

- For assistance with permits and approvals from the Michigan Department of Natural Resources and Environment (MDNRE), including coordination among MDNRE divisions, contact the Permit Coordination Unit at (517) 373-9244.
- For assistance on environmental issues at the MDNRE, contact the Environmental Assistance Center at (800) 662-927
- For Spill/Release reporting to the MDNRE, call (517) 373-8481.
- For pollution emergencies, call the MDNRE at (800) 292-4706 in Michigan and (517) 373-7660 outside of Michigan.

Last updated, June 2010

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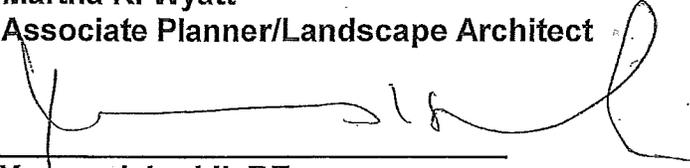


CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

DATE: November 17, 2014

TO: Martha K. Wyatt  
Associate Planner/Landscape Architect

FROM:   
Younes Ishraidi, PE  
Chief Engineer

RE: 2049 Grand River Avenue – SUP#14111

Based upon our review of the plan submitted for the subject development, we offer the following comments:

**Sanitary System:**

- The existing sanitary lateral is proposed to be replaced entirely from an existing manhole to the building, a new connection to the manhole is proposed; we are not clear as to why. Please share with us the reason(s) for this approach.
- An outdoor grease interceptor will be required for the proposed restaurant. The interior plumbing shall be designed to ensure all grease laden fixtures, including dishwashers are plumbed thru the interceptor. The proposed plumbing plan must be approved by the Township's engineering office. Maintenance agreements for the grease interceptors will be required.

**Water System:**

- The water main can be accessed from the adjacent property to the east; this will preclude the need for crossing Grand River Avenue, and will reduce the amount and cost of the water system installation. The developer's engineer is encouraged to contact our office to further discuss the water system installation.
- Fire hydrants shall be shown in accordance with Township requirements.
- The fire protection system installation and maintenance shall be in accordance with Meridian Township policy. Fire protection plans must be approved by this office and the fire department. A maintenance agreement for the backflow prevention devices will be required. The fire protection line must have a "PIV" per Township standard detail.
- A water easement will be required.

**Storm system and drainage:**

- The storm run-off, storage and discharge calculations are currently review.
- Review & permits of the storm system will be needed from MDOT, the Township, and possibly the Ingham County Drain Commissioner's office.

**Pathway and sidewalks:**

- Sections of the existing pathway sections may need to be replaced if they don't meet current Township standards. Detailed comments will follow later.
- Provide 5' sidewalk connections to the existing 7' pedestrian/bicycle pathway along Grand River Avenue.

**Grading & Soil Erosion & Sedimentation Control (SESC):**

- SESC plans and permit will be required. SESC permits are issued by the Township's Engineering Department.

**Road & parking lot:**

- Approval from MDOT is required.
- Shared access to adjacent parcels are not proposed. One possible access the can be easily accomplished is at the southeast corner to the Meijer's site.

**General:**

- Provide a location map on cover sheet, and show the site address.
- Gas, electric, telephone, transformer boxes, and cable lines are not shown. These utilities shall be shown on site plans for review. Also, parking lot lights, and other outdoor lights shall be shown.
- All existing easements shall be shown with liber & page numbers.
- As-builts will be required on mylar and AutoCAD CD.
- When all mentioned items have been attended to, we will need two complete revised sets of plans for further review. Upon approval, seven sets of sealed plans will be required. A pre-construction meeting will be scheduled when all required fees and permits have been obtained. A notice to proceed will be issued after that.
- Include Township's current standard detail sheets for water, sanitary and pathway/sidewalk. You may contact our office for digital files of these sheets.
- Show Township's standard notes for construction, water, sanitary, and pathway on cover sheet. You may contact our office for digital files of these sheets.

**Fees:**

The following fees and/or deposits will be required:

- Sanitary and water fees will be required for all new buildings. Exact cost will be determined on size(s) of meters desired.

- Engineering Review Fee : to be determined\*
- Inspection Escrow Deposit : to be Determined\*
- SESC permit fees : To be determined

\*Exact amount will be determined when itemized cost estimates of all proposed sanitary, water and pathways work are provided.

## Martha Wyatt

---

**From:** Don Davis <davis@heatnsweep.com>  
**Sent:** Thursday, November 20, 2014 12:42 PM  
**To:** Martha Wyatt  
**Subject:** Special use permit # 14111

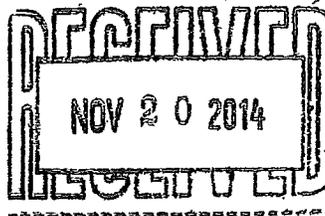
Good Morning Martha,

Thank you for taking the time to meet me regarding the special use permit # 14111 for the property located at 2049 W. Grand River Avenue. I wanted to bring to your attention that our property located at 2037 W. Grand River Avenue, Okemos, is adjacent to this property and for the last 30 plus years, there has been a drive through between these properties. We are requesting that strong consideration be given to maintaining this easement for the safety and well being of all properties involved which also includes our property located at 2041 W. Grand River Avenue, Okemos.

Thank you for your consideration and please do not hesitate to call me if I can be of any assistance in this matter.

Regards,

Don Davis  
2037 W. Grand River Avenue &  
2041 W. Grand River Avenue  
Okemos, MI 48864  
517-349-2555 work  
517-862-4639 cell  
Don Davis  
Heat 'N Sweep, Inc  
www.heatnsweep.com



**RESOLUTION TO APPROVE**

**Special Use Permit #14111  
(MF Okemos, LLC)  
2049 Grand River Avenue**

**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 24th day of November 2014, at 6:00 p.m., Local Time.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_.

WHEREAS, MF Okemos, LLC, requested a special use permit (Special Use Permit #14111) to construct a multi-tenant retail building with one drive-through lane on an approximate 0.9 acre site zoned C-2 (Commercial) and located at 2049 Grand River Avenue; and

WHEREAS, the Planning Commission held a public hearing for Special Use Permit #14111 at its November 24, 2014 meeting; and

WHEREAS, the Planning Commission reviewed and discussed staff material forwarded under cover memorandum dated November 21, 2014; and

WHEREAS, the subject site is appropriately zoned C-2 (Commercial), which allows for a retail business with a drive-through lane subject to special use permit approval; and

WHEREAS, the proposed retail building will be harmonious and appropriate with the existing and intended character of adjacent commercial developments which include Belle Tire to the east, the Meijer shopping center to the south, and Meridian Mall to the north; and

WHEREAS, public water and sanitary sewer are available to serve the site; and

WHEREAS, the proposed retail building will be adequately served by essential public facilities and services, such as police, fire, stormwater drainage, existing roadways and public transit; and

WHEREAS, the proposed project is consistent with the general standards for granting a special use permit found in Section 86-126 of the Code of Ordinances.

**Resolution to Approve  
SUP #14111 (MF Okemos, LLC)  
Page 2**

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #14111 subject to the following conditions:

1. Approval is based on application materials submitted by MF Okemos, LLC; site plans prepared Westwood Professional Services, Inc., dated October 24, 2014; and building elevations prepared by Harriss Associates, LLC, dated October 17, 2014, subject to revisions as required.
2. A secondary means of egress shall be provided on the subject site so as to address circulation concerns of the Township Fire Department.
3. The final site plan, landscape plan, building elevations, building materials and colors, shall be subject to the approval of the Director of Community Planning and Development. Brick, stone or masonry products should cover no less than 60 percent of each building facade.
4. The applicant shall secure all applicable variances from the Zoning Board of Appeals.
5. The trash dumpster shall be enclosed on four sides; the enclosure (3 sides) shall be constructed with masonry products to match the building.
6. All mechanical, heating, ventilation, air conditioning, generators, and similar systems shall be screened from view by an opaque structure or landscape material selected to complement the building. Such screening is subject to approval by the Director of Community Planning and Development.
7. Site and building lighting shall comply with Article VII in Chapter 38 of the Code of Ordinances and shall be subject to the approval of the Director of Community Planning and Development. LED lighting shall be used where feasible.
8. Final utility, grading, and storm drainage plans for the site shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with the Township Engineering Design and Construction Standards.
9. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Transportation, Ingham County Drain Commissioner, and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.
10. Copies of the site plan information and construction plans for the project that exist in an AutoCAD compatible format shall be provided to the Township Engineering staff.
11. Any future modifications to the drive-through lane shall require a modification to Special Use Permit #14111.

**Resolution to Approve  
SUP #14111 (MF Okemos, LLC)  
Page 3**

ADOPTED: YEAS: \_\_\_\_\_  
\_\_\_\_\_  
NAYS: \_\_\_\_\_

STATE OF MICHIGAN     )  
                                  ) ss  
COUNTY OF INGHAM    )

I, the undersigned, the duly qualified Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 24th day of November, 2014.

\_\_\_\_\_  
Patricia Jackson, Chair  
Meridian Township Planning Commission

**Sec. 86-126. Review criteria.**

Applications for special use permits shall be reviewed for compliance with the following standards and requirements, where applicable. An application for a special use permit that complies with all the following standards and requirements in this chapter may be approved. The applicant shall assure that:

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

(Code 1974, § 81-3.2(F))

**Sec. 86-127. Conditions.**

The planning commission may require additional conditions, beyond those specified for the particular special use in this chapter, necessary to accomplish the purposes and intent of this chapter as follows:

- (1) Site conditions including, but not limited to, the following:
  - a. Special yards, open spaces, or buffers.

Traffic Impact Study

# 2049 Grand River Project

Okemos, Michigan  
October 22, 2014



Prepared For:

**WIN Development, LLC**  
2165 Louisa Drive  
Belleair Beach, FL 33786

Prepared By:



**Westwood**

\*Rendering prepared by Harris Associates, LLC

# TRAFFIC IMPACT STUDY

“2049 Grand River Project”

OKEMOS, MI

October 22, 2014

---

Prepared For:

**WIN Development, LLC**  
2165 Louisa Drive  
Belleair Beach, FL 33786

---

Prepared By:



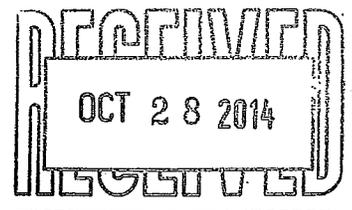
**Westwood**

Westwood Professional Services  
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FAX 952-937-5822  
TOLL FREE 1-888-937-5150

[www.westwoodps.com](http://www.westwoodps.com)

Westwood Project R0002325.00



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## I. INTRODUCTION and SUMMARY

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### A. PURPOSE OF REPORT AND STUDY OBJECTIVES

Westwood Professional Services, Inc., has been contracted by WIN Development, LLC, to analyze the traffic impacts of their proposed "2049 Grand River Project" along W Grand River Ave in Okemos, Michigan (see Figure 1). This report will review the level of trip generation for the proposed project and determine the traffic impacts on the local study network that the development may cause.

The objectives of this study are to determine the traffic impacts of the proposed development on the surrounding study area and to identify any mitigation strategies.

### B. EXECUTIVE SUMMARY

- a. Site Location and Study Area – The project location is a .85 acre site south of W Grand River Ave between Okemos Rd and Marsh Rd in Okemos, MI.

The study area includes the following intersections:

- W Grand River Ave & Okemos Rd
- W Grand River Ave & Meridian Mall
- W Grand River Ave & Marsh Rd

Analysis includes the new intersection:

- W Grand River Ave & the proposed driveway access

- b. Development Description – The parcel is currently zoned for commercial use.<sup>1</sup> The proposed plan for the site includes a 4,563 s.f. Mattress Firm and a 2,000 s.f. Jimmy John's.
- c. Principal Findings – The 2049 Grand River Project is proposed to be built out in 2015. Westwood projected the traffic conditions in the study area one year after the proposed build-out of the development (2016 Build Condition). Westwood also looked at projected traffic conditions in the study area without the development (2016 No-Build Condition).

The principal findings included:

- All intersections operated at Level of Service D (LOS-D) or better in the 2016 No-Build and Build conditions.

---

<sup>1</sup><http://www.meridian.mi.us/vertical/sites/%7B1800D46E-0900-43BD-B3FA-10A5660870B1%7D/uploads/%7B6A4F5BCF-6EA6-490C-AB79-D53905407B40%7D.PDF>

- The intersection of W Grand River Ave & Okemos Rd experiences significant delays on certain movements in the 2016 No-Build and Build conditions.

d. Conclusions/Recommendations – Conclusions and recommendations of the site include:

- All intersections in the study area operate at sufficient LOS during the 2016 Build conditions.
- There is adequate distance between the site access and the Meridian Mall entrance to accommodate additional traffic.
- The site egress should remain yield controlled.

---

## II. PROPOSED DEVELOPMENT

---

### A. SITE LOCATION

The project location is a .85 acre site south of W Grand River Ave between Okemos Rd and Marsh Rd in Okemos, MI. The site location is shown on Figure 1.

### B. LAND USE AND INTENSITY

The parcel is currently zoned for commercial use.<sup>2</sup> The proposed plan for the site includes a 4,563 s.f. Mattress Firm and a 2,099 s.f. Jimmy John's.

### C. SITE PLAN INCLUDING ACCESS GEOMETRICS

Figure 2 shows the proposed site layout.

There is one proposed access on W Grand River Ave. The access will be located in the same place as the current access. This will provide sufficient distance between the site access and the Meridian Mall entrance.

### D. DEVELOPMENT PHASING AND TIMING

The developer proposes a single development phase for the proposed 2049 W Grand River Ave property. It is intended that the development will be constructed in 2015.

---

<sup>2</sup><http://www.meridian.mi.us/vertical/sites/%7B1800D46E-0900-43BD-B3FA-10A5660870B1%7D/uploads/%7B6A4F5BCF-6EA6-490C-AB79-D53905407B40%7D.PDF>



SITE LOCATION



Date: 10/22/14

# Site Location

Figure 1

**2049 Grand River Project**  
Okemos, MI



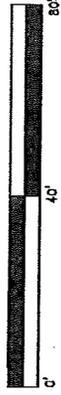
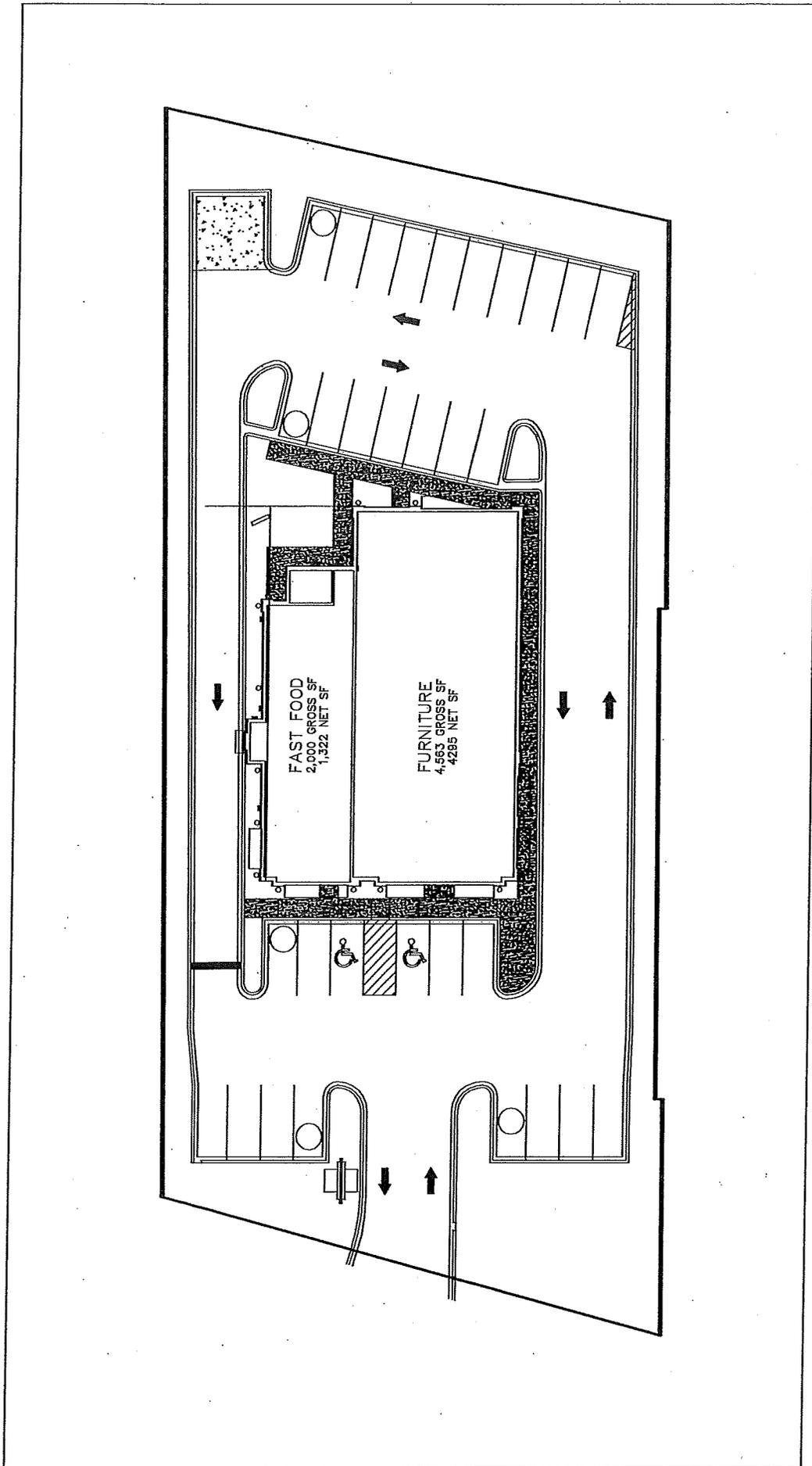
**Westwood**

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Client: \_\_\_\_\_  
Checked: \_\_\_\_\_  
Drawn: \_\_\_\_\_  
Revised/Issued By/Date: \_\_\_\_\_



Date: 10/22/2014

2049 Grand River Project  
Okemos, MI

Site Plan  
Figure 2

Prepared for:

**WIN Development, LLC**

Client:	_____
Checked:	_____
Drawn:	_____
Revised:	_____

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---

### III. ANALYSIS OF EXISTING CONDITIONS

---

#### A. PHYSICAL CHARACTERISTICS

The project site is currently developed as a tire/ service store. The site is generally flat. All parcels around the site are also developed.

- a. Roadway Characteristics – W Grand River Ave is a 62-foot wide arterial that provides access from the downtown Lansing/East Lansing area to the suburbs to the east. W Grand River Ave is a five-lane roadway which consists of two westbound lanes, two eastbound lanes, and a two way left turn lane in the middle.

The signalized portion of the Meridian Mall entrance is 210ft away from the current and proposed site access. The eastbound left turn lane is 150ft long.

Okemos Rd and Marsh Rd are both major collector roadways that are 62 feet wide and have two northbound, two southbound, and a two way left turn lane in the middle, respectively.

Figure 3 illustrates existing lane configurations at the study intersections.

- b. Traffic Control Devices – The following traffic control exists:
- W Grand River Ave & Okemos Rd – signalized
  - W Grand River Ave & Meridian Mall – signalized
  - W Grand River Ave & Marsh Rd – signalized

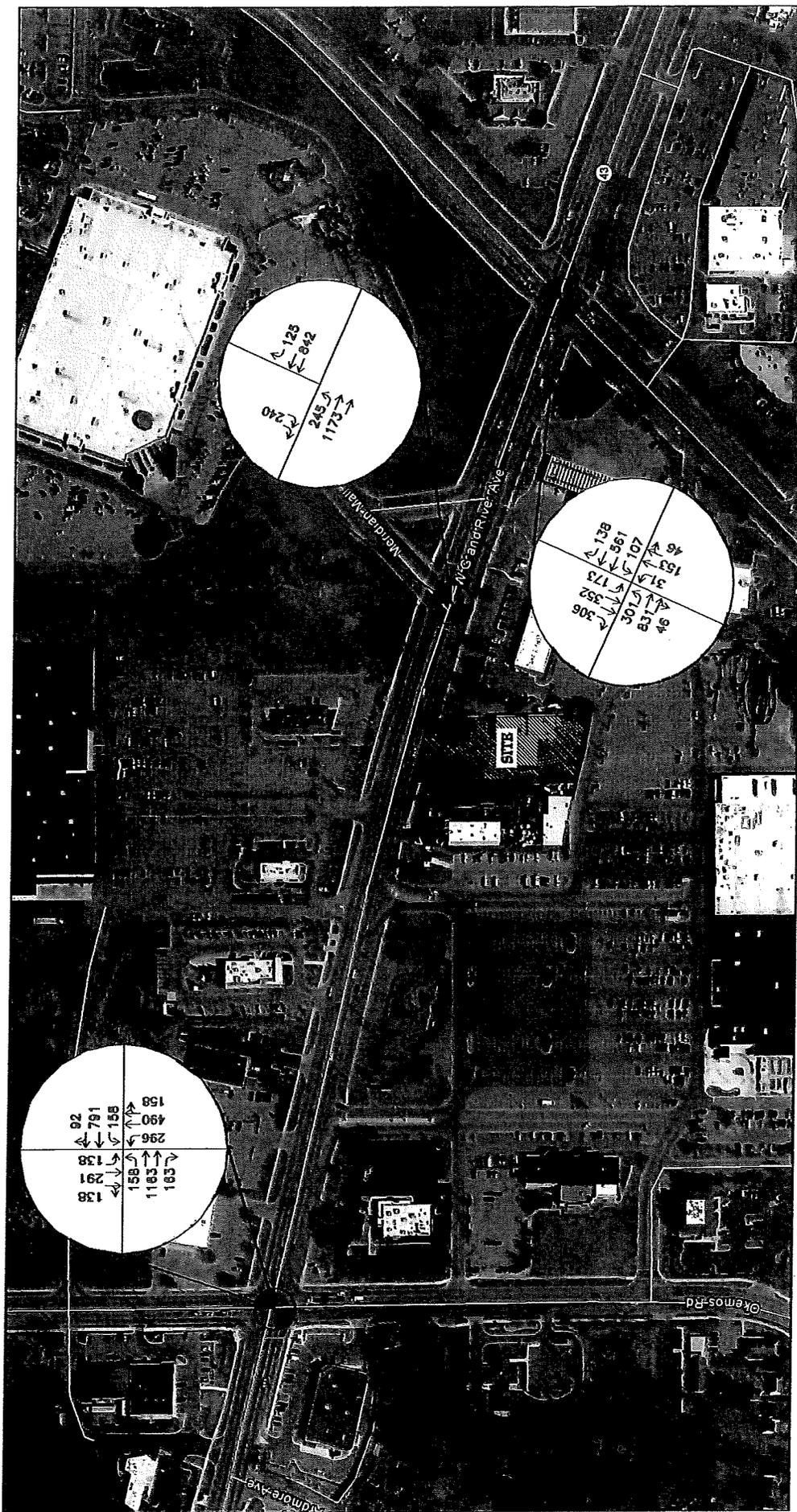
Prevailing speed limits:

- W Grand River Ave – 45 mph (posted)
- Okemos Rd – 40 mph (posted)
- Marsh Rd – 40 mph (posted)

- c. Transit Service – The Capital Area Transit Authority (CATA) has two routes that stop along W Grand River Ave in the study area. They are: Route 1 which runs between downtown Lansing and the Meridian Mall and Route 23 which runs between Michigan State University (MSU), Okemos, and Haslett.<sup>3</sup>

---

<sup>3</sup> <http://www.cata.org/SchedulesandRouteMaps/RouteServiceDirectory/tabid/215/Default.aspx>



Date 10/22/2014

**Legend**

- LANE DESIGNATION
- PM PEAK HOUR VOLUME
- SIGNALIZED INTERSECTION
- UNSIGNALIZED INTERSECTION

Westwood Professional Services, Inc.  
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 www.westwood.com



Prepared for:

**WIN Development, LLC**

**2049 Grand River Project**

Okemos, MI

**Existing Condition  
 Turning Movements**  
 Figure 3

d. Pedestrian/Bicycle Facilities – Sidewalks exist along the following streets:

- W Grand River Ave (both sides)
- Okemos Rd (both sides)
- Marsh Rd (both sides)

B. TRAFFIC VOLUMES

a. Daily Traffic Volumes – Annualized average daily traffic (AADT) volumes for the following roadways were found at MDOT 2013 Average Daily Traffic Maps<sup>4</sup> and the Tri-County Traffic Count Database System<sup>5</sup>:

- W Grand River Ave between Okemos Rd & Marsh Rd – 24,000 veh/day
- Okemos Rd – 12,000 veh/day\*
- Marsh Rd – 10,000 veh/day\*

\*NOTE: Values are rough estimates based on AADT values from the mid-2000s

b. Mid-Day & PM Peak Hour Volumes – PM peak period turning movement counts at the study intersections were taken from a 2011 Traffic Analysis Memorandum by URS<sup>6</sup>. The turning movements were then factored up by a growth rate of .5% per year in order to get counts that resembled present day conditions. Figure 3 shows the peak hour movements at each intersection. For the Mid-Day Peak Hour: the number of EB trips along W Grand River Ave was reduced by 300 trips, the mall traffic entering/exiting from the Meridian Mall entrance was factored up based on Land Use: 820 Shopping Center from the Trip Generation Manual, 9<sup>th</sup> Edition, the rest of the turning movements were left the same as the P.M. Peak.

---

<sup>4</sup> <http://www.michigan.gov/mdot/0,4616,7-151-11151-22141--,00.html>

<sup>5</sup> <http://tcrpc-all.ms2soft.com/tcds/tsearch.asp?loc=Tcrpc-all&mod=>

<sup>6</sup> [http://www.migrtrans.org/documents/techMemos\\_reports/MIGR\\_TM\\_8.pdf](http://www.migrtrans.org/documents/techMemos_reports/MIGR_TM_8.pdf)

## IV. PROJECTED TRAFFIC

### A. SITE TRAFFIC FORECASTING

Due to the size of the site and the nature of the proposed site uses it is not necessary to take out the internal trip reduction from the trip distribution. There will however be a pass-by/diverted reduction to the gross number of trips.

- a. Trip Generation – Westwood utilized the rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9<sup>th</sup> Edition, to estimate the trip generation potential of this development. Land Use Code 934: Fast Food w/Drive Thru was chosen to represent the proposed Jimmy John's and Land Use Code 826: Specialty Retail Center was used to represent the proposed Mattress Firm. Table 1 illustrates the gross trip generation before the pass-by/diverted trip reduction while Table 2 illustrates the net new number of trips during the PM peak after the pass-by/diverted reduction. Pass-by/diverted trip reduction used for the trip generation was fifty percent (50%) for the Fast Food w/Drive-Thru and zero percent (0%) for the Specialty Retail.

**Table 1: Gross Trip Generation Estimates<sup>1</sup>**

Land Use	ITE Code	Size		Weekday		Mid-Day Peak		PM Peak	
				Enter	Exit	Enter	Exit	Enter	Exit
Fast Food - w/Drive Thru	934	2	k.s.f.	496	496	49	45	34	31
Specialty Retail Center	826	4.563	k.s.f.	101	101	5	7	5	7
				597	597	54	52	39	38
				1194		106		77	

Per the data and methodologies in Trip Generation Manual, 9<sup>th</sup> Edition, published by ITE.

**Table 2: Net New Trip Generation Estimates<sup>1</sup>**

Land Use	ITE Code	Size		Mid-Day Peak		PM Peak	
				Enter	Exit	Enter	Exit
Fast Food - w/Drive Thru	934	2	k.s.f.	24	22	17	15
Specialty Retail Center	826	4.563	k.s.f.	5	7	5	7
				29	29	22	22
				58		44	

Per the data and methodologies in Trip Generation Manual, 9<sup>th</sup> Edition, published by ITE.

- b. Trip Distribution – It is projected the development trips will distribute in generally the same pattern that background traffic travels to and from the area today. Westwood analyzed the inbound and outbound flow of the background traffic in the study area based on the traffic counts taken in the area. These percentages have been shown on Figure 4.



Date: 10/22/2014

**Legend**

Traffic Distribution Percentage XX

**Westwood**  
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Prepared for:  
 Client: \_\_\_\_\_  
 Checked: \_\_\_\_\_  
 Drawn: \_\_\_\_\_  
 Manual: \_\_\_\_\_  
 Westwood, Inc.//dms

**WIN Development, LLC**

**2049 Grand River Project**  
 Trip Distribution

Figure 4

Okemos, MN

- c. Trip Assignment – Trip generations developed earlier were distributed proportionately across the study area. These assignments have been shown in Figure 5.

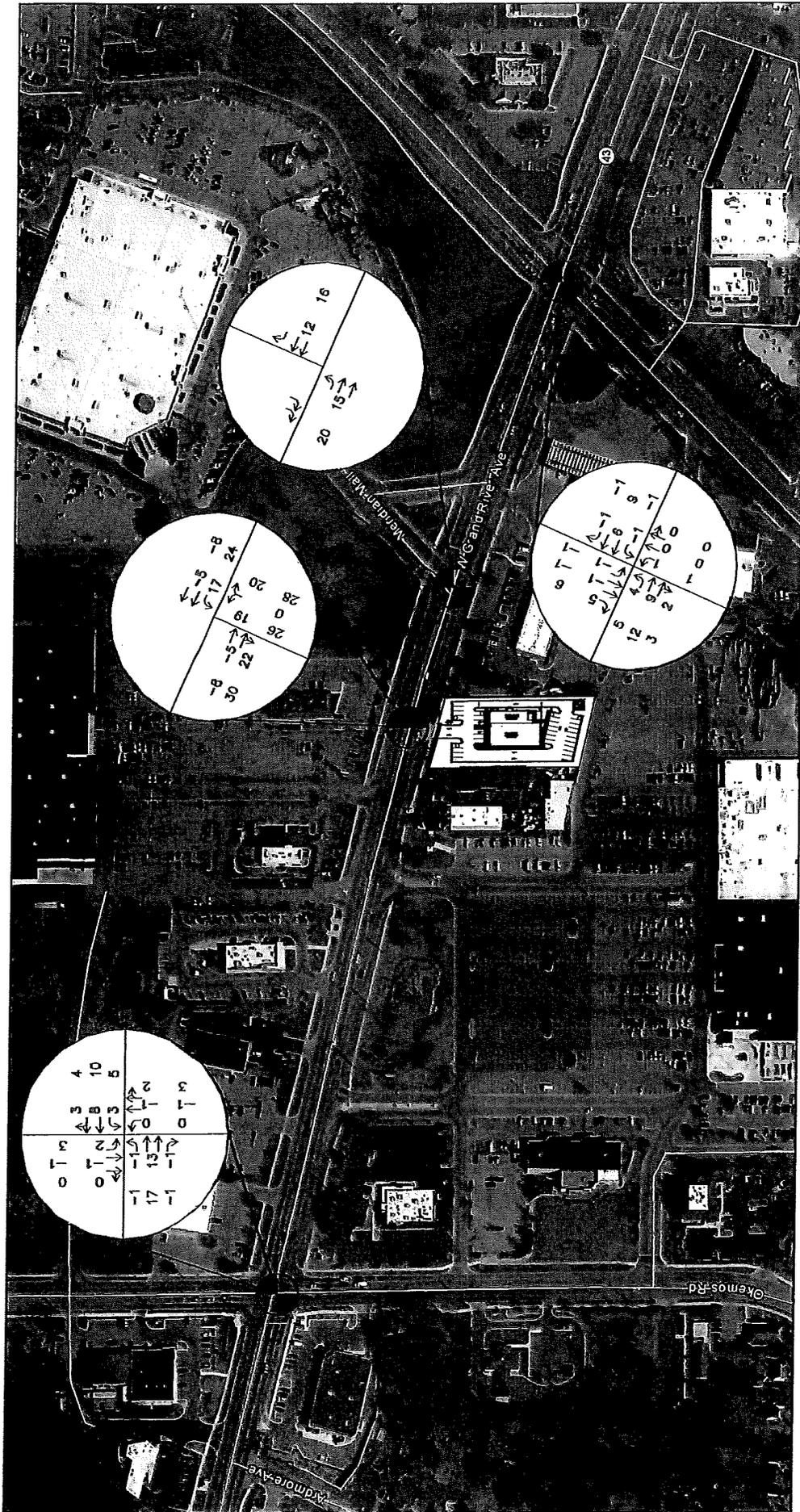
## B. NON-SITE TRAFFIC FORECASTING

- a. Projections of Non-Site Traffic – The Tri-County Regional Planning Commission estimates a growth rate of 0.5% for the study area. Westwood used this projection factor to model future year traffic projections.

Non-Site Traffic in the area was projected up to year 2016, the design year that represents the first year after full build-out of the development. This non-site projected traffic for 2016 represents the "No-Build" condition – or that which would be present in the design year without the development. The No-Build conditions are shown in Figure 6.

## C. TOTAL TRAFFIC

The total traffic combines the trip assignment with the non-site traffic for the study area. This is known as the "Build" condition. Mid-Day & P.M. traffic volumes have been projected for this study area. The Build condition is shown in Figure 7.



Date 10/22/2014

2049 Grand River Project  
Trip Assignment

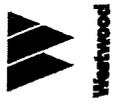
Figure 5

Okemos, MI

Prepared for:

**WIN Development, LLC**

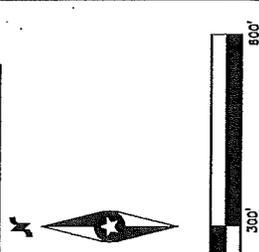
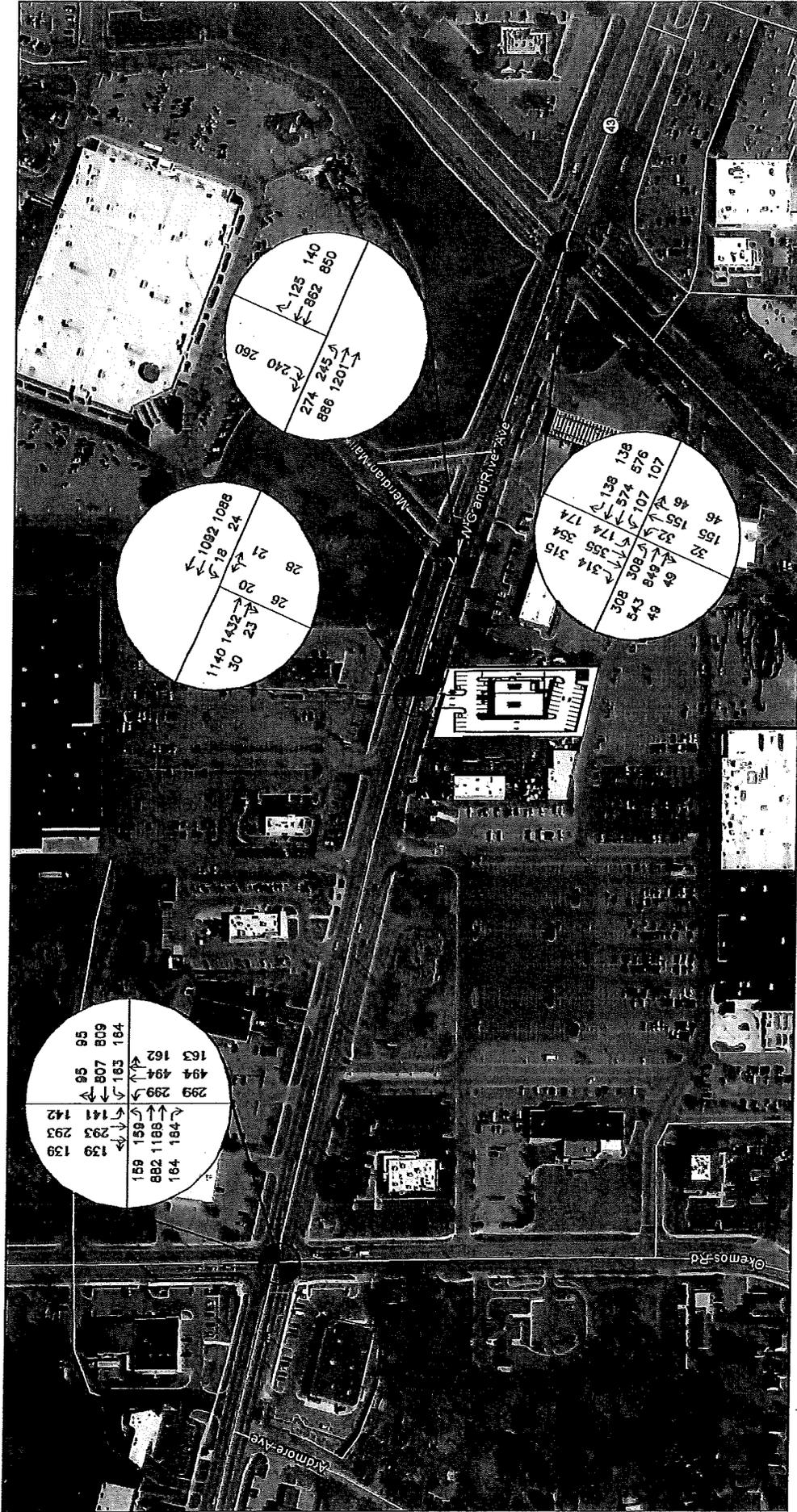
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TOLL FREE 1-888-957-5100  
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**Legend**

- LANE DESIGNATION
- MID-DAY PEAK HOUR VOLUME
- PM PEAK HOUR VOLUME
- SIGNALIZED INTERSECTION
- UNSIGNALIZED INTERSECTION





DATE 10/22/2014

2049 Grand River Project  
2016 Build Condition  
Turning Movements  
Figure 7

**Legend**

- LANE DESIGNATION
- MID-DAY PEAK HOUR VOLUME XX
- PM PEAK HOUR VOLUME XX
- SIGNALIZED INTERSECTION
- UNSIGNALIZED INTERSECTION

Prepared for:

**WIN Development, LLC**

Client	WIN Development, LLC
Checked	
Drawn	
Revised Drawing No./Date	

Westwood Professional Services, Inc.  
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 www.westwoodps.com



---

## V. TRAFFIC AND IMPROVEMENT ANALYSIS

---

### A. SITE ACCESS

There is one proposed access on W Grand River Ave. The access will be located in the same place as the current access. This will provide sufficient distance between the site access and the Meridian Mall entrance.

### B. LEVEL OF SERVICE ANALYSIS

Traffic operations for the Mid-Day and PM peak hour conditions within the study area were analyzed using the industry-standard Synchro/SimTraffic Version 9 software package, which uses the data and methodology contained in the 2010 Highway Capacity Manual, published by the Transportation Research Board. The software model was calibrated to replicate existing conditions as accurately as possible before being used to assess future conditions.

The operating conditions of transportation facilities, such as traffic signals, stop-controlled intersections and roundabouts, are evaluated based on the relationship of the theoretical capacity of a facility to the actual traffic volumes on that facility. Various factors affect capacity, including travel speed, roadway geometry, grade, number and width of travel lanes, and intersection control. The current standards for evaluating capacity and operating conditions are contained in the Highway Capacity Manual (HCM). The procedures describe operating conditions in terms of a Level of Service (LOS). Facilities are given letter designations from A, representing the best operating conditions, to F, representing the worst. Generally, Level of Service D represents the threshold for acceptable overall intersection operating conditions during a peak hour.

At intersections, the letter grades are assigned differently for signalized or unsignalized intersections (which include Two-Way Stop Control [TWSC], All-way Stop Control [AWSC] and roundabouts). For signalized intersections, the Level of Service for the intersection is calculated by taking the total Intersection Delay and converting it to a letter grade as shown in Table 3. For an unsignalized intersection, the Level of Service for the intersection is calculated by taking the Intersection Delay and converting it to a letter grade, as shown in Table 3. While similar, the signalized control delay totals are higher than that of unsignalized intersections. In any condition, when the LOS by Volume to Capacity Ratio exceeds 1.0, the LOS is always F.

**Table 3: Level of Service vs. Control Delay - Signalized and Unsignalized Intersections (TWSC, AWSC & Roundabouts)**

<u>TWSC, AWSC &amp; Roundabouts</u>		<u>Signalized Intersections</u>	
LOS by Volume to Capacity Ratio ( $\leq 1$ )*	Control Delay per Vehicle (Seconds)	LOS by Volume to Capacity Ratio ( $\leq 1$ )*	Control Delay per Vehicle (Seconds)
A	$\leq 10$	A	$\leq 10$
B	$>10$ and $\leq 15$	B	$>10$ and $\leq 20$
C	$>15$ and $\leq 25$	C	$>20$ and $\leq 35$
D	$>25$ and $\leq 35$	D	$>35$ and $\leq 55$
E	$>35$ and $\leq 50$	E	$>55$ and $\leq 80$
F	$>50$	F	$>80$

Per the 2010 Highway Capacity Manual, published by the Transportation Research Board.

\* NOTE: When LOS by Volume to Capacity Ratio  $>1.00$ , LOS is F.

Under the 2010 HCM, common movements are included into lane groups. Control Delay is then determined for each lane group and levels of service are based on this control delay. For each lane group, control delay is quantified by number of seconds. Control delay is measured by comparison with the uncontrolled condition. It is the difference between the travel time that would have occurred in the absence of the intersection control, and the travel time that results because of the presence of the intersection control. Levels of service are then based on the control delay per vehicle.

The acceptable level of service threshold for a particular movement at an intersection depends on both the priority assigned to that movement and its traffic volume. In general, the higher the priority and the higher the traffic volume, the more stringent the acceptable threshold will be. For example, the acceptable threshold for a high-priority/high-volume rural movement might be C, while LOS F on a low-priority/low-volume urban movement might be appropriate.

For two-way stop-controlled intersections, a key measure of operational effectiveness is the side street LOS. Long delays and poor LOS can sometimes result on the side street, even if the overall intersection is functioning well, making it a valuable design criterion. Again, depending on priority and traffic volume, acceptable side-street LOS can range from D to F. Side streets can operate at LOS F without the intersection warranting a change in traffic control.

A final fundamental component of operational analyses is a study of vehicular queuing, or the line of vehicles waiting to pass through an intersection. An intersection can operate with an acceptable level of service, but if queues from the intersection extend back to block entrances to turn lanes or accesses to adjacent land uses, unsafe operating conditions could result.

In reporting levels of service, the information from the signalized intersection analysis comes directly from the Synchro 9 and SimTraffic 9 reports. Intersection Levels of Service are reported based on the Control Delay calculated for the overall intersection and for each critical movement as determined by SimTraffic 9.

For queuing, SimTraffic reports list the 95th Percentile and the maximum queue lengths that are generated after five runs. In this report, the 95th Percentile Queue Length is used to discern adequate lengths of turn lanes. The 95th Percentile Queue Length refers to that length of queue that has only a five-percent probability of being exceeded during an analysis period. Complete SimTraffic reports available upon request.

All delays and 95<sup>th</sup> percentile queue lengths are based off of 90 second cycle lengths at each of the intersections.

Westwood analyzed existing traffic conditions based on turning movement counts and existing lane geometrics and traffic control in the study area. The operational analyses for Existing P.M. peak hour condition is summarized in Table 4 as well as the critical approaches at each of the intersections.

**Table 4: Existing Peak Hour Traffic Operation Summary**

Intersection	Intersection		Critical Approach			95th Percentile Queue Length
	Intersection Control Delay	Overall Intersection LOS	Approach	Lane Group Delay	Lane Group LOS	
<b>P.M. Peak Hour</b>						
W Grand River Ave & Okemos Rd	33.2 sec	LOS-C	WB Left	42.7 sec	LOS-D	124 ft
			EB Left	44.9 sec	LOS-D	250 ft
W Grand River Ave & Meridian Mall	7.0 sec	LOS-A	SB Right	30.3 sec	LOS-C	144 ft
			EB Left	7.5 sec	LOS-A	88 ft
W Grand River Ave & Marsh Rd	18.2 sec	LOS-B	EB Left	27.0 sec	LOS-C	218 ft
			NB Left	43.1 sec	LOS-D	40 ft

1. Overall Intersection LOS using 2010 HCM methodology as determined by Intersection Control Delay and as reported by Synchro 9/SimTraffic 9 analysis.
2. 95<sup>th</sup> Percentile queues as reported by average of five runs of SimTraffic 9

a. Without Development –

Westwood projected the 2016 No-Build conditions for traffic in the study year. Table 5 summarizes the operational findings projected for the Mid-Day & P.M. Peak Hours at the study area intersections without the development.

**Table 5: 2016 No-Build Peak Hour Traffic Operation Summary**

Intersection	Intersection		Critical Approach			
	Intersection Control Delay	Overall Intersection LOS	Approach	Lane Group Delay	Lane Group LOS	95th Percentile Queue Length
<b>Mid-Day Peak Hour</b>						
W Grand River Ave & Okemos Rd	31.9 sec	LOS-C	WB Left	49.5 sec	LOS-D	187 ft
			SB Left	52.5 sec	LOS-D	182 ft
W Grand River Ave & Meridian Mall	7.9 sec	LOS-A	SB Right	30.1 sec	LOS-C	150 ft
			EB Left	7.2 sec	LOS-A	101 ft
W Grand River Ave & Marsh Rd	19.7 sec	LOS-B	EB Left	26.2 sec	LOS-C	180 ft
			SB Left	29.1 sec	LOS-C	153 ft
<b>P.M. Peak Hour</b>						
W Grand River Ave & Okemos Rd	37.6 sec	LOS-D	WB Left	63.8 sec	LOS-E	187 ft
			EB Left	53.4 sec	LOS-D	250 ft
W Grand River Ave & Meridian Mall	6.6 sec	LOS-A	SB Right	31.1 sec	LOS-C	151 ft
			EB Left	7.3 sec	LOS-A	91 ft
W Grand River Ave & Marsh Rd	19.7 sec	LOS-B	EB Left	29.0 sec	LOS-C	204 ft
			SB Left	17.6 sec	LOS-C	121 ft

1. Overall Intersection LOS using 2010 HCM methodology as determined by Intersection Control Delay and as reported by Synchro 9/SimTraffic 9 analysis.
2. 95<sup>th</sup> Percentile queues as reported by average of five runs of SimTraffic 9

b. With Development – Westwood projected the 2016 Build conditions for traffic in the study year. Table 6 summarizes the operational findings projected for the Mid-Day Peak Hour & P.M. Peak Hour at the study area intersections with the development. The mid-day peak was also analyzed in order to determine if respective left turning movements would be large enough to cause a conflict in the two way left turn lane. There is 210 feet between the stop bar for the EB left turning movement at W Grand River Ave & Meridian Mall and the stop location for the WB left turning movement at W Grand River Ave & the site access. The movements are bolded in Table 6.

**Table 6: 2016 Build Peak Hour Traffic Operation Summary**

Intersection	Intersection		Critical Approach			
	Intersection Control Delay	Overall Intersection LOS	Approach	Lane Group Delay	Lane Group LOS	95th Percentile Queue Length
<b>Mid-Day Peak Hour</b>						
W Grand River Ave & Okemos Rd	31.5 sec	LOS-C	NB Left	41.3 sec	LOS-D	295 ft
			WB Left	46.4 sec	LOS-D	168 ft
W Grand River Ave & site access	4.5 sec	LOS-A	NB Left	24.6 sec	LOS-C	70 ft
			WB Left	16.8 sec	LOS-C	37 ft
W Grand River Ave & Meridian Mall	7.5 sec	LOS-A	SB Right	32.7 sec	LOS-C	145 ft
			EB Left	7.5 sec	LOS-A	108 ft
W Grand River Ave & Marsh Rd	20.9 sec	LOS-C	NB Left	45.3 sec	LOS-D	40 ft
			SB Left	39.5 sec	LOS-D	175 ft
<b>P.M. Peak Hour</b>						
W Grand River Ave & Okemos Rd	38.6 sec	LOS-D	NB Left	59.1 sec	LOS-E	357 ft
			WB Left	53.7 sec	LOS-D	167 ft
W Grand River Ave & site access	5.2 sec	LOS-A	NB Left	32.9 sec	LOS-D	61 ft
			WB Left	5.7 sec	LOS-A	36 ft
W Grand River Ave & Meridian Mall	8.0 sec	LOS-A	SB Right	28.8 sec	LOS-C	143 ft
			EB Left	7.5 sec	LOS-A	89 ft
W Grand River Ave & Marsh Rd	20.1 sec	LOS-C	NB Left	56.9 sec	LOS-E	57 ft
			SB Left	38.4 sec	LOS-D	165 ft

1. Overall Intersection LOS using 2010 HCM methodology as determined by Intersection Control Delay and as reported by Synchro 9/SimTraffic 9 analysis.
2. 95<sup>th</sup> Percentile queues as reported by average of five runs of SimTraffic 9

**C. ROADWAY IMPROVEMENTS**

- a. During the Mid-Day Peak Hour the 95<sup>th</sup> percentile queues are 108ft and 37ft, respectively. The distance between intersections is 210ft this would leave a 65 foot gap between the queues assuming that the 95<sup>th</sup> percentile queues happened at the same time for both movements. Furthermore, the likelihood of having both 95<sup>th</sup> percentile queues occurring at the same time is low. Therefore, there is adequate space between the intersections and no roadway improvements are necessary along W Grand River Ave.

**D. TRAFFIC SAFETY**

- a. Sight Distance – Due to the flat nature of the development access at W Grand River Ave, sight distance is sufficient.

**E. TRAFFIC CONTROL NEEDS**

Westwood recommends that the site egress stay yield controlled.

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## V. CONCLUSIONS

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Trip generation of the proposed 2049 Grand River Project does not appreciably impact traffic in the study area. There are 106 total trips projected by the site for the Mid-Day Peak Hour and 77 trips projected in the P.M. Peak Hour. Traffic is projected to be 48% outbound and 52% inbound during the Mid-Day & P.M. Peak Hours.

The principal findings of the analysis included:

- All intersections operated at Level of Service D (LOS-D) or better in the 2016 No-Build and Build conditions.
- The intersection of W Grand River Ave & Okemos Rd experiences significant delays on certain movements in the 2016 No-Build and Build conditions.

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## VI. RECOMMENDATIONS

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Recommendations include the following:

- There is adequate distance between the site access and the Meridian Mall entrance to accommodate additional traffic. Thus the W Grand River Ave striping is sufficient.
- The site egress should remain yield controlled.

# Geotechnical Engineering Report

Proposed Retail Development  
2049 West Grand River Avenue  
Okemos, Michigan

October 18, 2013

Terracon Project No. N6135078

Prepared for:

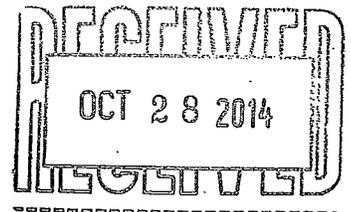
WIN Development, LLC

Belleair, Florida

Prepared by:

Terracon Consultants - MI, Inc.

Brooklyn Heights, Ohio



Offices Nationwide  
Employee-Owned

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[terracon.com](http://terracon.com)

# Terracon

Geotechnical ■ Environmental ■ Construction Materials ■ Facilities

October 18, 2013

# Terracon

WIN Development, LLC  
2165 Louisa Drive  
Belleair, FL 33786

Attn: Mr. Steven Alafazan  
Vice President of Development  
P: [727] 709 5266  
E: steven@windevelopment.net

Re: Geotechnical Engineering Report  
Proposed Retail Development – West Grand River  
Saginaw, Michigan  
Terracon Project Number: N6135078

Dear Mr. Alafazan:

Terracon Consultants-MI, Inc. (Terracon) has completed the geotechnical engineering services for the above referenced project. This study was performed in general accordance with our proposal number PN6130252 dated September 11, 2013 and authorized per the signed Agreement for Services on September 26, 2013. This report presents the findings of the subsurface exploration and provides geotechnical recommendations concerning earthwork and the design and construction of foundations, floor slabs and pavements for the proposed project.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report, or if we may be of further service, please contact us.

Sincerely,  
Terracon Consultants - MI, Inc.



Thomas M. McDonnell, P.E.  
Senior Associate  
Michigan P.E. #59711

Copies to: Addressee (via email, 2 via mail)

*Jason Stamp*  
for  
Kevin M. Ernst, P.E.  
Senior Geotechnical Engineer

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## **APPENDIX A – FIELD EXPLORATION**

Exhibit A-1	Site Location Map
Exhibit A-2	Boring Location Plan
Exhibit A-3	Field Exploration Description
Exhibit A-4 to A-10	Boring Logs

## **APPENDIX B – LABORATORY TESTING**

Exhibit B-1	Laboratory Testing Program
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## **APPENDIX C – SUPPORTING DOCUMENTS**

Exhibit C-1	General Notes
Exhibit C-2	Unified Soil Classification System

## Geotechnical Engineering Report

Proposed Retail Development ■ Okemos, Michigan

October 18, 2013 ■ Terracon Project No. N6135078



### EXECUTIVE SUMMARY

A geotechnical exploration has been performed for the proposed construction of a single story, slab-on-grade, retail development at 2049 West Grand River Avenue in Okemos, Michigan. Terracon's geotechnical scope of work included the advancement of seven test borings to depths ranging between about 5 and 15 feet below existing site grades.

Based on the information obtained from our subsurface exploration, the following geotechnical considerations were identified:

- Beneath the existing pavement, and topsoil in lawn areas, unsorted layers of cohesive and granular soil deposits were encountered to the termination depths of the test borings. Cohesive soils layers generally consisted of medium stiff to very stiff, lean clay and sandy lean clay. In one test boring, varved silt and clay was encountered. Granular soils typically consisted of loose to medium dense, silty sand and sandy silt.
- At two locations within the existing lawn/landscape areas, the thickness of the topsoil was found to be approximately 12 inches thick.
- The proposed building may be supported on shallow footings bearing on the medium stiff or better consistency lean clays or loose or better relative density silty sands.
- Conventional floor slab-on-grade and pavement construction are feasible provided the subgrade surfaces are properly prepared and compacted in accordance with the recommendations contained within this report. Existing soils with appreciable amounts of organics should be removed from these areas. Additionally, soils high in silt content should not be used within 2 feet of planned finish subgrade elevations within these areas.
- Close monitoring of the construction operations discussed herein will be critical in achieving the design subgrade support. We therefore recommend that Terracon be retained to monitor this portion of the work.

This summary should be used in conjunction with the entire report for design purposes. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein. The section titled **GENERAL COMMENTS** should be read for an understanding of the report limitations.

**GEOTECHNICAL ENGINEERING REPORT  
PROPOSED RETAIL DEVELOPMENT  
2049 WEST GRAND RIVER AVENUE  
OKEMOS, MICHIGAN**

Terracon Project No. N6135078  
October 18, 2013

## 1.0 INTRODUCTION

This report presents the results of our geotechnical engineering services performed in connection with the proposed construction of a single story, slab-on-grade, retail building at the subject site.

Our geotechnical engineering scope of work for this project included the advancement of seven test borings to a depth of about 5 and 15 feet below existing site grades, visual classification of the recovered soil samples, laboratory testing of selected soil samples, and development of geotechnical design and construction recommendations relative to the proposed building and pavement additions.

The purpose of this Geotechnical Engineering Report is to describe the subsurface conditions encountered at the test borings, present the test data, and provide recommendations with respect to:

- Earthwork construction
- Foundation design
- Seismic Site Class
- Subgrade preparation
- Floor slab and pavement design

Logs of the borings, along with a Site Location Map and Boring Location Plan, are included in Appendix A of this report. The results of the laboratory testing performed on selected soil samples obtained from the site during the field exploration are included on the test boring logs. Descriptions of the field exploration and laboratory testing are included in Appendix A and B, respectively.

## 2.0 PROJECT INFORMATION

### 2.1 Project Description

Item	Description
Site layout	See Appendix A, Exhibit A-2, Boring Location Plan

Item	Description
<b>Proposed construction</b>	Current plans call for the construction of a new 7,600 square foot, single story retail building.
<b>Building construction</b>	Metal deck and steel bar joist roof system supported on a structural steel frame or load bearing masonry block walls is anticipated.
<b>Finished floor elevation</b>	Not provided. It is anticipated that only minor grade changes will be required within the site to achieve the finished floor slab subgrade elevation.
<b>Maximum loads</b>	This information has not been provided to us. The following maximum column, wall and floor loads have been assumed. Column Loads: 50 kips Walls Loads: 4 kips per lineal foot Floor slab Load: 125 psf
<b>Grading</b>	A grading plan has not been provided to us. Based on the relatively level site conditions, we anticipate that less than 2 feet of cut and fill will be required to achieve the finished subgrade elevations.
<b>Pavement</b>	Traffic data was not been provided to us. For preliminary evaluation of the existing pavement, we have assumed the following traffic loading. Car parking: 12,000 18-kip Equivalent Single Axle Loads (ESALs) over a 20 year design life (1.54 ESALs per day) Drives: 30,000 18-kip ESALs over a 20 year design life (4.20 ESALs per day)

If any of the design assumptions noted above are inconsistent with the planned construction, please let us know so that we may make any necessary modifications to this report.

## 2.2 Site Location and Description

Item	Description
<b>Location</b>	This project site is located on the south side of West Grand River Avenue, west of Marsh Road, in the City of Okemos, Michigan. See Appendix A, Exhibit A-1, Site Location Map
<b>Existing improvements</b>	The site is currently occupied by a 7,500 square foot, single story, slab-on-grade, auto service building. Paved, passenger vehicle parking lots border the north, west and south sides of the existing building.
<b>Current ground cover</b>	The parking lots are paved with Portland cement concrete. Grass lawn areas containing some trees are present along the borders of the site.
<b>Existing topography</b>	The site appears to be relatively level.

### 3.0 SUBSURFACE CONDITIONS

#### 3.1 Typical Subsurface Profile

Specific conditions encountered at each boring location are indicated on the individual boring logs. Stratification boundaries on the boring logs represent the approximate location of changes in soil types; in situ, the transition between materials may be gradual. Details for each of the borings can be found on the boring logs in Appendix A of this report.

Based on the results of the borings, subsurface conditions on the project site can be summarized as follows:

Description	Approximate Depth to Bottom of Stratum <sup>1</sup>	Material Encountered	Consistency / Density
Pavement <sup>2</sup>	0.8 feet	4 inches Portland cement concrete over 4 inches Granular base	Not Applicable
Topsoil <sup>3</sup>	1.0 foot	Topsoil	Not Applicable
Native Soil	Undetermined <sup>4</sup>	Unsorted layers of cohesive and granular soils: Cohesive: Lean Clay with Sand and Sandy Lean Clay <sup>5</sup> Granular: Silty Fine Sand and Sandy Silt <sup>6</sup>	Cohesive: Medium stiff to very stiff Granular: Loose to medium dense

1. Below the existing surface grades.
2. Existing pavement was encountered at test boring locations B-2 and B-4 through B-7 .
3. Topsoil was encountered at test boring locations B-1 and B-3.
4. The test borings terminated in this stratum at depths ranging between 5 and 15 feet below the existing surface grades.
5. A layer of sandy, silty clay was encountered in test boring B-2 from approximately 12 feet to the boring termination depth. The lean clay layer in test boring B-4, from 3 to 5.5 feet, was varved with silt and silty fine sand.
6. Layers of poorly graded, fine sand and well graded sand were encountered in test borings B-1 and B-3, respectively, at a depth of approximately 12 feet below grade.

### 3.2 Groundwater

The boreholes were observed while drilling and after completion for the presence and level of groundwater. The water levels observed in the boreholes are noted on the attached boring logs, and are summarized below:

Boring Number	Approximate groundwater depth observed while drilling (feet)	Approximate depth of groundwater upon completion, (feet)
B-1	12.0	None observed
B-2	11.0	None observed
B-3	9.0	None observed
B-4	10.0	None observed
B-5	None observed	None observed
B-6	None observed	None observed
B-7	None observed	None observed

Based on these short term observations, it appears that groundwater is present within the preferentially permeable soil layers at a depth of about 9 to 12 feet below existing site grades.

Groundwater level fluctuations occur due to seasonal variations in the amount of rainfall, runoff and other factors not evident at the time the borings were performed. Therefore, groundwater levels during construction or at other times in the life of the structure may be higher or lower than the levels indicated on the boring logs.

## 4.0 RECOMMENDATIONS FOR DESIGN AND CONSTRUCTION

### 4.1 Geotechnical Considerations

The proposed building may be supported on shallow footings bearing on the medium stiff or better consistency lean clays or loose or better relative density silty sands. Based on the test boring results, it appears that soils suitable for foundation support should generally be encountered below the area's maximum frost depth.

Conventional floor slab-on-grade and pavement construction are feasible provided the subgrade surfaces are properly prepared and compacted in accordance with the recommendations contained within this report. Any soils containing appreciable amounts of organic material should be removed from these areas. Any soils with high silt fraction should not be used within 2 feet of planned finish subgrade elevations.

## **Geotechnical Engineering Report**

Proposed Retail Development ■ Okemos, Michigan  
October 18, 2013 ■ Terracon Project No. N6135078



Specific geotechnical engineering recommendations for foundation systems and other earth related phases of the project are outlined below. The recommendations contained in this report are based upon the results of field and laboratory testing (which are presented in Appendices A and B), engineering analyses and our current understanding of the proposed project.

### **4.2 Earthwork**

The following sections present recommendations for site subgrade preparation and placement of engineered fills on the project. The recommendations presented for design and construction of earth supported elements, including foundations, slabs and pavements are contingent upon following the recommendations outlined in this section.

Earthwork on the project should be observed and evaluated by Terracon. The evaluation of earthwork should include observation and testing of engineered fill, subgrade preparation, foundation bearing soils, and other geotechnical conditions exposed during the construction of the project.

#### **4.2.1 Site Preparation**

It is anticipated that the initial site work will include the demolition and removal of the existing building, concrete pavement and other appurtenant structures from the proposed building and pavement areas.

Existing foundations, floor slabs, and other below grade interferences should be removed in their entirety from the site. Excavations created during the site demolition operations should be backfilled with approved, properly compacted structural fill materials in accordance with the requirements presented in this report.

Existing underground utilities that are to be abandoned should also be removed from the proposed building and pavement areas. Alternatively, abandoned sewers or water lines may be plugged and fully grouted; provided they do not interfere with the new construction and the existing trench backfill is found to be properly compacted and suitable for floor slab or pavement subgrade support.

The site stripping and clearing operations should also include the removal of existing grass, topsoil, trees and significant root matrix from the proposed building and pavement areas.

Following the demolition and site clearing operations, the exposed subgrade soils are expected to consist primarily of silty fine sand. We recommend that these exposed subgrade surfaces be compacted using a smooth drum, vibratory roller (minimum dead weight of 8 tons on the drum) to help densify the near surface granular materials. Cohesive soils, if exposed, should be proofrolled with pneumatic tired equipment weighing at least 20 tons.

The silty fine sand materials may be found to be difficult to compact outside of confined excavations and susceptible to rutting and shoving under rubber tired construction vehicles,

especially when dry. In light of this, it may be necessary to moisten the sands and/or blend gravel or crushed stone into the sands to improve the compactibility and stability of these soils, particularly in areas subject to repeated passes of heavy, rubber tired construction vehicles.

During site preparation operations, the proposed building and pavement areas should be visually examined under the weight of the construction equipment. Yielding subgrade areas observed at this time may be stabilized using any or all of the following methods:

- scarifying, aerating, and moisture conditioning the soil to near optimum moisture conditions followed by compaction
- undercutting and replacing the materials with approved, properly compacted, lean clays or well graded, granular materials

The decision as to which method would be most cost effective will depend on the subsoil conditions evidenced when the stripping operations are conducted, the prevailing weather conditions, availability of suitable replacement materials, construction schedule, and construction costs. Unstable areas should be repaired to such depths as deemed necessary to provide proper floor slab and pavement support.

#### 4.2.2 Fill Material Types

Compacted engineered fill should meet the following material property requirements:

Fill Type <sup>1</sup>	USCS Classification	Acceptable Location for Placement
On-site, native soils	CL, SM, ML	All locations and elevations (Silt materials (ML) should not be used within 2 feet of planned finish floor slab and pavement subgrade elevations)
Imported granular fill <sup>2</sup>	GW, GW-GM, GP, GP-GM, SW, SW-SM, SM	All locations and elevations

1. Controlled, compacted fill should consist of approved materials that are free of organic matter and debris. Frozen material should not be used, and fill should not be placed on a frozen subgrade. A sample of each material type should be submitted to the geotechnical engineer for evaluation.
2. Imported granular fill should consist of natural sand and/or gravel or durable, crushed stone with a maximum dimension of 3 inches.

#### 4.2.3 Compaction Requirements

Item	Description
Fill Lift Thickness	8 inches or less in loose thickness when heavy, self-propelled compaction equipment is used. 4 inches or less in loose thickness when hand-guided equipment (i.e. jumping jack or plate compactor) is used.

Item	Description
<b>Minimum Compaction Requirements</b> <sup>1</sup>	At least 98% of the material's standard Proctor maximum dry density (ASTM D 698) elsewhere.
<b>Moisture Content – Cohesive Material</b>	-2% to +3% of the material's optimum moisture content as determined by standard Proctor (ASTM D 698)
<b>Moisture Content – Granular Material</b>	Workable moisture levels. <sup>2</sup>

1. All fill within proposed building and pavement areas should be tested for moisture content and compaction during placement. Should the results of the in-place density tests indicate the specified compaction limits have not been met, the area represented by the test should be reworked and retested as required until the specified moisture and compaction requirements are achieved.
2. Sufficient to achieve satisfactory compaction without the material pumping when proof-rolled.

#### **4.2.4 Earthwork Construction Considerations**

As previously noted, some of the site's silty fine sands may be susceptible to rutting and shoving under rubber tired construction vehicles, especially when dry. Consequently, even when properly compacted to the specified densities, some of these materials may rut and shove under rubber tire construction vehicles. Blending gravel or coarse stone into these materials would improve their stability

Upon completion of filling and grading, care should be taken to maintain the subgrade moisture content prior to construction of floor slabs and pavements. Construction traffic over the completed subgrade should be avoided to the extent practical. The site should also be graded to prevent ponding of surface water on the prepared subgrades or in excavations. If the subgrade should become frozen or disturbed, the affected material should be removed and replaced with properly compacted fill, or by recompacting the soils to the specified density.

As a minimum, all temporary excavations should be sloped or braced as required by Occupational Safety and Health Administration (OSHA) regulations to provide stability and safe working conditions. Temporary excavations will be required during foundation and utility construction. The excavation contractor, by his contract, is usually responsible for designing and constructing stable, temporary excavations and should shore, slope or bench the sides of the excavations as required, to maintain stability of both the excavation sides and bottom. All excavations should comply with applicable local, state and federal safety regulations, including the current OSHA Excavation and Trench Safety Standards.

Based on limited groundwater observations performed within the test borings, it appears that groundwater seepage should not be encountered in shallow excavations extending less than about 9 feet below the existing surface grades. It should be recognized that the encounter depth of groundwater may fluctuate over time depending on the season and the amount of rainfall; consequently, at the time of construction, the groundwater table may be higher or lower

than this level. When necessary, dewatering should be conducted to control groundwater seepage into the excavations. The contractor is responsible for employing appropriate dewatering methods to control seepage, prevent degradation of the bearing surfaces, and facilitate construction.

### 4.3 Foundations

The building structure can be supported by a spread footing foundation system. Foundation design recommendations are presented in the following report sections.

#### 4.3.1 Foundation Design Recommendations

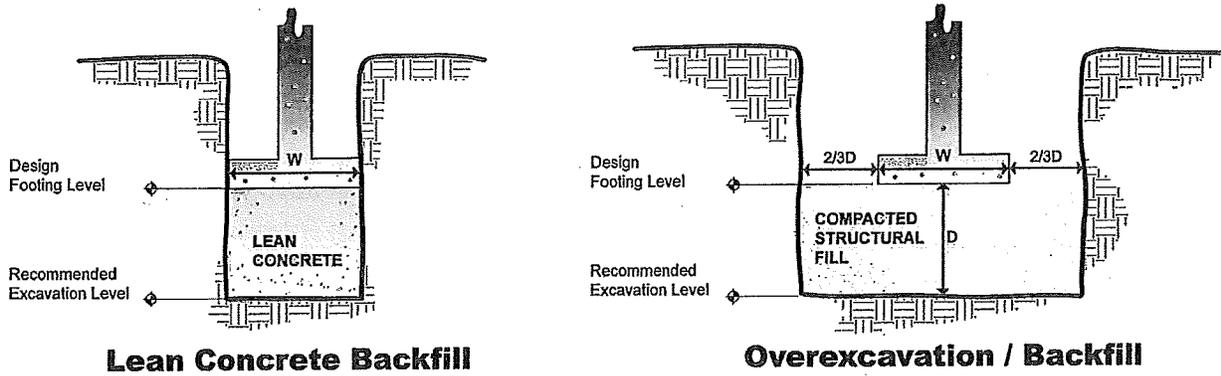
Description	Column	Wall
<b>Net allowable bearing pressure<sup>1</sup></b> ■ Native, medium stiff or better lean clays, loose or better silty sands and/or new engineered fill	2,500 psf	2,500 psf
<b>Minimum embedment below finished grade<sup>2</sup></b>	42 inches	42 inches
<b>Minimum footing width</b>	24 inches	18 inches
<b>Anticipated total settlement<sup>3</sup></b>	<1 inch	<1 inch

1. The recommended net allowable bearing pressure is the pressure in excess of the minimum surrounding overburden pressure at the footing base elevation.
2. For frost protection and to reduce effects of seasonal moisture variations in subgrade soils. For perimeter footings and footings beneath unheated areas. Interior footings, in heated building areas and not subject to frost, may bear a minimum of 18 inches below finished grade provided suitable bearing soils are encountered.
3. The foundation settlement will depend upon the variations within the subsurface soil profile, the structural loading conditions and the embedment depth of the footings.

#### 4.3.2 Foundation Construction Considerations

If soils unsuitable for foundation support are encountered during construction, the foundation excavations should be stepped down to suitable soil. The footings may bear directly on these soils at the lower level, or on lean concrete backfill placed in the excavations. The footings could also bear on properly compacted, engineered fill, extending down to suitable soils.

Where engineered fill is preferred for this application, the over-excavation should extend laterally beyond all edges of the footings at least 8 inches per foot of over-excavation depth below the footing base elevation. The over-excavation should then be backfilled up to the footing base elevation with approved, engineered fill placed in lifts of 8 inches or less in loose thickness and compacted to at least 98% of the material's Standard Proctor maximum dry density (ASTM D-698). The over-excavation and backfill procedures are depicted in the following figure.



NOTE: Excavations in sketches shown vertical for convenience. Excavations should be sloped as necessary for safety.

The final foundation bearing surface should be free of water and loose cuttings prior to placing concrete. We recommend the use of a smooth lipped bucket for the footing excavations to reduce disturbance to the foundation bearing surfaces. Consideration should also be given to over-excavating foundation excavations and placing a 3-inch thick, lean concrete “mud mat” over the approved bearing surface as a means to limit disturbance of bearing soils during foundation construction.

Concrete placement should take place as soon as practical following excavation and approval of the final bearing surfaces to avoid degradation/disturbance of the bearing materials from exposure to adverse weather conditions, surface or groundwater ingress, sidewall cave-ins or other construction activities. Should the bearing soils become disturbed, saturated or frozen, the affected soil should be removed prior to concrete placement. It is recommended that a Terracon representative observe and test the footing subgrades to determine the suitability of the bearing soils and the need for over-excavation.

Where necessary, continuous wall footings should be stepped as opposed to sloped. The steps should not exceed more than one foot vertical over a two foot length of trench, with maximum vertical steps not exceeding two feet.

Footings, foundations, and masonry walls should be reinforced as necessary to reduce the potential for distress caused by differential foundation movement. The use of joints at openings or other discontinuities in masonry walls is recommended.

**4.4 Seismic Considerations**

Code	Site Class
International Building Code (IBC)	D <sup>1</sup>

Code	Site Class
<p>1. The IBC Site Class is based on the average characteristics of the upper 100 feet of the subsurface profile. The current scope does not include the required 100 foot soil profile determination. Borings for this report were extended to a maximum depth of about 15 feet and this site class assignment considers that the soils below the maximum depth of the test borings are similar to those encountered. Additional exploration to deeper depths or surface shear wave velocity testing would be required to confirm the conditions below the current depth of exploration.</p>	

#### 4.5 Floor Slabs

Item	Description
<b>Floor slab subgrade</b>	Existing soils or new engineered fill which have been properly prepared and compacted <sup>1</sup>
<b>Modulus of subgrade reaction</b>	100 pounds per square inch per in (psi/in) for point loading conditions
<b>Aggregate base course/capillary break<sup>2</sup></b>	Minimum 4 inches of free draining granular material

1. The subgrade should be prepared in accordance with section **4.2 Earthwork** of this report. Upon completion of grading operations, care should be taken to maintain the soil at the specified moisture content and density. Should the subgrade become desiccated, wet or disturbed prior to construction of the floor slabs, the affected material should be removed and replaced with properly compacted fill, or by recompacting the soils to the specified density and moisture limits.
2. The floor slab design should include a capillary break, comprised of free-draining, compacted, granular material. Free-draining granular material should have less than 5 percent fines (material passing the #200 sieve).

Positive separations and/or isolation joints should be provided between slabs and all foundations, columns or utility lines to allow independent movement. Interior trench backfill placed beneath slabs should be compacted in accordance with recommendations outlined in the Earthwork section of this report.

The use of a vapor retarder should be considered beneath concrete slabs on grade that will be covered with wood, tile, carpet or other moisture sensitive or impervious coverings, or when the slab will support equipment sensitive to moisture. When conditions warrant the use of a vapor retarder, the slab designer and slab contractor should refer to ACI 302 and 360 for procedures and cautions regarding its use and placement.

## 4.6 Pavements

### 4.6.1 Pavement Design Recommendations

Provided the existing soils and/or new engineered fill are tested, evaluated and prepared in accordance with the recommendations provided in this report, these materials should provide suitable pavement support.

Pavement design criteria were not provided to us; therefore, we have provided typical pavement sections based on our experience with similar projects. The thickness of each course is a function of subgrade strength, traffic, design life, serviceability factors, and frost susceptibility. The recommended minimum pavement sections offered in this report have been based on the following design assumptions:

- Car Parking - 12,000 18-kip Equivalent Single Axle Loads (ESALs) over a 20 year design life (1.54 ESALs per day)
- Drive Areas - 30,000 18-kip Equivalent Single Axle Loads (ESALs) over a 20 year design life (4.20 ESALs per day)
- Approved fill or native, silty sand subgrade soils with a minimum California Bearing Ratio (CBR) value of 3.

Based on the design criteria noted above and our experience with similar projects and soil conditions, the asphalt concrete (AC) and Portland cement concrete (PCC) pavement sections listed on the following table are recommended minimum thicknesses.

Pavement Section Thickness (inches)						
Traffic Area	Alternative	Asphalt Concrete Surface Course	Asphalt Concrete Base Course	Portland Cement Concrete <sup>1</sup>	Aggregate Base Course <sup>2</sup>	Total Thickness
Light Duty (Car Parking)	PCC	--	--	5.0	4.0	9.0
	AC	1.5	2.5	--	6.0	10.0
Heavy Duty (Drive Areas)	PCC	--	--	6.0	4.0	10.0
	AC	1.5	3.5	--	6.0	11.0
Trash Container Pad <sup>3</sup>	PCC	--	--	7.0	4.0	11.0

1. 4,000 psi at 28 days and air entrained. PCC pavements are recommended for trash container pads and in any other areas subjected to heavy wheel loads and/or turning traffic.
2. Well graded, crushed limestone base material, such as Michigan Department of Transportation (MDOT) 21AA.
3. Trash container pads should be large enough to support the container and the tipping axle of the collection truck.

## Geotechnical Engineering Report

Proposed Retail Development ■ Okemos, Michigan  
October 18, 2013 ■ Terracon Project No. N6135078

**Terracon**

The design approach used to determine the asphalt pavement thicknesses presented in the table was based on the National Asphalt Pavement Association (NAPA), which is specific to low-volume pavements. Portland Cement Concrete (PCC) pavement thicknesses were based on the American Concrete Institute (ACI) design recommendations. The above sections represent minimum thicknesses and, as such, periodic maintenance should be anticipated.

For concrete pavement, proper joint spacing will also be required to reduce the potentials of excessive slab curling and shrinkage cracking. All joints should be sealed to prevent entry of foreign material and dowelled where necessary for load transfer. Refer to ACI 330 "Guide for Design and Construction of Concrete Parking Lots" for additional information.

The granular base should be compacted to at least 98% of the maximum dry density, as determined by ASTM D698 or evaluated in the field in a test strip subjected to repeated passes of a 8-ton, or heavier, roller. Asphalt concrete should be placed and compacted to between 92 and 97 percent of the material's theoretical maximum density. All pavement mixes and materials should be approved prior to use.

### 4.6.2 Pavement Construction Considerations

Materials and construction of pavements for the project should be in accordance with the requirements and specifications of the Michigan Department of Transportation (MDOT), or other approved local governing specification.

At test boring location B-5, the upperlying soils were found to contain trace amounts of organic material. During construction, any soils found to contain appreciable organic materials should be removed in their entirety from planned pavement areas. Additionally, subgrade soils high in silt content are often susceptible to hydraulic and mechanical disturbance. These materials, if encountered, should be undercut to a depth of 2 feet below planned finish subgrade elevations and replaced with controlled, engineered fill in accordance with section **4.2 Earthwork** of this report.

On most project sites, the site grading is accomplished relatively early in the construction phase. The subgrade is prepared in a relatively uniform manner. However, as construction proceeds, excavations will be made into these areas, rainfall and surface water may saturate some areas, heavy traffic from construction equipment disturbs the subgrade, and surface irregularities are often filled with loose materials. As a result, the pavement subgrades should be carefully evaluated as the time for pavement construction approaches. Within a few days of planned paving, we recommend the pavement areas be rough graded and then proof-rolled with a smooth drum vibratory roller (minimum weight of 8 tons on the drum). Cohesive soils, if exposed, should be proofrolled with pneumatic tired construction equipment, such as a loaded tandem axle dump truck (minimum weight 20 tons). Particular attention should be given to high traffic areas that have been rutted and disturbed, and to areas where backfilled trenches are located. Any areas found to be unstable should be repaired by removing and replacing the materials with properly

compacted fill, or by scarifying, air drying and compacting the soils to the specified density and moisture limits.

Base course and pavement materials should not be placed when the surface is wet. Surface drainage should be directed away from the edges of paved areas to minimize lateral moisture transmission into the subgrade.

A regular pavement maintenance program should be implemented to repair occasional pavement defects and distress that may develop over time and extend the useful life of the pavement. Pavement maintenance consists of both localized maintenance (e.g. crack sealing and patching) and global maintenance (e.g. surface sealing).

## **5.0 GENERAL COMMENTS**

Terracon should be retained to review the final design plans and specifications so comments can be made regarding interpretation and implementation of our geotechnical recommendations in the design and specifications. Terracon also should be retained to provide observation and testing services during grading, excavation, foundation construction and other earth-related construction phases of the project.

The analysis and recommendations presented in this report are based upon the data obtained from the borings performed at the indicated locations and from other information discussed in this report. This report does not reflect variations that may occur between borings, across the site, or due to the modifying effects of construction or weather. The nature and extent of such variations may not become evident until during or after construction. If variations appear, we should be immediately notified so that further evaluation and supplemental recommendations can be provided.

The scope of services for this project does not include either specifically or by implication any environmental or biological (e.g., mold, fungi, bacteria) assessment of the site or identification or prevention of pollutants, hazardous materials or conditions. If the owner is concerned about the potential for such contamination or pollution, other studies should be undertaken.

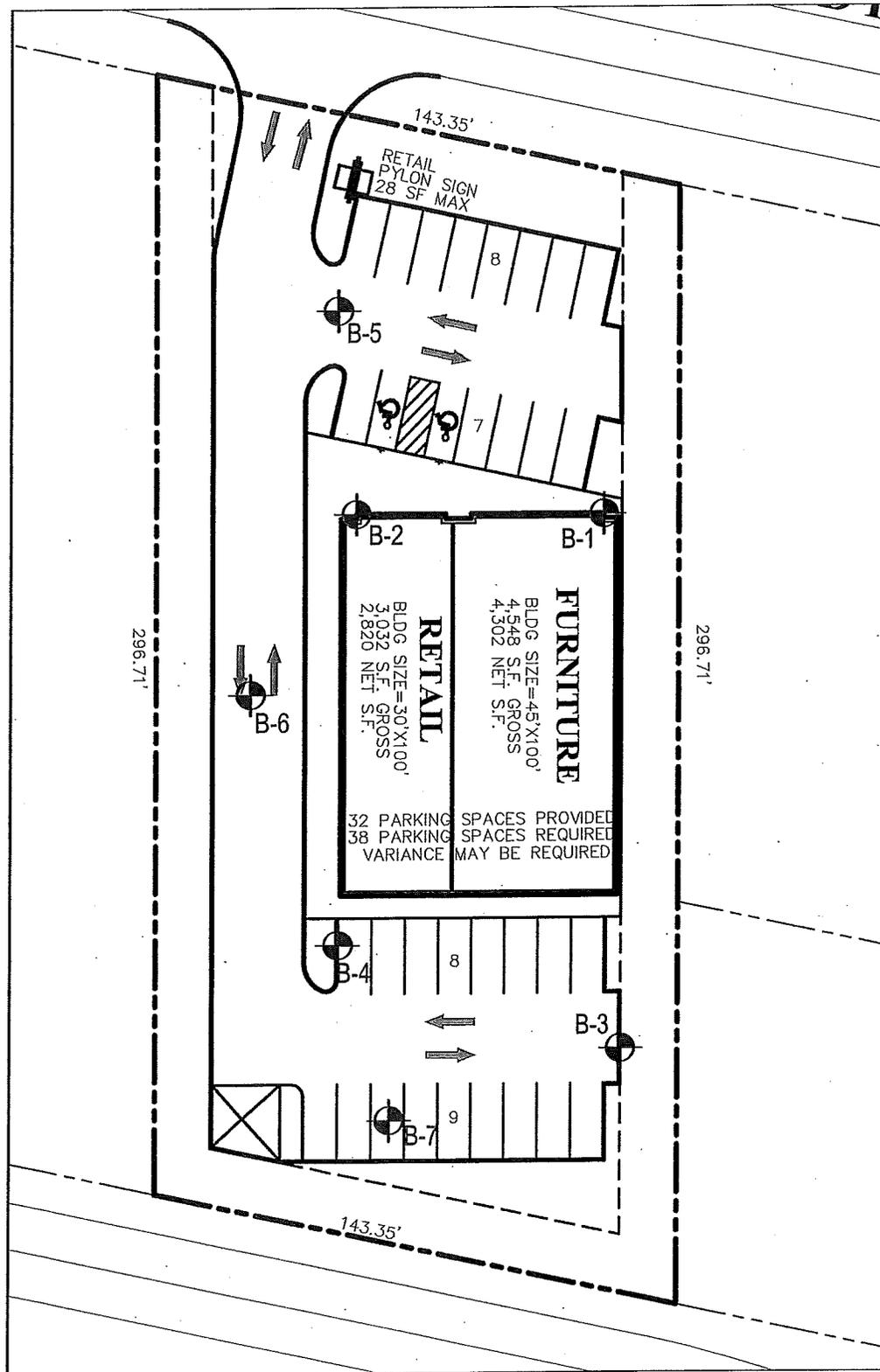
This report has been prepared for the exclusive use of our client for specific application to the project discussed and has been prepared in accordance with generally accepted geotechnical engineering practices. No warranties, either express or implied, are intended or made. Site safety, excavation support, and dewatering requirements are the responsibility of others. In the event that changes in the nature, design, or location of the project as outlined in this report are planned, the conclusions and recommendations contained in this report shall not be considered valid unless Terracon reviews the changes and either verifies or modifies the conclusions of this report in writing.

**APPENDIX A**  
**FIELD EXPLORATION**



THIS DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

Project Mng:	TFM	Project No.	N6135078	<b>Terracon</b> Consulting Engineers and Scientists 1414 East Schaaf Road Brooklyn Heights, Ohio 44131 (216) 459-8378 (216) 459-8854	Site Location Map Geotechnical Engineering Report Proposed Retail Development 2049 West Grand River Avenue Okemos, MI	FIG. No.
Drawn By:	TFM	Scale:	As Shown			<b>A-1</b>
Checked By:	LLP	File No.				
Approved By:	KME	Date:	10/17/2013			



 Approximate Test Boring Location

THIS DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

Project Mngr:	TFM	Project No.	N6135078	 <b>Terracon</b> Consulting Engineers and Scientists 1414 East Schaaf Road Brooklyn Heights, Ohio 44131 (216) 459-8378 (216) 459-8954	<b>Boring Location Plan</b> Geotechnical Engineering Report Proposed Retail Development 2049 West Grand River Avenue Okemos, MI	FIG. No.
Drawn By:	TFM	Scale:	N.T.S.			<b>A-2</b>
Checked By:	LLP	File No.				
Approved By:	KME	Date:	10/17/2013			

## **Geotechnical Engineering Report**

Proposed Retail Development ■ Okemos, Michigan  
October 18, 2013 ■ Terracon Project No. N6135078



### **Field Exploration Description**

Seven test borings were completed for the project on October 7, 2013. The boring locations were marked at the site by the drill crew using the site plan provided by WIN Development, LLC. The locations of the borings noted on the Boring Location Plan included in this appendix should be considered approximate.

The borings were drilled using a truck mounted rotary drill rig and continuous flight hollow-stem augers. During the drilling operations, samples of the soil encountered in the borings were obtained using split-barrel sampling procedures. In the split-barrel sampling procedure, the number of blows required to advance a standard 2-inch O.D. split barrel sampler the last 12 inches of the typical total 18-inch penetration using a 140-pound, automatic hammer with a free fall of 30 inches, is the standard penetration resistance value (SPT-N). This value is used to estimate the in-situ relative density of cohesionless soils and consistency of cohesive soils.

A CME automatic SPT hammer was used to advance the split-barrel sampler in the borings performed on this site. A significantly greater efficiency is achieved with the automatic hammer compared to the conventional safety hammer operated with a cathead and rope. This higher efficiency has an appreciable effect on the SPT-N value. The effect of the automatic hammer's efficiency has been considered in the interpretation and analysis of the subsurface information for this report.

The soil samples were tagged for identification, sealed to reduce moisture loss, and taken to our laboratory for further examination, testing, and classification. A field log of each boring was prepared by the drill crew. These logs included visual classifications of the materials encountered during drilling, as well as, the driller's interpretation of the subsurface conditions between samples. Final boring logs included with this report represent the engineer's review of obtained soil samples, driller's field logs and include modifications based on laboratory tests of the samples.

At the completion of the drilling operations the borings were backfilled with the soil cuttings and the pavement was patched.

# BORING LOG NO. B-1

**PROJECT:** Proposed Retail Development

**CLIENT:** WIN Development  
Belleair, Florida

**SITE:** 2049 West Grand River Avenue  
Okemos, Michigan

GRAPHIC LOG	LOCATION See Exhibit A-2	DEPTH (FT.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	RECOVERY (in.)	FIELD TEST RESULTS	LABORATORY TORVANE/HP (tsf)	WATER CONTENT (%)
	DEPTH							
	<b>12" TOPSOIL</b>							
	<b>SILTY FINE SAND (SM)</b> , brown, medium dense	1.0		X	18	3-4-6 N=10		5
	<b>SANDY LEAN CLAY (CL)</b> , trace gravel, trace fine roots, brown, very stiff	3.0		X	18	4-8-11 N=19		9
	<b>LEAN CLAY WITH SAND (CL)</b> , trace gravel, brown, stiff	6.0		X	18	4-5-5 N=10	2.5 (HP)	10
	<b>SANDY SILT (ML)</b> , gray, medium dense	8.0		X	18	2-4-7 N=11		9
	<b>POORLY GRADED SAND (SP)</b> , fine grained, brown, medium dense	12.0	▽					
	<b>Boring Terminated at 15 Feet</b>	15.0		X	18	2-4-9 N=13		

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:  
2.25" Hollow Stem Auger

See Exhibit A-3 for description of field procedures.

Notes:

Abandonment Method:  
Borings backfilled with soil cuttings upon completion.

See Appendix B for description of laboratory procedures and additional data (if any).  
See Appendix C for explanation of symbols and abbreviations.

**WATER LEVEL OBSERVATIONS**

▽ 12.0' While Drilling



Boring Started: 10/7/2013

Boring Completed: 10/7/2013

Drill Rig: Truck

Driller: M. Schmidt

Project No.: N6135078

Exhibit: A-4

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL N6135078.GPJ TERRACON2012.GDT 10/18/13

# BORING LOG NO. B-2

**PROJECT:** Proposed Retail Development

**CLIENT:** WIN Development  
Belleair, Florida

**SITE:** 2049 West Grand River Avenue  
Okemos, Michigan

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL\_N6135078.GPJ TERRACON2012.GDT 10/18/13

GRAPHIC LOG	LOCATION See Exhibit A-2	DEPTH (Ft.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	RECOVERY (In.)	FIELD TEST RESULTS	LABORATORY TORVANE/HP (tsf)	WATER CONTENT (%)
	DEPTH							
0.3	4" CONCRETE							
0.6	4" GRANULAR BASE							
	SILTY FINE SAND (SM), dark brown, loose			X	18	3-3-3 N=6		15
3.0	LEAN CLAY (CL), trace sand, brown, gray and dark gray, medium stiff			X	18	2-3-3 N=6	2.0 (HP)	17
5.5	LEAN CLAY (CL), trace sand, trace fine sand lenses, brown, medium stiff			X	18	1-2-5 N=7		20
8.0	SILTY FINE SAND WITH SEAMS OF LEAN CLAY (SM), brown, loose		▽	X	18	2-4-2 N=6		
12.0	SANDY SILTY CLAY (CL-ML), trace gravel, brown, stiff			X	18	4-5-6 N=11	1.5 (HP)	11
15.0	<b>Boring Terminated at 15 Feet</b>							

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:  
2.25" Hollow Stem Auger

See Exhibit A-3 for description of field procedures.  
See Appendix B for description of laboratory procedures and additional data (if any).  
See Appendix C for explanation of symbols and abbreviations.

Notes:

Abandonment Method:  
Borings backfilled with soil cuttings upon completion.

**WATER LEVEL OBSERVATIONS**  
▽ 9.0' While Drilling

Terracon

1414 East Schaaf Road  
Brooklyn Heights, Ohio

Boring Started: 10/7/2013

Boring Completed: 10/7/2013

Drill Rig: Truck

Driller: M. Schmidt

Project No.: N6135078

Exhibit: A-5

# BORING LOG NO. B-3

**PROJECT:** Proposed Retail Development

**CLIENT:** WIN Development  
Belleair, Florida

**SITE:** 2049 West Grand River Avenue  
Okemos, Michigan

GRAPHIC LOG	LOCATION See Exhibit A-2	DEPTH (Ft.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	RECOVERY (In.)	FIELD TEST RESULTS	LABORATORY TORVANE/HP (tsf)	WATER CONTENT (%)
	<b>12" TOPSOIL</b>							
	1.0 <b>SILTY FINE SAND (SM)</b> , brown, medium dense			X	18	4-5-8 N=13		5
	3.0 <b>SANDY LEAN CLAY WITH GRAVEL (CL)</b> , gray to brown, stiff			X	18	4-6-6 N=12	4.5+ (HP)	13
	5.5 <b>SANDY SILT (ML)</b> , trace fine gravel, brown, medium dense			X	18	3-4-7 N=11		10
	8.0 <b>SILTY FINE SAND WITH SEAMS OF LEAN CLAY (SM)</b> , brown to gray, medium dense			X	18	4-6-10 N=16		
	12.0 <b>SILTY FINE SAND (SM)</b> , brown, loose		▽					
	15.0 <b>Boring Terminated at 15 Feet</b>			X	18	2-4-5 N=9		

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:  
2.25" Hollow Stem Auger

See Exhibit A-3 for description of field procedures.  
See Appendix B for description of laboratory procedures and additional data (if any).  
See Appendix C for explanation of symbols and abbreviations.

Notes:

Abandonment Method:  
Borings backfilled with soil cuttings upon completion.

**WATER LEVEL OBSERVATIONS**

▽ 11.0' While Drilling



Boring Started: 10/7/2013

Boring Completed: 10/7/2013

Drill Rig: Truck

Driller: M. Schmidt

Project No.: N6135078

Exhibit: A-6

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL N6135078.GPJ TERRACON2012.GDT 10/18/13

# BORING LOG NO. B-4

**PROJECT:** Proposed Retail Development

**CLIENT:** WIN Development  
Belleair, Florida

**SITE:** 2049 West Grand River Avenue  
Okemos, Michigan

GRAPHIC LOG	LOCATION See Exhibit A-2	DEPTH (Ft.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	RECOVERY (in.)	FIELD TEST RESULTS	LABORATORY TORVANE/HP (tsf)	WATER CONTENT (%)
0.3	<b>4" CONCRETE</b>							
0.6	<b>4" GRANULAR BASE</b>							
	<b>SILTY FINE SAND (SM)</b> , brown, medium dense				18	4-5-6 N=11		8
3.0	<b>LEAN CLAY WITH SILT AND SILTY FINE SAND (CL)</b> , varved, brown, medium stiff				18	2-2-2 N=4	1.0 (HP)	19
5.5	<b>SANDY SILT WITH SEAMS OF SILTY FINE SAND (ML)</b> , brown to gray, medium dense				18	2-5-9 N=14		15
8.0	<b>SILTY FINE SAND (SM)</b> , brown, medium dense		▽		18	5-7-6 N=13		
12.0	<b>WELL GRADED SAND WITH GRAVEL (SW)</b> , brown, medium dense				18	6-6-8 N=14		
15.0	<b>Boring Terminated at 15 Feet</b>	15						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:  
2.25" Hollow Stem Auger

See Exhibit A-3 for description of field procedures.  
See Appendix B for description of laboratory procedures and additional data (if any).  
See Appendix C for explanation of symbols and abbreviations.

Notes:

Abandonment Method:  
Borings backfilled with soil cuttings upon completion.

**WATER LEVEL OBSERVATIONS**

▽ 10.0' While Drilling



1414 East Schaaf Road  
Brooklyn Heights, Ohio

Boring Started: 10/7/2013

Boring Completed: 10/7/2013

Drill Rig: Truck

Driller: M. Schmidt

Project No.: N6135078

Exhibit: A-7

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL N6135078.GPJ TERRACON2012.GDT 10/18/13

# BORING LOG NO. B-5

**PROJECT:** Proposed Retail Development

**CLIENT:** WIN Development  
Belleair, Florida

**SITE:** 2049 West Grand River Avenue  
Okemos, Michigan

GRAPHIC LOG	LOCATION See Exhibit A-2	DEPTH (Ft.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	RECOVERY (In.)	FIELD TEST RESULTS	LABORATORY TORVANE/HP (tsf)	WATER CONTENT (%)
	DEPTH							
0.3	<b>4" CONCRETE</b>							
0.6	<b>4" GRANULAR BASE</b>							
	<b>SANDY SILT (ML)</b> , trace organics, dark brown, loose			X	18	1-2-4 N=6		15
3.0	<b>SILTY FINE SAND WITH SEAMS OF SILT AND CLAY (SM)</b> , trace gravel, brown, loose			X	18	3-3-4 N=7		19
5.0	<b>Boring Terminated at 5 Feet</b>	5						

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:  
2.25" Hollow Stem Auger

See Exhibit A-3 for description of field procedures.  
See Appendix B for description of laboratory procedures and additional data (if any).

Notes:

Abandonment Method:  
Borings backfilled with soil cuttings upon completion.

See Appendix C for explanation of symbols and abbreviations.

**WATER LEVEL OBSERVATIONS**

*No free water observed*



Boring Started: 10/7/2013

Boring Completed: 10/7/2013

Drill Rig: Truck

Driller: M. Schmidt

Project No.: N6135078

Exhibit: A-8

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL N6135078.GPJ TERRACON\2012.GDT 10/18/13

# BORING LOG NO. B-6

<b>PROJECT:</b> Proposed Retail Development	<b>CLIENT:</b> WIN Development Belleair, Florida
<b>SITE:</b> 2049 West Grand River Avenue Okemos, Michigan	

GRAPHIC LOG	LOCATION See Exhibit A-2	DEPTH (Ft.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	RECOVERY (In.)	FIELD TEST RESULTS	LABORATORY TORVANE/HP (tsf)	WATER CONTENT (%)
	DEPTH							
0.3	<b>4" CONCRETE</b>							
0.6	<b>4" GRANULAR BASE</b>							
	<b>SILTY FINE SAND (SM)</b> , trace gravel, brown, medium dense			X	18	4-5-6 N=11		10
3.0	<b>SILTY FINE SAND (SM)</b> , trace clay, brown, medium dense			X	18	3-4-7 N=11		14
5.0	<b>Boring Terminated at 5 Feet</b>	5						

Stratification lines are approximate. In-situ, the transition may be gradual. Hammer Type: Automatic

Advancement Method:  
2.25" Hollow Stem Auger

Abandonment Method:  
Borings backfilled with soil cuttings upon completion.

See Exhibit A-3 for description of field procedures.  
See Appendix B for description of laboratory procedures and additional data (if any).  
See Appendix C for explanation of symbols and abbreviations.

Notes:

**WATER LEVEL OBSERVATIONS**  
*No free water observed*



Boring Started: 10/7/2013	Boring Completed: 10/7/2013
Drill Rig: Truck	Driller: M. Schmidt
Project No.: N6135078	Exhibit: A-9

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL N6135078.GPJ TERRACON2012.GDT 10/18/13

# BORING LOG NO. B-7

**PROJECT:** Proposed Retail Development

**CLIENT:** WIN Development  
Belleair, Florida

**SITE:** 2049 West Grand River Avenue  
Okemos, Michigan

GRAPHIC LOG	LOCATION See Exhibit A-2	DEPTH (Ft.)	WATER LEVEL OBSERVATIONS	SAMPLE TYPE	RECOVERY (In.)	FIELD TEST RESULTS	LABORATORY TORVANE/HP (tsf)	WATER CONTENT (%)
	DEPTH							
	0.3 4" CONCRETE							
	0.6 4" GRANULAR BASE							
	SILTY FINE SAND (SM), brown, medium dense			X	18	3-5-5 N=10		5
				X	18	4-5-6 N=11		11
	5.0	5						
	<b>Boring Terminated at 5 Feet</b>							

Stratification lines are approximate. In-situ, the transition may be gradual.

Hammer Type: Automatic

Advancement Method:  
2.25" Hollow Stem Auger

See Exhibit A-3 for description of field procedures.  
See Appendix B for description of laboratory procedures and additional data (if any).  
See Appendix C for explanation of symbols and abbreviations.

Notes:

Abandonment Method:  
Borings backfilled with soil cuttings upon completion.

**WATER LEVEL OBSERVATIONS**

*No free water observed*



Boring Started: 10/7/2013

Boring Completed: 10/7/2013

Drill Rig: Truck

Driller: M. Schmidt

Project No.: N6135078

Exhibit: A-10

THIS BORING LOG IS NOT VALID IF SEPARATED FROM ORIGINAL REPORT. GEO SMART LOG-NO WELL N6135078.GPJ TERRACON2012.GDT 10/18/13

**APPENDIX B**  
**LABORATORY TESTING**

## **Geotechnical Engineering Report**

Proposed Retail Development ■ Okemos, Michigan  
October 18, 2013 ■ Terracon Project No. N6135078

**Terracon**

### **Laboratory Testing Program**

Samples retrieved during the field exploration were taken to the laboratory for further observation by the project geotechnical engineer and were classified in accordance with the General Notes and Unified Soil Classification System (USCS) described in Exhibits C-1 and C-2 in Appendix C. At that time, the field descriptions were confirmed or modified as necessary and an applicable laboratory testing program formulated to determine engineering properties of the subsurface materials.

Laboratory tests were conducted on selected soil samples and the test results are presented on the test boring logs in Appendix A. The laboratory test results were used for the geotechnical engineering analyses, and the development of foundation and earthwork recommendations. Laboratory tests were performed in general accordance with the applicable ASTM, local or other accepted standards.

The following tests were performed on selected soil samples obtained from the borings.

- Hand Penetrometer
- Water Content

The results of the water content and hand penetrometer tests are noted on the boring logs in Appendix A.

**APPENDIX C**  
**SUPPORTING DOCUMENTS**

# GENERAL NOTES

## DESCRIPTION OF SYMBOLS AND ABBREVIATIONS

<b>SAMPLING</b>			<b>WATER LEVEL</b>		Water Initially Encountered	<b>FIELD TESTS</b>	(HP) Hand Penetrometer
	Auger	Split Spoon			Water Level After a Specified Period of Time		(T) Torvane
					Water Level After a Specified Period of Time		(b/f) Standard Penetration Test (blows per foot)
	Shelby Tube	Macro Core		<b>WATER LEVELS</b> Water levels indicated on the soil boring logs are the levels measured in the borehole at the times indicated. Groundwater level variations will occur over time. In low permeability soils, accurate determination of groundwater levels is not possible with short term water level observations.	(PID) Photo-Ionization Detector		
					(OVA) Organic Vapor Analyzer		
Ring Sampler	Rock Core						
							
Grab Sample	No Recovery						

## DESCRIPTIVE SOIL CLASSIFICATION

Soil classification is based on the Unified Soil Classification System. Coarse Grained Soils have more than 50% of their dry weight retained on a #200 sieve; their principal descriptors are: boulders, cobbles, gravel or sand. Fine Grained Soils have less than 50% of their dry weight retained on a #200 sieve; they are principally described as clays if they are plastic, and silts if they are slightly plastic or non-plastic. Major constituents may be added as modifiers and minor constituents may be added according to the relative proportions based on grain size. In addition to gradation, coarse-grained soils are defined on the basis of their in-place relative density and fine-grained soils on the basis of their consistency.

## LOCATION AND ELEVATION NOTES

Unless otherwise noted, Latitude and Longitude are approximately determined using a hand-held GPS device. The accuracy of such devices is variable. Surface elevation data annotated with +/- indicates that no actual topographical survey was conducted to confirm the surface elevation. Instead, the surface elevation was approximately determined from topographic maps of the area.

STRENGTH TERMS	RELATIVE DENSITY OF COARSE-GRAINED SOILS (More than 50% retained on No. 200 sieve.) Density determined by Standard Penetration Resistance Includes gravels, sands and silts.			CONSISTENCY OF FINE-GRAINED SOILS (50% or more passing the No. 200 sieve.) Consistency determined by laboratory shear strength testing, field visual-manual procedures or standard penetration resistance			
	Descriptive Term (Density)	Standard Penetration or N-Value Blows/Ft.	Ring Sampler Blows/Ft.	Descriptive Term (Consistency)	Unconfined Compressive Strength, Qu, tsf	Standard Penetration or N-Value Blows/Ft.	Ring Sampler Blows/Ft.
	Very Loose	0 - 3	0 - 6	Very Soft	less than 0.25	0 - 1	< 3
	Loose	4 - 9	7 - 18	Soft	0.25 to 0.50	2 - 4	3 - 4
	Medium Dense	10 - 29	19 - 58	Medium-Stiff	0.50 to 1.00	4 - 8	5 - 9
	Dense	30 - 50	59 - 98	Stiff	1.00 to 2.00	8 - 15	10 - 18
	Very Dense	> 50	≥ 99	Very Stiff	2.00 to 4.00	15 - 30	19 - 42
				Hard	> 4.00	> 30	> 42

## RELATIVE PROPORTIONS OF SAND AND GRAVEL

Descriptive Term(s) of other constituents	Percent of Dry Weight
Trace	< 15
With	15 - 29
Modifier	> 30

## GRAIN SIZE TERMINOLOGY

Major Component of Sample	Particle Size
Boulders	Over 12 in. (300 mm)
Cobbles	12 in. to 3 in. (300mm to 75mm)
Gravel	3 in. to #4 sieve (75mm to 4.75 mm)
Sand	#4 to #200 sieve (4.75mm to 0.075mm)
Silt or Clay	Passing #200 sieve (0.075mm)

## RELATIVE PROPORTIONS OF FINES

Descriptive Term(s) of other constituents	Percent of Dry Weight
Trace	< 5
With	5 - 12
Modifier	> 12

## PLASTICITY DESCRIPTION

Term	Plasticity Index
Non-plastic	0
Low	1 - 10
Medium	11 - 30
High	> 30

# UNIFIED SOIL CLASSIFICATION SYSTEM

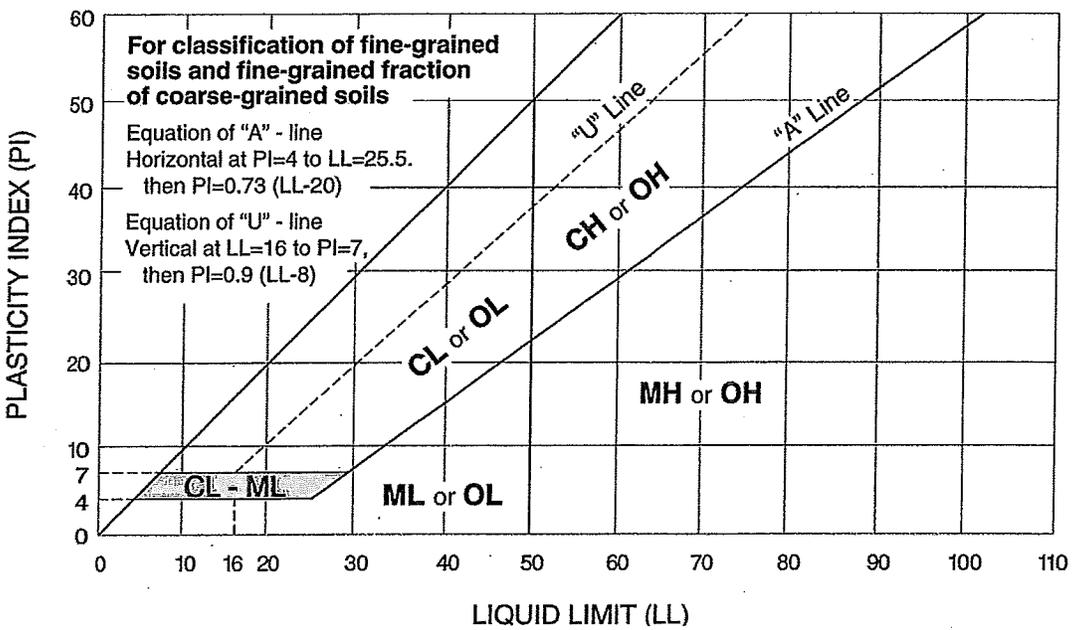
Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests <sup>A</sup>				Soil Classification	
				Group Symbol	Group Name <sup>B</sup>
<b>Coarse Grained Soils:</b> More than 50% retained on No. 200 sieve	<b>Gravels:</b> More than 50% of coarse fraction retained on No. 4 sieve	<b>Clean Gravels:</b> Less than 5% fines <sup>C</sup>	$Cu \geq 4$ and $1 \leq Cc \leq 3$ <sup>E</sup> $Cu < 4$ and/or $1 > Cc > 3$ <sup>E</sup>	GW	Well-graded gravel <sup>F</sup>
		<b>Gravels with Fines:</b> More than 12% fines <sup>C</sup>	Fines classify as ML or MH	GM	Silty gravel <sup>F,G,H</sup>
			Fines classify as CL or CH	GC	Clayey gravel <sup>F,G,H</sup>
		<b>Sands:</b> 50% or more of coarse fraction passes No. 4 sieve	<b>Clean Sands:</b> Less than 5% fines <sup>D</sup>	$Cu \geq 6$ and $1 \leq Cc \leq 3$ <sup>E</sup> $Cu < 6$ and/or $1 > Cc > 3$ <sup>E</sup>	SW
	<b>Sands with Fines:</b> More than 12% fines <sup>D</sup>			Fines classify as ML or MH	SM
			Fines classify as CL or CH	SC	Clayey sand <sup>G,H,I</sup>
	<b>Fine-Grained Soils:</b> 50% or more passes the No. 200 sieve		<b>Silts and Clays:</b> Liquid limit less than 50	<b>Inorganic:</b> PI > 7 and plots on or above "A" line <sup>J</sup> PI < 4 or plots below "A" line <sup>J</sup>	CL
		ML			Silt <sup>K,L,M</sup>
<b>Organic:</b> Liquid limit - oven dried Liquid limit - not dried		< 0.75		OL	Organic clay <sup>K,L,M,N</sup> Organic silt <sup>K,L,M,O</sup>
		< 0.75		OH	Organic clay <sup>K,L,M,P</sup> Organic silt <sup>K,L,M,Q</sup>
<b>Silts and Clays:</b> Liquid limit 50 or more		<b>Inorganic:</b> PI plots on or above "A" line PI plots below "A" line	CH	Fat clay <sup>K,L,M</sup>	
			MH	Elastic Silt <sup>K,L,M</sup>	
		<b>Organic:</b> Liquid limit - oven dried Liquid limit - not dried	< 0.75	OH	Organic clay <sup>K,L,M,P</sup> Organic silt <sup>K,L,M,Q</sup>
			< 0.75	OH	Organic clay <sup>K,L,M,P</sup> Organic silt <sup>K,L,M,Q</sup>
<b>Highly organic soils:</b>	Primarily organic matter, dark in color, and organic odor			PT	Peat

<sup>A</sup> Based on the material passing the 3-inch (75-mm) sieve  
<sup>B</sup> If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.  
<sup>C</sup> Gravels with 5 to 12% fines require dual symbols: GW-GM well-graded gravel with silt, GW-GC well-graded gravel with clay, GP-GM poorly graded gravel with silt, GP-GC poorly graded gravel with clay.  
<sup>D</sup> Sands with 5 to 12% fines require dual symbols: SW-SM well-graded sand with silt, SW-SC well-graded sand with clay, SP-SM poorly graded sand with silt, SP-SC poorly graded sand with clay

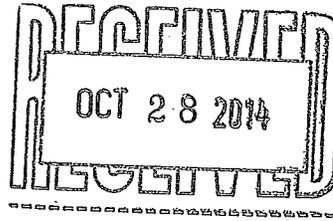
$$E \quad Cu = D_{60}/D_{10} \quad Cc = \frac{(D_{30})^2}{D_{10} \times D_{60}}$$

<sup>F</sup> If soil contains  $\geq 15\%$  sand, add "with sand" to group name.  
<sup>G</sup> If fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.

<sup>H</sup> If fines are organic, add "with organic fines" to group name.  
<sup>J</sup> If soil contains  $\geq 15\%$  gravel, add "with gravel" to group name.  
<sup>K</sup> If Atterberg limits plot in shaded area, soil is a CL-ML, silty clay.  
<sup>L</sup> If soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel," whichever is predominant.  
<sup>M</sup> If soil contains  $\geq 30\%$  plus No. 200 predominantly sand, add "sandy" to group name.  
<sup>N</sup> If soil contains  $\geq 30\%$  plus No. 200, predominantly gravel, add "gravelly" to group name.  
<sup>O</sup> PI  $\geq 4$  and plots on or above "A" line.  
<sup>P</sup> PI < 4 or plots below "A" line.  
<sup>Q</sup> PI plots on or above "A" line.  
<sup>R</sup> PI plots below "A" line.



## MEMORANDUM



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Date: October 24, 2014

Re: **Okemos Retail Project**  
**2049 Grand River**  
**Stormwater Narrative**  
File 0002325.00

To: Charter Township of Meridian

From: PJ Disch

### Project Description

The plan is to install a one story furniture/fast food building with surface parking. The current site is 39,875 square feet in size.

### Existing and Proposed Site Areas

This is the breakdown of the existing and proposed areas.

#### Existing from 2006

Pervious	9,797 sf	25.3%
Impervious	29,788 sf	74.7%
Total	39,875 sf	

#### Proposed

Pervious	10,956 sf	27.5%
Impervious	28,919 sf	72.5%
Total	39,875 sf	

### Existing Conditions

The existing site is broken up into two drainage areas. There is a small portion of the site that drains directly onto Grand River. The majority of the site drains to the small detention basin on the northwest corner of the site. There is a 6" CMP pipe that controls the discharge rate leaving the basin.

### Proposed Conditions

The proposed site is also broken up into two drainage areas. There is a small portion of the site that will continue to drain directly onto Grand River. The proposed area is smaller than the existing area. The majority of the site will continue to drain to the detention basin on the northwest corner of the site. The detention basin has been



expanded even though the impervious area on the site has decreased. The existing 6" CMP pipe will also remain in place to control the discharge rate of the stormwater leaving the detention basin.

**Stormwater Runoff Summary**

The following table summarizes the existing conditions and post-development peak runoff rates from the site for the 2-year, 10-year & 100-year storm events.

**Runoff Rates**

Drainage Area	Storm Event		
	2-Year (2.5") (cfs)	10-Year (3.4") (cfs)	100-Year (4.9") (cfs)
<b>1E (to basin)</b>	1.29	1.55	1.84
<b>2E (offsite)</b>	0.23	0.39	0.66
<b>Existing Total</b>	<b>1.52</b>	<b>1.94</b>	<b>2.50</b>
<b>1P (to basin)</b>	1.23	1.51	1.81
<b>2P (offsite)</b>	0.09	0.12	0.18
<b>Proposed Total</b>	<b>1.32</b>	<b>1.63</b>	<b>1.99</b>

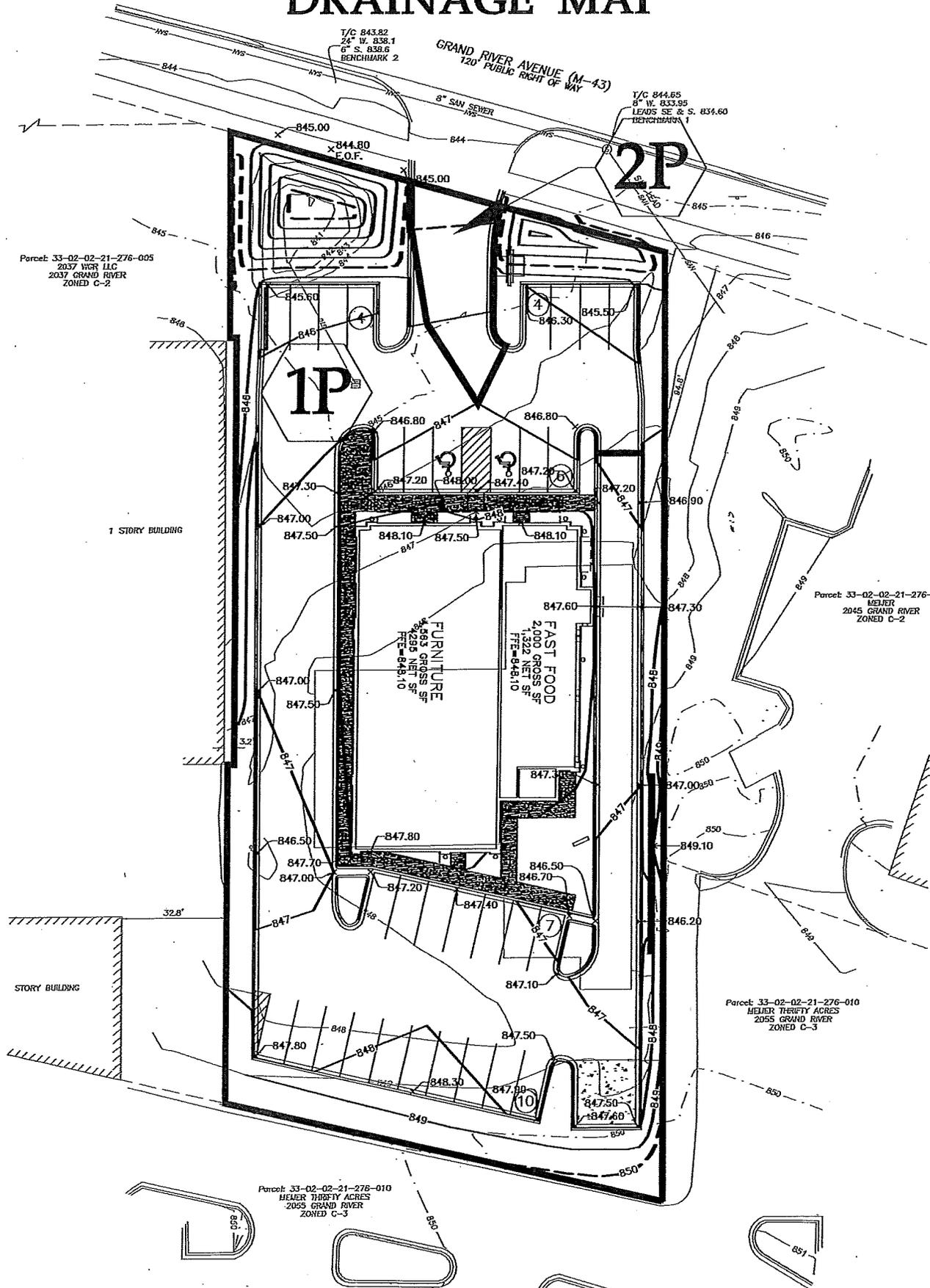
	Detention Basin Elevation		
	2-Year	10-Year	100-Year
<b>Existing</b>	841.95	842.77	843.89
<b>Proposed</b>	841.79	842.66	843.75

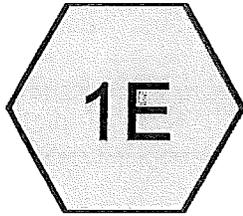
**Attachments**

- A Existing and Proposed Drainage Maps
- B Existing and Proposed HydroCAD model



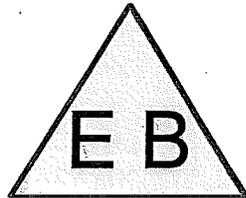
# PROPOSED DRAINAGE MAP



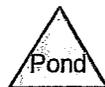


EXISTING TO  
DETENTION BASIN

EXISTING OFFSITE



EXISTING DETENTION  
BASIN



Routing Diagram for Okemos

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**Okemos**

Type II 24-hr 2 YEAR Rainfall=2.50"

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Page 2

Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=1.87"  
Tc=15.0 min CN=94 Runoff=1.79 cfs 0.120 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,030 sf 40.45% Impervious Runoff Depth=1.12"  
Tc=10.0 min CN=84 Runoff=0.23 cfs 0.013 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=841.95' Storage=438 cf Inflow=1.79 cfs 0.120 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/ Outflow=1.29 cfs 0.120 af

**Total Runoff Area = 0.908 ac Runoff Volume = 0.133 af Average Runoff Depth = 1.75"**  
**24.78% Pervious = 0.225 ac 75.22% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 1.79 cfs @ 12.06 hrs, Volume= 0.120 af, Depth= 1.87"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.23 cfs @ 12.02 hrs, Volume= 0.013 af, Depth= 1.12"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,591	74	>75% Grass cover, Good, HSG C
6,030	84	Weighted Average
3,591		59.55% Pervious Area
2,439		40.45% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 1.87" for 2 YEAR event  
 Inflow = 1.79 cfs @ 12.06 hrs, Volume= 0.120 af  
 Outflow = 1.29 cfs @ 12.17 hrs, Volume= 0.120 af, Atten= 28%, Lag= 6.3 min  
 Primary = 1.29 cfs @ 12.17 hrs, Volume= 0.120 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 841.95' @ 12.17 hrs Surf.Area= 487 sf Storage= 438 cf

Plug-Flow detention time= 1.7 min calculated for 0.120 af (100% of inflow)  
 Center-of-Mass det. time= 1.7 min ( 802.4 - 800.7 )

**Okemos**

Type II 24-hr 2 YEAR Rainfall=2.50"

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Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.28 cfs @ 12.17 hrs HW=841.94' (Free Discharge)↑ **1=Culvert** (Inlet Controls 1.28 cfs @ 6.52 fps)

**Okemos**

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Type II 24-hr 10 YEAR Rainfall=3.40"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points  
Runoff by SCS TR-20 method, UH=SCS  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=2.74"  
Tc=15.0 min CN=94 Runoff=2.57 cfs 0.175 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,030 sf 40.45% Impervious Runoff Depth=1.85"  
Tc=10.0 min CN=84 Runoff=0.39 cfs 0.021 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=842.77' Storage=938 cf Inflow=2.57 cfs 0.175 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/' Outflow=1.55 cfs 0.175 af

**Total Runoff Area = 0.908 ac Runoff Volume = 0.197 af Average Runoff Depth = 2.60"**  
**24.78% Pervious = 0.225 ac 75.22% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 2.57 cfs @ 12.06 hrs, Volume= 0.175 af, Depth= 2.74"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.39 cfs @ 12.02 hrs, Volume= 0.021 af, Depth= 1.85"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,591	74	>75% Grass cover, Good, HSG C
6,030	84	Weighted Average
3,591		59.55% Pervious Area
2,439		40.45% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 2.74" for 10 YEAR event  
Inflow = 2.57 cfs @ 12.06 hrs, Volume= 0.175 af  
Outflow = 1.55 cfs @ 12.20 hrs, Volume= 0.175 af, Atten= 40%, Lag= 8.3 min  
Primary = 1.55 cfs @ 12.20 hrs, Volume= 0.175 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 842.77' @ 12.20 hrs Surf.Area= 732 sf Storage= 938 cf

Plug-Flow detention time= 3.1 min calculated for 0.175 af (100% of inflow)  
Center-of-Mass det. time= 3.1 min ( 793.3 - 790.2 )

**Okemos**

Type II 24-hr 10 YEAR Rainfall=3.40"

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Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.55 cfs @ 12.20 hrs HW=842.77' (Free Discharge)

↑ **1=Culvert** (Inlet Controls 1.55 cfs @ 7.87 fps)

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Type II 24-hr 100 YEAR Rainfall=4.90"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=4.21"  
Tc=15.0 min CN=94 Runoff=3.85 cfs 0.270 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,030 sf 40.45% Impervious Runoff Depth=3.18"  
Tc=10.0 min CN=84 Runoff=0.66 cfs 0.037 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=843.89' Storage=1,982 cf Inflow=3.85 cfs 0.270 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 1' Outflow=1.84 cfs 0.270 af

**Total Runoff Area = 0.908 ac Runoff Volume = 0.306 af Average Runoff Depth = 4.05"**  
**24.78% Pervious = 0.225 ac 75.22% Impervious = 0.683 ac**

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Type II 24-hr 100 YEAR Rainfall=4.90"

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**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 3.85 cfs @ 12.06 hrs, Volume= 0.270 af, Depth= 4.21"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.66 cfs @ 12.01 hrs, Volume= 0.037 af, Depth= 3.18"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,591	74	>75% Grass cover, Good, HSG C
6,030	84	Weighted Average
3,591		59.55% Pervious Area
2,439		40.45% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 4.21" for 100 YEAR event  
 Inflow = 3.85 cfs @ 12.06 hrs, Volume= 0.270 af  
 Outflow = 1.84 cfs @ 12.24 hrs, Volume= 0.270 af, Atten= 52%, Lag= 10.5 min  
 Primary = 1.84 cfs @ 12.24 hrs, Volume= 0.270 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 843.89' @ 12.24 hrs Surf.Area= 1,153 sf Storage= 1,982 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)  
 Center-of-Mass det. time= 5.7 min ( 784.6 - 778.9 )

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Type II 24-hr 100 YEAR Rainfall=4.90"

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Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf.	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

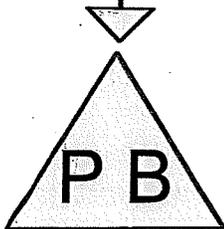
**Primary OutFlow** Max=1.84 cfs @ 12.24 hrs HW=843.88' (Free Discharge)

↑**1=Culvert** (Inlet Controls 1.84 cfs @ 9.37 fps)

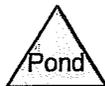


PROPOSED TO  
DETENTION BASIN

PROPOSED OFFSITE



PROPOSED  
DETENTION BASIN



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Type II 24-hr 2 YEAR Rainfall=2.50"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,595 sf 71.61% Impervious Runoff Depth=1.61"

Tc=15.0 min CN=91 Runoff=1.82 cfs 0.119 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,280 sf 100.00% Impervious Runoff Depth=2.27"

Tc=10.0 min CN=98 Runoff=0.09 cfs 0.006 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=841.79' Storage=588 cf Inflow=1.82 cfs 0.119 af

6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/ Outflow=1.23 cfs 0.119 af

**Total Runoff Area = 0.915 ac Runoff Volume = 0.124 af Average Runoff Depth = 1.63"**  
**27.48% Pervious = 0.252 ac 72.52% Impervious = 0.664 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 1.82 cfs @ 12.07 hrs, Volume= 0.119 af, Depth= 1.61"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
27,639	98	Paved parking, HSG A
10,956	74	>75% Grass cover, Good, HSG C
38,595	91	Weighted Average
10,956		28.39% Pervious Area
27,639		71.61% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.09 cfs @ 12.01 hrs, Volume= 0.006 af, Depth= 2.27"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
1,280	98	Paved parking, HSG A
1,280		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.886 ac, 71.61% Impervious, Inflow Depth = 1.61" for 2 YEAR event  
Inflow = 1.82 cfs @ 12.07 hrs, Volume= 0.119 af  
Outflow = 1.23 cfs @ 12.18 hrs, Volume= 0.119 af, Atten= 32%, Lag= 7.0 min  
Primary = 1.23 cfs @ 12.18 hrs, Volume= 0.119 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 841.79' @ 12.18 hrs Surf.Area= 550 sf Storage= 588 cf

Plug-Flow detention time= 3.9 min calculated for 0.119 af (100% of inflow)  
Center-of-Mass det. time= 3.9 min ( 821.2 - 817.3 )

Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	4,562 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

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Type II 24-hr 2 YEAR Rainfall=2.50"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	130	10	10
841.00	329	230	239
842.00	608	469	708
843.00	1,054	831	1,539
844.00	1,725	1,390	2,928
844.80	2,360	1,634	4,562

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 1/ S= 0.0368 1/ Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.23 cfs @ 12.18 hrs HW=841.78' (Free Discharge)↑**1=Culvert** (Inlet Controls 1.23 cfs @ 6.24 fps)

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Type II 24-hr 10 YEAR Rainfall=3.40"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points  
Runoff by SCS TR-20 method, UH=SCS  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,595 sf 71.61% Impervious Runoff Depth=2.45"  
Tc=15.0 min CN=91 Runoff=2.72 cfs 0.181 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,280 sf 100.00% Impervious Runoff Depth=3.17"  
Tc=10.0 min CN=98 Runoff=0.12 cfs 0.008 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=842.66' Storage=1,207 cf Inflow=2.72 cfs 0.181 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/' Outflow=1.51 cfs 0.181 af

**Total Runoff Area = 0.915 ac Runoff Volume = 0.188 af Average Runoff Depth = 2.47"**  
**27.48% Pervious = 0.252 ac 72.52% Impervious = 0.664 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 2.72 cfs @ 12.07 hrs, Volume= 0.181 af, Depth= 2.45"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
27,639	98	Paved parking, HSG A
10,956	74	>75% Grass cover, Good, HSG C
38,595	91	Weighted Average
10,956		28.39% Pervious Area
27,639		71.61% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.12 cfs @ 12.01 hrs, Volume= 0.008 af, Depth= 3.17"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
1,280	98	Paved parking, HSG A
1,280		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.886 ac, 71.61% Impervious, Inflow Depth = 2.45" for 10 YEAR event  
 Inflow = 2.72 cfs @ 12.07 hrs, Volume= 0.181 af  
 Outflow = 1.51 cfs @ 12.22 hrs, Volume= 0.181 af, Atten= 44%, Lag= 9.0 min  
 Primary = 1.51 cfs @ 12.22 hrs, Volume= 0.181 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 842.66' @ 12.22 hrs Surf.Area= 903 sf Storage= 1,207 cf

Plug-Flow detention time= 5.7 min calculated for 0.180 af (100% of inflow)  
 Center-of-Mass det. time= 5.7 min ( 811.1 - 805.4 )

Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	4,562 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

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Type II 24-hr 10 YEAR Rainfall=3.40"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	130	10	10
841.00	329	230	239
842.00	608	469	708
843.00	1,054	831	1,539
844.00	1,725	1,390	2,928
844.80	2,360	1,634	4,562

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/ Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.51 cfs @ 12.22 hrs HW=842.65' (Free Discharge)  
 ↑1=Culvert (Inlet Controls 1.51 cfs @ 7.69 fps)

**Okemos**

Type II 24-hr 100 YEAR Rainfall=4.90"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,595 sf 71.61% Impervious Runoff Depth=3.89"

Tc=15.0 min CN=91 Runoff=4.22 cfs 0.287 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,280 sf 100.00% Impervious Runoff Depth=4.66"

Tc=10.0 min CN=98 Runoff=0.18 cfs 0.011 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=843.75' Storage=2,515 cf Inflow=4.22 cfs 0.287 af

6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/' Outflow=1.81 cfs 0.287 af

**Total Runoff Area = 0.915 ac Runoff Volume = 0.298 af Average Runoff Depth = 3.91"**

**27.48% Pervious = 0.252 ac 72.52% Impervious = 0.664 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 4.22 cfs @ 12.06 hrs, Volume= 0.287 af, Depth= 3.89"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
27,639	98	Paved parking, HSG A
10,956	74	>75% Grass cover, Good, HSG C
38,595	91	Weighted Average
10,956		28.39% Pervious Area
27,639		71.61% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.18 cfs @ 12.01 hrs, Volume= 0.011 af, Depth= 4.66"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
1,280	98	Paved parking, HSG A
1,280		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.886 ac, 71.61% Impervious, Inflow Depth = 3.89" for 100 YEAR event  
Inflow = 4.22 cfs @ 12.06 hrs, Volume= 0.287 af  
Outflow = 1.81 cfs @ 12.26 hrs, Volume= 0.287 af, Atten= 57%, Lag= 11.6 min  
Primary = 1.81 cfs @ 12.26 hrs, Volume= 0.287 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 843.75' @ 12.26 hrs Surf.Area= 1,556 sf Storage= 2,515 cf

Plug-Flow detention time= 9.1 min calculated for 0.286 af (100% of inflow)  
Center-of-Mass det. time= 9.1 min ( 801.7 - 792.6 )

Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	4,562 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

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Type II 24-hr 100 YEAR Rainfall=4.90"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	130	10	10
841.00	329	230	239
842.00	608	469	708
843.00	1,054	831	1,539
844.00	1,725	1,390	2,928
844.80	2,360	1,634	4,562

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 ' S= 0.0368 ' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.80 cfs @ 12.26 hrs HW=843.74' (Free Discharge)  
 ↑ **1=Culvert** (Inlet Controls 1.80 cfs @ 9.19 fps)

# Phase I Environmental Site Assessment

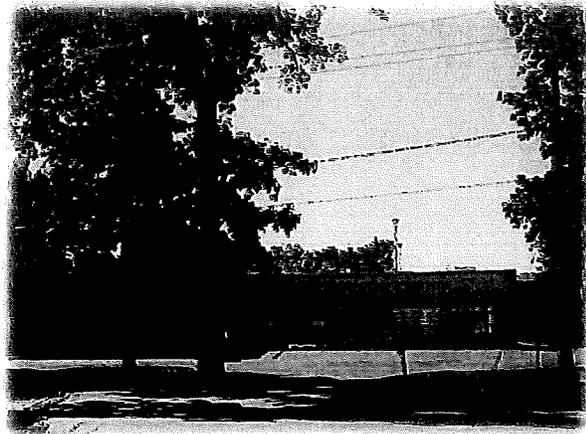
PROPOSED RETAIL DEVELOPMENT

2049 WEST GRAND RIVER AVENUE

OKEMOS, INGHAM COUNTY, MICHIGAN

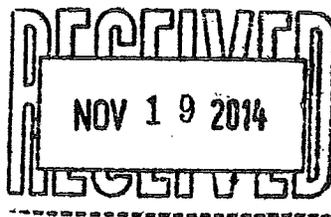
OCTOBER 25, 2013

Terracon Project No. N6137097



**Prepared for:**  
WIN Development, LLC  
Belleair, Florida

**Prepared by:**  
Terracon Consultants, Inc.  
Brooklyn Heights, OH



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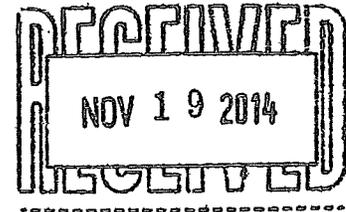
# Terracon

Geotechnical ■ Environmental ■ Construction Materials ■ Facilities

October 25, 2013

# Terracon

WIN Development, LLC  
2165 Louisa Drive  
Belleair, FL 33786



Attn: Mr. Steven Alafazan  
Vice President of Development  
P: [727] 709 5266  
E: steven@windevelopment.net

Re: Phase I Environmental Site Assessment  
Proposed Retail Development  
2049 West Grand River Avenue  
Okemos, Ingham County, Michigan  
Project No. N6137097

Dear Mr. Alafazan:

Terracon Consultants, Inc. (Terracon) is pleased to submit the enclosed Phase I Environmental Site Assessment (ESA) report for the above-referenced site. This assessment was performed in accordance with our proposal PN6130252, dated September 11, 2013.

We appreciate the opportunity to be of service to you on this project. If there are any questions regarding this report or if we may be of further assistance, please contact us.

Sincerely,  
**Terracon Consultants, Inc.**

  
Audre A. Puskorius  
Senior Staff Environmental Scientist

  
Randy Bishop, PG, CP  
Senior Associate/Authorized Project Reviewer

Attachments

Terracon Consultants Inc, 1414 E. Schaaf Road Brooklyn Heights, OH 44131

P (216) 459-8378 F (216) 459-8954

Geotechnical ■ Environmental ■ Construction Materials ■ Facilities

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## EXECUTIVE SUMMARY

This Phase I Environmental Site Assessment (ESA) was performed in accordance with our proposal PN6130252 dated September 11, 2013, and consistent with the procedures included in ASTM E 1527-05, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The ESA was conducted under the responsible charge of Ms. Audre A. Puskorius, who performed the site reconnaissance on Wednesday, October 2, 2013.

### Findings

A cursory summary of findings is provided below. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein.

#### Site Description and Use

The site, located at 2049 West Grand River Avenue in Okemos, Ingham County, Michigan, consists of an approximately 0.915-acre parcel developed with an approximately 7,892 square foot concrete block commercial building and paved parking areas. City of Okemos Assessor's records indicate that the site is identified as parcel 33-02-02-21-276-006. The building was constructed in 1974. The building is currently in the process of being vacated by Goodyear Auto Service Center.

#### Historical Information

Based on a review of historical information, the site was developed with the existing automotive service building in 1974. Historic aerial photographs indicate that the site appeared to have been occupied by a residential structure for a short period of time in the 1960s, prior to which the site consisted of agricultural land.

The site has been occupied by Goodyear Auto Service Center, Northwest Tire & Service Inc., and/or Instant Oil Change, Inc. since development of the site in 1974. Goodyear was in the final stages of vacating the building at the time of this assessment. According to Mr. James Faught, the site owner, and Mr. Chad Tava, General Manager for Goodyear, regulated chemicals stored in bulk quantities on-site included lubricating oils, transmission fluid, and antifreeze. Mr. Faught indicated that a total of eight hydraulic lifts were originally in use on-site, but three lifts were taken out of service after they had failed. Mr. Faught indicated that one alignment pit was filled in with concrete several years ago. Mr. Faught indicated that two underground storage tanks (USTs) formerly located on-site were removed in 1990. He indicated that the USTs were used for storage of waste oil. Based on a review of facility blueprints, the USTs were formerly located in the parking lot to the rear of the service garage. According to Mr. Faught, an oil/water separator exists on-site, but he did not have details regarding the service history of this system.

## EXECUTIVE SUMMARY (cont.)



Mr. Tava indicated that he had knowledge of the history of the site and the site operations since 2008, in his capacity as General Manager for Goodyear. However, he was not aware of the existence of the oil/water separator. Based on the historical use of the site for automotive repair operations, the historical operational use of the site, which includes the former hydraulic lifts, the former USTs, and the oil/water separator, is considered a recognized environmental condition (REC).

### Records Review

The site was identified in the regulatory database report, including the EDR US Hist Auto Stat, WDS, and UST databases. The EDR Historical Auto Station database indicates that General Tire, aka Northwest Tire & Service, has been classified as a historical auto station in 1999 and 2008. During a 2004 inspection, the health department noted the discharge of oily liquid waste to the environment in the vicinity of a dumpster. Discharge of oily liquid waste in the vicinity of the dumpster is considered a REC. The historical use of the site for automotive repair purposes is also considered a REC.

The environmental database report also indicates that two USTs were removed from the site in 1990. A 2,000-gallon steel used oil UST that was installed on May 7, 1976, was removed on February 1, 1990. A 550-gallon cathodically protected steel UST that was installed on January 1, 1985, was removed on June 15, 1990. A request was submitted to Michigan Department of Environmental Quality (MDEQ) for copies of closure records pertaining to the UST removals. Terracon conducted a review of records provided by the MDEQ pertaining to the UST removals (see Section 4.2.4). Based on the regulatory file review, soil sampling was performed at the time of UST closure. Soil samples were taken from the excavation floors underneath the drop tube area and the opposite end of each tank. The samples were submitted for analysis of total petroleum hydrocarbons (TPH). The results indicated that levels of TPH were not detected above laboratory detection limits in any of the samples submitted for analysis. Based on regulatory closure of this UST system, Terracon considers this an historical recognized environmental condition (HREC) with respect to the site. However, due to the lack of sampling for other chemical constituents that typically could be present in waste oils (i.e., volatile organic compounds [VOCs], polyaromatic hydrocarbons [PAHs], and RCRA metals), Terracon also considers these former USTs a REC.

The remaining facilities listed in the database do not constitute RECs with respect to the site based on distance, apparent topographic location with respect to the site, and /or regulatory status.

### Site Reconnaissance

The site, located at 2049 West Grand River Avenue in Okemos, Ingham County, Michigan, consists of an approximately 0.915-acre parcel developed with an approximately 7,892 square foot concrete block commercial building and paved parking areas. The building is currently in the process of being vacated by Goodyear Auto Service Center. Chemicals observed

## EXECUTIVE SUMMARY (cont.)



remaining in the facility include two 55-gallon drums of windshield washer fluid (labeled flammable liquid), three 30-gallon drums of grease, and one 55-gallon drum of transmission fluid. Staining or other evidence of releases was not observed in the immediate vicinity of these stored chemicals. However, a 560-gallon capacity steel aboveground storage tank (AST) containing used oil is located at the northeast corner of the storage warehouse. Significant oil staining of the concrete floor surface was noted beneath the AST and along the joint between the floor and the exterior wall of the building. This observed condition constitute a REC with respect to the site. In addition, two air compressors are located in the northeast corner of the storage warehouse. Significant oil staining of the concrete floor surface and along the joint between the floor and the exterior wall of the building were noted beneath and around the compressors. Additionally, the compressor oils may contain polychlorinated biphenyls (PCBs). The observed conditions with regard to the compressors constitute a REC with respect to the site.

A total of seven hydraulic lift systems are present in the service garage, three of which were previously taken out of service by removal of the aboveground equipment associated with the systems. Subsurface hydraulic pistons, pipe stubs, and floor drains are evident in the vicinity of the removed equipment. At least one pipe stub appeared to be filled with automotive fluid based on the green color of the liquid. These observed conditions of these former hydraulic lift systems are considered to be RECs to the site.

An oil/water separator is located within the southwest entrance to the service garage. Evidence of oil accumulation was observed within the manhole grate located above the oil/water separator. Furthermore, according to the General Manager for Goodyear Auto Service Center, the most recent occupant of the site, the oil/water separator has not been serviced since at least 2008. Multiple interior floor drains were observed inside the building during the site reconnaissance. Evidence of releases of regulated waste to floor drains was observed within the service garage. The unknown integrity of the drain systems and associated oil/water separator are considered RECs to the site.

### Adjoining Properties

The site is bound to the south by Meijer grocery store, to the west by Family Dentistry and Heat 'N Sweep Inc, to the east by Belle Tire Distributors, and to the north by West Grand River Avenue, followed by Burger King restaurant, Best Buy, and Office Max. Indications of RECs were not observed on the adjoining properties.

**Conclusions**

We have performed a Phase I ESA consistent with the procedures included in ASTM Practice E 1527 of the Retail Development located at 2049 West Grand River Avenue, Okemos, Ingham County, Michigan, the site. RECs and one HREC were identified in connection with the site and include the following:

- Two USTs were removed from the site in 1990; a 2,000-gallon steel used oil UST that was installed on May 7, 1976, and a 550-gallon cathodically protected steel UST that was installed on January 1, 1985. Terracon conducted a review of records provided by the MDEQ pertaining to the UST removals (see Section 4.2.4). Based on the regulatory file review, soil sampling was performed at the time of UST closure. Soil samples were taken from the excavation floors underneath the drop tube area and the opposite end of each tank. The samples were submitted for analysis of TPH. The results indicated that levels of TPH were not detected above laboratory detection limits in any of the samples submitted for analysis. Based on regulatory closure of this UST system, Terracon considers this an HREC with respect to the site. However, due to the lack of sampling for other chemical constituents that typically could be present in waste oils (i.e., VOCs, PAHs, and RCRA metals), Terracon also considers these former USTs a REC to the site.
  
- A 560-gallon capacity steel AST containing used oil is located at the northeast corner of the storage warehouse. Significant oil staining of the concrete floor surface was noted beneath the AST and along the joint between the floor and the exterior wall of the building. This observed condition constitutes a REC with respect to the site.
  
- Two air compressors are located in the northeast corner of the storage warehouse. Significant oil staining of the concrete floor surface and along the joint between the floor and the exterior wall of the building were noted beneath and around the compressors. The compressor oils may contain PCBs. The observed conditions constitute a REC with respect to the site.
  
- A total of seven hydraulic lift systems are present in the service garage, three of which were previously taken out of service by removal of the aboveground equipment associated with the systems. Subsurface hydraulic pistons, pipe stubs, and floor drains are evident in the vicinity of the removed equipment. At least one pipe stub appeared to be filled with automotive fluid based on the green color of the liquid. These observed conditions of these former hydraulic lift systems are considered to be RECs with respect to the site.

- An oil/water separator is located within the southwest entrance to the service garage. Evidence of oil accumulation was observed within the manhole grate located above the oil/water separator. Furthermore, according to the General Manager for Goodyear Auto Service Center, the most recent occupant of the site, the oil/water separator has not been serviced since at least 2008. Multiple interior floor drains were observed inside the building during the site reconnaissance. Evidence of releases of regulated waste to floor drains was observed within the service garage. The unknown integrity of these drain systems and associated oil/water separator are considered RECs with respect to the site.

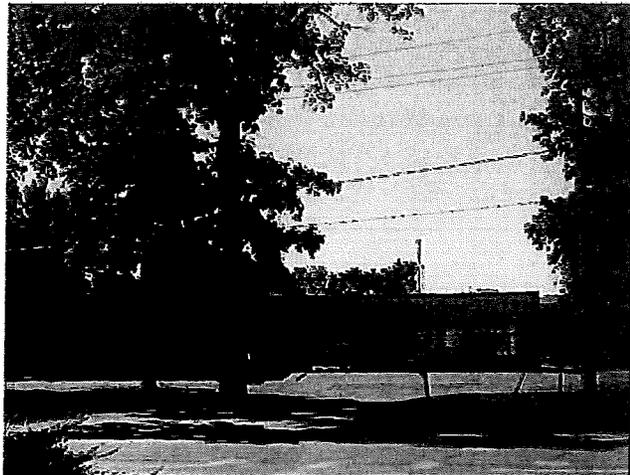
### **Recommendations**

Based on the scope of services, limitations, and findings of this assessment, Terracon identified RECs which, in our opinion, warrant additional investigation. Terracon recommends additional investigation to evaluate the potential for impact of environmental media (i.e., soil and groundwater) beneath the site due to the above identified RECs.

# Limited Site Investigation

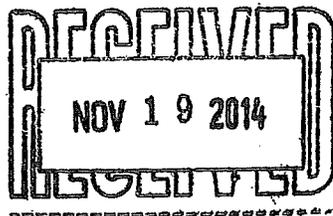
Retail Development  
2049 West Grand River Avenue  
Okemos, Ingham County, Michigan

December 9, 2013  
Terracon Project No. N6137097



Prepared for:  
WIN Development, LLC  
Belleair, Florida

Prepared by:  
Terracon Consultants, Inc.  
Brooklyn Heights, Ohio



Offices Nationwide  
Employee-Owned

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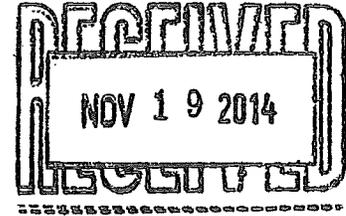
# Terracon

Geotechnical   ■   Environmental   ■   Construction Materials   ■   Facilities

# Terracon

December 9, 2013

WIN Development, LLC  
2165 Louisa Drive  
Belleair, FL 33786



Attn: Mr. Steven Alafazanos  
Vice President of Development  
P: [727] 709 5266  
E: steven@windevelopment.net

Re: Limited Site Investigation  
Retail Development  
2049 West Grand River Avenue  
Okemos, Ingham County, Michigan  
Project No. N6137097

Dear Mr. Alafazanos:

Terracon Consultants, Inc. (Terracon) is pleased to submit the enclosed Limited Site Investigation (LSI) report for the above-referenced site. This assessment was performed in accordance with Terracon Proposal No. PN6130285, dated October 18, 2013 and authorized on November 12, 2013.

We appreciate the opportunity to be of service to you on this project. If there are any questions regarding this report or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,

**Terracon**

Prepared by:

  
Audre A. Puskorius  
Senior Staff Environmental Scientist

  
Charles R. Bishop  
Authorized Project Reviewer

Attachment

Terracon Consultants, Inc. 1414 East Schaaf Road Brooklyn Heights, Ohio 44131  
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## LIST OF APPENDICES

- Appendix A: Exhibit A-1- Topographic Map, Exhibit A-2 – Boring Location Plan
- Appendix B: Boring Logs
- Appendix C: Analytical Summary Tables
- Appendix D: Analytical Report and Chain of Custody Documentation

**LIMITED SITE INVESTIGATION  
 RETAIL DEVELOPMENT  
 2049 WEST GRAND RIVER AVENUE  
 OKEMOS, INGHAM COUNTY, MICHIGAN  
 Terracon Project No. N6137097  
 December 9, 2013**

**1.0 INTRODUCTION**

**1.1 Site Description/Background**

<b>Site Name</b>	Retail Development
<b>Site Location/Address</b>	2049 West Grand River Avenue, Okemos, Ingham County, Michigan
<b>General Site Description</b>	The site is a 0.915-acre parcel developed with an approximately 7,892 square foot concrete block commercial building and paved parking areas. The City of Okemos Assessor's records indicate that the site is identified as Parcel 33-02-02-21-276-006. The building was constructed in 1974. The building is currently in the process of being vacated by Goodyear Auto Service Center.

The site location is depicted on Exhibit A-1 of Appendix A, which was reproduced from a portion of the USGS 7.5-minute series topographic map. Exhibit A-2 is a boring location plan that indicates the approximate sample locations in relation to the pertinent structures and general site boundaries (Appendix A).

Terracon conducted a Limited Site Investigation (LSI) at the property located at 2049 West Grand River Avenue, Okemos, Ingham County, Michigan (hereinafter referred to as the "site", "Property", or "subject property"). At the request of Steven Alafazan, WIN Development, LLC, Terracon's LSI was undertaken in response to the following recognized environmental conditions (RECs) identified within the Phase I Environmental Site Assessment (ESA), dated October 25, 2013:

- Two underground storage tanks (USTs) were removed from the site in 1990, including a 2,000-gallon steel used oil UST that was installed on May 7, 1976 and a 550-gallon cathodically protected steel UST that was installed on January 1, 1985. Terracon conducted a review of records provided by the MDEQ pertaining to the UST removals. Based on the regulatory file review, soil sampling was performed at the time of UST closure. Soil samples were taken from the excavation floors underneath the drop tube area and the opposite end of each tank. The samples were submitted for analysis of total petroleum hydrocarbons (TPH). The results indicated that levels of TPH were not detected above laboratory detection limits in any of the samples submitted for analysis. Based on regulatory closure of this UST system, Terracon

considers this an HREC with respect to the site. However, due to the lack of sampling for other chemical constituents that typically could be present in waste oils (i.e., volatile organic compounds (VOCs), and polynuclear aromatic hydrocarbons (PAHs), Terracon considers these former USTs a REC to the site.

- A 560-gallon capacity steel AST containing used oil is located at the northeast corner of the storage warehouse. Significant oil staining of the concrete floor surface was noted beneath the AST and along the joint between the floor and the exterior wall of the building. This observed condition constitutes a REC with respect to the site.
- Two air compressors are located in the northeast corner of the storage warehouse. Significant oil staining of the concrete floor surface and along the joint between the floor and the exterior wall of the building were noted beneath and around the compressors. The compressor oils may contain polychlorinated biphenyls (PCBs). The observed conditions constitute a REC with respect to the site.
- A total of seven hydraulic lift systems are present in the service garage, three of which were previously taken out of service by removal of the aboveground equipment associated with the systems. Subsurface hydraulic pistons, pipe stubs, and floor drains are evident in the vicinity of the removed equipment. At least one pipe stub appeared to be filled with automotive fluid based on the green color of the liquid. These observed conditions of these former hydraulic lift systems are considered to be RECs with respect to the site.
- An oil/water separator is located within the southwest entrance to the service garage. Evidence of oil accumulation was observed within the manhole grate located above the oil/water separator. Furthermore, according to the General Manager for Goodyear Auto Service Center, the most recent occupant of the site, the oil/water separator has not been serviced since at least 2008. Multiple interior floor drains were observed inside the building during the site reconnaissance. Evidence of releases of regulated waste to floor drains was observed within the service garage. The unknown integrity of these drain systems and associated oil/water separator are considered RECs with respect to the site.

## **2.0 FIELD ACTIVITIES**

Terracon's field activities were conducted on November 19, 2013 by Ms. Jennifer Rogowski, Terracon environmental personnel. As part of the approved scope of work, 12 soil borings were advanced on-site as shown on Exhibit A-2 - Site Plan (Appendix A).

### **2.1 Soil Boring Advancement and Monitoring Well Installation**

Drilling services were performed by Terracon's subcontractor, EnviroCore, LTD using a track-mounted Geoprobe®. Soil samples were collected from each boring using a four-foot dual tube sampler. The soil borings were advanced approximately five feet below the water table to approximate depths of 12 feet bgs (see Exhibit 2 for boring locations [Appendix A]). Sampling equipment was cleaned using an Alconox® wash and potable water prior to the beginning of the project and before collecting each soil sample.

A portion of each soil sample collected was placed in a re-sealable plastic bag while the remaining split sample was placed in a laboratory-supplied glass jar and into a cooler on ice. The soil samples were transferred directly from the dual tube liners into the plastic bags and jars and sealed in order to minimize the loss of volatile organics. Each screening sample was allowed to equilibrate to ambient temperature before screening for total organic volatile compounds (TOVCs). The soil samples were then field screened from the plastic bags with a MiniRae 3000 photoionization detector (PID). The PID was calibrated prior to the advancement of soil borings in accordance with the manufacturer's guidelines using a 100 parts per million (ppm) isobutylene standard.

The general soil lithology encountered during sample collection consisted primarily of varying intervals of sands, silty clay, and sandy silt to boring termination depths. The PID readings for all samples screened were zero ppm. Groundwater was encountered at approximate depths ranging from 8 feet to 9.5 feet. Detailed lithologic descriptions are presented on the soil boring logs included in Appendix B.

Two soil sample intervals from borings B-1 through B-8 were collected and submitted for laboratory analysis. One sample interval was submitted from borings B-9 through B-12. Samples were delivered, under chain-of-custody controls and via overnight courier, to Summit Environmental Technologies (Summit) in Cuyahoga Falls, Ohio for analysis of volatile organic compounds (VOCs) by United States Environmental Protection Agency (USEPA) Method 8260, polynuclear aromatic hydrocarbons (PAHs) by USEPA Method 8270, TPH via USEPA Method 8015 modified (C6 through C34) and/or PCBs via USEPA Method 8082. Please see Table 1 for a list of soil samples submitted to the laboratory:

**Table 1: Soil Sample Collection**

<b>Soil Samples</b>	<b>VOCs Method 8260</b>	<b>PAHs Method 8270</b>	<b>TPH Method 8015 modified</b>	<b>PCBs Method 8082</b>
B-1 (2-4)				X
B-1 (6-8)	X	X	X	
B-2 (2-4)				X
B-2 (6-8)	X	X	X	
B-3 (2-4)				X
B-3 (6-8)	X	X	X	
B-4 (2-4)				X
B-4 (4-6)	X	X	X	
B-5 (2-4)				X
B-5 (6-8)	X	X	X	
B-6 (2-4)				X
B-6 (6-8)	X	X	X	
B-7 (2-4)				X
B-7 (6-8)	X	X	X	
B-8 (6-8)	X	X	X	X
B-9 (6-8)	X	X	X	
B-10 (6-8)	X	X	X	
B-11 (6-8)	X	X	X	
B-12 (8-10)	X	X	X	
Notes:	VOCs – Volatile Organic Compounds PAHs – Polynuclear Aromatic Hydrocarbons TPH – Total Petroleum Hydrocarbons PCBs – Polychlorinated Biphenyls			

## 2.2 Groundwater Sampling

Upon completion of the soil sampling activities, soil borings B-1 through B-12 were converted to temporary groundwater monitoring wells (B-1/GW-1 through B-12/GW-12) to facilitate the collection of grab groundwater samples. Each temporary well point was constructed using a 10-foot length of 1-inch diameter 0.010 slot polyvinyl chloride (PVC) well screen. PVC riser pipe completed the well construction to the ground surface.

Groundwater samples were collected using new, disposable bailers. After collection of each sample in laboratory-provided, appropriately labeled containers, Terracon placed the filled containers in an ice-filled cooler. Samples were then delivered, under chain-of-custody controls and via overnight courier, to Summit in Cuyahoga Falls, Ohio for analysis of VOCs by USEPA Method 8260 and PAHs by USEPA Method 8270.

**Table 2: Groundwater Sample Collection**

<i>Water Samples</i>	<i>VOCs Method 8260</i>	<i>PAHs Method 8270</i>
B-1/GW-1	X	X
B-2/GW-2	X	X
B-3/GW-3	X	X
B-4/GW-4	X	X
B-5/GW-5	X	X
B-6/GW-6	X	X
B-7/GW-7	X	X
B-8/GW-8	X	X
B-9/GW-9	X	X
B-10/GW-10	X	X
B-11/GW-11	X	X
B-12/GW-12	X	X
Notes:	VOCs – Volatile Organic Compounds PAHs – Polynuclear Aromatic Hydrocarbons	

### 3.0 ANALYTICAL RESULTS

#### 3.1 Soil Sample Results

The soil sample results summarized in Table 1 in Appendix C were compared to the potentially applicable or relevant standards developed for the Michigan Department of Environmental Quality (MDEQ) Residential Criteria established in Part 201 Generic Cleanup Criteria and Part 213 Risk-Based Screening Levels (RBSLs) dated September 28, 2012. The MDEQ standards are based on conservative risk exposure scenarios and are intended to be protective of human health and the environment; consequently the standards can be used for comparative purposes to evaluate for chemical impacts.

Based on the laboratory results, detectable levels of tetrachloroethene were present in soil samples B-1 (6-8), B-2 (6-8), and B-7 (6-8) at concentrations of 0.20 mg/kg, 0.0081 mg/kg, and 0.018 mg/kg, respectively; however, the concentrations were below the most conservative potentially applicable standard of comparison (0.1 mg/kg; Soil volatilization to Indoor Air). Detectable levels of TPH in the diesel fuel range (75 mg/kg) were present in soil sample B-12 (8-10). In the State of Michigan, no standard of comparison is available for TPH and this analytical method may be used to evaluate aesthetic impacts. The use of the method detection limits and aesthetic criteria (no visible staining or odors) are acceptable for demonstrating the site meets the unrestricted land use criteria. The analytical report and chain of custody documentation is attached in Appendix D.

The groundwater sample results summarized in Table 2 in Appendix C were compared to the potentially applicable or relevant Michigan Department of Environmental Quality (MDEQ) Residential and Nonresidential Criteria established in Part 201 Generic Cleanup Criteria and Part 213 Risk-Based Screening Levels (RBSLs), dated September 28, 2012. VOCs and PAHs were not detected in water samples above the respective laboratory method detection limits. The analytical report and chain of custody documentation is attached in Appendix D.

### **3.0 CONCLUSIONS AND RECOMMENDATIONS**

#### **3.1 CONCLUSIONS**

Terracon conducted an LSI to evaluate if residual concentrations of chemicals of concern were present in soil and groundwater at the site. Based on the laboratory results, no detectable concentrations of VOCs, PAHs, PCBs, or TPH in soil samples submitted for analysis exceeded the applicable MDEQ Generic Cleanup Criteria or Risk-Based Screening Levels (RBSLs). Additionally, VOCs and PAHs were not detected in water samples above the respective laboratory method detection limits.

#### **3.2 RECOMMENDATIONS**

Based on the findings outlined above, Terracon recommends no further investigation at the site.

### **4.0 STANDARD OF CARE**

#### **4.1 Standard of Care**

Terracon's services were performed in a manner consistent with generally accepted practices of the profession undertaken in similar studies in the same geographical area during the same time period. Terracon makes no warranties, either express or implied, regarding the findings, conclusions or recommendations. Please note that Terracon does not warrant the work of laboratories, regulatory agencies or other third parties supplying information used in the preparation of the report. These LSI services were performed in accordance with the scope of work agreed with you, our client, as reflected in our proposal and were not restricted by ASTM E1903-97.

#### **4.2 Additional Scope Limitations**

Findings, conclusions and recommendations resulting from these services are based upon information derived from the on-site activities and other services performed under this scope of work; such information is subject to change over time. Certain indicators of the presence of hazardous substances, petroleum products, or other constituents may have been latent, inaccessible, unobservable, nondetectable or not present during these services, and we

cannot represent that the Site contains no hazardous substances, toxic materials, petroleum products, or other latent conditions beyond those identified during this LSI. Subsurface conditions may vary from those encountered at specific borings or wells or during other surveys, tests, assessments, investigations or exploratory services; the data, interpretations, findings, and our recommendations are based solely upon data obtained at the time and within the scope of these services.

#### **4.3 Reliance**

This report has been prepared for the exclusive use of WIN Development, LLC. Any authorization for use or reliance by any other party (except a governmental entity having jurisdiction over the Site) is prohibited without the express written authorization of WIN Development, LLC, and Terracon. Any unauthorized distribution or reuse is at the client's sole risk. Notwithstanding the foregoing, reliance by authorized parties will be subject to the terms, conditions and limitations stated in the proposal, LSI report, and Terracon's Terms and Conditions. The limitation of liability defined in the terms and conditions is the aggregate limit of Terracon's liability to the client and all relying parties unless otherwise agreed in writing.

## CHARTER TOWNSHIP OF MERIDIAN

### MEMORANDUM

**TO:** Planning Commission

**FROM:**   
Martha K. Wyatt  
Associate Planner/landscape Architect

**DATE:** December 11, 2014

**RE:** Special Use Permit #14111 (MF Okemos, LLC), construct a multi-tenant retail building with one drive-through lane

The Planning Commission held a public hearing on November 24, 2014 regarding MF Okemos, LLC's request for a special use permit to construct an approximate 6,600 square foot retail building with one drive-through lane at 2049 Grand River Avenue. The approximate 0.9 acre site is zoned C-2 (Commercial). A drive-through use is permitted by special use permit in the C-2 district, per Section 86-404(e)(13).

The following concerns were raised by the Planning Commission at the public hearing: absence of a by-pass lane for the drive-through window; the removal of several existing canopy trees on the north side of the site; access drive connections to the adjacent properties east and west of the subject site; increase in the impervious coverage of the site when comparing existing and proposed site plans; numerous variances being requested; and the concern the proposed development plan is too much for the site. The Planning Commission did not make a decision the same night as the public hearing as was requested by the applicant.

Staff met with the applicant on November 26, 2014 to discuss ways to redesign the site plans to address the concerns raised by the Planning Commission. Revised plans have been provided and include the following changes:

- A 10-foot wide by-pass lane has been added east of the drive-through lane.
- Three existing trees have been saved (30" and 36' oak trees in the northwest corner of the site and 24" hickory in the northeast corner of the site).
- One vehicle parking spaces has been eliminated in the northeast corner of the site in order to preserve the hickory tree. A total of 30 vehicle parking spaces are provided. A minimum of 33 vehicle parking spaces are required, however the number may be reduced to 30 spaces because 7 bicycle parking spaces are provided on the plan.
- Curb and gutter has been on eliminated on a portion of the drive aisle near the oak trees on the northwest side of the site.
- A 5-foot wide sidewalk has been added that connects to the 7-foot pedestrian/bicycle pathway along the frontage of the site.
- The east and west landscape buffers have been reduced from approximately 7.5 feet in width to 5 feet (east) and 4 feet (west).
- The adjacent owner to the west will continue to have an access drive connection from their site to the subject site.

- The applicant has contacted Meijer regarding an access drive connection from the subject site (southeast lot line) to the Meijer parking lot.

The impervious surface coverage of the site has increased from the previous plan reviewed at the November 24, 2014 public hearing. The previous plans showed the site to be approximately 75% impervious; the revised plans show the site to be approximately 78.6% impervious. The maximum allowed impervious coverage is 70% for a commercial site. The existing site is approximately 77.9% impervious. The applicant has provided revised stormwater calculations that are based on the revised site plans.

Based on the revised plans, the following ordinance requirements have not been met:

- Section 86-402(13): A 4-foot wide landscaped area is required around the perimeter of the building, or provided elsewhere on the site. Several areas do not meet this standard.
- Section 86-402(17): The maximum allowed impervious surface coverage is 70% and the proposed impervious surface coverage is approximately 78.6%.
- Section 86-404(e)(13)a.1.: 20-foot wide side and rear yards are required for a drive-through use and the proposed setbacks do not meet this standard (5.1 feet on the east side; 4.0 feet on the west side; and 15.0 feet on the rear)
- Section 86-721(b): A loading/unloading space is required (12 feet in width and 25 feet in length) and is not provided.
- Section 86-756(7): Curb and gutter is required in parking areas and is not provided in the northwest corner of the site.
- Section 86-756(11): A 20-foot wide landscape buffer is required where a parking area adjoins a public street. The parking area is located approximately 11 feet from the front property line at the northeast corner of the site.

The plans could be revised to meet the standards or variances may be requested to the Zoning Board of Appeals. A complete review of the plans will occur during site plan review. Additional variances may be required at that time.

### **Planning Commission Options**

The Planning Commission may approve, approve with conditions or deny the special use permit. At the public hearing on November 24, 2014, the Planning Commission requested staff to provide a resolution to approve and a resolution to deny the drive-through use, based on the plans dated October 24, 2014. A resolution to approve and a resolution to deny are attached.

### **Attachments**

1. Summary letter from applicant dated December 9, 2014
2. Resolution to approve
3. Resolution to deny
4. Special use permit review criteria (Section 86-126)
5. Revised stormwater calculations
6. Revised site plans dated December 8, 2014
7. Revised impervious/pervious plan received by the Township on December 9, 2014

## MEMORANDUM

Westwood Professional Services

7699 Anagram Drive  
Eden Prairie, MN 55344

MAIN 952-937-5150  
FAX 952-937-5822  
TOLL FREE 1-888-937-5150  
EMAIL [wps@westwoodps.com](mailto:wps@westwoodps.com)  
[www.westwoodps.com](http://www.westwoodps.com)



Date: December 9, 2014

Re: **City Coordination Memo**  
**Okemos Retail Site**  
**Charter Township of Meridian, Michigan**  
File: 0002325.00

To: Charter Township of Meridian

From: PJ Disch

The following is a response to the Township's Planning Commissions comments from the meeting on November 24, 2014. The following lists the changes/compromise to the plans that will incorporate as many of the issues as possible that will still allow the project to move forward. The property owner, Steven Alafazanios met with Martha Wyatt from the Planning Department and Younes Ishraidi, PE of the Engineering Department on Wednesday November 26, 2014 to discuss two different site options. The site plan we are submitting for the December 15 Planning Commission, is the site plan they agreed to along with a few changes that have been made after their meeting.

Here is a list of changes to the plan from the November 24<sup>th</sup> Planning Commission Meeting

1. A by-pass lane has been added to the site. There is now a 20 foot lane on the east side of the proposed site plan
2. The proposed plan is also saving 3 trees from the previous plan. The 30" and 36" oak trees in the northwest corner of the site along with the 24" hickory on the northeast corner of the site will be saved. To do this the sites final parking count will be reduced to 30 stalls.
3. The adjacent owner to the west will continue to have an entrance/exit from their site on the west side of the proposed site plan.
4. The owner is working on a shared agreement with the Meijer property to the east for a shared access as well. The Meijer property representative told Steven that there will be an annually \$3,000 maintenance fee to provide this access.
5. With the new site plan, the domestic water service to the adjacent west property currently runs through the Mattress Firm/Jimmy John's property. This will be relocated to the west property line as an additional cost to the proposed project.
6. The proposed project will have a sidewalk connection from Grand River on the east side of the driveway entrance. The sidewalk can't be on the west side as it would decrease the size of the storm pond. There is a proposed curb cut in the driveway for drainage on the west side as well.

**RESOLUTION TO APPROVE**

**Special Use Permit #14111  
(MF Okemos, LLC)  
2049 Grand River Avenue**

**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 15th day of December 2014, at 7:00 p.m., Local Time.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_

WHEREAS, MF Okemos, LLC, requested a special use permit (Special Use Permit #14111) to construct a multi-tenant retail building with one drive-through lane on an approximate 0.9 acre site zoned C-2 (Commercial) and located at 2049 Grand River Avenue; and

WHEREAS, the Planning Commission held a public hearing for Special Use Permit #14111 at its November 24, 2014 meeting; and

WHEREAS, the Planning Commission reviewed and discussed staff material forwarded under cover memorandums dated November 21, 2014 and December 11, 2014; and

WHEREAS, the subject site is appropriately zoned C-2 (Commercial), which allows for a retail business with a drive-through lane subject to special use permit approval; and

WHEREAS, the proposed retail building will be harmonious and appropriate with the existing and intended character of adjacent commercial developments which include Belle Tire to the east, the Meijer shopping center to the south, and Meridian Mall to the north; and

WHEREAS, public water and sanitary sewer are available to serve the site; and

WHEREAS, the proposed retail building will be adequately served by essential public facilities and services, such as police, fire, stormwater drainage, existing roadways and public transit; and

WHEREAS, the proposed project is consistent with the general standards for granting a special use permit found in Section 86-126 of the Code of Ordinances.

**Resolution to Approve  
SUP #14111 (MF Okemos, LLC)  
December 11, 2014  
Page 2**

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #14111 subject to the following conditions:

1. Approval is based on application materials submitted by MF Okemos, LLC; site plans prepared Westwood Professional Services, Inc., dated December 8, 2014; and building elevations prepared by Harriss Associates, LLC, dated October 17, 2014, subject to revisions as required.
2. The final site plan, landscape plan, building elevations, building materials and colors, shall be subject to the approval of the Director of Community Planning and Development. Brick, stone or masonry products should cover no less than 60 percent of each building facade.
3. The applicant shall secure all applicable variances from the Zoning Board of Appeals.
4. The trash dumpster shall be enclosed on four sides; the enclosure (3 sides) shall be constructed with masonry products to match the building.
5. All mechanical, heating, ventilation, air conditioning, generators, and similar systems shall be screened from view by an opaque structure or landscape material selected to complement the building. Such screening is subject to approval by the Director of Community Planning and Development.
6. Site and building lighting shall comply with Article VII in Chapter 38 of the Code of Ordinances and shall be subject to the approval of the Director of Community Planning and Development. LED lighting shall be used where feasible.
7. Final utility, grading, and storm drainage plans for the site shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with the Township Engineering Design and Construction Standards.
8. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Transportation, Ingham County Drain Commissioner, the Michigan Department of Environmental Quality, and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.
9. Copies of the site plan information and construction plans for the project that exist in an AutoCAD compatible format shall be provided to the Township Engineering staff.
10. Any future modifications to the drive-through lane shall require a modification to Special Use Permit #14111.

**Resolution to Approve  
SUP #14111 (MF Okemos, LLC)  
December 11, 2014  
Page 3**

ADOPTED: YEAS: \_\_\_\_\_  
\_\_\_\_\_  
NAYS: \_\_\_\_\_

STATE OF MICHIGAN     )  
                                  ) ss  
COUNTY OF INGHAM    )

I, the undersigned, the duly qualified Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 15th day of December, 2014.

\_\_\_\_\_  
Patricia Jackson, Chair  
Meridian Township Planning Commission

**RESOLUTION TO DENY**

**Special Use Permit #14111  
(MF Okemos, LLC)  
2049 Grand River Avenue**

**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 15th day of December 2014, at 7:00 p.m., Local Time.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_.

WHEREAS, MF Okemos, LLC, requested a special use permit (Special Use Permit #14111) to construct a multi-tenant retail building with one drive-through lane on an approximate 0.9 acre site zoned C-2 (Commercial) and located at 2049 Grand River Avenue; and

WHEREAS, the Planning Commission held a public hearing for Special Use Permit #14111 at its November 24, 2014 meeting; and

WHEREAS, the Planning Commission reviewed and discussed staff material forwarded under cover memorandums dated November 21, 2014 and December 11, 2014; and

WHEREAS, the proposed project is not designed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will change the essential character of the same area; and

WHEREAS, the proposed project will have a substantial adverse impact on the natural resources of the township including the elimination of several mature trees on the site; and

WHEREAS, the proposed project does not meet the ordinance standards; and

WHEREAS, the project could be designed to meet the ordinance standards and preserve all healthy natural assets on the site.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies Special Use Permit #14111.

**Resolution to Deny  
SUP #14111 (MF Okemos, LLC)  
December 11, 2014  
Page 2**

ADOPTED: YEAS: \_\_\_\_\_  
\_\_\_\_\_  
NAYS: \_\_\_\_\_

STATE OF MICHIGAN        )  
                                  ) ss  
COUNTY OF INGHAM        )

I, the undersigned, the duly qualified Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 15th day of December, 2014.

\_\_\_\_\_  
Patricia Jackson, Chair  
Meridian Township Planning Commission

**Sec. 86-126. Review criteria.**

Applications for special use permits shall be reviewed for compliance with the following standards and requirements, where applicable. An application for a special use permit that complies with all the following standards and requirements in this chapter may be approved. The applicant shall assure that:

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

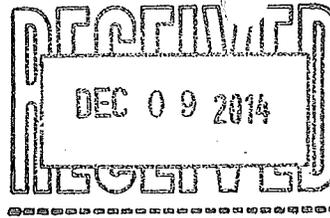
(Code 1974, § 81-3.2(F))

**Sec. 86-127. Conditions.**

The planning commission may require additional conditions, beyond those specified for the particular special use in this chapter, necessary to accomplish the purposes and intent of this chapter as follows:

- (1) Site conditions including, but not limited to, the following:
  - a. Special yards, open spaces, or buffers.

# MEMORANDUM



Westwood Professional Services  
7699 Anagram Drive  
Eden Prairie, MN 55344  
  
MAIN 952-937-5150  
FAX 952-937-5822  
TOLL FREE 1-888-937-5150  
EMAIL [wps@westwoodps.com](mailto:wps@westwoodps.com)  
[www.westwoodps.com](http://www.westwoodps.com)



Date: December 4, 2014

Re: **Okemos Retail Project**  
**2049 Grand River**  
**Stormwater Narrative**  
File 0002325.00

To: Charter Township of Meridian

From: PJ Disch

## Project Description

The plan is to install a one story furniture/fast food building with surface parking. The current site is 39,575 square feet in size.

## Existing and Proposed Site Areas

This is the breakdown of the existing and proposed areas.

Existing	
Pervious	9,787 sf 24.7%
Impervious	29,788 sf 75.3%
Total	39,575 sf

Proposed	
Pervious	9,490 sf 24.0%
Impervious	30,085 sf 76.0%
Total	39,575 sf

## Existing Conditions

The existing site is broken up into two drainage areas. There is a small portion of the site that drains directly onto Grand River. The majority of the site drains to the small detention basin on the northwest corner of the site. There is a 6" CM pipe that controls the discharge rate leaving the basin.

## Proposed Conditions

The proposed site is also broken up into two drainage areas. There is a small portion of the site that will continue to drain directly onto Grand River. The proposed area is smaller than the existing area. The majority of the site will continue to drain to the detention basin on the northwest corner of the site. The detention basin has been



expanded with the increase of impervious area on the site. The existing 6" CM pipe will also remain in place to control the discharge rate of the stormwater leaving the detention basin.

**Stormwater Runoff Summary**

The following table summarizes the existing conditions and post-development peak runoff rates from the site for the 2-year, 10-year & 100-year storm events.

**Runoff Rates**

Drainage Area	Storm Event		
	2-Year (2.5") (cfs)	10-Year (3.4") (cfs)	100-Year (4.9") (cfs)
<b>1E (to basin)</b>	1.29	1.55	1.84
<b>2E (offsite)</b>	0.24	0.39	0.66
<b>Existing Total</b>	<b>1.53</b>	<b>1.94</b>	<b>2.50</b>
<b>1P (to basin)</b>	1.26	1.53	1.81
<b>2P (offsite)</b>	0.09	0.12	0.18
<b>Proposed Total</b>	<b>1.35</b>	<b>1.65</b>	<b>1.99</b>

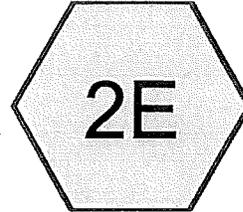
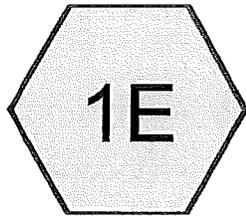
	Detention Basin Elevation		
	2-Year	10-Year	100-Year
<b>Existing</b>	841.95	842.77	843.89
<b>Proposed</b>	841.88	842.72	843.76

**Attachments**

- A Existing and Proposed Drainage Maps
- B Existing and Proposed HydroCAD model

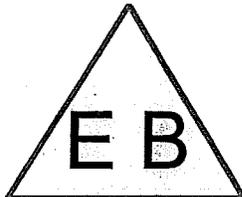




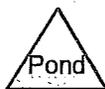
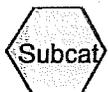


EXISTING TO  
DETENTION BASIN

EXISTING OFFSITE



EXISTING DETENTION  
BASIN



14-12-08 Okemos

Type II 24-hr 2 YEAR Rainfall=2.50"

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Page 2

Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=1.87"  
Tc=15.0 min CN=94 Runoff=1.79 cfs 0.120 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,074 sf 40.15% Impervious Runoff Depth=1.12"  
Tc=10.0 min CN=84 Runoff=0.24 cfs 0.013 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=841.95' Storage=438 cf Inflow=1.79 cfs 0.120 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/ Outflow=1.29 cfs 0.120 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.133 af Average Runoff Depth = 1.75"**  
**24.87% Pervious = 0.226 ac 75.13% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 1.79 cfs @ 12.06 hrs, Volume= 0.120 af, Depth= 1.87"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.24 cfs @ 12.02 hrs, Volume= 0.013 af, Depth= 1.12"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,635	74	>75% Grass cover, Good, HSG C
6,074	84	Weighted Average
3,635		59.85% Pervious Area
2,439		40.15% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 1.87" for 2 YEAR event  
 Inflow = 1.79 cfs @ 12.06 hrs, Volume= 0.120 af  
 Outflow = 1.29 cfs @ 12.17 hrs, Volume= 0.120 af, Atten= 28%, Lag= 6.3 min  
 Primary = 1.29 cfs @ 12.17 hrs, Volume= 0.120 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 841.95' @ 12.17 hrs Surf.Area= 487 sf Storage= 438 cf

Plug-Flow detention time= 1.7 min calculated for 0.120 af (100% of inflow)  
 Center-of-Mass det. time= 1.7 min ( 802.4 - 800.7 )

**14-12-08 Okemos**

Type II 24-hr 2 YEAR Rainfall=2.50"

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Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 ' /' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.28 cfs @ 12.17 hrs HW=841.94' (Free Discharge)

↑ **1=Culvert** (Inlet Controls 1.28 cfs @ 6.52 fps)

14-12-08 Okemos

Type II 24-hr 10 YEAR Rainfall=3.40"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=2.74"  
Tc=15.0 min CN=94 Runoff=2.57 cfs 0.175 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,074 sf 40.15% Impervious Runoff Depth=1.85"  
Tc=10.0 min CN=84 Runoff=0.39 cfs 0.022 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=842.77' Storage=938 cf Inflow=2.57 cfs 0.175 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 1' Outflow=1.55 cfs 0.175 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.197 af Average Runoff Depth = 2.60"**  
**24.87% Pervious = 0.226 ac 75.13% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 2.57 cfs @ 12.06 hrs, Volume= 0.175 af, Depth= 2.74"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.39 cfs @ 12.02 hrs, Volume= 0.022 af, Depth= 1.85"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,635	74	>75% Grass cover, Good, HSG C
6,074	84	Weighted Average
3,635		59.85% Pervious Area
2,439		40.15% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 2.74" for 10 YEAR event  
 Inflow = 2.57 cfs @ 12.06 hrs, Volume= 0.175 af  
 Outflow = 1.55 cfs @ 12.20 hrs, Volume= 0.175 af, Atten= 40%, Lag= 8.3 min  
 Primary = 1.55 cfs @ 12.20 hrs, Volume= 0.175 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 842.77' @ 12.20 hrs Surf.Area= 732 sf Storage= 938 cf

Plug-Flow detention time= 3.1 min calculated for 0.175 af (100% of inflow)  
 Center-of-Mass det. time= 3.1 min ( 793.3 - 790.2 )

**14-12-08 Okemos**

Type II 24-hr 10 YEAR Rainfall=3.40"

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Printed 12/8/2014

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Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 1" Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.55 cfs @ 12.20 hrs HW=842.77' (Free Discharge)

↑ **1=Culvert** (Inlet Controls 1.55 cfs @ 7.87 fps)

14-12-08 Okemos

Type II 24-hr 100 YEAR Rainfall=4.90"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1E: EXISTING TO DETENTION** Runoff Area=33,501 sf 81.48% Impervious Runoff Depth=4.21"  
Tc=15.0 min CN=94 Runoff=3.85 cfs 0.270 af

**Subcatchment 2E: EXISTING OFFSITE** Runoff Area=6,074 sf 40.15% Impervious Runoff Depth=3.18"  
Tc=10.0 min CN=84 Runoff=0.66 cfs 0.037 af

**Pond E B: EXISTING DETENTION BASIN** Peak Elev=843.89' Storage=1,982 cf Inflow=3.85 cfs 0.270 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/' Outflow=1.84 cfs 0.270 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.307 af Average Runoff Depth = 4.05"**  
**24.87% Pervious = 0.226 ac 75.13% Impervious = 0.683 ac**

**Summary for Subcatchment 1E: EXISTING TO DETENTION BASIN**

Runoff = 3.85 cfs @ 12.06 hrs, Volume= 0.270 af, Depth= 4.21"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
27,295	98	Paved parking, HSG A
6,206	74	>75% Grass cover, Good, HSG C
33,501	94	Weighted Average
6,206		18.52% Pervious Area
27,295		81.48% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2E: EXISTING OFFSITE**

Runoff = 0.66 cfs @ 12.01 hrs, Volume= 0.037 af, Depth= 3.18"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
2,439	98	Paved parking, HSG A
3,635	74	>75% Grass cover, Good, HSG C
6,074	84	Weighted Average
3,635		59.85% Pervious Area
2,439		40.15% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond E B: EXISTING DETENTION BASIN**

Inflow Area = 0.769 ac, 81.48% Impervious, Inflow Depth = 4.21" for 100 YEAR event  
 Inflow = 3.85 cfs @ 12.06 hrs, Volume= 0.270 af  
 Outflow = 1.84 cfs @ 12.24 hrs, Volume= 0.270 af, Atten= 52%, Lag= 10.5 min  
 Primary = 1.84 cfs @ 12.24 hrs, Volume= 0.270 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 843.89' @ 12.24 hrs Surf.Area= 1,153 sf Storage= 1,982 cf

Plug-Flow detention time= (not calculated: outflow precedes inflow)  
 Center-of-Mass det. time= 5.7 min ( 784.6 - 778.9 )

**14-12-08 Okemos**

Type II 24-hr 100 YEAR Rainfall=4.90"

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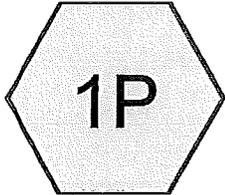
Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	2,110 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	3	0	0
841.00	209	106	106
842.00	501	355	461
843.00	800	651	1,112
844.00	1,196	998	2,110

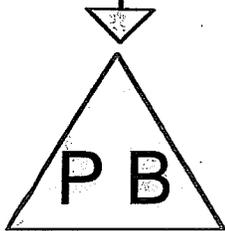
Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/ Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.84 cfs @ 12.24 hrs HW=843.88' (Free Discharge)

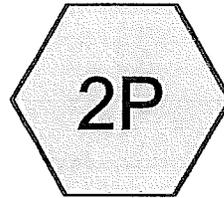
↑ **1=Culvert** (Inlet Controls 1.84 cfs @ 9.37 fps)



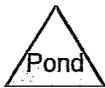
PROPOSED TO  
DETENTION BASIN



PROPOSED  
DETENTION BASIN



PROPOSED OFFSITE



14-12-08 Okemos

Type II 24-hr 2 YEAR Rainfall=2.50"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,279 sf 75.21% Impervious Runoff Depth=1.69"  
Tc=15.0 min CN=92 Runoff=1.88 cfs 0.124 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,296 sf 100.00% Impervious Runoff Depth=2.27"  
Tc=10.0 min CN=98 Runoff=0.09 cfs 0.006 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=841.88' Storage=623 cf Inflow=1.88 cfs 0.124 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/' Outflow=1.26 cfs 0.124 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.130 af Average Runoff Depth = 1.71"**  
**23.98% Pervious = 0.218 ac 76.02% Impervious = 0.691 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 1.88 cfs @ 12.07 hrs, Volume= 0.124 af, Depth= 1.69"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
28,789	98	Paved parking, HSG A
9,490	74	>75% Grass cover, Good, HSG C
38,279	92	Weighted Average
9,490		24.79% Pervious Area
28,789		75.21% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.09 cfs @ 12.01 hrs, Volume= 0.006 af, Depth= 2.27"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 2 YEAR Rainfall=2.50"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.879 ac, 75.21% Impervious, Inflow Depth = 1.69" for 2 YEAR event  
 Inflow = 1.88 cfs @ 12.07 hrs, Volume= 0.124 af  
 Outflow = 1.26 cfs @ 12.19 hrs, Volume= 0.124 af, Atten= 33%, Lag= 7.1 min  
 Primary = 1.26 cfs @ 12.19 hrs, Volume= 0.124 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
 Peak Elev= 841.88' @ 12.19 hrs Surf.Area= 566 sf Storage= 623 cf

Plug-Flow detention time= 4.0 min calculated for 0.124 af (100% of inflow)  
 Center-of-Mass det. time= 4.0 min ( 816.2 - 812.2 )

Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	4,655 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

14-12-08 Okemos

Type II 24-hr 2 YEAR Rainfall=2.50"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	126	9	9
841.00	322	224	233
842.00	600	461	694
843.00	1,075	838	1,532
844.00	1,776	1,426	2,957
844.80	2,467	1,697	4,655

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=1.26 cfs @ 12.19 hrs HW=841.87' (Free Discharge)

↑1=Culvert (Inlet Controls 1.26 cfs @ 6.40 fps)

14-12-08 Okemos

Type II 24-hr 10 YEAR Rainfall=3.40"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,279 sf 75.21% Impervious Runoff Depth=2.54"  
Tc=15.0 min CN=92 Runoff=2.78 cfs 0.186 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,296 sf 100.00% Impervious Runoff Depth=3.17"  
Tc=10.0 min CN=98 Runoff=0.12 cfs 0.008 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=842.72' Storage=1,250 cf Inflow=2.78 cfs 0.186 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/ Outflow=1.53 cfs 0.186 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.194 af Average Runoff Depth = 2.56"**  
**23.98% Pervious = 0.218 ac 76.02% Impervious = 0.691 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 2.78 cfs @ 12.06 hrs, Volume= 0.186 af, Depth= 2.54"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
28,789	98	Paved parking, HSG A
9,490	74	>75% Grass cover, Good, HSG C
38,279	92	Weighted Average
9,490		24.79% Pervious Area
28,789		75.21% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.12 cfs @ 12.01 hrs, Volume= 0.008 af, Depth= 3.17"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10 YEAR Rainfall=3.40"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.879 ac, 75.21% Impervious, Inflow Depth = 2.54" for 10 YEAR event  
Inflow = 2.78 cfs @ 12.06 hrs, Volume= 0.186 af  
Outflow = 1.53 cfs @ 12.22 hrs, Volume= 0.186 af, Atten= 45%, Lag= 9.1 min  
Primary = 1.53 cfs @ 12.22 hrs, Volume= 0.186 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 842.72' @ 12.22 hrs Surf.Area= 942 sf Storage= 1,250 cf

Plug-Flow detention time= 5.7 min calculated for 0.186 af (100% of inflow)  
Center-of-Mass det. time= 5.7 min ( 806.5 - 800.8 )

Volume #1	Invert	Avail.Storage	Storage Description
	839.85'	4,655 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

14-12-08 Okemos

Type II 24-hr 10 YEAR Rainfall=3.40"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	126	9	9
841.00	322	224	233
842.00	600	461	694
843.00	1,075	838	1,532
844.00	1,776	1,426	2,957
844.80	2,467	1,697	4,655

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

Primary OutFlow Max=1.53 cfs @ 12.22 hrs HW=842.71' (Free Discharge)

↑1=Culvert (Inlet Controls 1.53 cfs @ 7.78 fps)

14-12-08 Okemos

Type II 24-hr 100 YEAR Rainfall=4.90"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points  
Runoff by SCS TR-20 method, UH=SCS  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment 1P: PROPOSED TO**

Runoff Area=38,279 sf 75.21% Impervious Runoff Depth=3.99"  
Tc=15.0 min CN=92 Runoff=4.26 cfs 0.292 af

**Subcatchment 2P: PROPOSED OFFSITE**

Runoff Area=1,296 sf 100.00% Impervious Runoff Depth=4.66"  
Tc=10.0 min CN=98 Runoff=0.18 cfs 0.012 af

**Pond P B: PROPOSED DETENTION BASIN**

Peak Elev=843.76' Storage=2,559 cf Inflow=4.26 cfs 0.292 af  
6.0" Round Culvert n=0.011 L=34.0' S=0.0368 '/ Outflow=1.81 cfs 0.292 af

**Total Runoff Area = 0.909 ac Runoff Volume = 0.304 af Average Runoff Depth = 4.01"**  
**23.98% Pervious = 0.218 ac 76.02% Impervious = 0.691 ac**

**Summary for Subcatchment 1P: PROPOSED TO DETENTION BASIN**

Runoff = 4.26 cfs @ 12.06 hrs, Volume= 0.292 af, Depth= 3.99"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
28,789	98	Paved parking, HSG A
9,490	74	>75% Grass cover, Good, HSG C
38,279	92	Weighted Average
9,490		24.79% Pervious Area
28,789		75.21% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.0					Direct Entry,

**Summary for Subcatchment 2P: PROPOSED OFFSITE**

Runoff = 0.18 cfs @ 12.01 hrs, Volume= 0.012 af, Depth= 4.66"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100 YEAR Rainfall=4.90"

Area (sf)	CN	Description
1,296	98	Paved parking, HSG A
1,296		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.0					Direct Entry,

**Summary for Pond P B: PROPOSED DETENTION BASIN**

Inflow Area = 0.879 ac, 75.21% Impervious, Inflow Depth = 3.99" for 100 YEAR event  
Inflow = 4.26 cfs @ 12.06 hrs, Volume= 0.292 af  
Outflow = 1.81 cfs @ 12.26 hrs, Volume= 0.292 af, Atten= 58%, Lag= 11.7 min  
Primary = 1.81 cfs @ 12.26 hrs, Volume= 0.292 af

Routing by Stor-Ind method, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs  
Peak Elev= 843.76' @ 12.26 hrs Surf.Area= 1,611 sf Storage= 2,559 cf

Plug-Flow detention time= 9.1 min calculated for 0.292 af (100% of inflow)  
Center-of-Mass det. time= 9.1 min ( 797.5 - 788.4 )

Volume	Invert	Avail.Storage	Storage Description
#1	839.85'	4,655 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

14-12-08 Okemos

Type II 24-hr 100 YEAR Rainfall=4.90"

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Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
839.85	0	0	0
840.00	126	9	9
841.00	322	224	233
842.00	600	461	694
843.00	1,075	838	1,532
844.00	1,776	1,426	2,957
844.80	2,467	1,697	4,655

Device	Routing	Invert	Outlet Devices
#1	Primary	839.85'	<b>6.0" Round Culvert</b> L= 34.0' RCP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 839.85' / 838.60' S= 0.0368 '/' Cc= 0.900 n= 0.011 PVC, smooth interior, Flow Area= 0.20 sf

**Primary OutFlow** Max=1.81 cfs @ 12.26 hrs HW=843.76' (Free Discharge)

↑ **1=Culvert** (Inlet Controls 1.81 cfs @ 9.21 fps)

- Importance of maintenance (and the cost involved) in the overall picture of vegetation
- Vegetation has been used to reduce overall infrastructure costs (e.g., green roofs, rain gardens)
- Use of adaptive natural vegetation which requires less cost to maintain
- How to start public/private partnerships
- How to harness the private sector initiative around a few key geographic areas
- Communities which identify and prioritize areas around some key placemaking components can direct and guide redevelopment
- Powerpoint presentation and report will be placed on the Township's website
- Inquiry if other communities are actively working with their utility providers to bury lines
- Public Works assessment with a climate variability
- Incentives to make planned unit developments (PUD) and commercial planned unit developments (CPUD) happen
- How to guide redevelopment to make use of existing retail space
- Inquiry if mixed use should be designated on the Future Land Use Map (FLUM) to target development in specified areas
- Identify opportunity for five minute walk areas and focus on those to create public/private partnerships
- Challenges in redevelopment of vacant sites, brownfield sites and grayfield sites
- How to level the playing field between a grayfield and greenfield
- Webinar training online through a link at Tri County Regional Planning Commission's Mid-Michigan Program for Greater Sustainabilities
- Long sitting Planning Commissioner has noted over the years an equalization of the concepts of smart growth, form based code, mixed use and urbanization
- Unifying themes which tie into the concepts of smart growth, form based code, mixed use and urbanization are density, walkability and transit oriented development
- Relationship of flexible space to form based codes
- Form based code takes some of the "mystery" out for the developer and provides predictability
- Many larger communities use administrative review on many form based code components with consensus from the community as to those areas which have been designated for the form based code
- Form based codes need to be cautiously retrofitted into a suburban community such as Meridian Township
- Corridor Design Portfolio will be available on the Land Policy Institute's website

## 7. Public hearings

- A. \*Special Use Permit #14111 (MF Okemos), request for a fast food drive-through window in a new retail building at 2049 Grand River (former Northwest Tire site)

Chair Jackson opened the public hearing at 7:16 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter  
Associate Planner Wyatt summarized the special use permit (SUP) request as outlined in staff memorandum dated November 21, 2014.
- Applicant  
Steven Alafazanous, MF Okemos, 2165 Louisa Drive, Belleair Beach, FL, availed himself for Planning Commission questions on the proposed project.

- Public

Don Davis, 2041 West Grand River Avenue, Okemos, requested the Planning Commission retain the access drive between the subject site and Heat n Sweep, a parcel he owns adjacent to the subject site.

Bill McConnell, 4376 Manitou, Okemos, believed the proposed project is in the tradition of the current style of the Grand River roadway. He stated the proposed project is very different from an expressed vision of what the corridor could be, but a perfect example of what the Township will continue to experience with the current ordinances and plans.

- Planning Commission and staff discussion:

Commissioner Honicky inquired as to why six (6) large trees are shown for removal on the proposed plan.

Mr. Alafazanos replied tree removal along the perimeter is necessary in order to expand the drainage and stormwater system currently on the site as well as accommodate the required parking for the development. He noted the developer is attempting to place as much open space and green space on the property as possible.

Commissioner Honicky spoke to the developer's request for numerous variances, yet none of them would retain the six (6) large trees. He addressed possible placement of a condition in the forthcoming resolution which would save the six (6) trees

Mr. Alafazanos responded that saving the trees in their current location would eliminate nearly an entire row of parking spaces.

Commissioner Honicky asked the applicant for creative ways to save the trees and maintain the existing parking spaces.

Mr. Alafazanos replied they would look at his request but the configuration of the existing parking lot will change when the new building and new parking is situated on the site.

Commissioner Honicky asked the applicant is there was any objection to Heat n Sweep continuing to use the access in the rear area.

Mr. Alafazanos indicated when the title was pulled, there was no recorded easement for the cross access or Heat n Sweep's water line which runs through the subject property. He noted he is currently in the process of having a ten (10) foot water line easement drafted to accommodate the owner of Heat n Sweep as well as creating a cross access easement. Mr. Alafazanos spoke to staff's recommendation to create an access with the Meijer parking lot, noting there is a (3) foot differential in grade and the need for an authorization to cut into Meijer's parking lot to deal with the three (3) foot incline.

Commissioner Cordill noted the applicant is requesting significant variances from the Zoning Board of Appeals as there is not sufficient property to properly landscape the site. She believed the applicant is attempting to place too much on the parcel.

Commissioner Hildebrandt asked the applicant if there was a way to fit the pass through lane, the additional parking, fix the setbacks, provide the four (4) foot wide landscaped areas and the side landscaping without increasing the impervious surface coverage. She indicated there are too many unanswered questions at this time, and could not vote on this project tonight as requested by the applicant.

Commissioner Ianni inquired if there would be any problem/conflict with the Fire Department or Township ordinances if the egress remained on the west side rather than cutting into the Meijer parking lot.

Associate Planner Wyatt responded the Fire Department could not maneuver their fire truck if the egress was placed on the west side. She was unclear if modification of the grading plan by the applicant would allow the egress to remain on the west side.

Mr. Alafazanos addressed the grading plan submitted by the applicant, which shows the grades off site. He explained the elevations on various property lines.

Commissioner Ianni inquired if the grading plan could be changed to make the egress on the west side viable.

Mr. Alafazanos responded he would have to raise the entire site three (3) feet and was unclear how that would affect the property along the front.

Mr. Alafazanos stated he could accommodate a bypass lane by removing the seven (7) foot and seven and one-half (7-½) foot landscaping buffers which currently do not exist and eliminate the need for a bypass lane variance.

Commissioner Ianni inquired if the applicant could move the fire hydrant to the front.

Mr. Alafazanos responded he could add an additional 100 feet for the piping to accommodate the location of the fire hydrant in the front.

Commissioner Scott-Craig believed elimination of the drive-through lane would solve most of the need for variances. He noted the proposed model for Jimmy John's does not typically include a drive-through window.

Commissioner Scott-Craig addressed the possibility of contaminated soils on the site.

Mr. Alafazanos replied the Phase I and Phase II environmental assessments were conducted and the soil and water samples did not exceed state regulations. He added that once demolition begins, his environmental consultant will be on site when the hydraulic lifts are removed to ensure proper procedure is followed.

Commissioner Scott-Craig inquired of staff as to the role of the Michigan Department of Environmental Quality (MDEQ) in this site.

Associate Planner Wyatt contacted the applicant's engineer to inquire if MDEQ reports had been received.

Mr. Alafazanios added that since all findings were below state regulations, no further action is required.

Commissioner Scott-Craig asked the applicant if there was a necessity for a decision to be made the same night as the public hearing, something the Planning Commission does not typically like to do.

Mr. Alafazanios replied the request was made to accommodate contractual closing dates with the land owner.

Commissioner Van Coevering addressed the challenge of the additional drive, a condition based on the Fire Department's concern regarding circulation. She also expressed concern regarding MDEQ approvals.

Commissioner Ianni inquired as to the length of time the property has been vacant.

Associate Planner Wyatt responded the building on the property has been vacant for approximately one (1) year.

Commissioner Honicky asked for an explanation regarding the elevations on the proposed plan, citing specific elevations on the existing conditions.

Mr. Alafazanios replied the grading for the proposed plan would level the site for "flat" parking. He explained the different elevation scenarios for the site.

Commissioner Scott-Craig suggested one possible solution to lower the size of the building footprint would be to build "up".

Chair Jackson reminded fellow Commissioners the Planning Commission is vetting the appropriateness of the drive-through window under all the stated conditions. She noted the bypass lane is required by ordinance as a safety and convenience issue. Chair Jackson inquired if it was possible to obtain a variance for the bypass lane.

Principal Planner Oranchak responded there is a width requirement for the bypass lane, but the applicant may request a variance from the dimensional requirement.

Chair Jackson stated a drive-through window needs a bypass lane for safety reasons and there is too much building on the subject property to accomplish that.

Mr. Alafazanios reiterated the bypass lane could be installed if the landscape buffers are eliminated through the variance process as the current site has no landscaping buffer on either side of the parcel.

Commissioner Van Coevering requested staff clarification if what is properly before the Planning Commission is consideration of the drive-through window.

Associate Planner Wyatt responded in the affirmative.

Commissioner Van Coevering asked for staff confirmation if the Planning Commission's decision should not be based upon the full site plan, but only on the drive-through window and the bypass lane.

Associate Planner Wyatt responded in the affirmative.

Chair Jackson explained the Planning Commission would either approve the drive-through window for this site with the bypass lane or with conditions about the bypass lane.

Commissioner Van Coevering noted the resolution which approves the drive-through window only also contains conditions which requires a second egress and variance approvals through the Zoning Board of Appeals (ZBA).

Principal Planner Oranchak commented the applicant is asking to install a drive-through lane which impacts the design of the site.

Commissioner Cordill inquired if the ZBA would address the landscape buffer issue.

Chair Jackson explained the ZBA would consider the landscape buffers if a variance from the landscape buffer requirement is being requested by the applicant.

Commissioner Cordill asked if the ZBA would consider only the dimensional requirements and not the loss of landscape plan.

Chair Jackson stated the ZBA would not address the drive-through lane, but consider if they will allow the loss of the landscape buffer and build the parking lot out to the property line. She noted the ZBA will address whether the requested variances will change the character of the neighborhood in a negative manner.

Commissioner Cordill spoke in favor of the project without the drive-through lane. She addressed the applicant's desire for certain items which are self-created.

Chair Jackson clarified the applicant has the right to ask for variances and it is up to the ZBA whether or not to grant those requests.

Commissioner Ianni added there is currently an overly large nonconforming vacant structure on the property without any landscaping. He believed what the applicant is proposing will bring the property closer into conformance with Township ordinances, adding it will be less of an "eye sore" and more harmonious with the surrounding area.

Chair Jackson reminded fellow Commissioners that the current vacant building was constructed prior to enactment of the dimensional zoning standards, acknowledging that although the applicant is making the building smaller, the impervious surface is not being reduced.

Commissioner Hildebrandt stated she will consider the bypass lane as part of the drive-through window, as they are not mutually exclusive.

Commissioner Scott-Craig noted the word "bypass" is not included in the conditions for approval. He reminded fellow Commissioners that the Belle Tire project immediately to the east never came before the Planning Commission as it did not need a special use permit and satisfied all the Township ordinances.

Commissioner Honicky added that one way for the applicant to meet the pervious/impervious ratio requirement is to make the parking lot a pervious surface. He suggested staff prepare a resolution to deny the project as proposed because of all the requested variances, which would allow the applicant to come back before the Planning Commission with another proposal, taken all the concerns expressed this evening into consideration.

Chair Jackson clarified the project is not before the Planning Commission, only the drive-through window. She stated the issue of the amount of impervious surface cannot even be placed as a condition of approval of the drive-through window.

Commissioner Honicky restated his preference for staff to prepare a resolution to deny the drive-through window on the subject property.

Principal Planner Oranchak noted the Planning Commission can also vote on the resolution to approve, and if that resolution does not receive sufficient votes for passage, it serves the same purpose as a denial.

Commissioner Hildebrandt expressed her concern with a previous case where the attorney indicated failure to approve a motion is not a denial, and voiced her support, as well, for a resolution to deny.

Commissioner Van Coevering inquired if the Planning Commission approved the drive-through window and the other variance issues went before the ZBA, would the other items related to the site be addressed during site plan review by staff.

Principal Planner Oranchak responded in the affirmative.

Commissioner Cordill requested the resolution to deny include language which states the denial for the drive-through window is based on the plan presented to the Planning Commission.

Commissioner Ianni stated if the Planning Commission does not approve the request, the applicant would not have the special use permit to construct the project.

Principal Planner Oranchak indicated the applicant has the right to bring back a modified site plan at the next meeting based upon comments heard at this public hearing. She cautioned Planning Commissioners to not consider a resolution to deny if they want to give the applicant an opportunity to submit a modified plan.

Chair Jackson clarified that not voting on the issue this evening would allow for the possibility of a modified site plan to come before the Planning Commission prior to a final vote. She noted the applicant always has the opportunity to alter the site plan between the time frame of the public hearing and a vote on the SUP request.

Chair Jackson closed the public hearing at 8:45 P.M.

8. Unfinished Business

- A. \*Special Use Permit #14111 (MF Okemos), request for a fast food drive-through window in a new retail building at 2049 Grand River (former Northwest Tire site)

Commissioner Scott-Craig moved to suspend Bylaw 6.4a to take action on Special Use Permit #14111 the same night as the public hearing.

The motion died for lack of a second.

- B. Rezoning #14070 (Township Board), request to rezone 0.5 acres at 2150 Clinton Street from RB (Single Family-High Density) to C-2 (Commercial)

Associate Planner Menser summarized the rezoning request as outlined in staff memorandum dated November 20, 2014.

Commissioner Hildebrandt moved [and read into the record] **NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #14070 to rezone approximately 0.48 acres located at 2150 Clinton St. from RB (Single Family, High Density) to C-2 (Commercial) with the condition the site be developed using the provisions of the mixed use planned unit development (MUPUD) ordinance. Seconded by Commissioner Van Coevering.**

Planning Commission discussion:

- MUPUD development could be a forward looking project which would redefine downtown Okemos
- If the Township Board decides to develop the site as a MUPUD, the project will come before the Planning Commission again
- Question regarding the viability of the tree would require examination of the subject tree in season by an arborist
- As part of the development process, the Planning Commission requires a natural features assessment
- Parcel is a good opportunity for a public/private partnership
- Potential for abandonment of Ardmore Street
- Request for abandonment of Ardmore Street would need to be made by the Township to Ingham County

ROLL CALL VOTE: YEAS: Commissioners Cordill, Hildebrandt, Honicky, Ianni, Scott-Craig, Van Covering, Chair Jackson

NAYS: None

Motion carried 7-0.

[Chair Jackson recessed the meeting at 9:00 P.M.]

[Chair Jackson reconvened the meeting at 9:08 P.M.]

- C. Commission Review #14083 (Planning Commission), amendments to the Goals and Objectives section of the 2005 Master Plan

ten (10) would be rounded up.

Commissioner Ianni believed privacy fences should be installed on an “as requested” basis, but would like to see one on the east side as requested by that homeowner.

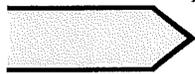
Commissioner Deits added that once the building is moved closer to the street, it becomes much larger in the context of Hamilton Road. He stated most of the buildings on Hamilton are set back farther and not as obtrusive on either side of the road itself and would “loom” into the street.

Commissioner Cordill inquired as to the average setback for properties on Hamilton Road.

Commissioner Hildebrandt noted the condominiums across the street are significant set back from the road, while acknowledging the ones next door are perpendicular to the street and landscaped “around.”

Chair Jackson closed the public hearing at 8:24 P.M.

## 7. Unfinished Business

- 
- A. Special Use Permit #14111 (MF Okemos), request for a fast food drive-through window in a new retail building at 2049 Grand River (former Northwest Tire site)

Associate Planner Wyatt summarized the SUP request as outlined in staff memorandum dated December 11, 2014.

**Commissioner Ianni moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #14111 subject to the following conditions:**

1. Approval is based on application materials submitted by MF Okemos, LLC; site plans prepared Westwood Professional Services, Inc., dated December 8, 2014; and building elevations prepared by Harris Associates, LLC, dated October 17, 2014, subject to revisions as required.
2. The final site plan, landscape plan, building elevations, building materials and colors, shall be subject to the approval of the Director of Community Planning and Development. Brick, stone or masonry products should cover no less than 60 percent of each building facade.
3. The applicant shall secure all applicable variances from the Zoning Board of Appeals.
4. The trash dumpster shall be enclosed on four sides; the enclosure (3 sides) shall be constructed with masonry products to match the building.
5. All mechanical, heating, ventilation, air conditioning, generators, and similar systems shall be screened from view by an opaque structure or landscape material selected to complement the building. Such screening is subject to approval by the Director of Community Planning and Development.
6. Site and building lighting shall comply with Article VII in Chapter 38 of the Code of

**Ordinances and shall be subject to the approval of the Director of Community Planning and Development. LED lighting shall be used where feasible.**

- 7. Final utility, grading, and storm drainage plans for the site shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with the Township Engineering Design and Construction Standards.**
- 8. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Transportation, Ingham County Drain Commissioner, the Michigan Department of Environmental Quality, and the Township. Copies of all permits, licenses, and approval letters shall be submitted to the Department of Community Planning and Development.**
- 9. Copies of the site plan information and construction plans for the project that exist in an AutoCAD compatible format shall be provided to the Township Engineering staff.**
- 10. Any future modifications to the drive-through lane shall require a modification to Special Use Permit #14111.**

**Seconded by Commissioner Van Coevering.**

Planning Commission discussion:

- Subject property is currently vacant
- Developer has expertise in redevelopment of brownfield property
- This infill development project is on a smaller lot in an established commercial area and does not have much greenspace for landscaping
- Fire Department expressed a need for the access to the Meijer parking lot on the south side
- Expectation (as shown on the site plan) that there will be a connection to the Meijer parking lot is shown on the site plan

**The seconder offered the following friendly amendment:**

- **Add Condition #11: The applicant shall obtain access to the Meijer parking lot on the south side of the property.**

**The friendly amendment was accepted by the maker of the motion.**

Continued Planning Commission and applicant discussion:

- Only consideration before the Planning Commission is the drive-through window on the site
- Subject site is a poor location for a drive-through window
- Concern with absence of loading/unloading space
- Mattress Store is for display purposes only; no pick-ups or delivery are performed
- Deliveries for the proposed Jimmy John's can be scheduled before the store opens to avoid traffic and circulation issues
- Subject property is an intensely developed prime piece of real estate on Grand River
- Township recently approved a drive-through "just down the road"
- New corporate model for Jimmy John's is to have a drive-through window
- Commissioner preference to add a condition to keep the trees

Continued Planning Commission discussion:

- Concern with turning left onto Grand River Avenue

- Subject site is not a good location for a drive-through window
- Nearby Meijer exit is right turn only for a specific reason
- Left hand turn in that “stretch” of Grand River Avenue is hazardous
- Drive-through businesses across Grand River Avenue each have another exit
- Jimmy John’s is noted for their delivery, not drive-through
- Applicant’s belief the customers who will frequent the establishment are familiar with the traffic pattern and will exit accordingly
- Six unmet requirements contained in the staff memorandum which will require a variance or need to be changed
- Applicant is used to a process where variance requests come first and then the redesign happens dependent upon variance denials
- Zoning Board of Appeals has limited ability to accommodate the unmet requirements
- Possibility of reversing the drive-through window traffic flow to accommodate the exit at the southeast corner into the Meijer parking lot
- Reversing the drive-through window traffic flow would require pick up by the driver reaching across the passenger side of the automobile
- Flipping the building would make stacking of cars problematic
- Possible option to condition the approval on a right turn only onto Grand River Avenue
- Concern with making a left hand turn into the property
- Use of Meijer access to avoid left turns onto Grand River

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

- **Add Condition #12: The three deciduous trees depicted on the site and landscape plans as of 12/15/2014 (Revision 12/08/14) for preservation (30” and 36” oak on the northwest corner and the 24” hickory on the northeast corner of the property), if viable, shall be preserved.**

**The friendly amendment was accepted by the maker and seconder of the main motion.**

ROLL CALL VOTE: YEAS: Commissioners Deits, Ianni, Van Covering

NAYS: Commissioners Cordill, Hildebrandt, Honicky, Scott-Craig,  
Chair Jackson

Motion failed 3-5.

**Commissioner Honicky moved [and read into the record], NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIN hereby denies Special Use Permit #14111. Seconded by Commissioner Hildebrandt.**

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

- **Add an additional WHEREAS clause which states: WHEREAS, the project will adversely affect the existing roadway traffic.**

**The friendly amendment was accepted by the maker.**

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

- **Amend the fifth WHEREAS clause by deleting: “including the elimination of several mature trees on the site”**

**The amendment was accepted by the maker and seconder of the main motion.**

Continued Planning Commission discussion:

- Commissioner belief the resolution to deny does not adequately convey it is solely a drive-through issue upon which the denial is based
- Request for the drive-through window is causing the request for certain variances

ROLL CALL VOTE: YEAS: Commissioners Cordill, Hildebrandt, Honicky, Scott-Craig,  
Chair Jackson

NAYS: Commissioners Deits, Ianni, Van Covering

Motion carried 5-3.

[Chair Jackson recessed the meeting at 9:18 P.M.]

[Chair Jackson reconvened the meeting at 9:26 P.M.]

B. Commission Review #14083 (Planning Commission), amendments to the Goals and Objectives section of the 2005 Master Plan

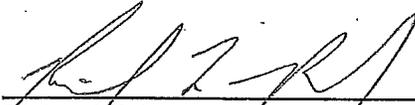
Principal Planner Oranchak reported all changes agreed upon at the December 8<sup>th</sup> Planning Commission meeting have been incorporated into the document.

Planning Commission discussion:

- Goal 7, Objective A, Strategy 5: Preference to leave the word infill in the strategy
- Infill v. redevelopment
- Infill development is addressed in Goal 7, Objective D, Strategy 1
- Planning Commission consensus to amend Goal 7, Objective A, Strategy 5 to read: Establish ordinances providing incentives for development that emphasize redevelopment, infill development, alternative energy, and building materials reuse.
- Planning Commission consensus to remove capital letters for Goal 6
- Planning Commission consensus to send staff typographical corrections
- Planning Commission consensus to add new Strategy 3 for Goal 3, Objective D which reads: Continue to adopt Township ordinances and zoning practices to facilitate efficient decision making and to incorporate greater flexibility where appropriate
- Strategies in this document should appear in the appropriate chapters within the Master Plan
- Preference to model after the Kalamazoo Master Plan: Introduction, Opportunities, Action Plan
- Introduction would be the goals, opportunities would be the objectives, strategies would be the action plans
- Terminology used would be defined by the chapter format
- Implementation plan should be based upon the identified strategies
- Chapters would be the objectives as there are not separate chapters for items which are not in the goals
- Argument could be made that everything else in the document is an appendix to the goals and objectives
- Current introduction is a snapshot of today and is very large
- Midland's organization is very similar to Meridian's current structure
- Each goal could be turned into a chapter
- Chapter contains information that supports the goal
- Staff to provide information updates (data, charts and graphs) to the Planning Commission during January
- One function of the State Demographer's office is to consult and work with local units of

# MEMORANDUM

**TO:** Township Board

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

**DATE:** January 8, 2015

**RE:** Appeal of SUP #14111 (MF Okemos)

---

At its January 7, 2015 regular meeting, the Environmental Commission voted 7-0 to provide the following input to the Township Board regarding the appeal of the denial of Special Use Permit #14111 at 2049 Grand River Avenue:

*"While the Environmental Commission supports the reuse of brownfield sites, it encourages all efforts be used to preserve as many of the six (6) significant trees on the site as possible by utilizing creative design."*

**Cc:** Martha Wyatt  
Ray Severy, P.E.

**RESOLUTION TO DENY**

**Special Use Permit #14111  
(MF Okemos, LLC)  
2049 Grand River Avenue**

**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 15th day of December 2014, at 7:00 p.m., Local Time.

PRESENT: Chair Jackson, Vice-Chair Deits, Secretary Cordill, Commissioners Hildebrandt,  
Honicky, Ianni, Scott-Craig, Van Coevering

ABSENT: None

The following resolution was offered by Commissioner Honicky and supported by Commissioner Hildebrandt.

WHEREAS, MF Okemos, LLC, requested a special use permit (Special Use Permit #14111) to construct a multi-tenant retail building with one drive-through lane on an approximate 0.9 acre site zoned C-2 (Commercial) and located at 2049 Grand River Avenue; and

WHEREAS, the Planning Commission held a public hearing for Special Use Permit #14111 at its November 24, 2014 meeting; and

WHEREAS, the Planning Commission reviewed and discussed staff material forwarded under cover memorandums dated November 21, 2014 and December 11, 2014; and

WHEREAS, the proposed project is not designed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will change the essential character of the same area; and

WHEREAS, the proposed project will have a substantial adverse impact on the natural resources of the township; and

WHEREAS, the proposed project does not meet the ordinance standards; and

WHEREAS, the project will adversely affect the existing roadway traffic; and

WHEREAS, the project could be designed to meet the ordinance standards and preserve all healthy natural assets on the site.

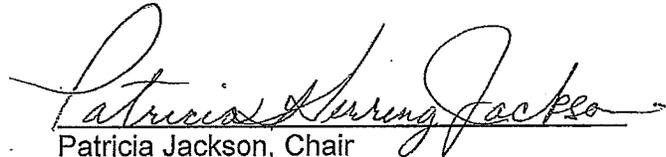
NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby denies Special Use Permit #14111.

**Resolution to Deny  
SUP #14111 (MF Okemos, LLC)  
December 11, 2014  
Page 2**

ADOPTED: YEAS: Commissioners Cordill, Hildebrandt, Honicky, Scott-Craig, Chair  
Jackson  
NAYS: Commissioners Deits, Ianni, Van Coevering

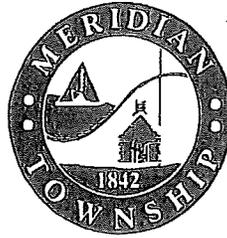
STATE OF MICHIGAN        )  
                                  ) ss  
COUNTY OF INGHAM        )

I, the undersigned, the duly qualified Chairperson of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 15th day of December, 2014.

  
Patricia Jackson, Chair  
Meridian Township Planning Commission

# CHARTER TOWNSHIP OF MERIDIAN

Elizabeth Ann LeGoff    Supervisor  
Brett Dreyfus            Clerk  
Julie Brixie              Treasurer  
Frank L. Walsh          Manager



Milton L. Scales            Trustee  
Ronald J. Styka            Trustee  
John Veenstra              Trustee  
Angela Wilson              Trustee

December 17, 2014

Steven Alafazanios  
2165 Louisa Drive  
Belleair Beach, FL 33786

**RE: Special Use Permit #14111 (MF Okemos, LLC)**

Dear Mr. Alafazanios:

At its regular meeting held on December 15, 2014, the Planning Commission voted to deny Special Use Permit #14111, a request to raze the existing commercial building and construct an approximate 6,700 square foot multi-tenant building with one drive-through lane, at 2049 Grand River Avenue. Denial was based on the following:

1. All applications for special use permits are subject to the requirement that the applicant satisfy criteria set forth in Township Ordinance Section 86-126.
2. The project is not designed so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will change the essential character of the same area.
3. The proposed project will have a substantial adverse impact on the natural resources of the township.
4. The proposed project does not meet the ordinance standards.
5. The project will adversely affect the existing roadway traffic.
6. The project could be designed to meet the ordinance standards and preserve all healthy natural assets on the site.

Decisions by the Planning Commission regarding special use permits may be appealed to the Township Board. To appeal, an aggrieved person must submit a written statement specifying the grounds for appeal, the date of the Planning Commission's decision, and supporting materials related to the decision.



Steven Alafazan  
December 17, 2014  
Page 2

A notice of appeal must be filed with the Department of Community Planning and Development within 10 days of the date of the Planning Commission's action and be in accordance with Section 86-189 of the Code of Ordinances. Consequently, if you decide to appeal, the request must be received no later than **Monday December 29, 2014**.

A copy of the signed resolution to deny is attached.

If you have any questions, please contact me at (517) 853-4580, or e-mail me at [wyatt@meridian.mi.us](mailto:wyatt@meridian.mi.us).

Sincerely,



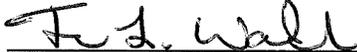
Martha K. Wyatt  
Associate Planner/Landscape Architect

Enclosure

G:\Commun Plng & Dev\Plng\Special Use Permits (SUP)\2014\SUP 14111 (MF Okemos)\SUP 14111 Denial PC ltr

**MEMORANDUM**

**TO:** Township Board

**FROM:**   
Frank L. Walsh, Township Manager

**DATE:** January 27, 2015

**RE:** **Appointments to the Board of Review**

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The terms of several Board of Review members expired December 31, 2014. Specifically, vacancies currently exist for two regular members and one alternate member. Applications for Public Service have been received and three candidates have been selected to fill these vacancies:

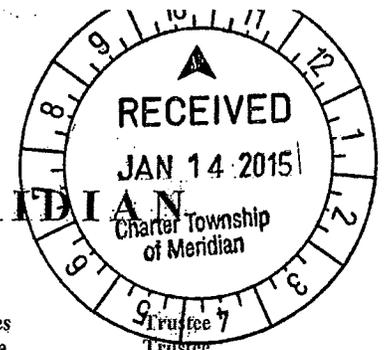
- Bertice Ellis, regular member
- Sonya Pentecost, regular member
- Martha Bashore, alternate member

Attached you will find the Applications for Public Service submitted by the three candidates listed above. Resumes for Ms. Ellis and Ms. Pentecost are also attached.

**MOVE THAT BERTICE ELLIS AND SONYA PENTECOST BE APPOINTED TO THE BOARD OF REVIEW AS REGULAR MEMBERS AND THAT MARTHA BASHORE BE APPOINTED TO THE BOARD OF REVIEW AS AN ALTERNATE MEMBER, ALL WITH TERMS ENDING DECEMBER 31, 2016.**

**Attachments:**  
Applications and Résumés

# CHARTER TOWNSHIP OF MERIDIAN



Elizabeth Ann LeGoff  
Brett Dreyfus  
Julie Brixie  
Frank L. Walsh

Supervisor  
Clerk  
Treasurer  
Manager



Milton L. Scales  
Ronald J. Styka  
John Veenstra  
Angela Wilson

Trustee  
Trustee  
Trustee  
Trustee

## APPLICATION FOR PUBLIC SERVICE

I am interested in service on one or more of the following public bodies as checked below:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Assessing Board of Review*                              | <input type="checkbox"/> Elected Officials Compensation Commission* |
| <input type="checkbox"/> Board of Water and Light Representative*                           | <input type="checkbox"/> Environmental Commission                   |
| <input type="checkbox"/> Building and/or Fire Board of Appeals and Building Hearing Officer | <input type="checkbox"/> Land Preservation Advisory Board           |
| <input type="checkbox"/> Cable Communications Commission*                                   | <input type="checkbox"/> Park Commission (elected/appointed)        |
| <input type="checkbox"/> Capital Area Transportation Authority (C.A.T.A.)                   | <input type="checkbox"/> Pension Trustees                           |
| <input type="checkbox"/> Community Resources Commission                                     | <input type="checkbox"/> Planning Commission                        |
| <input type="checkbox"/> Downtown Development Authority*                                    | <input type="checkbox"/> Township Board (elected/appointed)         |
| <input type="checkbox"/> East Lansing-Meridian Water & Sewer Authority                      | <input type="checkbox"/> Zoning Board of Appeals                    |
| <input type="checkbox"/> Economic Development Corporation                                   | <input type="checkbox"/> Lake Lansing Watershed Advisory Committee* |
|   | <input type="checkbox"/> Other                                      |

(\*Special conditions restrict eligibility for appointment)

Indicate areas not included above which may warrant special attention or study that are of interest to you:

Summarize your reasons for applying for this type of public service:

Describe education, experience or training which will assist you if appointed. (Attach resume if available)

*Resume attached.*

Name: Bartice Ellis  
 Occupation: Retired Place of Employment: \_\_\_\_\_  
 Home Address: 1481 Wilshire, Haslett, Mi.  
 Phone: (days) 517 927-0428 (evenings) \_\_\_\_\_ E-mail bluellis@comcast.net  
 Signature: Bartice Ellis Date 1-12-15

Other than the Downtown Development Authority Board, persons appointed to Meridian Township boards and commissions must be a resident and elector (if of voting age) of the Township during the term of office. Excessive absences may be cause for review of appointment.

(PLEASE USE BACK IF NEEDED)

The policy for appointment of candidates to the various public service positions is based on the following criteria: desire to serve, experience, expertise, availability of time to serve, and maintenance of equitable geographic representation. In most instances it will be desirable to develop further information through a personal interview. This application will be retained in township files for two years. Please return this form to the Office of the Clerk, Charter Township of Meridian.

FOR OFFICE USE ONLY			
Date Received:	1. 14. 15	Distro: EL / DL	Application # BOR 1502
Registered Voter:	Y/N	FW	
Date Appointed:		BD MEMBERS	

Revised: November 24, 2014

5151 MARSH ROAD, OKEMOS, MICHIGAN 48864-1198 (517) 853-4000

www.meridian.mi.us



Dear David Lee,

I am a recently retired woman seeking part-time or occasional employment. I enjoy using my skills to determine the value of property and working with people.

**A brief summary of my education and work experience in the Real Estate Profession:**

In the field appraising

Served on the Board of Review in Boyne City, Mi.

Classes in residential and commercial appraising

**Example of my appraisal work:** In your records, please find a detailed presentation asking to have my assessed value lower on my residence. It includes pictures of comparable properties along with a grid comparing the properties to mine to determine a fair assessed value for my property located at 1481 Wilshire, Haslett.

**Work Experience also developed skills in:**

Problem solving and Decision Making

Solicited and reviewed contractor bids

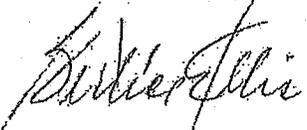
Computer Literacy-advance level

If there is not an opening on the Assessing Board of Review, I would be open to consider any employment opening in some another department of Meridian Charter Township.

Thank you ahead of time for your consideration.

References upon request

Application and Resume are attached



Bertice Ellis

**BERTICE ELLIS**

1481 Wilshire, Haslett, MI.

Phone Res: (517) 927-0428

**EDUCATION**

1992

**TAMPA COLLEGE**  
Bachelor Degree in Business Administration

TAMPA, FL.

1993 - 2013

**LANSING COMMUNITY COLLEGE**  
Associate: Accounting  
Certificate: Finance  
Post Graduate courses include: Real Estate/Appraising, Para-Legal,  
Federal Tax, Computer, and Investments classes

LANSING, MI.

**LICENSES  
CERTIFICATIONS**REAL ESTATE BROKER 1979 TO PRESENT  
CERTIFIED LOTUS PROFESSIONAL 1998---SYSTEM ADMIN R4  
CERTIFIED MICROSOFT SYSTEMS ENGINEER 2000---NT 4.0**EMPLOYMENT**

1994 - 2010

**ELECTRONIC DATA SYSTEM**  
Lansing Certified Support Center  
Computer Helpdesk---Senior Business Analyst  
\* Troubleshoot software and hardware problems  
\* Document troubleshooting process  
\* Mentored and trained employees: created video presentations:  
**Oldsmobile Customer Service Network**  
Call Center, Area Specialist and Survey Teams---Business Analyst  
\* Resolved customer concerns through negotiating and decision making  
\* Advisor for OCAN Club, Trainer and OCAN Tours

LANSING, MI.

1990 - 1993

**CIRCLE K CORPORATION**  
Accounting Department  
\* Audited retail reports and vendor billings

TAMPA, FL.

1984 - 1990

**HALL MANAGEMENT**  
Resident Manager, Assistant Manager and Bookkeeper  
\* Proposed and implemented marketing strategies  
\* Budget preparation and budget control  
\* Solicited and reviewed outside contractor bids  
\* Interviewed and qualified prospective residents  
\* Hired and trained employees  
\* Accounts payable and receivable  
\* Collections and legal action

LANSING, MI.

1975- 1983

**KEITH DRESSEL REALTY - CHARLEVOIX PROPERTIES**  
Associate Broker, Office Manager and Salesperson  
\* Hired and trained new employees  
\* Conducted real estate closings  
\* Created and coordinated office advertising  
\* Generated company sales and listings

BOYNE CITY, MI.

**HONORS**COLLEGE---Magna Cum Laude  
REAL ESTATE---Associate Realtor of the Year

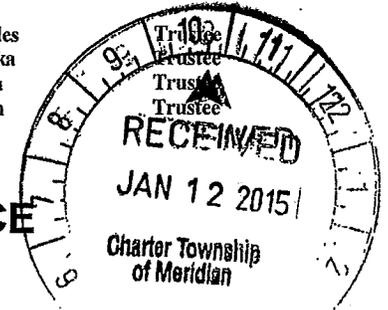
# CHARTER TOWNSHIP OF MERIDIAN

Elizabeth Ann LeGoff  
Brett Dreyfus  
Julie Brixie  
Frank L. Walsh

Supervisor  
Clerk  
Treasurer  
Manager



Milton L. Scales  
Ronald J. Styka  
John Veenstra  
Angela Wilson



## APPLICATION FOR PUBLIC SERVICE

I am interested in service on one or more of the following public bodies as checked below:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Assessing Board of Review*                              | <input type="checkbox"/> Elected Officials Compensation Commission* |
| <input type="checkbox"/> Board of Water and Light Representative*                           | <input type="checkbox"/> Environmental Commission                   |
| <input type="checkbox"/> Building and/or Fire Board of Appeals and Building Hearing Officer | <input type="checkbox"/> Land Preservation Advisory Board           |
| <input type="checkbox"/> Cable Communications Commission*                                   | <input type="checkbox"/> Park Commission (elected/appointed)        |
| <input type="checkbox"/> Capital Area Transportation Authority (C.A.T.A.)                   | <input type="checkbox"/> Pension Trustees                           |
| <input type="checkbox"/> Community Resources Commission                                     | <input type="checkbox"/> Planning Commission                        |
| <input type="checkbox"/> Downtown Development Authority*                                    | <input type="checkbox"/> Township Board (elected/appointed)         |
| <input type="checkbox"/> East Lansing-Meridian Water & Sewer Authority                      | <input type="checkbox"/> Zoning Board of Appeals                    |
| <input type="checkbox"/> Economic Development Corporation                                   | <input type="checkbox"/> Lake Lansing Watershed Advisory Committee* |
|   | <input type="checkbox"/> Other                                      |

(\*Special conditions restrict eligibility for appointment)

Indicate areas not included above which may warrant special attention or study that are of interest to you:

Summarize your reasons for applying for this type of public service: *I have been recommended by Char Sprinkel.*

Describe education, experience or training which will assist you if appointed. (Attach resume if available)

Name: Sonya M. Pentecost  
 Occupation: Rentor Place of Employment: Tomie Raines, Inc.  
 Home Address: 6132 W. Longview Dr., E.L. MI 48823  
 Phone: (days) 517 4906714 (evenings) same E-mail Spentecost@tomieraines.com  
 Signature Sonya M. Pentecost Date 1-12-15

Other than the Downtown Development Authority Board, persons appointed to Meridian Township boards and commissions must be a resident and elector (if of voting age) of the Township during the term of office. Excessive absences may be cause for review of appointment.

(PLEASE USE BACK IF NEEDED)

The policy for appointment of candidates to the various public service positions is based on the following criteria: desire to serve, experience, expertise, availability of time to serve, and maintenance of equitable geographic representation. In most instances it will be desirable to develop further information through a personal interview. This application will be retained in township files for two years. Please return this form to the Office of the Clerk, Charter Township of Meridian.

FOR OFFICE USE ONLY			
Date Received	<u>1.12.15</u>	Distro: <u>EL DL</u>	Application # <u>BOR 1501</u>
Registered Voter:	<u>Y/N</u>	<u>FW</u>	
Date Appointed:		<u>B) MEMBERS</u>	

Revised: November 24, 2014

5151 MARSH ROAD, OKEMOS, MICHIGAN 48864-1198 (517) 853-4000  
www.meridian.mi.us



SONYA M. PENTECOST  
6132 W. Longview Drive  
East Lansing, MI 48823  
(517) 490-6714

### **EDUCATION**

Associate degree in Legal-Secretarial Science and Accounting from Lansing Community College - 1981

Realtor – Member of National Association of Realtors, Michigan Board of Realtors and Greater Lansing Board of Realtors. Associate Broker License expected in Feb., 2015

### **WORK EXPERIENCE**

1980 – 1982

Legal Secretary for attorney Kim Capello, East Lansing, MI

1982 – 1983

Legal Secretary for Hubbard, Fox, Thomas, White & Bengston, P.C., Lansing, MI

1983 – 1987

Office Manager / Legal Secretary for UAW-GM Legal Services Plan, Lansing, MI

1991 – 1994

Tax Preparer – H & R Block, Sears Store, Lansing, MI

2003 – 2013

Administrative Assistant – Greenstone Farm Credit Services Corporate Office – Income Tax & Accounting Dept., East Lansing MI - Duties included processing tax returns, accounting records for clients and overall management of tax records.

1999 - Present

Real Estate Sales Person at Tomie Raines, Inc., East Lansing, MI

**REFERENCES AVAILABLE UPON REQUEST**

# CHARTER TOWNSHIP OF MERIDIAN

Elizabeth Ann LeGoff  
Brett Dreyfus  
Julie Brixie  
Gerald J. Richards

Supervisor  
Clerk  
Treasurer  
Manager



Milton L. Scales  
Ronald J. Styka  
John R. Veenstra  
Angela Wilson

Trustee  
Trustee  
Trustee  
Trustee

## APPLICATION FOR PUBLIC SERVICE

I am interested in service on one or more of the following public bodies as checked below:

- Assessing Board of Review\*
- Building and/or Fire Board of Appeals and Building Hearing Officer
- Cable Communications Commission\*
- Capital Area Transportation Authority (C.A.T.A.)
- Community Resources Commission
- Downtown Development Authority\*
- East Lansing-Meridian Water & Sewer Authority
- Economic Development Corporation
- Elected Officials Compensation Commission\*
- Environmental Commission
- Land Preservation Advisory Board
- Park Commission (elected/appointed)
- Pension Trustees
- Planning Commission
- Township Board (elected/appointed)
- Zoning Board of Appeals
- Lake Lansing Watershed Advisory Committee\*
- Other

(\*Special conditions restrict eligibility for appointment)

Indicate areas not included above which may warrant special attention or study that are of interest to you:

Summarize your reasons for applying for this type of public service: *I am a real estate agent and sell a lot of property in Meridian Township which gives me an excellent inside look at market conditions. I think its very important the review process be one that Describe education, experience or training which will assist you if appointed. (Attach resume if available)*  
*lay people can understand.*

Name: Martha Bashore  
Occupation: Realtor / Estate Agent Place of Employment: Coldwell Banker / Truett Bell Brdarwood  
Home Address: 2476 Arrowhead Okemos  
Phone: (days) 281-6461 (evenings) 281-6461 E-mail mbashore@cb-hb.com  
Signature Martha Bashore Date 12/20/12

Other than the Downtown Development Authority Board, persons appointed to Meridian Township boards and commissions must be a resident and elector (if of voting age) of the Township during the term of office. Excessive absences may be cause for review of appointment.  
(PLEASE USE BACK IF NEEDED)

The policy for appointment of candidates to the various public service positions is based on the following criteria: desire to serve, experience, expertise, availability of time to serve, and maintenance of equitable geographic representation. In most instances it will be desirable to develop further information through a personal interview. This application will be retained in township files for two years. Please return this form to the Office of the Clerk, Charter Township of Meridian.

FOR OFFICE USE ONLY			
Date Received:		Distro:	Application #
Registered Voter:	Y / N		
Date Appointed:			

## MEMORANDUM

TO: Township Board  
FROM: Frederick B. Cowper  
Frederick B. Cowper, Fire Chief  
DATE: January 29, 2015  
RE: **Metro Fire Investigation Team Agreement**

---

The Metro Fire Investigation Team Agreement is hereby submitted for your review and subsequent approval. This Agreement between the Fire Shared Services Departments furthers our efforts of regional cooperation by enhancing investigative capabilities and ensuring a fire investigator is available in the Lansing Area at all times. All other agencies have signed the Agreement.

The following motion is proposed for Board consideration:

**MOVE TO APPROVE THE METRO FIRE INVESTIGATION TEAM AGREEMENT WITH THE TOWNSHIP'S 1/6<sup>TH</sup> ANNUAL SHARE COMING FROM THE GENERAL FUND AND AUTHORIZE THE TOWNSHIP MANAGER TO SIGN THE AGREEMENT.**

**Metro Fire Investigation Team  
Under Current Mutual Aid Agreements**

**Between:**

**City of Lansing Fire Department  
East Lansing Fire Department  
Delta Township Fire Department  
Delhi Township Fire Department  
Lansing Township Fire Department  
Meridian Township Fire Department**

**Purpose:** To establish a Metro Fire Investigation Team under current mutual aid agreements. In order to share, assist, and enhance previously established resources between the Metro Lansing Fire Departments: to reduce cost by sharing equipment purchasing services, and promote cooperation between all Metro Lansing Fire Departments.

**Objective:** To build cooperation, experience, and consistency with all Lansing area fire investigators in attempt to align all fire and explosion investigation Standard Operating Guidelines (SOGs). Also, to utilize and share evidence collection and storage resources between Lansing Fire Department and the Metro Lansing Fire Departments. The team will collectively establish Policies and Procedures for utilization of the team consistent with each municipality's SOGs.

**Investigation Responsibilities:**

1. Each department will be the primary investigating agency for their municipality.
2. One Metro Team member will be on call for the team 24/7 for one week as a secondary investigator for more complex investigation (National Fire Protection Association (NFPA) 921 Guide recommendations).
3. Metro Team member on call must be notified when an investigator is on vacation or sick leave and will not be able to respond.

**Provisions:**

The Lansing Fire Department and the Metro Lansing Fire Departments agree to share the Lansing Fire Department's Evidence Room and evidence room equipment for the purpose of investigations, located at the South Washington Office Complex (SWOC), 2500 S. Washington Ave., Lansing, MI 48910.

1. This group will have the ability to develop the policies and procedures for the Metro Investigation Team. These policies and procedures will be agreed upon by each department's Fire Marshal and/or lead investigator as well as subject to approval by the Fire Department Chiefs.
2. Metro Lansing Fire Department personnel agree to follow the Policies and Procedures as outlined by Lansing Fire Department's SOG 106.5 for the integrity of the facility.

Issues arising from violations to SOG 106.5 will be reported by the Lansing Fire Department Fire Marshal to the appropriate Chief/Chiefs.

3. Metro Lansing Fire Department Chiefs shall enforce the SOG 106.5 policy of SWOC as if it was one of their own.
4. All departments will share, supply, donate, and purchase 1/6<sup>th</sup> of the costs of fire and explosive investigation equipment as agreed upon by Fire Department Chiefs and/or their authorized representatives.
  - a. Each agency will be responsible to fix or replace its own equipment (under \$500.00) if damage occurs at a mutual aid fire investigation.
  - b. Joint fire investigation equipment is available for all agencies to use. Cost to repair or replace any joint equipment will be shared by all agencies.
  - c. If during an investigation a piece of equipment \$500.00 and above is damaged, the requested agency may elect to bill the requesting agency for excessive cost to repair or replace equipment.
  - d. Additional costs to agencies associated with additional arson investigation, depositions, court, ETC, beyond the initial origin and cause investigation, may be billed to the requesting agency.
5. Access authorization of Metro Lansing personnel will be approved by the following: Individual department Chief and Lansing Fire Department's Chief or Lansing Fire Marshal.
6. The Lansing Fire Department will give Metro Lansing Fire Investigator(s) access to the SWOC Evidence Room facility (cleaning area, interior evidence room and exterior bunker) for the purpose of utilizing the evidence collection equipment and the storage of collected evidence for their municipalities.
7. Metro Lansing personnel shall record all evidence into the evidence room computer and shall adhere to the City of Lansing Fire Marshal's Divisional policies for logging, maintaining, and organizing evidence.
8. This agreement may be rescinded by any parties upon proper notification to the other departments. Upon this agreement the removal of all equipment and evidence as well as the return of all access cards and keys will be required.
9. The Fire Chiefs of this agreement will appoint one of the team members to oversee this agreement and report any issues to the appropriate Chiefs if resolution cannot be reached among team members.

**Signatures:**

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City of Lansing Representative Date

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Lansing Township Representative Date

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City of East Lansing Representative Date

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Delhi Township Representative Date

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Meridian Township Representative Date

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Delta Township Representative Date

**MEMORANDUM**

**TO:** Township Board  
**FROM:** Frank L. Walsh, Township Manager *FLW/clh*  
**DATE:** January 29, 2015  
**RE:** **Resolution Commemorating Black History Month**

---

Black History Month is an annual observance in the United States during the month of February. The attached document has been drafted by staff members for Township Board approval.

The following motion is offered approving the attached resolution:

**MOVE TO APPROVE THE RESOLUTION COMMEMORATING BLACK HISTORY MONTH.**

# RESOLUTION COMMEMORATING BLACK HISTORY MONTH

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held on the 3<sup>rd</sup> day of February 2015, at 6:00 p.m. local time.

PRESENT: \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_:

**WHEREAS**, Meridian Township acknowledges the tremendous contributions of African Americans to the history of the United States and that all people of the United States are recipients of the history given to us by black culture; and

**WHEREAS**, Meridian Township recognizes Black History Month as an opportunity to reflect on U.S. History; and

**WHEREAS**, Meridian Township encourages learning from the past in order to understand the experiences that have shaped the United States; and

**WHEREAS**, African Americans continue to serve the United States at all levels of government, military, academia, and corporate entities; and

**WHEREAS**, during Black History Month Meridian Township recognizes it is important that we not forget African-American survivorship; and

**WHEREAS**, on December 9, 2015, the Meridian Township Board adopted the 2015 Goals and Objectives to seek diversity in hiring and promoting.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN**, that Meridian Township commemorates Black History Month to pay tribute to the generations of African Americans who struggled with adversity and to celebrate the accomplishments, contributions, and history of African Americans.

ADOPTED: YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

STATE OF MICHIGAN     )  
                                  ) ss  
COUNTY OF INGHAM    )

I, the undersigned, the duly qualified and acting Clerk of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Township Board on the 3<sup>rd</sup> day of February 2015.

\_\_\_\_\_  
Brett Dreyfus, Clerk  
Meridian Charter Township

**MEMORANDUM**

**TO:** Township Board

**FROM:**   
Mark Kieselbach  
Director of Community Planning and Development

**DATE:** January 28, 2015

**RE:** Wayne Beyea, MSU School of Planning, Design & Construction – Sustainability Assessment

---

As part of the Department of Housing and Urban Development (HUD) grant received by Tri-county for the Mid-Michigan Program for Greater Sustainability, the MSU School of Planning, Design and Construction has developed a self-assessment tool local communities can use to determine if they are using the best practices for developing a sustainable community. Meridian was one of the pilot communities used in the development of the assessment tool. Wayne Beyea was the project team leader for the development of the self-assessment tool. As copy of the summary findings and recommendations have been attached.

**Attachments**

1. Summary of Findings and Recommendations

G:\Community Planning & Development\Planning\Carol\Mark\Sustainability Assessment.doc



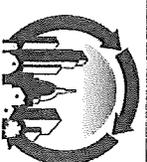
# A Self-Assessment of Sustainability in Your Community: Meridian Charter Township

Summary Findings & Recommendations  
November 2014



MICHIGAN STATE  
UNIVERSITY

School of Planning, Design  
and Construction



**MMPGS**  
MID-MICHIGAN PROGRAM  
FOR GREATER SUSTAINABILITY

# Acknowledgements

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## Local Partners

The Michigan State University (MSU) Project Team would like to acknowledge the Meridian Township Planning Commission and the Department of Community Planning & Development for their input and direction on this project. A special thanks to Mark Kieselbach, Director, and Gail Oranchak, Principle Planner, for providing guidance, feedback, and coordination.

## MSU Project Team

Michigan State University – School of Planning, Design, & Construction

Faculty Principal Investigator

- Wayne R. Beyea, JD, AICP

Research Assistants

- Sean Campbell
- Helen Hou
- Jack McDonough
- Nick Tafelsky

## Funder

This effort was funded in part by the “The Mid-Michigan Program for Greater Sustainability (MMPGS).” The MMPGS has been awarded \$3 Million (starting in 2011) by the Department of Housing and Urban Development (HUD). This project, administered by the Tri-County Regional Planning Commission, is intended to bring economic competitiveness and revitalization to the Greater Lansing Michigan Region of Clinton, Eaton, and Ingham Counties.

Cover Photo: Dover Kohl and Associates, under contract to the Tri-County Regional Planning Commission, reproduced with permission.

# Introduction

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Meridian Township was selected as one of four pilot communities for a Sustainability Assessment. This assessment is part of the Sustainable Design Portfolio for Michigan Avenue Corridor (Project 7) offered by "The Mid-Michigan Program for Greater Sustainability (MMPGS)" and funded by the Department of Housing and Urban Development (HUD). This specific work element included assisting the Township with completing a self-assessment, summarizing results, preparing recommendations based on the design portfolio, and presenting the findings.



## Methodology

The Sustainability Assessment Tool itself was developed by researching a wide variety of state, federal, and international sources relating to sustainable development. Content was adapted from sources such as the United States Green Building Council (USGBC); American Planning Association; U.S. Department of Housing and Urban Development; U.S. Environmental Protection Agency; U.S. Department of Transportation; International Council for Local Environmental Initiatives (ICLEI); Michigan State University Land Policy Institute; MSU Sustainability Specialization and School of Planning, Design, & Construction; among others. This wide variety of sources allowed for the development of a community sustainability assessment tool that addresses the full breadth of sustainability issues, with a focus on the built environment.

## Process

Once the background research was completed, the information was divided into five main sustainability categories: livability, governance, environment, community, and economy. These categories each contain a number of indicators. For example, an indicator of a "sustainable economy" would be protection of staple local industries. Within each indicator is a number of metrics which are evaluated on a Likert scale of 1 to 5. These are specific items that a community is either doing or not doing. In order to determine which metrics were met, the MSU Project Team analyzed the Township's master plan goals, local zoning ordinance, and other community/regional plans. Additionally, the Department of Community Planning & Development provided input to help complete the self-assessment.

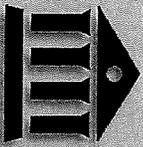
# Category Evaluation

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The five categories were separately assessed using the process listed below. Based on a 1-5 Likert scale, the team evaluated each metric as having a low (1-2), medium (3-4), or high (5) sustainable presence in the community. Ratings for each metric were added together to assess the level of sustainable practices for each category. A summary of the ratings for each category depicts whether the community has "More work to do", is "Making good progress", or is a "Green machine!" (A full version of the tool with scoring and comments can be found in the Appendix of this report)



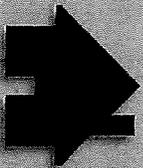
**Livability:** Livable communities are coordinated, collaborative environments that address their citizens' vision and needs by providing mixed use neighborhoods and diverse housing options. These communities provide multimodal transportation options.



**Governance:** Sustainable governance engages citizen participation; it will function effectively and efficiently for all community members while cooperating to solve common problems.



**Environment:** Preserving the natural environment is essential for maintaining community sustainability. Healthy ecosystems balance economic and conservation needs by assuring adequate resources to meet future needs.



**Community:** Sustainable communities develop clear visions for future course, partner with different sectors, identify their resources, and engage citizens to address common issues by creating peaceful solutions.

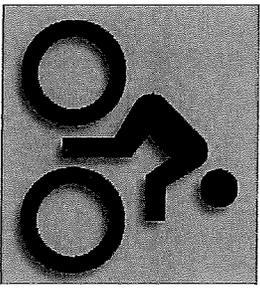


**Economy:** Economically sustainable communities establish local economies that are economically viable, environmentally sound and socially responsible.

# Livability

## Livability

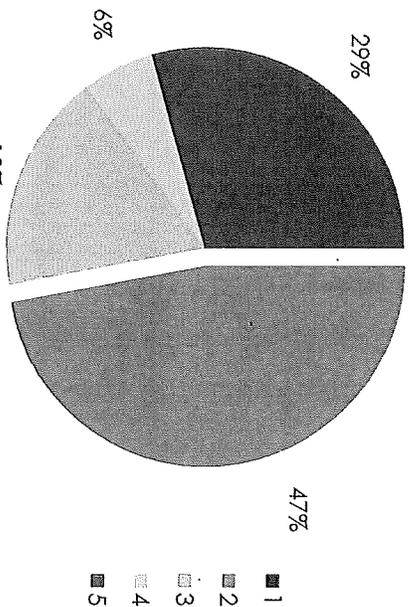
For the Livability section, Meridian Township scored in the **medium** sustainability category. By evaluating seventeen (17) total metrics within this category, the Township fully met **five** of the 17 metrics and did not meet or minimally met **eight** metrics. Livability indicators not met to minimally met and fully met are displayed below:



**LOW:**  
17-39

**MEDIUM:**  
40-62

**HIGH:**  
63-85



Livability Metrics

### Not Met to Minimally Met (1-2)

**Indicator:** Value Existing Communities

**Metric:** Have redevelopment sites been identified and prioritized within the community?

**Metric:** Is there evidence in the community of buildings that have been adaptively reused?

**Metric:** Have steps been taken to create a unique identity or brand for local neighborhoods and/or the wider community?

**Indicator:** Wide Range of Housing Opportunity

**Metric:** Is affordable housing available in close proximity to critical services, including grocery, pharmacy, and public transportation?

**Indicator:** Mixed-Use and Transit-Oriented Development – Includes Mix of Uses & Walkable Neighborhoods

**Metric:** Does the master plan (if applicable) encourage mixed-use development in downtown and commercial core areas?

**Metric:** Are key places of the community such as urban corridors, downtowns, and neighborhood centers walkable by sidewalk, crosswalk, and pedestrian features (e.g., benches)?

**Metric:** Do transportation nodes include multiple modes (e.g. bus stations with access to rail transit and/or bike racks)?

**Indicator:** Provide Safe & Diverse Modes of Transportation

**Metric:** Are important places such as recreation centers, schools, and downtown centers accessible by multiple transportation options?

**Indicator:** Education and Lifelong Learning

**Metric:** Is there a presence of functioning cultural facilities (i.e. libraries, schools, cultural events, museums, etc.)?

**Metric:** Is there presence of and access to lifelong educational services for the community? (e.g., libraries, cultural events, higher education, and museums)?

**Indicator:** Responsible Buying & Consumption

**Metric:** Is there evidence of recycling and reuse programs throughout the community?

**Indicator:** Encourage Healthy Lifestyles: Health, Nutrition, and Recreation

**Metric:** Is there an active local food system in the community, including farmer's markets and/or organic markets?

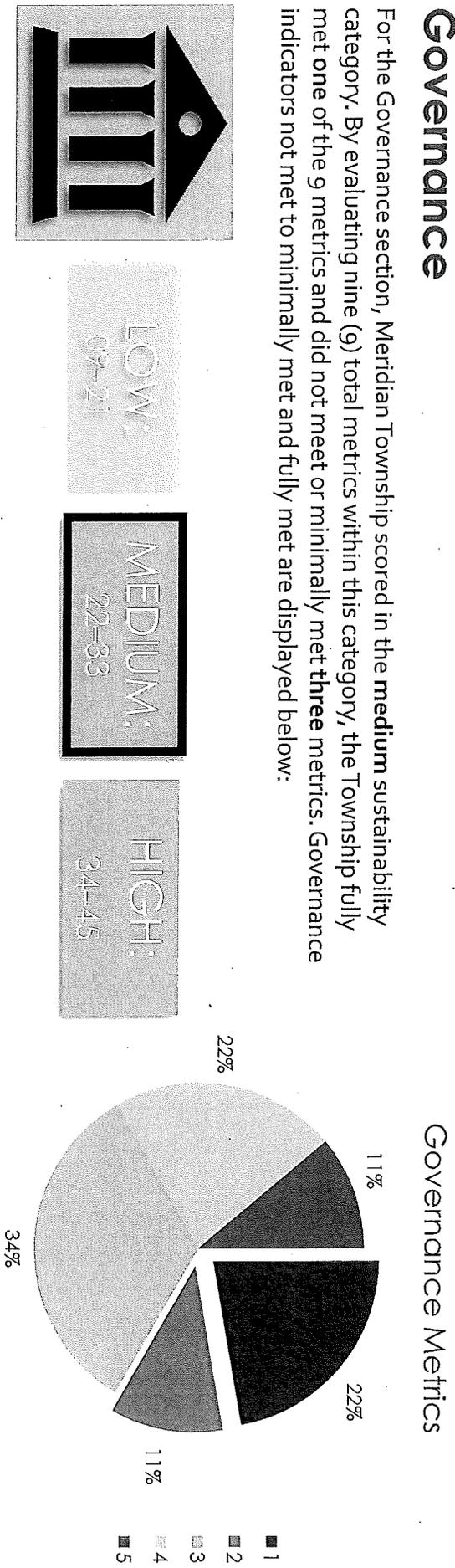
**Indicator:** Promotion of Diversity

**Metric:** Are there community activities / events that celebrate cultural diversity?

# Governance

## Governance

For the Governance section, Meridian Township scored in the **medium** sustainability category. By evaluating nine (9) total metrics within this category, the Township fully met **one** of the 9 metrics and did not meet or minimally met **three** metrics. Governance indicators not met to minimally met and fully met are displayed below:



Not Met to Minimally Met (1-2)

Fully Met (5)

**Indicator:** Transparency and Accountable Implementation

**Metric:** Do community plans track progress and adjust strategies on an ongoing basis?

**Indicator:** Urban Boundary System

**Metric:** Do goals and strategies in community plans strive for the appropriate development of rural resources?

**Metric:** Is there evidence of the community directing development toward areas with existing infrastructure as a priority?

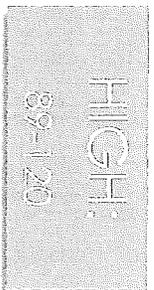
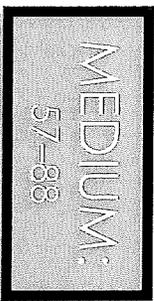
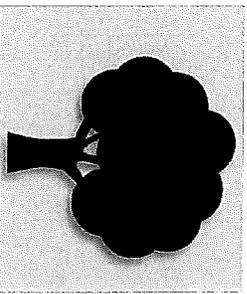
**Indicator:** Waste and Toxics Management

**Metric:** Is solid waste management addressed within community plans/ordinances?

# Environment

## Environment

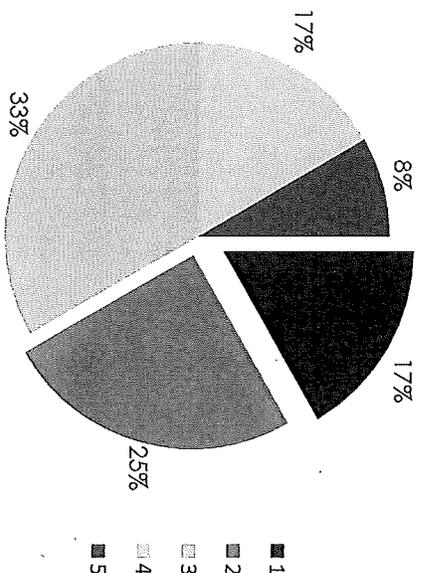
For the Environment section, Meridian Township scored in the **medium** sustainability category. By evaluating twenty-four (24) total metrics within this category, the Township fully met **two** of the 24 metrics and did not meet or minimally met **seven** metrics. Environment indicators not met to minimally met and fully met are displayed below:



Not Met to Minimally Met (1-2)

Fully Met (5)

Community Metrics



**Indicator:** Energy

**Metric:** Do development regulations allow for clean or renewable energy (e.g. solar panels)?

**Metric:** Do decisions about residential/commercial development incentivize the use of clean or renewable energy?

**Metric:** Do decisions about transportation systems consider the reduction of Vehicle Miles Traveled (VMT)?

**Indicator:** Climate Change

**Metric:** Is the community actively planning for long-term climate change (e.g. a Climate Change Readiness or Adaptation Plan)?

**Metric:** Are critical community facilities or assets located in or near the 100 year flood plain (e.g., Police station, fire station, hospitals, communication centers, significant roadways, sewage treatment plants, etc.)?

**Metric:** Are local businesses located in the community encouraged or incentivized to reduce overall greenhouse gas emissions?

**Indicator:** Open Space Preservation

**Metric:** Are brownfield sites in the community identified, inventoried, and prioritized for rehabilitation?

**Indicator:** Preserve Natural Resources

**Metric:** Does the community have a natural resource management plan?

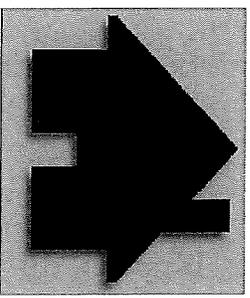
**Indicator:** Open Space Preservation

**Metric:** Are site plans reviewed prior to development for the ramifications such development will have on the natural environment?

# Community

## Community

For the Community section, Meridian Township scored in the **medium** sustainability category. By evaluating twelve (12) total metrics within this category, the Township fully met **one** of the 12 metrics and did not meet or minimally met **five** metrics. Community indicators not met to minimally met and fully met are displayed below:



**LOW:**  
12-28

**MEDIUM:**  
29-44

**HIGH:**  
45-60

Not Met to Minimally Met (1-2)

**Indicator:** Civic Engagement

**Metric:** Are the voices of all populations sought, considered, and incorporated into community plans?

**Indicator:** Fostering Relationships & Shared Interest

**Metric:** Does the comprehensive plan address the values of social equity?

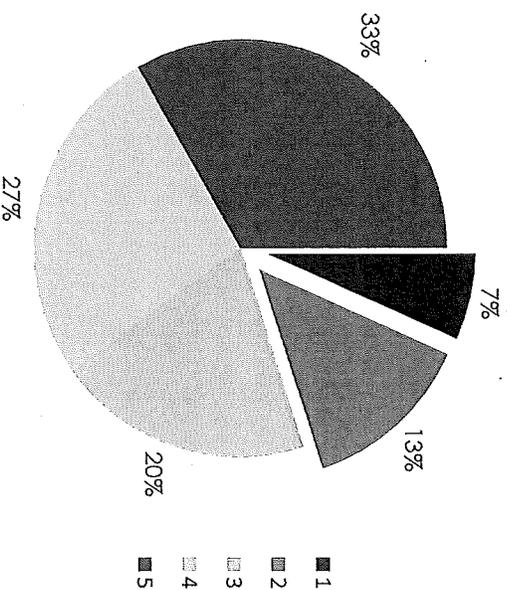
**Indicator:** Community Visioning

**Metric:** Are under-represented / marginalized members of the community (e.g. minority groups, disabled persons, low-moderate income, etc.) given opportunities to be engaged in the community?  
**Metric:** Has a comprehensive plan been formed within the community and updated within the last five years?

**Indicator:** Wide Range of Housing Opportunity

**Metric:** Does zoning incentivize affordable housing within market rate developments?

## Community Metrics



Fully Met (5)

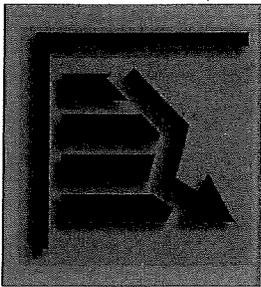
**Indicator:** Culture, Art, Ethnicity, Heritage, and Celebration

**Metric:** Does public education actively engage students in the arts (e.g. music, painting, theatre)?

# Economy

## Economy

For the Economy section, Meridian Township scored in the **medium** sustainability category. The Township scored between 3 and 4 for all nine (9) metrics in the category, meaning none were fully met nor minimally or not met.

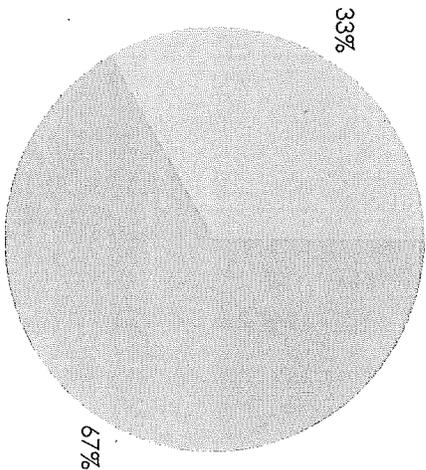


LOW:  
09-22

MEDIUM:  
23-31

HIGH:  
32-45

## Economy Metrics



- 1
- 2
- 3
- 4
- 5

# Overall

The audit results demonstrate considerable progress in Meridian Township. After receiving medium scores in all categories, it is clear that Meridian Township is moving in a sustainable direction, but improvement can be made in several areas. Though Meridian Township received medium scores in all categories, some, namely Governance and Community, scored on the lower tier of "Making Good Progress," indicating practices that just meet minimum criteria for sustainability. Overall, the audit results yielded a score just above the halfway mark of Making Good Progress.

More Work to Do  
71-177

Making Good Progress  
178-248

Green Machine  
249-355

Sustainability Category	Rating
Livability	54 – Medium
Governance	25 – Medium
Environment	75 – Medium
Community	33 – Medium
Economy	30 – Medium
<b>OVERALL</b>	<b>217 – Medium</b>

# Recommendations

The following recommendations are provided in five sustainability categories: Livability, Governance, Environment, Community, and Economy. The recommendations in each of the categories are focused primarily on metrics or indicators that were not met or minimally met in the sustainability assessment. Each category offers a recommended action, followed by sustainable design improvements (before and after imaging). The Sustainable Assessment Map exhibits the specific location for each set of images.

Indicator	Metric(s)	Recommendations	Source	Relation to Master Plan Goals
<p><b>E. Value Existing Communities</b></p>	<p>1, 2, 3, &amp; 4</p>	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Encourage adaptive reuse by individual landowners in addition to large-scale developers. Draft a series of guidelines to assist in project prioritization with a focus on sites with the greatest benefit to the community as well as those that can be completed most easily.</li> </ul>	<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 1, <i>Federal Tax Credits for Historic Properties</i></li> <li>City of Kalamazoo Brownfield Redevelopment Authority Site Prioritization Plan</li> </ul>	<p>Goal 7, Objective A, Strategy 5</p>
<p><b>F. Wide Range of Housing Opportunities</b></p>	<p>1</p>	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Consider providing incentives such as density bonuses and expedited permitting to encourage affordable housing development. Modify existing ordinance language to allow for incentives in a greater variety of housing developments.</li> </ul>	<ul style="list-style-type: none"> <li>APA Model Affordable Housing Density Bonus Ordinance (PAS 556, Ch. 4.4)</li> </ul>	<p>Goal 7, Objective D, Strategy 2; MP Goal 7, Objective D, Strategy 3</p>
<p><b>G. Mixed-Use and Transit-Oriented Development – Includes Mix of Uses &amp; Walkable Neighborhoods</b></p>	<p>1, 3, 4, 5, &amp; 6</p>	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Translate placemaking concepts, such as density, walkability, and mixed-use into effective policies.</li> <li><b>Recommended Action:</b> Incorporate street typology guidelines into form-based code to promote an effective mix of uses and to enhance accessibility to a wide range of transportation modes (e.g. walking and biking).</li> </ul>	<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 1, <i>Livability Planning Advisory Service</i> 556 (April 2009), pgs. 65-69</li> </ul>	<p>MP Goal 3, Objective D, Strategy 1; MP Goal 6, Objective D, Strategy 1</p>

Category

# Recommendations

Indicator		Metric(s)	Recommendations	Source	Relation to Master Plan Goals
D. Transparency and Accountable Implementation		1 & 2	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Launch an online tracking system for development projects during site plan review, permitting, and inspection processes.</li> </ul>	<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 2, <i>Streamlined Processes</i></li> <li>Redevelopment Ready Communities, Best Practice 3, criteria 2</li> <li>City of Ann Arbor, <a href="http://etrakit.a2gov.org/">http://etrakit.a2gov.org/</a></li> </ul>	No direct connection to master plan goals.
E. Urban Boundary System		1 & 2	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Create an urban service boundary that encompasses all utility infrastructure in the township and encourages infill and discourages fragmented development. Explore developing a sending/receiving zone with non-contiguous development and surrounding communities (e.g., Williamstown Township).</li> </ul>	<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 2, <i>Rural Areas</i></li> </ul>	MP Goal 7, Objective D, Strategy 2; MP Goal 7, Objective D, Strategy 3
A. Energy		1, 2, 3, 4, & 5	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Adopt ordinances to allow for and encourage use of renewable energy sources such as solar panels and small wind turbines in a wider variety of residential and commercial circumstances.</li> <li><b>Recommended Action:</b> Encourage business groups (i.e., Meridian Resource Center, Meridian Area Business Association) to explore DSIRE (Database of State Incentives for Renewables &amp; Efficiency) for financial resources that will fund efficient upgrades to facilities and the innovation of environmentally efficient technologies.</li> </ul>	<ul style="list-style-type: none"> <li>DSIRE website</li> <li>APA Planning Advisory Service Essential Info Packet(EIP)-48</li> </ul>	MP Goal 7, Objective A, Strategy 3; MP Goal 7, Objective A, Strategy 4; MP Goal 7, Objective A, Strategy 8; MP Goal 7, Objective A, Strategy 9
C. Water		1, 2, 3, & 4	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Adopt ordinance language to encourage further use of green infrastructure in new and existing developments (i.e., permeable pavement, rain gardens, riparian buffers, bioswales, and retention ponds).</li> </ul>	<ul style="list-style-type: none"> <li>SEMCOG Low Impact Manual for Michigan</li> </ul>	MP Goal 2, Objective A, Strategy 1 & 5; MP Goal 2, Objective B, Strategy 2

Category

# Recommendations

Indicator		Metric(s)		Recommendations		Source		Relation to Master Plan Goals	
Environment		D. Climate Change	1, 2, 3, & 4	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Identify mitigation and adaption climate issues that pertain specifically to the township, i.e., VMT, severe weather, management of ecologically sensitive areas, etc.</li> <li><b>Recommended Action:</b> Amend Master Plan to address the impacts of increased frequency of severe weather events. Develop strategies to address resiliency in climate-related events.</li> </ul>		<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 3. <i>Calculating Greenhouse Gas Emissions Reductions</i></li> </ul>		No direct connection to Master Plan goals	
				<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Draft and adopt a public participation plan which describes how the Township will engage diverse community stakeholders and what procedure(s) third party role players must follow in order to adequately include the public in the planning process.</li> <li><b>Recommended Action:</b> Explore the creation of a neighborhood council system to encourage and strengthen community organizations throughout the township. A neighborhood council can help amplify the voices of the community that often go unheard in a traditional government setting and give stakeholders the capacity to address current issues they may or may not be aware of.</li> </ul>		<ul style="list-style-type: none"> <li>Corridor Design Portfolio, <i>Coalition Building Best Practices – Self-Evaluation Tool</i></li> <li>Redevelopment Ready Communities, <i>Best Practice 1 Planning Advisory Service 565 (July 2012)</i></li> </ul>		No direct connection to Master Plan goals.	
Community		A. Civic Engagement	1 & 2	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Allow for flexible space that can accommodate a variety of housing needs (stacked flats, studio apartments, live-work arrangements, etc.) when supplying residential development.</li> </ul>		<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 4, <i>Residential Above Commercial in Downtowns</i></li> </ul>		No direct connection to Master Plan goals	
				<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Incorporate placemaking elements into new development and plans for commercial districts. Foster private-public partnerships to assist with talent attraction and retention in the business community.</li> </ul>		<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 1, <i>Placemaking</i></li> </ul>		MP Goal 3, Objective B, Strategy 4; MP Goal 3, Objective A, Strategy 3	
Economy		C. Maintain Healthy, Local Business	1 & 3	<ul style="list-style-type: none"> <li><b>Recommended Action:</b> Incorporate placemaking elements into new development and plans for commercial districts. Foster private-public partnerships to assist with talent attraction and retention in the business community.</li> </ul>		<ul style="list-style-type: none"> <li>Corridor Design Portfolio, Ch. 1, <i>Placemaking</i></li> </ul>		MP Goal 3, Objective B, Strategy 4; MP Goal 3, Objective A, Strategy 3	

Category



# Livability

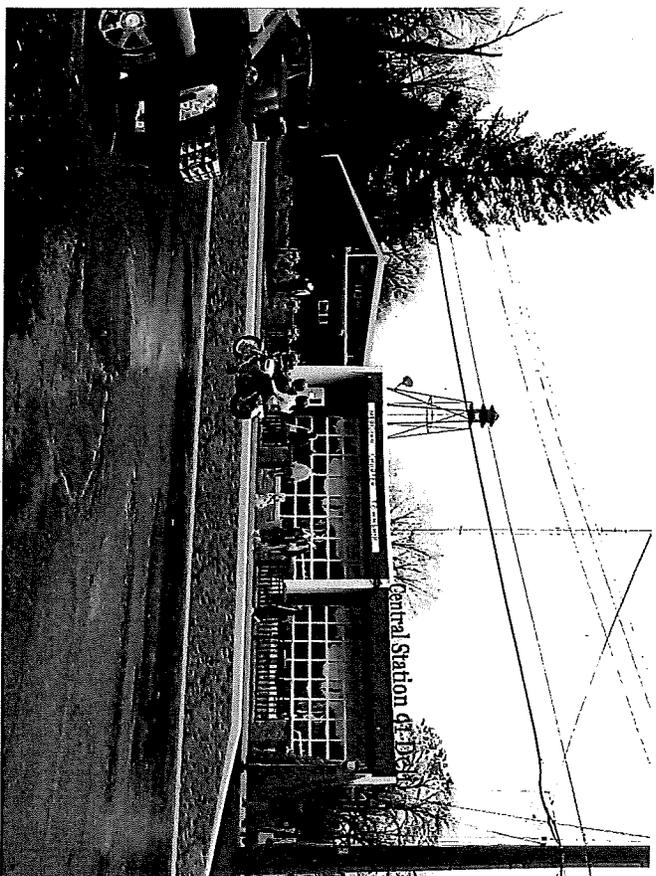
## Example: Adaptive Reuse Development

Location: **Clinton St. Fire Station Alternative 1**

Downtown Okemos has harnessed a quaint home town, main street feel with “mom and pop” small businesses that keep the four block downtown unique. In early 2014, Meridian Charter Township officials closed Central Fire Station 91 in downtown Okemos after over 60 years of service. This site offers the opportunity to redevelop a once working fire station into a local historical staple through sustainable practices, such as adaptive reuse. Garage doors allow for indoor/outdoor café style dining in the summer. PerVIOUS paving is being utilized for on-street parallel parking to separate vehicle space from the pedestrian environment, enhancing safety. The permeable surface is environmentally sensitive solution that separates sediments and other contaminants from storm-water, which helps protect the Red Cedar River watershed. Finally, the site is illuminated by LED street lamps, increasing pedestrian safety and saving on operational cost.



Before



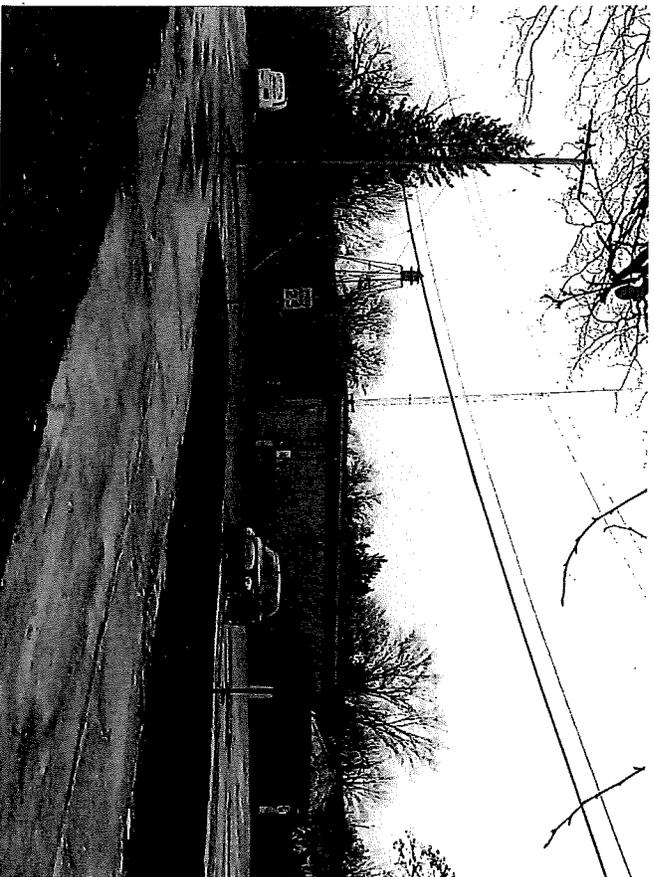
After

# Livability

## Example: Wide Range of Housing Opportunities

Location: **Clinton St. Fire Station Alternative 2**

Meridian Charter Township may choose to demolish the existing fire station and redevelop the site or perhaps a large portion of the block. An alternative is a new 3-story mixed-use development that utilizes the ground floor for commercial establishments, providing local business, boutique-style shopping, and entertainment. The second and third stories are medium-density housing options, such as apartments or condominiums. New development should strongly consider LEED-certified building methods. This will set the standard for new development. The surrounding landscape changes to adapt to an enhanced urban setting. Pervious paving delineates on-street parking from driving lanes. A new sidewalk along the street is illuminated by LED lighting and is also bordered by pervious paving and street tree grates to separate sediment and contaminants from stormwater. Environmentally sensitive and low-maintenance planting replaces the majority of the current asphalt and includes natural grass and flowering shrubs that also improves the visual quality of the new streetscape.



Before



After

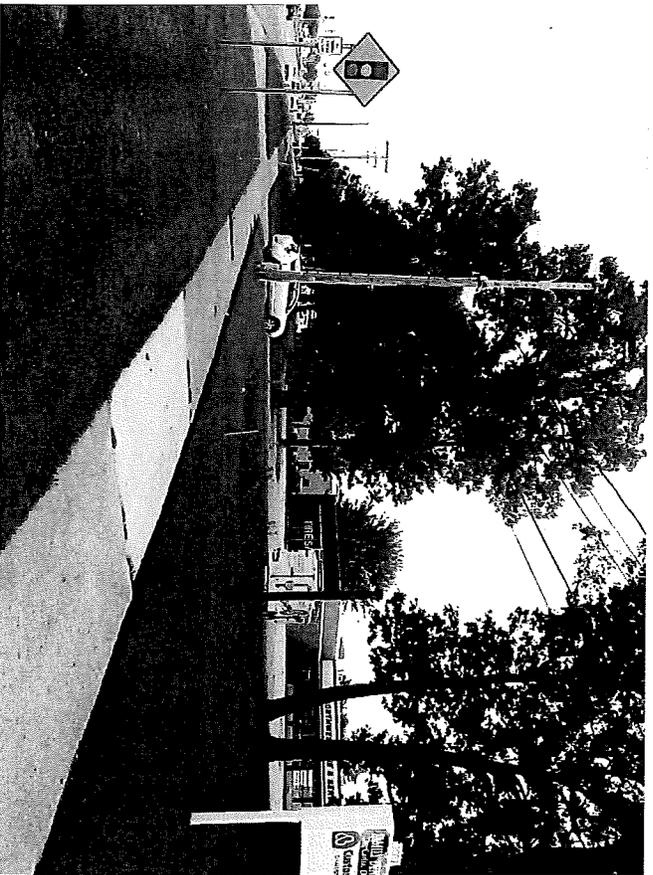
# Livability

## Example: Mixed-Use, Transit-Oriented Development

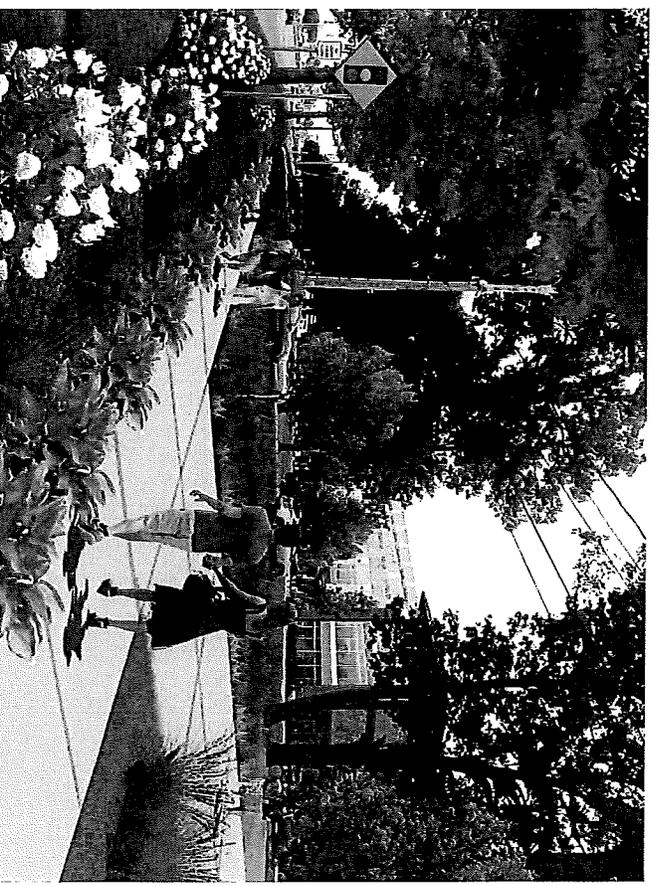
Location: **Grand River Avenue**

Grand River Avenue is not just the commercial center of Meridian Township, but is often considered the geographical center of the state. It offers a variety of shopping and service opportunities, but in a rather suburban style setting with extensive vehicular rights-of-way and large setbacks for businesses. A recent visioning assessment known as the Capitol Corridor Plan identified this zone as a future Transit Oriented Development (TOD), in which the character of Grand River would change drastically, enhancing the pedestrian environment, reducing traffic, and increasing mass transit opportunities. Projects such as these require increased density to form unique centers that are built up rather than out. Density typically increases closer to the core of the TOD.

Seen below is a transition between the current suburban composition to a more urban environment, demonstrating sustainable practices that include a community village green with retention basins and vegetated buffers for increased stormwater management. Large pathways lead from the streetscape to businesses located beyond the village green.



Before



After

# Governance

## Example: Urban Service Boundary – Infill Development

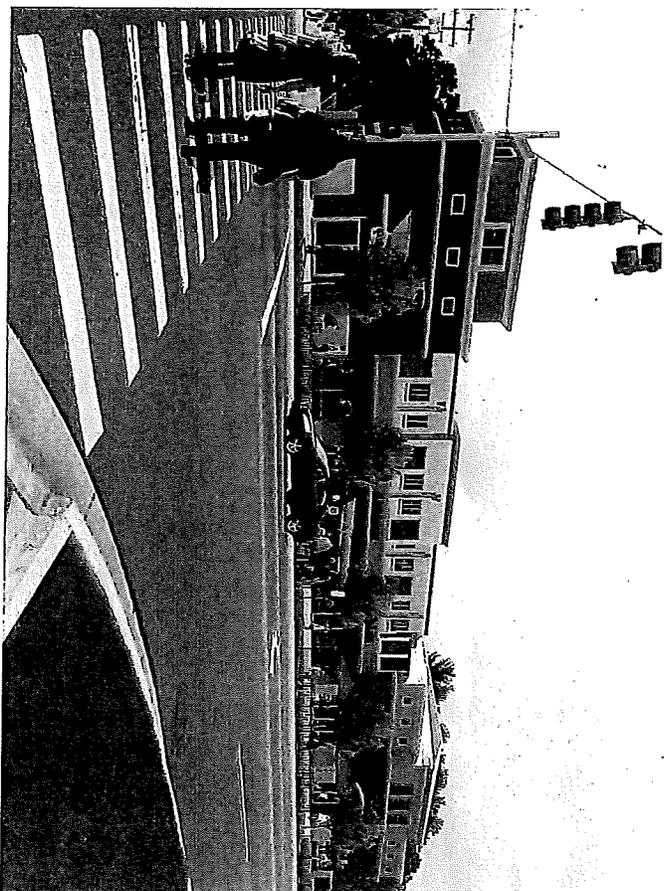
Location: **Northeast corner of Haslett and Marsh**

The intersection of Haslett Road and Marsh Road is the center of commerce for Haslett. The current physical environment resembles a suburban street corner, with lengthy setbacks and an environment that currently provides better access for the vehicle, rather than the pedestrian.

Encouraging development in existing commercial districts, such as the one seen below, efficiently utilizes the existing built environment and creates mid-rise, mixed-use development. With goods and services located within close proximity of each other and nearby neighborhoods, the development accomplishes both higher density and increased levels of walkability. With a large sidewalk, local establishments can utilize the area as outdoor café space, shaded by umbrellas and street trees. A pervious paving strip and urban bio-retention basins between the sidewalk and street collect separate sediment and contaminants from stormwater.



Before



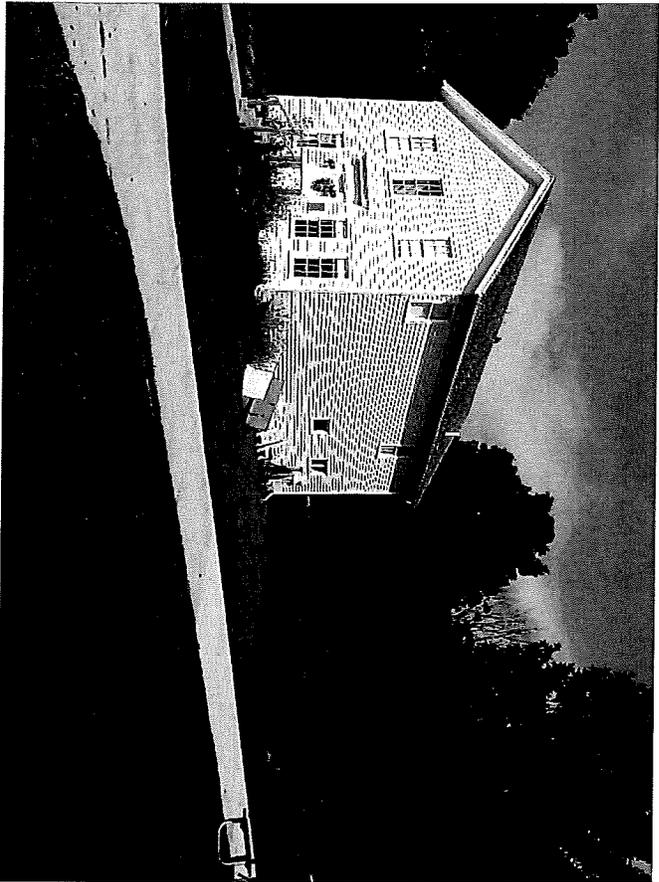
After

# Environment

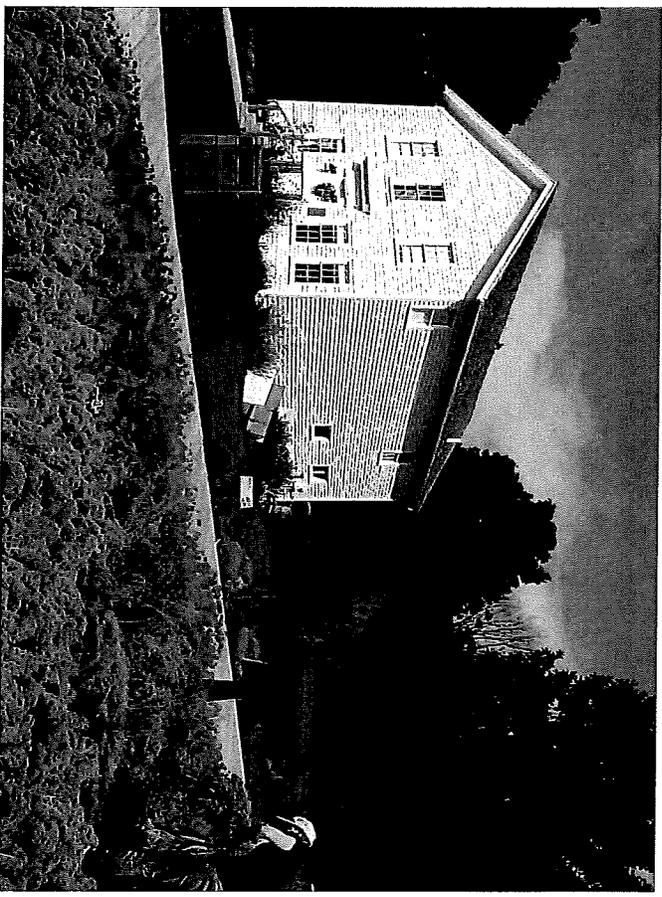
## Example: Green Infrastructure and Community Gardens

Location: **Central Park Historic Village**

Meridian's Central Park offers a collection of historic buildings preserving a piece of Mid-Michigan heritage. The spaces offer an opportunity to connect traditional aesthetics to modern-day environmental planning and design principles. Further preservation can be enhanced outside of the building walls. Currently the grade of the site allows for water to run towards the house seen below. Adding vegetated buffers will slow runoff from the pavement towards the house, while 19<sup>th</sup> century style vegetation along the east wall will collect remaining runoff. Additional space within the park can be utilized as a traditional-style community garden, establishing a strong source of locally grown food in the Township. Finally, like many of the established buildings, these sustainable practices become ideal educational demonstrations for the community to help foster sustainable growth in Meridian Township.



Before



After

# Environment

## Example: Green Infrastructure

Location: **Wonch Park**

Wonch Park is located on Okemos Road, just south of downtown Okemos. It currently offers a vehicular parking lot and large arboretum-style green space that is bound by the Red Cedar River. Current plans include the addition of a new exercise path that will wrap around the outer edges of the park.

Sustainable enhancements to the park include bike racks to offer bicyclists access to secure storage and encourage non-motorized transportation. The paving below the bike racks are pervious paving, allowing for typical runoff water to infiltrate a stormwater retention basin or "bio-swale", seen on either side of the park entry path. The bio-swales collect stormwater that would typically wash off the parking lot and into the park and eventually to the Red Cedar River. The bio-swale retains the water, and the natural vegetation uses it to grow. Large rain events would collect water to a certain point in which the basin would overflow into a constructed drainage system.



Before



After

# Community

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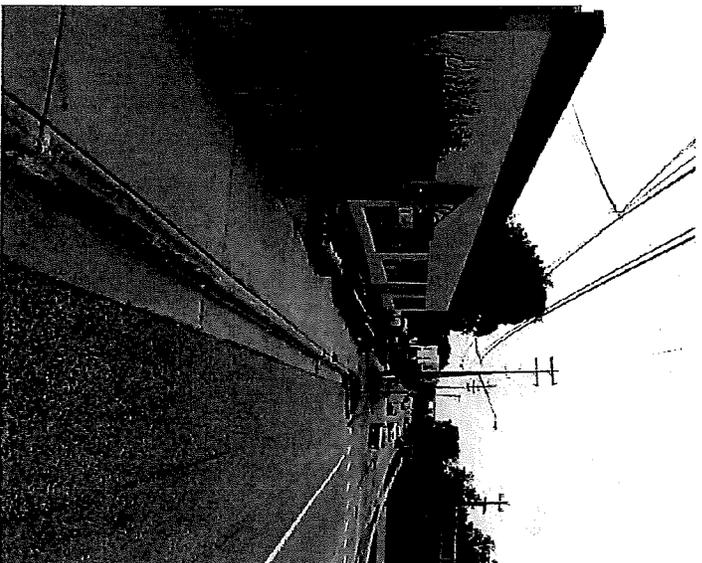
## Example: Tactical Placemaking

Location: **Downtown Haslett**

Downtown Haslett currently has the potential for redevelopment with a Main-Street style approach. Currently, commercial business in this area attracts local customers, but it lacks a “destination” appeal for surrounding communities.

Simple Tactical Placemaking, or incremental small scale, low-risk development can heed exceptional returns on investment. Small changes to the human environment can enhance the character of an entire block. Facade updates, beautification treatments, pedestrian enhancements, and branding techniques can increase the life of a downtown without breaking the budget.

Additionally, sustainable concepts like pervious paving, vegetated bump-outs, and street trees can increase the walkability of the public domain, turning a local commercial strip to a vibrant downtown that will have the entire community flocking to experience a small-town feel in Meridian Township.



Before



After

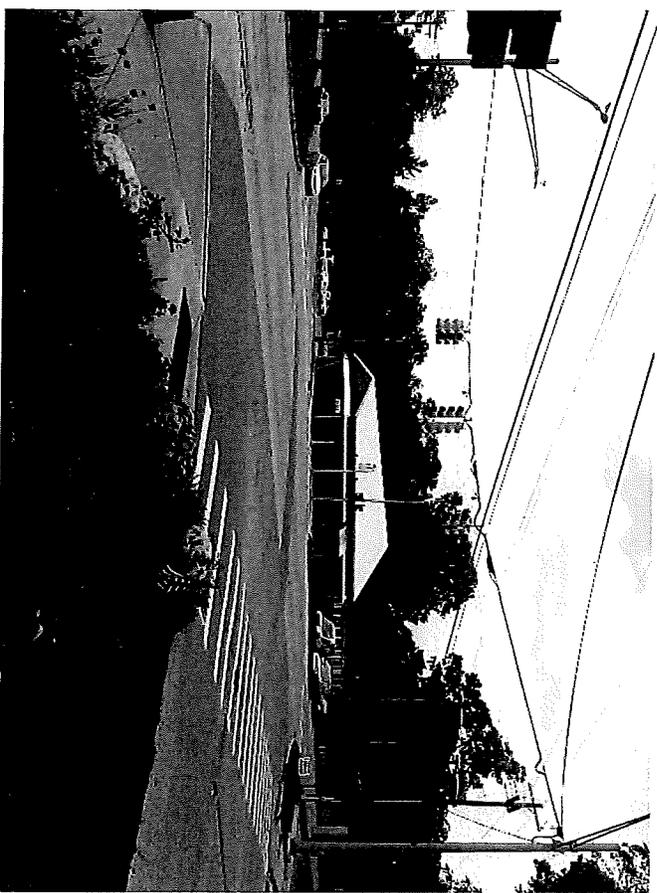
# Economy

## Example: Infill & Redevelopment

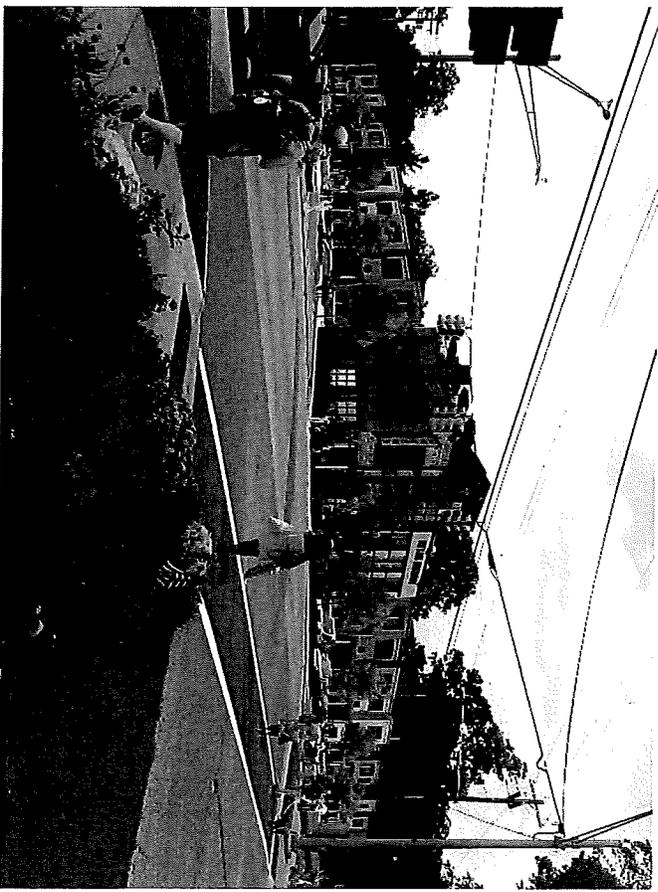
Location: **Marsh and Lake Lansing Road**

Lake Lansing is one of the many gems of Meridian Township. It offers recreation on the lake as well as off of it in Lake Lansing Park South. Currently many businesses in the area thrive on the summer crowd that continually visit during warm seasons.

The intersection of these two well-traveled roads creates real potential for future growth. Preparing for this in a smart and sustainable manner will allow for the integrity of this recreational area to remain intact. Future growth for this area is envisioned as “Neighborhood Urban”, or a light-medium density zone offering smaller scale live/work mixed-use centers and slightly denser housing such as townhouses or condominiums. Other physical environment enhancements would include a slightly more intense streetscape, including on-street parking, transit stops, street trees, updated crosswalks, and public amenities such as benches, bike racks, and vegetated planters.



Before



After

# Appendix

## Meridian Township Audit Tool Summary

### Category: Livability

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Livability	Education & Lifelong Learning	Is there a presence of and access to lifelong educational services for the community? (e.g., libraries, cultural events, higher education, and museums)?					X	Libraries, Nokomis Learning Center, LCC East (Hannah Plaza), historical village, Harris Nature Center, MSU is nearby	Township website
Livability	Education & Lifelong Learning	Is there a transparent and active relationship between local government, community organizations, and school systems?			X			Trustee representative to school board meetings in Okemos, Haslett, East Lansing	Conversation with Department of Community Planning & Development
Livability	Education & Lifelong Learning	Is there a presence of functioning cultural facilities (i.e. libraries, schools, cultural events, museums, etc.)?					X	Library, museum, cultural events, learning center	Township website
Livability	Responsible Buying & Consumption	Is there evidence of recycling and reuse programs throughout the community?					X	Strong recycling program	Township website
Livability	Encourage Healthy Lifestyles: Health, Nutrition, and Recreation	Is there an active local food system in the community, including farmer's markets and/or organic markets?					X	Several Farmer's markets & organic markets	Township website and personal knowledge
Livability	Promotion of Diversity	Are there community activities / events that celebrate cultural diversity?					X	Heritage Festival, Arts & Crafts marketplace	Township website
Livability	Value Existing Communities	Have redevelopment sites been identified and prioritized within the community?		X				Staff track vacant buildings; No prioritization, however, Planning dept. provides staffing to EDC and DDA	Conversation with Department of Community Planning & Development
Livability	Value Existing Communities	Is there evidence in the community of buildings that have been adaptively reused <sup>viii</sup> ?		X				Some adaptive reuse has occurred	Township website

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Livability	Value Existing Communities	Have steps been taken to create a unique identity or brand for local neighborhoods and/or the wider community?		X				Some community events	Township website
Livability	Value Existing Communities	Is volunteerism and grassroots organization evident in the community?			X			Friend of the Park Program, Eagle Scout Project Procedures, Wish list, Orlando Park Volunteers Needed, Friends of Harris Nature Center, Carriage Hill Neighborhood Association	Township website
Livability	Wide Range of Housing Opportunity	Is affordable housing available in close proximity to critical services, including grocery, pharmacy, and public transportation?		X				Very limited affordable housing and auto-oriented community	Personal observation
Livability	Mixed-Use and Transit-Oriented Development – Includes Mix of Uses & Walkable Neighborhoods	Does the master plan (if applicable) encourage mixed-use development in downtown and commercial core areas?		X				Some discussion of mixed-use development locally, but no formal form-based code	Master Plan, p. 168-170
Livability	Mixed-Use and Transit-Oriented Development – Includes Mix of Uses & Walkable Neighborhoods	Are density bonuses or other incentives offered to improve residential access to services and amenities?				X		Density bonuses, lot size variances	Zoning ordinance, section 430-440

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Livability	Mixed-Use and Transit-Oriented Development – Includes Mix of Uses & Walkable Neighborhoods	Are key places of the community such as urban corridors, downtowns, and neighborhood centers walkable by sidewalk, crosswalk, and pedestrian features (e.g., benches)?		X				Downtown Okemos is, but Meridian township is sprawled	Personal Observation
Livability	Mixed-Use and Transit-Oriented Development – Includes Mix of Uses & Walkable Neighborhoods	Do transportation nodes include multiple modes (e.g. bus stations with access to rail transit and/or bike racks)?		X				Some mixed-use development, bike rack requirement for new development	Zoning ordinance, section 86-440 and 86-760
Livability	Provide Safe & Diverse Modes of Transportation	Does the community provide a variety of transportation options (e.g. dial-a-ride, buses, rail, non-motorized paths)?			X			Ready Ride (dial-a-ride service), bus routes through CATA	Pedestrian-Bicycle Pathway Master Plan
Livability	Provide Safe & Diverse Modes of Transportation	Are important places such as recreation centers, schools, and downtown centers accessible by multiple transportation options?	0	X				Township millage service, some bike lanes, non-motorized transportation	Personal observation
				16	9	4	25	54	medium

Low: 17-39 | Medium: 40-62 | High: 63-85

# Appendix

## Category: Governance

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Governance	Policy / Ordinances / Taxes	Is there evidence within the community of cooperation between jurisdictions (e.g. regional transit, natural asset management, public safety)?				X		CATA, Regional asset plans, etc.	CATA website, Tri-County Planning Commission website
	Policy / Ordinances / Taxes	Does your community actively work to remove ordinance barriers that can hinder smart growth <sup>1</sup> or add ordinance language that encourages smart growth?			X			The Mixed Use Planned Unit Development (MUPUD) ordinance, Section 86-440 and the Commercial PUD (C-PUD) both relax all setback, impervious surface, etc. requirements	Master Plan, Commercial PUD development (Mall property, Mixed-Use Planned Unit Development (MUPUD) ordinance, Section 86-440
Governance	Regional Collaboration and Feedback	Have public-private partnerships been utilized as a strategy to implement potential projects?			X			EDC outlines this on website	Economic Development Corporation website
Governance	Enhance Economic Competitiveness	Has the community formed plans and partnerships for the regional coordination of economic growth?				X		Township DDA has outlined this; LEAP/Tri-County Planning Commission involvement; Meridian Area Resource Center; business incubator	DDA website
Governance	Transparency and Accountable Implementation	Are timeframes for review, revision, or completion associated with action items in community plans?			X			Mixed-use/PUD: 60 day review process, 30 days for site plan review	Conversation with Department of Community Planning & Development
Governance	Transparency and Accountable Implementation	Do community plans track progress and adjust strategies on an ongoing basis?	X					Minor amendments	Conversation with Department of Community Planning & Development

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Governance	Urban Boundary System	Do goals and strategies in community plans strive for the appropriate development of rural resources?		X				No current policy	Conversation with Department of Community Planning & Development
Governance	Urban Boundary System	Is there evidence of the community directing development toward areas with existing infrastructure as a priority?		X				No current policy	Conversation with Department of Community Planning & Development
Governance	Waste and Toxics Management	Is solid waste management addressed within community plans/ordinances?	3	0	9	8	5	Ingham county waste management plan includes Meridian Twp.; East Lansing/Meridian Township Wellhead Protection Group of Ingham County	Ingham County website Medium

## Category: Environment

Low: 9-21 Medium: 22-33 High: 34-45

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Environment	Energy	Is there evidence of clean and renewable energy <sup>10</sup> within the community?			X			Wind Energy Overlay District	Zoning ordinance, section 443
Environment	Energy	Do development regulations allow for clean or renewable energy (e.g. solar panels)?		X				Allowed as an accessory use	Zoning ordinance, section 368
Environment	Energy	Do decisions about residential/commercial development incentivize the use of clean or renewable energy?		X				Township grant to upgrade buildings	Zoning ordinance, section 368

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Environment	Energy	Is there evidence of public assets being used as examples for clean and renewable energy? (e.g., energy efficiency, solar panels, wind turbines, etc.)?			X			Energy efficiency outlined on township's recycling website EECBG - energy efficiency and conservation block grant	Energy efficiency outlined on township's recycling website EECBG - energy efficiency and conservation block grant
Environment	Energy	Do decisions about transportation systems consider the reduction of Vehicle Miles Traveled (VMT)?	X					Done at the Tri-county level; active participation in this program	Conversation with Department of Community Planning & Development
Environment	Air Quality	Does the region take measurements of air quality to compare to baseline levels? Has the community implemented at least two of the following "green" stormwater management techniques: permeable pavement, waterfront buffers, retention ponds, and rain gardens?			X			Tri-County & MPO; Capital Area Regional Transportation Authority (CATA)	Regional stormwater management plan
Environment	Water	Is the main source of community drinking water able to support community growth?				X		Regional stormwater management plan; bioswales use regularly; permeable materials used	Regional stormwater management plan
Environment	Water	Is the community actively planning for stormwater management (e.g., stormwater management plan)?			X			Individual wells; 75% public water - Meridian Township Water Authority; Recent \$2M grant	Conversation with Department of Community Planning & Development
Environment	Water	Is the community actively planning for stormwater management (e.g., stormwater management plan)?			X			Tri-County Regional Planning Commission has a plan; Authority/Township	Township website

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Environment	Water	Is the community actively planning for wastewater management (e.g., wastewater management plan)?			X			"The Township contracts with the City of East Lansing for treatment of all sanitary sewage originating in the Township." ; Ingham County Environmental Health - works with Health Dept.	Township website
Environment	Water	Are local water bodies safe for recreation?				X		Concern for cleanliness of local water bodies	Meridian Twp 2013 Annual Water Quality Report
Environment	Climate Change	Is the community actively planning for long-term climate change (e.g. a Climate Change Readiness or Adaptation Plan)?	X					No source found	No source found
Environment	Climate Change	Is the community actively planning for long-term climate change (e.g. a Hazard Mitigation Plan or Emergency Preparedness Plan)?				X		There is an energy preparedness plan for the township under public safety; Tri-County Regional Planning Commission is drafting a plan for Ingham, Eaton, and Clinton counties	Tri-County Regional Planning Commission is drafting a plan for Ingham, Eaton, and Clinton counties
Environment	Climate Change	Are critical community facilities or assets located in or near the 100 year flood plain (e.g., Police station, fire station, hospitals, communication centers, significant roadways, sewage treatment plants, etc.)?		X				Parts of Grand River Avenue listed in 100-year floodplain	Township website

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Environment	Climate Change	Are local businesses located in the community encouraged or incentivized to reduce overall greenhouse gas emissions?		X				Recycling coordinator - talks with businesses	Conversation with Department of Community Planning & Development
Environment	Preserve Natural Resources	Does the community have a natural resource management plan?					X	Parks and Rec plan; Open Space Plan - Identified vulnerable area; Wetlands ordinance	Park and Recreation Master Plan: 2011-2015;
		Does your community utilize at least four of the following when addressing natural resource management: Visioning and goal setting, plan making, standards, policies, incentives, development work, public investment, conservation easements, and soil-based zoning?				X		Goals, plan making, policies, public investment, and public feedback	Master Plan and zoning ordinance, township website
Environment	Preserve Natural Resources	Have local groups, committees, or programs been established to preserve open space, farmland, and/or critical environmental areas?				X		Meridian township land preservation advisory board	Master Plan, p. 86
Environment	Preservation	Are brownfield sites <sup>vi</sup> in the community identified, inventoried, and prioritized for rehabilitation?		X				Environmental Health; County Brownfield Authority	Conversation with Department of Community Planning & Development
Environment	Preservation	Are controlled density standards addressed in the zoning ordinance (e.g., density bonuses, lot size, flexible parking or set back requirements, etc.)?				X		Density bonuses, lot size variances	Zoning ordinance, sections 341-445
Environment	Preservation	Open Space							

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Environment: Preservation	Open Space	Has a build-out analysis <sup>viii</sup> been performed to ensure the zoning ordinance directs density to areas with necessary infrastructure?				X		Appendix C of the Master Plan provides a build-out analysis	Master Plan Appendix C
Environment: Preservation	Open Space	Are site plans reviewed prior to development for the ramifications such development will have on the natural environment?					X	Site Plan review application; Environmental Checklist	Township website
Environment: Biodiversity	Maintain Biodiversity	Are policies in place to control introduction of invasive species into the community?				X		Lake Lansing millage & removal of invasive species; In Parks plan; Land Preservation does management plan for invasive species; Lake Lansing Management Advisory Committee	Conversation with Department of Community Planning & Development
Environment: Biodiversity	Maintain Biodiversity	Does the community take an active approach towards the preservation of wildlife species and habitats?	2	10	21	X	32	"Objective E: Protect endangered animals, ecosystems, plants and other unique or sensitive natural features." 75	Master plan, p. 14 Medium

Low: 24-56 Medium: 57-88 High: 89-120

# Appendix

## Category: Community

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Community	Civic Engagement	Are a variety of engagement strategies utilized (e.g. online discussion, public meetings, targeted group sessions, topic-specific committees, charrettes <sup>iii</sup> , etc.)?			X			Webpage participation; press releases; comment online; public television;	Conversation with Department of Community Planning & Development
Community	Civic Engagement	Are the voices of all populations sought, considered, and incorporated into community plans?		X				Awareness through website; actively working group of neighborhood associations	Conversation with Department of Community Planning & Development
Community	Conflict Resolution & Mediation	Are multiple methods for public comment provided when addressing community issues/disputes (e.g. public meetings, informal discussion, mediation, rules of conduct, online comment)?			X			Notices, emails, staff to meeting with residents	Conversation with Department of Community Planning & Development
Community	Fostering Relationships & Shared Interests	Does the comprehensive plan address the values of social equity <sup>iii</sup> ?	X					Social equity not specifically outlined in Master Plan goals, however housing diversity is mentioned; "diversity of housing"	MP Goal 1, Objective A, Point 5
Community	Community Visioning	Are under-represented / marginalized members of the community (e.g. minority groups, disabled persons, low-moderate income, etc.) given opportunities to be engaged in the community?		X				ADA compliant updates actively being done	Conversation with Department of Community Planning & Development
Community	Community Visioning	Has a comprehensive plan been formed within the community and updated within the last five years?		X				MP Update in the works; New goals developed and out for public comment	Conversation with Department of Community Planning & Development

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Community	Justice & Equity	Are adequate housing options provided for all income levels (e.g. single-family, two-family, multiple-family, mobile home, senior housing)?			X			"general housing in the Township is considerably more expensive than the typical house or apartment in the Tri-County region or in the State of Michigan" (MP)	Master Plan, p. 55; zoning ordinance, section 443
Community	Wide Range of Housing Opportunity	Does zoning incentivize affordable housing within market rate developments?	X					Affordable housing existing, mandated, low quantity	Master Plan, p. 55
Community	Culture, Art, Ethnicity, Heritage, and Celebration	Are public spaces proactively being retrofitted so that they are accessible for all persons (e.g. physically disabled)?			X			HOMTV article quoting director of engineering and public works	<a href="http://homtvtv.net/index.aspx?view=news&amp;news_id=4890&amp;1=ADA-Compliance-">http://homtvtv.net/index.aspx?view=news&amp;news_id=4890&amp;1=ADA-Compliance-</a>
Community	Culture, Art, Ethnicity, Heritage, and Celebration	Does the community incorporate art into public spaces / events?				X		Purchased & installed art; public art policy adopted	Township website
Community	Culture, Art, Ethnicity, Heritage, and Celebration	Are historic assets within the community identified and preserved?				X		Historic village; Nokomis Center	Conversation with Department of Community Planning & Development
Community	Culture, Art, Ethnicity, Heritage, and Celebration	Does public education actively engage students in the arts (e.g. music, painting, theatre)?	2	6	12	8	5	Okemos celebration; art display in local businesses; student art projects displayed in the community schools; community band & Lake Lansing band shell; Strong arts programs at Okemos and Haslett high schools	33 Medium

# Appendix

## Category: Economy

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Economy	Coordinate and Leverage Federal Policies and Investment	Does the community actively stay aware of and pursue federal and state funding that supports city/community/regional goals?			X			Focused mainly on funding for transportation goals	Master Plan
Economy	Protect Local Staple Industries	Are there local economic assets specific/special to your community & region that have been capitalized on (e.g. tourism, unique agriculture)?			X			Visitors guide (outlines park system) - Chamber of Commerce; Strong and well-developed parks system; Lake Lansing; Monthly business meetings w/ businesses; Farmers market	Conversation with Department of Community Planning & Development
Economy	Protect Local Staple Industries	Are there policies/programs in place to protect and enhance the community's unique local economic assets?				X		Master Plan Goals	Master Plan, p. 15-16
Economy	Protect Local Staple Industries	Is the local economy diversified between many industries and companies (compared to being dependent on a single industry)?				X		Master Plan	Master Plan, p. 64
Economy	Maintain Healthy, Local Business	Are incentives available that support small local businesses?			X			Ingham County offers incentives	Ingham County website
Economy	Maintain Healthy, Local Business	Has a committee or workgroup been formed to promote partnerships between government and local and regional businesses?				X		Township Downtown Development Authority	DDA website
Economy	Maintain Healthy, Local Business	Is there evidence of a strong or welcoming local business community?			X			Goal #3: Maintain the viability of Township businesses.	Master Plan, p. 10

# Appendix

Category	Indicator	Metric	1	2	3	4	5	Comments	Source
Economy	Technology	Is data collected and analyzed over time within the community to understand challenges and opportunities within the local economy?			X			Data is collected for master plan, not sure if collected at other times	Master Plan, p. 59-60
Economy	Technology	Has action been taken to incorporate communication infrastructure into the community's economic development strategies?			X			MABA, MARC, Planning dept. provides staffing for EDC & DDA; targeted communication with businesses and developers	Conversation with Department of Community Planning & Development
			0	0	18	12	0		30 medium

Low: 9-21 Medium: 22-33 High: 34-45

## Category: Summary

Results			
Livability	54	medium	
Governance	25	medium	
Environment	75	medium	
Community	33	medium	
Economy	30	medium	
		Making good progress!	
<b>Total</b>	<b>217</b>		

### Scoring

More work to do!: 71-177  
 Making good progress!: 178-248  
 Green machine!: 249-355

# Sustainable Keywords

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<sup>ii</sup> Natural Asset Management: The combination of management, financial, economic, engineering, and other practices applied to physical assets with the objective of providing the required level of service in a cost effective manner<sup>77</sup>.

<sup>ii</sup> Smart Growth: An approach to development that utilizes a mix of land uses, compact building design, a range of housing choices, walkable neighborhoods, a sense of place, preservation of open space, variety of transportation options, and community engagement<sup>78</sup>.

<sup>iii</sup> Charrette: A collaborative planning process that harnesses the talents of all interested participants to create and support a plan through short feedback loops, cross-functional design, collaborative work, multiple-day meetings, and creation of holistic solutions<sup>79</sup>.

<sup>iv</sup> Clean and Renewable Energy: Any naturally occurring, theoretically inexhaustible source of energy, as biomass, solar, wind, tidal, wave, and hydroelectric power, that is not derived from fossil or nuclear fuels<sup>80</sup>.

<sup>v</sup> Permeable Pavement: An alternative to conventional concrete and asphalt materials that allows rapid infiltration of stormwater. Stormwater infiltrates into a porous paving material that provides temporary storage until the water infiltrates into underlying soils or through an underground drain system<sup>81</sup>.

<sup>vi</sup> Brownfield: Real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substance, pollutant, or contaminant<sup>82</sup>.

<sup>vii</sup> Build-out Analysis: A projection of how much development would occur in a community if it were to build on every allowable acre of land under different development scenarios<sup>83</sup>.

<sup>viii</sup> Adaptive Reuse: A process that adapts buildings for new uses while retaining their historic features by retaining all or most of the structural system as possible [e.g. cladding, glass, interior partitions, etc.]<sup>84</sup>.

# Sustainable Keywords

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**MEMORANDUM**

**TO:** Township Board

**FROM:**   
Frank L. Walsh, Township Manager

**DATE:** January 27, 2015

**RE:** **Sale of Former Central Fire Station/MARC Property**

---

With the recent rezoning of the former Central Fire Station, the Township is poised to sell the property, along with the Meridian Area Resource Center (MARC), located on Okemos Road. The size of the entire site is approximately one acre; a map of the site is attached for your review. The next step in the process is determining how the Township Board wishes to offer the property on the real estate market. Although staff members have an idea on how we would like to move forward, it is imperative that the governing body outline its direction. The most important facet of the transaction will be a fair and transparent process.

In my mind, the key is timing. We do not want the property to languish for three years. The Board may want to build in incentives with the sale which include a lower sale price for an expedited development and penalties for inaction. Downtown Okemos needs a dose of energy, and we might be able to drive the bus.

On Tuesday night, I am asking the Board to discuss moving forward and direct staff accordingly.

**Attachment:**  
Map of Former Central Fire Station/MARC Site



Liverance St

Ardmore Ave

Okemos Rd

Hamilton Rd

Clinton St



## MEMORANDUM

TO: Township Board

FROM: Frank L. Walsh  
Frank L. Walsh, Township Manager

DATE: January 27, 2015

RE: **Greater Lansing Taxi Authority (GLTA) – City of East Lansing**

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This week the attached letter was received from East Lansing Mayor Nathan Triplett. The letter formally requests that Meridian Township consider joining the cities of Lansing and East Lansing in their efforts with the Greater Lansing Taxi Authority (GLTA). Mayor Triplett requests a response from Meridian Township by Friday, March 27, 2015.

I am not privy to the discussions that have taken place over the past few months regarding the GLTA. It appears as if this is an effort to unify the metro Lansing communities with the implementation of a uniform regional approach to licensing taxi cabs. Mayor Triplett has stated that he is available to discuss the matter with Board members as you work through the issue. I will also seek additional thoughts and comments from East Lansing City Manager George Lahanas.

It is imperative that we collect more information (other than the attached letter) prior to Tuesday evening so the Board can have a fruitful discussion regarding the GLTA.

**Attachments:**

1. GLTA Letter from Mayor Nathan Triplett
2. Articles of Incorporation of the GLTA
3. Municipal Partnership Agreement



# CITY OF EAST LANSING

The Home of Michigan State University

January 22, 2015

Elizabeth LeGoff  
Supervisor, Meridian Township  
5151 Marsh Road  
Meridian Township, MI 48864

Dear Supervisor LeGoff:

As you may know, late last year the councils of the City of Lansing and City of East Lansing jointly established the Greater Lansing Taxi Authority (GLTA), the first such authority in the state. The purpose of the Authority is to implement a uniform regional regulatory scheme that will enhance the quality of taxi service available in our communities, as well as safety for passengers. It will also serve to fill an important gap in regulation that will likely exist in the near future due to anticipated changes in the state's approach to the regulation of these vehicles for hire.

The Authority met for the first time on January 13, 2015 during which time its presiding officers were elected. In order to provide regional regulatory uniformity, the Authority wishes to extend the opportunity for membership to the contiguous townships of Delhi, Delta, Lansing and Meridian, along with Michigan State University. I'm pleased that this process has progressed to the point at which we can open this window for expansion. I would certainly be happy to meet with you again and/or any interested members of your board to discuss the benefit of participating in the Authority, which includes a seat on the board, should that be desired.

In terms of timing, the Authority intends to begin its licensing during the licensing and renewal period starting on July 1, 2015. With that in mind, we respectfully request a response from your board no later than Friday, March 27, 2015. This 60-day window will allow your board make a determination and ultimately for the Cities of Lansing and East Lansing to make official your membership via resolution.

I look forward to meeting with you and answering any questions you may have.

Sincerely,

Nathan Triplett  
Mayor

Cc: Board of Trustees of Meridian Township  
Frank Walsh, Meridian Township Supervisor

410 Abbot Road  
East Lansing, MI 48823

(517) 337-1731  
Fax (517) 337-1559  
www.cityofeastlansing.com

**ARTICLES OF INCORPORATION**  
**OF THE GREATER LANSING TAXI AUTHORITY**

The following Articles of Incorporation are for purposes of incorporating a public authority pursuant to the provisions of Act 196 of the Public Acts of Michigan, 1986 and Act 258 of the Public Acts of Michigan, 2011, being MCL 124.451, *et seq.*, and MCL 124.111, *et seq.*, respectively.

**ARTICLE I**

The name of this corporation shall be the Greater Lansing Taxi Authority, and any reference to "Authority" in these Articles shall mean the Greater Lansing Taxi Authority.

**ARTICLE II**

The purposes for which this Authority is created are to regulate and license private taxicab companies, drivers for hire, and all persons, firms, and business entities acting as taxicab companies or drivers by carrying persons for hire, to and from such places as they may designate, excluding automobiles used exclusively as hearses, funeral cars, ambulances, hotel buses, shuttles, sightseeing buses, motor coaches, or motor buses.

A license from the Authority is not required for organizations and their drivers that are ride-sharing networks that use digital platforms to connect passengers to ride-sharing drivers using their personal vehicles for the purpose of transportation as long as such organizations and drivers adhere to all of the following requirements:

1. The organization registers with the Authority on forms provided by the Authority, pays a registration fee in an amount determined by the Authority, and maintains records of compliance with the requirements of this Article for two years and provides them to the Authority upon request.

2. The organization maintains a website that provides a customer service telephone number or email address.

3. The organization maintains an agent for service of process in the Authority, the City of Lansing or the City of East Lansing, Michigan.

4. The organization maintains accurate and up to date records of all persons it uses to provide services requested through the digital platform and provides those to the Authority upon request.

5. Upon completion of a trip, the organization transmits or causes to be transmitted an electronic receipt to the passenger's email address or mobile application documenting the origination and destination of the trip and a description of the total amount paid, if any.

6. The organization and the drivers for the organization accept only rides booked through the digital platform, do not solicit or accept street-hails, or operate for hire in any other manner.

7. The organization offers service for compensation, no-charge, or suggested compensation. The organization discloses rates used to determine any compensation or suggested compensation in the organization's app and/or website.

8. The app used by the organization to connect the organization's drivers and passengers displays for the passenger a picture of the organization's driver and a picture or description (including license plate number) of the vehicle.

9. The organization requires all drivers to go through a driver-training program designed to ensure that each driver safely operates his or her vehicle prior to the driver being able to offer service.

10. The organization adheres to a zero tolerance policy on the use of drugs or alcohol applicable to any driver while transporting passengers. The organization provides notice of the zero tolerance policy on its website, as well as the procedures to report a complaint about a driver with whom the passenger was matched and for whom the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the ride. The organization immediately deactivates a driver's access to the platform upon receipt of a passenger complaint alleging a violation of the zero tolerance policy and suspends all further connections with said driver until such time as the organization determines that no violation has occurred.

11. Prior to permitting a person to act as a driver, and annually thereafter, the organization obtains and reviews a criminal history research report for each driver. The criminal history research report shall include a national criminal background check including the national sex offender database. Any person who has been convicted, within the past seven years, of driving under the influence of drugs or alcohol, or who has been convicted at any time for fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, acts of violence, or acts of terror shall not be permitted to be a driver.

12. Prior to permitting a person to act as a driver, and annually thereafter, the organization shall obtain and review a driving history research report for such person. Any person with (i) more than three (3) moving violations in the three-year period prior to such check, or (ii) a major violation in the three-year period prior to such check (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license) shall not be permitted to be a driver.

13. Drivers shall adhere to the requirements of Michigan No-Fault Insurance. The organization shall comply with State of Michigan business automobile liability insurance requirements and maintain a business automobile excess liability insurance policy, which covers all vehicles operated by the drivers for the organization, with a minimum combined single limit of one million dollars (\$1,000,000.00) for each occurrence of bodily injury and property damage

for accidents involving a vehicle and the organizations driver in transit to or during a trip. All organizations must provide to the Authority a certificate of insurance for such policy, naming the organization as the insured and an endorsement naming the Authority as an additional insured. The policy shall be accompanied by a commitment from the insurer that such policy shall not be canceled or coverage reduced without at least thirty (30) days prior notice to the Authority.

14. The drivers for the organization must:

- a. Possess a valid driver's license, proof of registration, maintain current automobile liability insurance, and be at least twenty-one (21) years of age; and
- b. Provide proof of both the organizations personal insurance and excess liability insurance in the case of an accident; provided, that the organization shall have twenty-four (24) hours to provide proof of excess liability insurance.

15. The drivers' vehicles may be street-legal coupes, sedans, or light-duty vehicles, including without limitation, vans, minivans, sport utility vehicles (SUVs), hatchbacks, convertibles and pickup trucks.

16. All drivers' vehicles must have a safety inspection conducted annually by the organization or a third party before being used to provide services with documentation of the inspection provided to the Authority within 21 days of the inspection. The inspection shall, at a minimum, include inspection of the following components:

- a. Foot brakes;
- b. Parking brakes;
- c. Steering mechanism;
- d. Windshield;
- e. Rear window and other glass;
- f. Windshield wipers;
- g. Headlights;
- h. Tail lights;
- i. Turn indicator lights;
- j. Stoplights;
- h. Front seat adjustment mechanism;
- i. Doors (open, close, lock);

- j. Horn;
- k. Speedometer;
- l. Bumpers;
- m. Muffler and exhaust system;
- n. Condition of tires, including tread depth;
- o. Interior and exterior rear view mirrors; and
- p. Safety belts for driver and passenger(s).

### ARTICLE III

The powers, duties, and limitations of the Authority and its officers are as follows:

- (1) To establish rules and regulations for the licensing and operation of taxicab companies and drivers for hire, and all persons, firms, and business entities acting as taxicab companies or drivers by carrying persons for hire, to and from such places as they may designate not otherwise exempt pursuant to Article II, consistent with the health, safety, and welfare of the citizens of the municipal authorities, which may include limitations on the number of licensed taxicab drivers and taxicab business licenses.
- (2) To carry out the intent and purposes of the Parties' Agreement to create the authority pursuant to the Municipal Partnership Act.
- (3) To adopt and enforce other rules and regulations necessary or appropriate to the administration and regulation of taxicab drivers and companies.
- (4) To administer the licensing programs with regard to granting licenses and to suspension, revocation, and denial of licenses and the administrative appeals therefrom.
- (5) To apply for, receive, and accept gifts, grants, subsidies or loans from any public or private entity.
- (6) In general, to carry on any other lawful business in connection with the foregoing or which may directly or indirectly promote the interest of the Authority.
- (7) The Authority shall have the right to retain counsel to represent it with regard to any legal matter, and it shall have the right to call upon the Lansing City Attorney or the East

Lansing City Attorney for assistance with any legal problems at any time, and in such case, all the powers and duties given to the city attorney under the Charters of the City of Lansing or the City of East Lansing, respectively, shall apply to the Authority.

(8) To have the authority and power set forth in the Public Transportation Authority Act where they are not inconsistent with these Articles or the Municipal Partnership Act contract creating this Authority.

(9) The Authority shall not have any power to do any act contrary to any prohibitions or restrictions in the contract creating the Authority and must comply with any mandatory provisions contained therein or as contained in any amendments thereto.

(10) The foregoing clauses shall be construed both as objects and powers; and it is hereby expressly provided that, except as otherwise specifically provided, the foregoing enumeration of specific powers shall not be held to limit or restrict in any manner the powers of the Authority; and it is the intention that the purposes, objects and powers specified in each of the clauses above in Article III shall, except as expressly provided, in no way be limited or restricted by reference to or inference under the terms of any other clause of this Article or of any other Article of these Articles of Incorporation, but that each of the purposes, objects and powers specified in Article III and each of the Articles or clauses of these Articles of Incorporation shall be regarded as independent purposes, objects, and powers. Nothing herein shall be construed as granting the Authority any right, power, or privileges not permitted to public corporations formed under the acts referred to above.

#### ARTICLE IV

(1) The Authority shall be governed by a board which shall consist of the following members: Three (3) members from each original party to the contract establishing this Authority. The members of the board shall consist of the following officers of each party: The Mayor, Chief of Police, and Traffic Engineer, or their designees. In addition each new party to the contract may appoint one member to the board. Members of the Board may be removed and replaced at will, with or without cause, by their designator, by a superseding named officer or by the appointing party. Any designee or appointee who is a member of the Board shall serve for three year terms unless removed and replaced or reappointed. Any vacancy in office shall be filled by the named official, their designee or the original appointing party for the remainder of the unexpired term. The Board shall adopt its own rules of procedure and shall keep a public record of its proceedings. A simple majority shall constitute a quorum for the transaction of business and the majority vote of the members present at any meeting shall be necessary and sufficient for the adoption of any resolutions. Members of the Board shall receive no compensation, but shall be entitled to reimbursement of expenses incurred in the discharge of their duties.

In addition, the Greater Lansing Convention and Visitors Bureau and the Capital Region Airport Authority may each appoint one, non-voting, member to the board.

(2) A new party with appointing authority requires an amendment of the Municipal Partnership Act contract creating the Authority adding them as a party and must be a political subdivision contiguous to an existing political subdivision that is a part of the Authority. Such political subdivision, or portion thereof, may be added pursuant to the procedures specified in the Public Transportation Authority Act. If any political subdivision withdraws from the Authority or contract, the term of the Board member from that political subdivision shall expire at the time of withdrawal.

(3) The Board may exercise all of the powers of the Authority and do all of the acts and things as shall be lawful and not inconsistent with the Municipal Partnership Act contract creating the Authority. The powers of the Board shall include, but not by way of limitation, the power to authorize the making and execution on behalf of the Authority any lawful contracts, to employ agents and personnel, to prescribe their duties, and generally to control all of the affairs of the Authority.

(4) The Board shall hold an annual meeting each year at such place, date, and hour as shall be fixed by the Board at which members shall elect officers of the Authority, and transact other business. The Board shall fix the time and place for regular meetings which shall be open to the public.

(5) Special meetings of the Board may be called by the chairperson of the Board or by any two members of the Board by written or printed notice served personally on each member or mailed or electronically mailed to his or her address as shown on the books of the Authority, at least five (5) days prior to the time of holding of said meeting. Notice shall be deemed given at the time it is mailed or emailed. Attendance by a member at a meeting shall constitute a waiver of any notice deficiency unless such member expressly states at the meeting that he or she does not intend to waive notice. The purpose of such special meeting shall be specified in the notice.

(6) The Board shall furnish by May 31, each year, an annual report to the governing body of all parties to the contract forming this authority with respect to the number of licensed taxi drivers, numbers of licensed taxi companies, and whether there are any deficiencies with respect to the same, along with the operation, maintenance, and financial condition of the Authority. The Board shall furnish such other information as said parties may request.

#### ARTICLE V

(1) The Board shall, at its annual meeting, elect from its members a chairperson, vice-chairperson, treasurer, and such other officers as it may deem necessary. Said officers shall serve until their successors are appointed and assume office. Said officers shall serve at the pleasure of the appointing authority and shall have all of the powers assigned to them by the Board.

(2) Any Board Officer vacancies shall be filled by the Board.

(3) The East Lansing City Clerk or the Clerk's designee shall be the recording secretary for the Board and shall be responsible for taking all minutes of the Board meetings, publishing all official notices of the Board and maintaining all official records of the Board. The recording secretary is not a member of the board.

#### ARTICLE VI

All checks, drafts, and other orders for the payment of money, notes, bonds, or other evidences of indebtedness issued in the name of the Authority, and endorsements for deposits shall be signed by such officer, officers, or such other person or persons as the Board may designate.

#### ARTICLE VII

As long as there is always full compliance with the Open Meetings Act, whenever any notice is required under the provisions of these Articles or otherwise, a waiver signed by the person entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent and neither the business nor the purposes of any meeting need be specified in such waiver.

#### ARTICLE VIII

These Articles may be amended only by appropriate resolution of both of the original parties to the contract forming this Authority. This Authority shall automatically dissolve upon termination of the contract creating it.

#### ARTICLE IX

The Authority shall defend, indemnify and hold harmless any parties to this contract for any acts of the party's own employees and for any acts of employees that are assigned to perform functions or duties for the Authority when that employee is performing acts in accordance with the rules and regulations adopted by the Authority or in accordance with the Agreement establishing the Authority or the Articles of Incorporation of the Authority.

This Authority shall become operative immediately.

These Articles of Incorporation shall be published by the East Lansing City Clerk at least once in a newspaper of general circulation in the jurisdictions of Lansing and East Lansing. One printed copy of the Articles of Incorporation shall be filed with the Secretary of State, the Ingham, Eaton, and Clinton County Clerk, the Director of the State Transportation Department

by the East Lansing City Clerk.

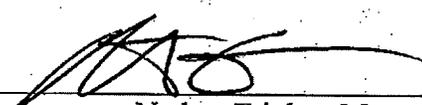
The foregoing Articles of Incorporation were adopted by an affirmative vote of a majority of the members elect of the City Council of the City of Lansing, Ingham, Eaton and Clinton Counties, Michigan, at a meeting duly held on the 22<sup>nd</sup> day of September, 2014, and by a majority of the members elect of the City Council of the City of East Lansing, Ingham and Clinton Counties, Michigan, at a meeting duly held on the 2<sup>nd</sup> day of September, 2014:

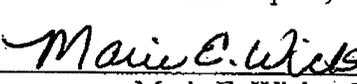
CITY OF LANSING

By   
Virgil Bernero, Mayor

By   
Chris Swopes, Clerk

CITY OF EAST LANSING

By   
Nathan Triplett, Mayor

By   
Marie E. Wicks, Clerk

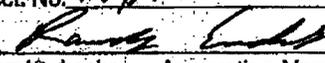


APPROVED AS TO FORM

  
ASST. CITY ATTORNEY

I hereby certify that funds are available

Acct. No. N/A

  
Dan Koroska, Accounting Manager

**MUNICIPAL PARTNERSHIP AGREEMENT  
BETWEEN THE CITY OF EAST LANSING  
AND THE CITY OF LANSING  
TO FORM AN AUTHORITY FOR THE  
LICENSING AND REGULATION OF  
TAXICAB COMPANIES AND DRIVERS**

THIS MUNICIPAL PARTNERSHIP ACT AGREEMENT ("Agreement") is made on September 22, 2014, between the CITY OF EAST LANSING, a home rule city, whose principal office is located at 410 Abbot Road, East Lansing, MI 48823 ("East Lansing") and the CITY OF LANSING, a home rule city, whose principal office is located at 124 W. Michigan Avenue, Lansing, MI 48933 ("Lansing") pursuant to the Municipal Partnership Act, being MCL 124.111, *et seq.*, and the Public Transportation Authority Act, being MCL 124.451, *et seq.*

**RECITALS**

WHEREAS, the parties hereto each license and regulate, or have the authority to license and regulate, taxicab companies and taxicab drivers; and

WHEREAS, there are differing licensing and regulatory schemes in the various jurisdictions in the area; and

WHEREAS, for purposes of this Agreement, the parties define private taxicab companies to include all businesses, companies, organizations or operations which own, operate or direct the operation of vehicles carrying persons for hire from places as the passenger may designate starting from within one of the corporate jurisdiction of the parties to this agreement, excluding motor vehicles used exclusively by hearses, funeral cars, ambulances, hotel buses, shuttles, sightseeing buses, motor coaches or motor buses; and

WHEREAS, for purposes of this Agreement, the parties define private taxicab drivers to include all persons transporting persons for hire starting from within one of the corporate jurisdictions of the parties to this agreement; and

WHEREAS, uniformity in licensing and regulation of taxicab companies and taxicab drivers is desirable for the health, safety, and welfare of the public as well as desirable for the taxicab companies and taxicab drivers.

**TERMS AND CONDITIONS**

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, East Lansing and Lansing agree as follows:

1. **Purpose.** The purpose of this joint endeavor is to create an Authority for the

2014-152

licensing and regulation of private taxicab companies and private taxicab drivers within the territory covered by this Agreement, to assure the health, safety, and welfare of the citizens and visitors and to assure the regional availability of this type of transportation.

2. **Term.** The term of this Agreement shall be for a term ending June 30, 2019. The Agreement shall automatically renew for subsequent terms of three (3) years each unless, at least 60 days prior to the ending date, either party provides the other with written notice of intent not to renew. The subsequent terms shall be on the same terms and conditions as stated in this Agreement unless the parties agree otherwise in writing.

3. **Termination.** This Agreement shall remain in effect until one of the following occurs:

- A. The parties mutually agree to terminate the Agreement.
- B. Only one party remains as a member of the Authority.
- C. Either party to this Agreement is released from membership in the public Authority pursuant to section 8 of the Public Transportation Authority Act, being MCL 124.458, which shall operate as a release from this Agreement by that party.
- D. The expiration of the term of this Agreement upon notice pursuant to paragraph 2.
- E. Either party fails within sixty (60) days of a written demand by the other party to pay its portion of the funding in section 10.
- F. By operation of law in the event a court of competent jurisdiction orders the termination of this Agreement.

4. **Creation of Authority.** The authority referenced in section 1 shall be created pursuant to the Public Transportation Authority Act (the "Act") and each party, upon authorizing the execution of this Agreement, shall concurrently adopt Articles of Incorporation in the form attached hereto as Appendix A and in conformity with section 5 of the Act, being MCL 124.455. The Articles of Incorporation shall contain all requirements of articles of incorporation under the Act including, but not limited to, those set forth at section 6 of the Act, being MCL 124.456. The powers of the Authority shall be limited solely to the joint endeavor set forth in this Agreement and the Articles of Incorporation attached hereto.

5. **Governing Board.** The Authority shall be governed by a board which shall consist of the members set forth in the Articles of Incorporation attached hereto as Appendix A.

A. The board shall be deemed a public body subject to the provisions of the Open Meetings Act.

B. The board shall have a chairperson, vice-chairperson, treasurer, and such other officers as the board deems necessary.

C. The appointed board members shall serve for terms as designated in the attached Articles of Incorporation.

6. **Authority's Duties.** The Authority shall have the power and duty to license, regulate, and administer the licensing and regulation of all taxicabs, vehicles acting as taxicabs, and taxicab drivers within the territory.

7. **Company Requirements.** The Authority shall, at a minimum, require that any company desiring to be licensed by the Authority meet the following minimum requirements:

A. Have at least three (3) licensed and operable vehicles.

B. Have taxi meters, as approved by the Authority, in all licensed vehicles.

C. Have at least one licensed vehicle available for calls 24 hours a day, 7 days a week.

D. Have and provide, on terms as determined by the Authority, proof of insurance listing all licensed vehicles and listing the Authority as an additional insured, in an amount to be determined by the Authority, but no less than the following limits: One hundred thousand dollars (\$100,000.00) per person and three hundred thousand dollars (\$300,000.00) per accident covering any liability for bodily injuries or death occurring from the negligent operation of the licensed vehicle and no less than one million dollars (\$1,000,000.00) for property damage resulting from the negligent operation of the licensed vehicle.

E. Have and provide, on terms and in amounts as determined by the Authority, an executed and filed bond to the authority that each licensed taxicab will be operated in accordance with the laws of the State, the laws of the participating jurisdictions and the rules and regulations of the Authority.

F. Have and provide, on terms as determined by the Authority, but no less than upon application for licensure, a copy of the vehicle registration for each vehicle to be licensed.

G. Be of good moral character.

H. Have not been denied for or had a taxi driver's license or taxi business license revoked within the last three years.

I. Not be in default to, or delinquent in payments to, the City of Lansing, the City of East Lansing or the Authority for any fees, charges or taxes.

J. Continually and conspicuously display at all times the taxicab is in operation the license of the taxicab driver issued by the authority bearing a true photograph of the licensee, a printed schedule of the rates in effect not smaller than 11 point type, and contact telephone numbers for the taxicab company and the Authority.

8. **Licensed Drivers Requirements**. The Authority shall require, at a minimum, that licensed drivers meet the following minimum requirements:

A. Have not been denied for or had a taxi driver's license or taxi business license revoked within the past three years.

B. Must possess and provide copies of the front and back of a valid Michigan chauffeur's license.

C. Must submit to a minimum five-panel drug/urinalysis screening not more than 15 days before submission of an application and all results must be negative as to all panels.

D. Must be of good moral character.

E. Not be in default to, or delinquent in payments to, the City of Lansing, the City of East Lansing or the Authority for any fees, charges or taxes.

9. **Licensing, Denials, Suspension, and Revocation**. In addition to the requirements in sections 7 and 8 of this Agreement, the Authority shall establish rules and regulations for licensing suspensions, revocations, denials, and administrative appeals from those actions taken as well as established rules for the length of time a company or licensee must wait before reapplying after a suspension, revocation, or denial.

The phrase "good moral character" when used as a requirement for the issuance of a license by the Authority pursuant to the provisions of this agreement shall mean "good moral character" as defined in Appendix B, paragraph (1) attached hereto. The standards set forth in Appendix B, paragraphs (2) through (6), for determining whether a person or entity is of "good moral character" shall be incorporated into the procedures used and adopted by the Authority.

10. **Funding**. The Authority shall establish and charge appropriate fees for the licensure of companies, drivers, and administrative appeals so that the fees and charges, to the extent possible, are sufficient to cover the administrative costs of operation of the Authority. To the extent the Authority is unable to charge sufficient fees to cover its administrative costs, it shall report the expected shortfall to the parties by March 1 of each year and each party shall, in its upcoming fiscal year, appropriate and pay to the Authority an equal share of any deficits pursuant to Section 6 of the Municipal Partnership Act, being MCL 124.116.

11. **Administration**.

A. In the fulfillment of the purpose of this joint endeavor, the City Clerk's office of each party to this Agreement shall accept for filing any and all applications and fees required by the Authority. All fees collected shall be delivered to the Authority. All applications shall be delivered to the City of East Lansing's Clerk's office.

B. The administrative operations of the Authority as it pertains to the actual licensing and administration of the rules and regulations of the Authority as required by this agreement and the Articles of Incorporation, shall be staffed by the City of East Lansing's clerk's office and such other employees as determined by the East Lansing City Manager necessary to operate the Authority. The administrative operations shall be housed in a facility of the City of East Lansing as determined by the East Lansing City Manager. All personnel assigned to do the actual administrative operations for the Authority shall remain at all times solely employees of the City of East Lansing and the City of East Lansing shall remain solely responsible for the payment of all wages, fringe benefits and disability payments except that a pro rata portion of each employee's salary and benefits assigned to do work for the Authority shall be paid by the Authority based on the average number of hours per week that the employees work for the Authority.

C. To the extent the board has disputes about the performance of an employee assigned to work for the Authority, those disputes shall be addressed to the East Lansing City Manager. If the City Manager is unable to resolve the dispute, the matter shall be referred to the governing boards of the parties to this contract who shall each assign one member of their governing board to a committee to resolve the dispute.

D. The City of East Lansing will defend, indemnify and hold harmless the other parties to this Agreement and the Authority for any liability, including attorney fees, which that entity may incur or be held liable for resulting from ultra vires or unauthorized acts of the employee in performance of their duties for the Authority.

E. The Authority's articles of incorporation shall at all times require it to defend, indemnify and hold harmless any parties to this contract for any acts of their own employees and for any acts of employees that are assigned to perform functions for the Authority when that employee is performing acts in accordance with the rules and regulations adopted by the authority or in accordance with the Articles of Incorporation of the Authority.

12. **Taxation.** The Authority shall not have the ability to levy taxes.

13. **Powers.** The Authority shall have all powers as set forth in Sections 12, 13, and 14 of the Public Transportation Authority Act, being MCL 124.462, MCL 124.463, and MCL 124.464, respectively, that are not in conflict with this Agreement, or the Authority's Articles of Incorporation or bylaws and all powers set forth in the Articles of Incorporation.

14. **Financing.** The Authority may be financed as provided in section 10 of this Agreement, and as set forth at Section 17, with the exception of subsections (g) and (h), of the

Public Transportation Authority Act, being MCL 124.467.

15. **License Ordinance.** Upon notification by the Authority that the Authority has adopted all necessary rules and regulations for licensure and regulation of private taxicab companies and private taxicab drivers and have provided sufficient time for the application and licensure of private taxicab companies and private taxicab drivers, each party to this Agreement shall adopt and enforce an ordinance which prohibits private taxicab companies and private taxicab drivers from operating within the corporate boundaries of that party without licensure by the Authority.

16. **Territorial boundaries.** The territory covered by this Agreement shall be the corporate boundaries of all parties. In the event one or more local governments or public agencies are added to this Agreement, its entire boundary, or a portion thereof that complies with section 4 of the Public Transportation Authority Act, may be added to the territory encompassed by this Agreement.

17. **Additional Parties.** In acknowledgement of the public benefits that may be derived by further regionalization, the parties will consider adding other units of government to this Agreement and the Authority to further the joint endeavor. Parties may be added only by amendment of this agreement.

18. **Amendment.** This Agreement may not be amended without the prior written approval of the parties. There are no third-party beneficiaries of this Agreement and no third parties shall have any vested rights by virtue of this Agreement.

19. **Notices.** Any notice, demand, or communication required, permitted, or desired to be given under this Agreement shall be deemed effectively given when personally delivered or mailed by first class or certified mail addressed as follows:

If to the City of Lansing:

City of Lansing  
c/o City Clerk  
124 W. Michigan  
Lansing, MI 48933

And

Lansing City Attorney  
124 W. Michigan  
Lansing, MI 48933

If to the City of East Lansing:

City of East Lansing  
c/o City Clerk  
410 Abbot Road  
East Lansing, MI 48823

And

East Lansing City Attorney  
601 Abbot Road  
East Lansing, MI\_48823

The parties may, by written notice, designate any further or different address to which subsequent notices, demands, or communications may be given.

20. **Governing Law.** This Agreement has been executed and delivered and it shall be interpreted, construed, and enforced pursuant to and in accordance with the laws of the State of Michigan. All duties and obligations of the parties created under this Agreement shall be performed in Ingham County, Michigan. The parties agree that this Agreement was mutually drafted and cannot be construed against either party upon the basis that one was the scrivener of this Agreement.

21. **Assignment.** No assignment of this Agreement or any of the rights and obligations thereunder shall be valid without the specific written consent of all parties hereto.

22. **Severability.** In the event any provision of this Agreement is held to be unenforceable or invalid for any reason, the unenforceability or invalidity thereof shall not affect the remainder of this Agreement, which shall remain in full force and effect and enforceable in accordance with its terms, except in the event this Agreement is held to be void in its entirety. If, because of the invalidity of any part of this Agreement, either party determines that the purpose and intent of the Agreement has failed, the parties shall renegotiate in good faith to amend the Agreement to make it valid and satisfactory to both parties.

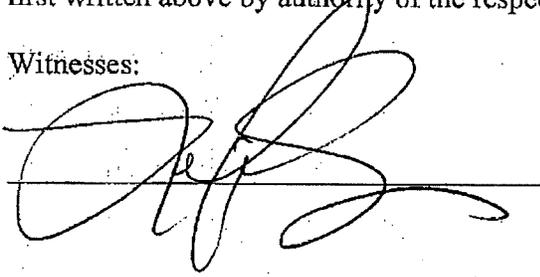
23. **Counterparts.** This Agreement may be executed in any number of counterparts and each such counterpart shall be considered a valid original.

24. **Entire Agreement.** This Agreement supersedes all previous and contemporaneous contracts and constitutes the entire agreement between the parties. No party shall be entitled to benefits other than those specified in this Agreement. No oral statements or prior or contemporaneous written material not specifically incorporated or referenced herein shall be of any force and effect, and the parties specifically acknowledge in entering into and executing this Agreement they rely solely upon the representations and agreements contained in this Agreement, and in the other contracts specified herein.

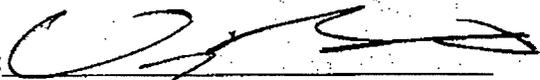
25. **Allocation of Cost of Litigation.** In the event a lawsuit or action is filed by any citizen or governmental entity challenging this Agreement, the costs of defending this Agreement, including attorneys' fees, shall be borne equally by the parties. If, after conclusion of the lower court proceedings, one of the parties desires to further proceed on appeal, and the other party declines, the party desiring to proceed shall bear all remaining costs.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above by authority of the respective City Councils.

Witnesses:

  
\_\_\_\_\_

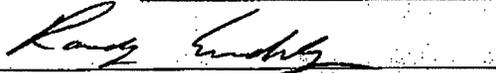
CITY OF LANSING

By:   
Virg Bernero, Mayor

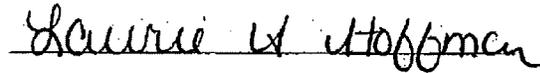
Approved as to form:

  
City Attorney

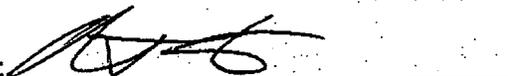
I hereby certify that funds are available in  
Account No. \_\_\_\_\_

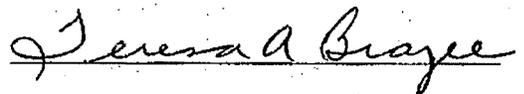
  
Finance Director/Controller

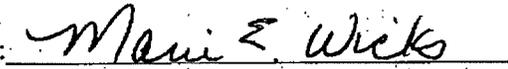
Witnesses:

  
\_\_\_\_\_

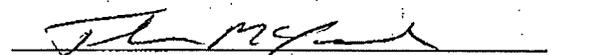
CITY OF EAST LANSING

By:   
Nathan Triplett, Mayor

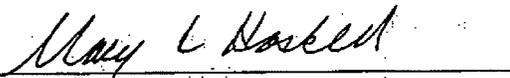
  
\_\_\_\_\_

By:   
Marie E. Wicks

Approved as to form:

  
Thomas M. Yeadon, East Lansing City Attorney

I hereby certify that the sufficiency of funds  
to enter into this agreement:

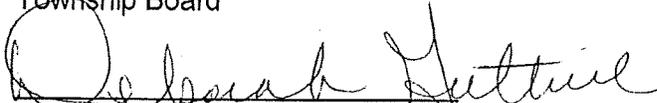
  
Mary Haskell, Director of Finance

# MEMORANDUM

# 13. F

TO: Township Board

FROM:

  
Deborah Guthrie, Director of Communications

DATE: January 28, 2015

RE: Comcast Transfer of Control Application

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What you will find before you is a transaction application from Comcast for consent to transfer to Midwest Cable dated June 17, 2014. Attachment A. The transfer requires the Township to consider many factors, including whether the ability an entity has to comply with its obligations with respect to the use of the rights of way, as well as its ability to provide cable services. Upon review, Meridian deemed the application incomplete and inaccurate on July 9, 2014.

Localities have 120 days to act on a transfer from the time of its submission. In order for the township to act, a complete transaction needs to be submitted. Legal Counsel Telecom Representatives, Mike Watza of Kitch Drutchas Wagner Valitutti & Sherbrook and Joe VanEaton of Best Best & Krieger have been working alongside financial consultants Ashpaugh & Sculco (A&S) and Front Range consulting (FRC) to assist in reviewing the transaction and in obtaining a complete and accurate application so that the township can act. Please refer to pages 14-17 in attachment B.

We do not think that we ever received a complete application, but Comcast believes we did, but has agreed that the Board's action on the transfer will be timely if the Board acts on the transaction on or before February 27, 2015. After that date, Comcast will claim that Township has missed the federal deadline and the transfer is deemed approved.

The reason this has not been before you until today is because A&S and FRC were still working to get information from Comcast in January, and just completed the Spin-Off of Cable Systems to Midwest Cable, Inc. report based on information from Comcast a little more than a week ago. Attachment B. The full 301 page report is available in the administrative offices at Meridian Township.

The transaction request in Meridian Township is not that simple. Several federal, state, and local regulatory factors are at play, including the local Meridian franchise agreement and a federal judge's order. The Meridian Township Cable Communications Commission has had the transfer issue before them, at their commission meetings, holding many discussions regarding the matter and have developed a list of FAQ's. Attachment C.

At the January 26, 2015 special meeting, the Commissioners made a unanimous recommendation to the Township Board to deny the transaction request without prejudice with the option of being able to change that recommendation pending any submission of new information from Comcast that may affect that decision.

The Township Board will need to take into consideration the information before them and take action to either approve the transaction as submitted, approve with conditions, deny without prejudice, or remain silent.

Legal representatives Joe VanEaton and Mike Watzka will be available to discuss legal issues surrounding the transfer request, if needed, and the benefits and risks associated with different options available to the board. You will also have before you a Summary of Recommendation report, which explains why staff believes a denial without prejudice is the best course for the Township. Attachment D.

The Commissioners encouraged staff and counsel to continue to discuss transfer issues with Comcast, to determine if it is possible to obtain conditions that would limit risks associated with approving the transfer. We will be prepared to report on the status of those efforts with legal counsel.

**cc:** Cable Communications Commission



One Comcast Center  
Philadelphia, Pennsylvania 19103

June 17, 2014

Deborah Guthrie  
Cable Coordinator  
Township of Meridian Charter  
5151 Marsh Road  
Okemos, MI 48864

Re: Comcast Corporation/Midwest Cable, Inc. Transaction

Dear Ms. Guthrie:

As you may have read, Comcast Corporation ("Comcast"), the ultimate parent of the entity holding the cable franchise in your community, is divesting its ownership of certain cable systems in connection with its acquisition of Time Warner Cable. Pursuant to an agreement with Charter Communications, Inc. ("Charter"), Comcast will spin off a new, independent company, which will become Midwest Cable, Inc. ("Midwest Cable," currently known as "SpinCo"), a publicly traded company that will be the ultimate owner of your franchise. Upon completion of the transaction, Comcast shareholders (but not Comcast itself) will own approximately two-thirds (2/3) of Midwest Cable, and Charter will own approximately one-third (1/3) of Midwest Cable.

We note that immediately prior to your cable franchisee becoming an indirect, wholly-owned subsidiary of Midwest Cable (the spin-off), the franchisee will be converted from a corporation to a limited liability company.

With over 2.5 million cable customers, Midwest Cable will begin operations as the fifth largest cable television provider in the United States. Moreover, Midwest Cable's strategic regionalized footprint will allow for a focused and efficient delivery of high quality and innovative services to its customers. Midwest Cable will be led by President and CEO Michael Willner, a 40-year cable industry leader and the co-founder and former CEO of Insight Communications. Further, Midwest's Cable's Board of Directors will include leading communications industry executives and innovators, with current Charter Communications CEO Tom Rutledge serving as Board Chairman. In addition, through a services agreement with Charter, Midwest Cable will be able to take advantage of Charter's expertise in technology and provision of services.

As you are aware, the Michigan Uniform Video Services Local Franchise Act of 2006 ("Franchise Act") established a new "uniform" local franchise, and required that all existing non-uniform franchises be modified to conform to the terms of the uniform franchise. Pursuant to the Franchise Act, the Michigan Public Service Commission established a uniform franchise provision governing all forms of franchise transfer that requires only a notice be sent to local franchising authorities within 15 days of completion of the franchise transfer. In 2012, a federal district court ruling in the *City of Detroit* case addressed certain provisions of the Franchise Act and created uncertainty about the application of the Michigan uniform franchise to certain situations. In light of this uncertainty, we are providing this filing for your review. However, the district court's *City of Detroit* decision is currently under review by the United States Court of Appeals for the Sixth Circuit. In making this filing, Midwest Cable does not waive any argument that consent is not required and that it may proceed exclusively under the Franchise Act.

If you determine that your consent is *not* required for this transaction to proceed, you need not take any further action. If, however, you believe your consent is necessary, we have provided copies of the Federal Communications Commission's ("FCC") Form 394, other information, and a draft consent resolution to help facilitate the consent process.

- **FCC Form 394.** FCC Form 394 (required copies enclosed) is designed to provide you with the relevant information needed to assess the financial, legal, and technical qualifications of Midwest Cable to be the ultimate parent entity of your cable franchisee.

- **Timing.** According to the FCC's rules, where consent is required, you have a maximum of 120 days from the date you receive this information to review all materials and act upon our request for consent to the transaction. (Please note, your franchise may specify a shorter time frame.)
- **Consent Resolution.** Should you choose to affirmatively consent to the transaction, we have enclosed a draft consent resolution to be used to help expedite the consent process. We would request that a consent resolution, if needed, be placed on your agenda for consideration at your earliest convenience.

We invite you to visit the "Recent Official Transaction Communications" section of <http://corporate.comcast.com/twctransaction/official-filings-together> for additional information about the transaction. If you have any questions about the FCC Form 394, the consent resolution, or any of the enclosed documents, please give me a call at (215) 286-5585, send an email to [klay\\_fennell@comcast.com](mailto:klay_fennell@comcast.com), or send a facsimile to (215) 286-8408. You may also contact Mark Brown, Vice President, Government Affairs, at Charter by phone at (202) 621-1900, by email at [mark.brown@chartercom.com](mailto:mark.brown@chartercom.com), or by facsimile at (202) 733-5960.

Sincerely,



Klayton F. Fennell  
Vice President, Government Affairs  
Attachment and Enclosures

RESOLUTION NO. \_\_\_\_\_

CONSENT TO ASSIGNMENT AND CHANGE OF CONTROL

WHEREAS, Comcast of Michigan III, Inc. ("Franchisee") is the duly authorized holder of a franchise, as amended to date (the "Franchise"), authorizing Franchisee to serve the Township of Meridian Charter, MI (the "Franchise Authority") and to operate and maintain a cable television system therein; and

WHEREAS, Comcast Corporation ("Comcast") is the ultimate parent company of Franchisee; and

WHEREAS, on April 25, 2014, Comcast and Charter Communications, Inc. ("Charter") entered into the Comcast/Charter Transactions Agreement (the "Agreement"), pursuant to which, following a conversion from a corporation to a limited liability company, the Franchisee will become a wholly-owned subsidiary of Midwest Cable, Inc. ("Midwest Cable") (the "Transaction"); and

WHEREAS, Franchisee has filed an FCC Form 394 with the Franchise Authority with respect thereto; and

WHEREAS, the Franchise Authority has considered and approves of the Transaction.

NOW, THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

The foregoing recitals are approved and incorporated herein by reference.

1. The Franchise Authority consents to the Transaction.
2. The Franchise Authority confirms that the Franchise is valid and outstanding and in full force and effect and there are no defaults under the Franchise. Subject to compliance with the terms of this Resolution, all action necessary to approve the Transaction has been duly and validly taken.
3. Midwest Cable or Franchisee may (a) assign or transfer its assets, including the Franchise, provided that such assignment or transfer is to an entity directly or indirectly controlling, controlled by or under common control with Midwest Cable; (b) restructure debt or change the ownership interests among existing equity participants in Midwest Cable; (c) pledge or grant a security interest to any lender(s) of Midwest Cable's assets, including, but not limited to, the Franchise, or of interest in Midwest Cable, for purposes of securing any indebtedness; and (d) sell equity interests in Midwest Cable or any of Midwest Cable's affiliates.
4. Upon closing of the Transaction, Franchisee shall remain bound by the lawful terms and conditions of the Franchise.

5. This Resolution shall be deemed effective upon adoption.

6. This Resolution shall have the force of a continuing agreement with Franchisee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Midwest Cable.

PASSED, ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk

**FCC 394**  
**APPLICATION FOR FRANCHISE AUTHORITY**  
**CONSENT TO ASSIGNMENT OR TRANSFER OF CONTROL**  
**OF CABLE TELEVISION FRANCHISE**

FOR FRANCHISE AUTHORITY USE ONLY

**SECTION I. GENERAL INFORMATION**

DATE June 17, 2014	1. Community Unit Identification Number: MI0337
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2. Application for:       Assignment of Franchise       Transfer of Control

3. Franchising Authority: Township of Meridian Charter, MI	
4. Identify community where the system/franchise that is the subject of the assignment or transfer of control is located: <b>Meridian, MI</b>	
5. Date system was acquired or (for system's constructed by the transferor/assignor) the date on which service was provided to the first subscriber in the franchise area:	N/A
6. Proposed effective date of closing of the transaction assigning or transferring ownership of the system to transferee/assignee:	As soon as reasonably practicable after all regulatory approvals.

7. Attach as an Exhibit a schedule of any and all additional information or material filed with this application that is identified in the franchise as required to be provided to the franchising authority when requesting its approval of the type of transaction that is the subject of this application.

Exhibit No.  
N/A

**PART I – TRANSFEROR/ASSIGNOR**

1. Indicate the name, mailing address, and telephone number of the transferor/assignor.

Legal name of Transferor/Assignor (if individual, list last name first) Comcast Corporation			
Assumed name used for doing business (if any) Comcast			
Mailing street address or P.O. Box One Comcast Center			
City Philadelphia	State PA	ZIP Code 19103	Telephone No. (include area code) 215-286-1700

2. (a) Attach as an Exhibit a copy of the contract or agreement that provides for the assignment or transfer of control (including any exhibits or schedules thereto necessary in order to understand the terms thereof). If there is only an oral agreement, reduce the terms to writing and attach. (Confidential trade, business, pricing or marketing information, or other information not otherwise publicly available, may be redacted).

Exhibit No.  
1

(b) Does the contract submitted in response to (a) above embody the full and complete agreement between the transferor/assignor and the transferee/assignee?

Yes       No

If No, explain in an Exhibit.

Exhibit No.  
See Exhibit 1

**PART II - TRANSFEREE/ASSIGNEE**

1. (a) Indicate the name, mailing address, and telephone number of the transferee/assignee.

Legal name of Transferee/Assignee (if individual, list last name first) Midwest Cable, LLC\Inc. (Midwest Cable, LLC will convert from an LLC to Inc. prior to closing)			
Assumed name used for doing business (if any)			
Mailing street address or P.O. Box One Comcast Center			
City Philadelphia	State PA	ZIP Code 19103	Telephone No. (include area code) 215-286-1700

(b) Indicate the name, mailing address, and telephone number of person to contact, if other than transferee/assignee.

Name of contact person (list last name first) Klayton F. Fennell (klay_fennell@comcast.com)			
Firm or company name (if any) Comcast Cable Communications, LLC			
Mailing street address or P.O. Box One Comcast Center			
City Philadelphia	State PA	ZIP Code 19103	Telephone No. (include area code) 215 286-5585 (voice) 215-286-8408

(c) Attach as an Exhibit the name, mailing address, and telephone number of each additional person who should be contacted, if any.

Exhibit No. N/A
--------------------

(d) Indicate the address where the system's records will be maintained.

Street address Regional or area office as appropriate.		
City	State	ZIP Code

2. Indicate on an attached exhibit any plans to change the current terms and conditions of service and operations of the system as a consequence of the transaction for which approval is sought.

Exhibit No. 2
------------------

## SECTION II. TRANSFEREE'S/ASSIGNEE'S LEGAL QUALIFICATIONS

1. Transferee/Assignee is:

Corporation

a. Jurisdiction of incorporation: Delaware	d. Name and address of registered agent in jurisdiction: The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
b. Date of incorporation: May 27, 2014	
c. For profit or not-for-profit: For profit	

Limited Partnership

a. Jurisdiction in which formed:	c. Name and address of registered agent in jurisdiction:
b. Date of formation:	

General Partnership

a. Jurisdiction whose laws govern formation:	b. Date of formation:
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Individual

Other. Describe in an Exhibit.

Exhibit No. N/A
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2. List the transferee/assignee, and, if the transferee/assignee is not a natural person, each of its officers, directors, stockholders beneficially holding more than 5% of the outstanding voting shares, general partners, and limited partners holding an equity interest of more than 5%. Use only one column for each individual or entity. Attach additional pages if necessary. (Read carefully- the lettered items below refer to corresponding lines in the following table.)

- (a) Name, residence, occupation or principal business, and principal place of business. (If other than an individual, also show name, address and citizenship of natural person authorized to vote the voting securities of the applicant that it holds.) List the applicant first, officers, next, then directors and, thereafter, remaining stockholders and/or partners.
- (b) Citizenship.
- (c) Relationship to the transferee/assignee (e.g., officer, director, etc.).
- (d) Number of shares or nature of partnership interest.
- (e) Number of votes.
- (f) Percentage of votes.

(a)	See Exhibit 3	
(b)		
(c)		
(d)		
(e)		
(f)		

3. If the applicant is a corporation or a limited partnership, is the transferee/assignee formed under the laws of, or duly qualified to transact business in, the State or other jurisdiction in which the system operates?

Yes  No

If the answer is No, explain in an Exhibit.

Exhibit No. 4
------------------

4. Has the transferee/assignee had any interest in or in connection with an applicant which has been dismissed or denied by any franchise authority?

Yes  No

If the answer if Yes, describe circumstances in an Exhibit.

Exhibit No.
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5. Has an adverse finding been made or an adverse final action been taken by any court or administrative body with respect to the transferee/assignee in a civil, criminal or administrative proceeding, brought under the provisions of any law or regulation related to the following: any felony; revocation, suspension or involuntary transfer of any authorization (including cable franchises) to provide video programming services; mass media related antitrust or unfair competition; fraudulent statements to another government unit; or employment discrimination?

Yes  No

If the answer is Yes, attach as an Exhibit a full description of the persons and matter(s) involved, including an identification of any court or administrative body and any proceeding (by dates and file numbers, if applicable), and the disposition of such proceeding.

Exhibit No. N/A
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6. Are there any documents, instruments, contracts or understandings relating to ownership or future ownership rights with respect to any attributable interest as described in Question 2 (including, but not limited to, non-voting stock interests, beneficial stock ownership interests, options, warrants, debentures)?

Yes  No

If Yes, provide particulars in an Exhibit.

Exhibit No. 5
------------------

7. Do documents, instruments, agreements or understandings for the pledge of stock of the transferee/assignee, as security for loans or contractual performance, provide that: (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of any ownership rights by a purchaser at a sale described in (b), any prior consent of the FCC and/or of the franchising authority, if required pursuant to federal, state or local law or pursuant to the terms of the franchise agreement will be obtained?

Yes  No

N/A

If No, attach as an Exhibit a full explanation.

Exhibit No. N/A
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### SECTION III. TRANSFEREE'S/ASSIGNEE'S FINANCIAL QUALIFICATIONS

1. The transferee/assignee certifies that it has sufficient net liquid assets on hand or available from committed resources to consummate the transaction and operate the facilities for three months.
2. Attach as an Exhibit the most recent financial statements, prepared in accordance with generally accepted accounting principles, including a balance sheet and income statement for at least one full year, for the transferee/assignee or parent entity that has been prepared in the ordinary course of business, if any such financial statements are routinely prepared. Such statements, if not otherwise publicly available, may be marked CONFIDENTIAL and will be maintained as confidential by the franchise authority and its agents to the extent permissible under local law.

Yes  No

Exhibit No. 6
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### SECTION IV. TRANSFEREE'S/ASSIGNEE'S TECHNICAL QUALIFICATIONS

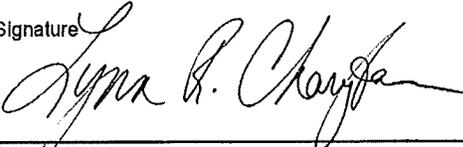
Set forth in an Exhibit a narrative account of the transferee's/assignee's technical qualifications, experience and expertise regarding cable television systems, including, but not limited to, summary information about appropriate management personnel that will be involved in the system's management and operations. The transferee/assignee may, but need not, list a representative sample of cable system currently or formerly owned or operated.

Exhibit No. 7
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## SECTION V - CERTIFICATIONS

### Part I - Transferor/Assignor

All the statements made in the application and attached exhibits are considered material representations, and all the Exhibits are a material part hereof and are incorporated herein as if set out in full in the application.

<p>I CERTIFY that the statements in this application are true, complete and correct to the best of my knowledge and belief and are made in good faith.</p>	<p>Signature </p>
<p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.</p>	<p>Date June 17, 2014</p> <p>Print full name Lynn R. Charytan</p>
<p>Check appropriate classification:</p> <p> <input type="checkbox"/> Individual                  <input type="checkbox"/> General Partner                  <input checked="" type="checkbox"/> Corporate Officer (Indicate Title)                  <input type="checkbox"/> Other. Explain:         </p> <p style="text-align: center;">Senior Vice President, Legal Regulatory Affairs and Senior Deputy Counsel</p>	

### Part II - Transferee/Assignee

All the statements made in the application and attached Exhibits are considered material representations, and all the Exhibits are a material part hereof and are incorporated herein as if set out in full in the application.

The transferee/assignee certifies that he/she:

- (a) Has a current copy of the FCC's Rules governing cable television systems.
- (b) Has a current copy of the franchise that is the subject of this application, and of any applicable state laws or local ordinances and related regulations.
- (c) Will use its best efforts to comply with the terms of the franchise and applicable state laws or local ordinances and related regulations, and to effect changes, as promptly as practicable, in the operation system, if any changes are necessary to cure any violations thereof or defaults thereunder presently in effect or ongoing.

<p>I CERTIFY that the statements in this application are true, complete and correct to the best of my knowledge and belief and are made in good faith.</p>	<p>Signature </p>
<p>WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.</p>	<p>Date June 17, 2014</p> <p>Print full name Art Block</p>
<p>Check appropriate classification:</p> <p> <input type="checkbox"/> Individual                  <input type="checkbox"/> General Partner                  <input checked="" type="checkbox"/> Corporate Officer (Indicate Title)                  <input type="checkbox"/> Other. Explain:         </p> <p style="text-align: center;">Senior Vice President and Secretary of Midwest Cable, LLC</p>	

## EXHIBIT 1

Comcast Corporation (“Comcast”) and Charter Communications, Inc. (“Charter”) have entered into the Comcast/Charter Transactions Agreement, dated as of April 25, 2014 (the “Agreement”), whereby, contingent upon and following the consummation of Comcast’s pending acquisition of Time Warner Cable Inc. (“TWC”), three separate transactions will occur impacting the ownership of certain cable systems currently owned by Comcast, TWC, and Charter (the “Transactions”):

- (1) Comcast will sell TWC systems serving approximately 1.5 million customers to Charter.
- (2) Charter and Comcast will exchange cable systems and related assets serving approximately 1.5 million TWC customers and 1.6 million Charter customers.
- (3) Comcast will spin off a new, independent company that will become Midwest Cable, Inc., currently known as “SpinCo,” and will operate systems serving approximately 2.5 million current Comcast customers.

Your cable franchisee is included in the third Transaction.

Pursuant to the Agreement, Comcast will transfer control of the cable franchisee subject to this Form 394, as part of its divestiture of cable systems to Midwest Cable, Inc. (“Midwest Cable”).<sup>1</sup> After consummation of the Transactions, Comcast will have no ownership interest in Midwest Cable. Charter will form a new holding company (“New Charter”) that will obtain an approximate 33 percent stake in Midwest Cable. Comcast shareholders, including former TWC shareholders, are expected to own in the aggregate the remaining approximate 67 percent stake in Midwest Cable. Midwest Cable will be a publicly-traded company.

As a preliminary matter, the current Comcast cable franchisee entity may change pursuant to an internal Comcast pro forma restructuring or corporate conversion (still remaining entirely under the ownership and control of Comcast). Immediately thereafter, the cable franchisee will become an indirect, wholly-owned subsidiary of Midwest Cable.

A copy of the Agreement as filed with the Securities and Exchange Commission (Form 8-K) is available at [http://corporate.comcast.com/twctransaction/official-filings-together-under “Official Filings.”](http://corporate.comcast.com/twctransaction/official-filings-together-under-Official-Filings) Four documents (including two programming agreements) have been omitted, as they are not necessary in order to understand the terms of the Agreement or contain confidential trade, business, pricing or marketing data, or other data not otherwise publicly available. In addition, Comcast Corporation filed a Securities

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<sup>1</sup> Midwest Cable initially will be a Delaware limited liability company, but will convert to a corporation, as a matter of right under Delaware law. Midwest Cable may also implement a name change once the Transactions have closed.

and Exchange Commission Form S-4A Registration Statement on May 23, 2014. A copy is available at <http://corporate.comcast.com/twctransaction/official-filings-together> under "Official Filings." Hard copies of either document will be provided upon request.

The Agreement contains all material terms of the Transactions and is fully binding on the parties. Pursuant to the Agreement, the parties have agreed to enter into additional documentation that is intended to implement the previously negotiated Agreement and is not intended to add or to alter material terms.

**EXHIBIT 2**

Midwest Cable, Inc. ("Midwest Cable") will be the indirect parent company of the legal entity holding the franchise for the cable system that is the subject of this Form 394. Midwest Cable and the legal entity holding the franchise for the cable system that is the subject of this Form 394 have no current plans to change the terms and conditions of service or operations of the system. The cable system will be operated pursuant to the terms of the franchise agreement and applicable law after the consummation of the proposed transaction. Midwest Cable and the legal entity holding the franchise for the cable system that is the subject of this Form 394 reserve the right to make service and operational changes in accordance with the terms of the franchise agreement and applicable law.

### EXHIBIT 3

As part of the transaction underlying this Form 394 filing, a newly formed entity, Midwest Cable, Inc. ("Midwest Cable") will become an independent, publicly-traded corporation. At the time that Comcast Corporation spins off Midwest Cable, no individual or entity will hold a 5% or greater voting interest in Midwest Cable, other than Charter Communications, Inc. ("Charter"). Charter, through a wholly owned subsidiary, will own approximately one-third (1/3) of the equity and voting shares of Midwest Cable.

At this time, the following have been identified as officers and directors of Midwest Cable after the close of the transaction:

	<b>Title</b>
Michael S. Willner	President Chief Executive Officer
Matthew Siegel	Chief Financial Officer
Rick D'Avino	Director
James Chiddix	Director
Gregory L. Doody	Director
Jill Greenthal	Director
Dennis S. Hersch	Director
Wendell F. Holland	Director
Gregory Maffei	Director
Thomas M. Rutledge	Director Chairman of the Board of Directors
Christopher L. Winfrey	Director

The initial business address for all officers and directors will be 1 Comcast Center, Philadelphia, PA 19103. It is anticipated that a different business address will be established by the close of the transaction.

**EXHIBIT 4**

Midwest Cable, Inc., a Delaware corporation, as of the effective time of the closing, will be the indirect parent company of the legal entity holding the franchise (the "Franchisee"). To the extent required by applicable law, the Franchisee is and, after the closing of this transaction will continue to be, duly qualified to transact business in the State or Commonwealth in which this system is operated.

## EXHIBIT 5

After the close of the transaction that is the subject of this Form 394 filing, Midwest Cable, Inc. ("Midwest Cable") will become an independent, publicly traded corporation. Approximately two-thirds (2/3) of the equity and voting shares of Midwest Cable will be held by Comcast Corporation ("Comcast") shareholders (including former TWC shareholders). Charter Communications, Inc. ("Charter") will own approximately one-third (1/3) of the equity and voting shares of Midwest Cable, no other individual or entity will hold a 5% or greater voting interest in Midwest Cable.

Comcast itself will not own shares in Charter or Midwest Cable following the close of the Transaction, and will be prohibited, for the first eight years thereafter, from owning more than 1 percent of Midwest Cable's shares. Charter will be prohibited from increasing its stake in Midwest Cable for the first two years following the closing of the spin-off and, absent approval from Midwest Cable's independent directors or its non-Charter shareholders, from owning more than 49 percent of Midwest Cable for the first four years following the closing of the Transaction.

## **EXHIBIT 6**

As set forth in Exhibit 1 to this Form 394, Comcast will spin-off a new independent public company, Midwest Cable, Inc., currently known as "SpinCo." The SpinCo unaudited pro forma financial information submitted in this exhibit is provided to give effect to the spin-off of cable systems serving approximately 2.5 million current Comcast subscribers into the newly formed public entity. The SpinCo unaudited pro forma financial information provided in this Exhibit includes: (1) an Unaudited Pro forma Condensed Combined Balance Sheet as of March 31, 2014; (2) an Unaudited Pro Forma Condensed Combined Statement of Income for the three months ended March 31, 2014; (3) an Unaudited Pro Forma Condensed Combined Statement of Income for the year ended December 31, 2013; and (4) the Notes to the Unaudited Pro Forma Information.

The Unaudited Pro Forma Condensed Combined Balance Sheet and Statements of Income should be read in concert with the Notes provided, and with the basic understanding that the SpinCo unaudited pro forma financial information is based upon the subject cable systems' past integrated operation with Comcast. Notwithstanding, there are certain fundamental financial factors that should be highlighted from the unaudited pro forma financial information and accompanying Notes:

- Midwest Cable's assets will include cable systems serving approximately 2.5 million video customers.
- The estimated enterprise value of the cable systems to be spun-off to Midwest Cable is \$14.7 billion.
- The 2013 annual revenue in the unaudited pro forma financial information for the systems to be spun off to Midwest Cable was over \$4.5 billion.

Attached is the unaudited pro forma financial information and associated Notes referenced above.

**SpinCo**  
**Unaudited Pro Forma Financial Information**  
**As of and for the Three Months Ended March 31, 2014 and**  
**for the Twelve Months Ended December 31, 2013**

**SpinCo**  
**Unaudited Pro Forma Condensed Combined Balance Sheet**  
**As of March 31, 2014**

(in millions)	Comcast Cable Systems in Spin-Off Transaction	SpinCo Indebtedness	Combined SpinCo
<b>Assets</b>			
<b>Current Assets:</b>			
Cash and cash equivalents	\$ -	\$ 600	\$ 600
Receivables, net	152	-	152
Other current assets	27	-	27
<b>Total current assets</b>	<b>179</b>	<b>600</b>	<b>779</b>
Property and equipment, net	1,957	-	1,957
Franchise rights	6,231	-	6,231
Goodwill	1,391	-	1,391
Other intangible assets, net	90	-	90
Other noncurrent assets, net	7	-	7
<b>Total assets</b>	<b>\$ 9,855</b>	<b>\$ 600</b>	<b>\$ 10,455</b>
<b>Liabilities and Equity</b>			
<b>Current Liabilities:</b>			
Accounts payable and accrued expenses related to trade creditors	\$ 294	\$ -	\$ 294
Deferred revenue	3	-	3
Accrued expenses and other current liabilities	204	-	204
<b>Total current liabilities</b>	<b>501</b>	<b>-</b>	<b>501</b>
Long-term debt, less current portion	-	8,800	8,800
Deferred income taxes	3,053	-	3,053
Other noncurrent liabilities	34	-	34
Equity	6,267	(8,200)	(1,933)
<b>Total liabilities and equity</b>	<b>\$ 9,855</b>	<b>\$ 600</b>	<b>\$ 10,455</b>

**SpinCo**  
**Unaudited Pro Forma Condensed Combined Statement of Income**  
**For the Three Months ended March 31, 2014**

(in millions)	Comcast Cable Systems in Spin-Off Transaction	SpinCo Indebtedness	Combined SpinCo
<b>Revenue</b>	\$ 1,134	\$ -	\$ 1,134
<b>Cost and Expenses:</b>			
Programming and production	258	-	258
Other operating and administrative	278	-	278
Advertising, marketing and promotion	54	-	54
Depreciation	130	-	130
Amortization	7	-	7
	<u>727</u>	<u>-</u>	<u>727</u>
<b>Operating income</b>	407	-	407
<b>Other Income (Expense):</b>			
Interest Expense	-	(121)	(121)
	<u>-</u>	<u>(121)</u>	<u>(121)</u>
Income before income taxes	407	(121)	286
Income tax (expense) benefit	(159)	47	(112)
<b>Net Income</b>	<u>\$ 248</u>	<u>\$ (74)</u>	<u>\$ 174</u>

**SpinCo**  
**Unaudited Pro Forma Condensed Combined Statement of Income**  
**For the Year ended December 31, 2013**

(In millions)	Comcast Cable Systems in Spin-Off Transaction	SpinCo Indebtedness	Combined SpinCo
<b>Revenue</b>	\$ 4,557	\$ -	\$ 4,557
<b>Cost and Expenses:</b>			
Programming and production	971	-	971
Other operating and administrative	1,152	-	1,152
Advertising, marketing and promotion	241	-	241
Depreciation	518	-	518
Amortization	34	-	34
	<u>2,916</u>	<u>-</u>	<u>2,916</u>
<b>Operating income</b>	1,641	-	1,641
<b>Other Income (Expense):</b>			
Interest Expense	(1)	(484)	(485)
	<u>(1)</u>	<u>(484)</u>	<u>(485)</u>
<b>Income before income taxes</b>	1,640	(484)	1,156
<b>Income tax expense</b>	(640)	189	(451)
<b>Net Income</b>	<u>\$ 1,000</u>	<u>\$ (295)</u>	<u>\$ 705</u>

**SpinCo**  
**Notes to Unaudited Pro Forma Financial Information**

**Note 1. Basis of Presentation**

The unaudited pro forma financial information is provided to give effect to a spin-off of cable systems serving approximately 2.5 million Comcast Corporation (“Comcast”) subscribers (the “spin-off transaction”) into a newly formed public entity (“SpinCo”). The Unaudited Pro Forma Condensed Combined Balance Sheets are presented as if the spin-off transaction had occurred on March 31, 2014. The Unaudited Pro Forma Condensed Combined Statements of Income for the three months ended March 31, 2014 and the year ended December 31, 2013 are presented as if the spin-off transaction had occurred on January 1, 2013, the beginning of the earliest period presented. The unaudited pro forma financial information has been developed from and should be read in conjunction with the Comcast unaudited interim condensed consolidated financial statements contained in the Comcast Quarterly Report on Form 10-Q for the three months ended March 31, 2014, and the Comcast audited consolidated financial statements contained in the Comcast 2013 Annual Report on Form 10-K, as well as the unaudited pro forma financial information included in the Comcast Corporation Registration Statement on Form S-4/A filed with the Securities and Exchange Commission on May 23, 2014 and the assumptions and adjustments set forth in the explanatory notes contained therein. These filings are available at [www.cmcsa.com](http://www.cmcsa.com) under “Financials.” The spin-off transaction is presented from the historical perspective of Comcast and the unaudited pro forma financial information may not be indicative of how this business would operate as a stand-alone entity.

The unaudited financial information for the SpinCo cable systems is integrated with Comcast and is not for a stand-alone entity. The unaudited pro forma financial information reflects the preliminary allocations of assets, liabilities, revenue and expenses directly attributable to these cable systems, as well as certain other preliminary allocations deemed reasonable by management, to present the unaudited pro forma financial information. The financial information does not include costs associated with shared facilities (e.g., corporate headquarters and related administrative overhead allocations). Accordingly, the financial information in these columns does not fully reflect the financial position or results of operations as if these cable systems were stand-alone entities for the periods presented. The preliminary estimate of the amount of such costs to be allocated to the Comcast cable systems in the spin-off transaction is \$245 million for the year ended December 31, 2013.

The unaudited pro forma financial information is provided for illustrative purposes only and is based on available information and assumptions that Comcast believes are reasonable.

**Note 2. The Charter Divestiture Transactions**

The Charter divestiture transactions consist of the following three transactions: (1) the spin-

off transaction, (2) an exchange of cable systems serving approximately 1.5 million TWC subscribers for cable systems serving approximately 1.7 million Charter subscribers (the “exchange transaction”), and (3) a sale to Charter of cable systems serving approximately 1.5 million TWC subscribers for cash (the “sale transaction”). In connection with the spin-off transaction, Comcast will form SpinCo, which will hold and operate cable systems currently serving approximately 2.5 million Comcast subscribers.

Under the terms of the Comcast/Charter Transactions Agreement, the value for the spin-off transaction will be based on 7.125 times of the divested systems’ Carveout 2014 EBITDA (as defined in the Comcast/Charter Transactions Agreement). This would equate to an enterprise value estimated to be \$14.7 billion. The Carveout 2014 EBITDA was estimated using the 2013 results of the cable systems included in this unaudited pro forma financial information, adjusted for overhead allocations (as defined in the Comcast/Charter Transactions Agreement), and applying a 2014 growth rate to the 2013 amounts. The 5.10% growth rate used is based on Wall Street research consensus estimates for 2014 EBITDA for Comcast’s Cable Communications segment.

## EXHIBIT 7

Midwest Cable will begin operations with approximately 2.5 million video customers, making it the fifth largest cable provider in the United States. The company will be serving areas concentrated in the Midwest and Southeast. This strategic regional footprint should provide significant operational and technical advantages allowing Midwest Cable to offer focused and efficient service delivery and to fine-tune its operations to reflect distinctive regional considerations. The regionalized footprint should also foster operational and marketing efficiencies that will benefit Midwest Cable customers.

The company and its customers will also benefit significantly from the advanced network architecture that Comcast has deployed in recent years throughout the systems that Midwest Cable will own and operate. As a result, each future Midwest Cable system has been transitioned to an all-digital delivery platform. Further, each future Midwest Cable system has implemented a DOCSIS 3.0 data platform -- allowing Midwest Cable to offer some of the industry's fastest broadband speeds.

Immediately after the closing of the transaction, Comcast will provide some temporary transitional operational services that will allow current Comcast customers to experience a seamless transition to Midwest Cable's ownership and operation of the cable systems. In order to ensure continued high quality operation, existing Comcast field personnel, who have successfully operated these systems in the past, will join Midwest Cable. Further, through a Services Agreement with Charter Communications, Midwest Cable will be able to take advantage of Charter's established expertise in technology and operations, thereby enhancing Midwest Cable's ability to provide excellent products and services to its customers.

In addition to technology resources, the Charter Services Agreement will provide for certain customer-facing functions such as marketing, sales, billing and collections, and customer care. Once Charter implements these operational system services, certain of Midwest Cable's products and services may even be co-branded with Charter. The Charter Services Agreement clearly will enable Midwest Cable to benefit from Charter's experience, scale, and regional concentration. In exchange for the ability to use any and all services set forth in the Services Agreement, Midwest Cable will make quarterly payments equal to 4.25 percent of Midwest Cable's quarterly gross revenues. Of course, all system operational services provided by Charter will be subject to the overall supervision of Midwest Cable's independent executive management team and its independent Board of Directors.

Midwest Cable's leadership team will be comprised of cable and communications industry veterans and innovators. Michael Willner, a forty-year cable industry veteran and the co-founder and former CEO of Insight Communications will serve as President and CEO of Midwest Cable. Additionally, Matthew Siegel, who has held senior executive financial positions at both Time Warner Cable Inc. and Insight Communications, will serve as the Chief Financial Officer of Midwest Cable. Tom Rutledge, President and CEO of

Charter Communications, will serve as the Chairman of Midwest Cable's Board of Directors. Mr. Rutledge will be joined on the Board by a team of communication industry leaders, including Rick D'Avino, James Chiddix, Greg Doody, Jill Greenthal, Dennis S. Hersch, Wendell F. Holland, Gregory Maffei, and Christopher L. Winfrey. Attached hereto are the press releases announcing Mr. Willner as President and CEO, and Mr. Siegel as CFO of Midwest Cable, as well as biographies of the Midwest Cable Board members. Together, this management team will shepherd Midwest Cable's delivery of high quality, advanced services, and establish a reputation for top flight system operations and customer care.



## **Cable Industry Veteran Michael Willner Agrees to Serve as President and CEO of "SpinCo"**

**Stamford, CT and Philadelphia, PA – May 15, 2014** – Charter Communications, Inc. (Nasdaq: CHTR) and Comcast Corporation (Nasdaq: CMCSA, CMCSK) today announced that former Insight Communications, Inc. co-founder and CEO and 40-year cable industry veteran Michael S. Willner has agreed to serve as President and Chief Executive Officer of "SpinCo," the new cable company that will be spun off from Comcast upon completion of the Comcast – Time Warner Cable merger and the Comcast – Charter transactions. Willner will oversee the operations of SpinCo, which will serve approximately 2.5 million customers in Alabama, Indiana, Kentucky, Michigan, Minnesota, Tennessee and Wisconsin.

SpinCo will have a nine-member board of directors, three of whom will be appointed by Charter, including Charter President and CEO, Tom Rutledge, who will serve as the non-executive Chairman of the Board. Comcast will appoint three of the remaining six members of the board and will select three more from a list provided by Charter. These six board members will be independent of both Charter and Comcast. In addition, Charter will have a services agreement with SpinCo, which will help both companies achieve greater scale and regional efficiencies.

"A skilled operator with an impressive track record of success, Michael has been a pillar of leadership and an active ambassador for the Industry," said Tom Rutledge, President and CEO of Charter. "Michael's expertise, strategic vision, and knowledge from his years at Insight will be invaluable to the customers, employees and shareholders of SpinCo. Having him on board now – and leading the new business post-transaction – will be extremely advantageous."

"Michael is an excellent leader and the perfect choice to be at the helm of this new company," said Brian L. Roberts, Chairman and CEO of Comcast. "His deep knowledge of the cable business, combined with his experience and focus on technology, will enable him to drive growth and product innovation for customers and position SpinCo as a competitor in the industry."

"I am excited to assemble and lead a new team of executives who will be exclusively focused on creating a great company with terrific products and excellent customer service," said Willner. "I am honored to take on this task and look forward to working with Tom and his team at Charter, as well as the strong teams in place within these systems and the other MSOs and suppliers in the industry."

Willner was a co-founder and CEO of Insight Communications from 1985 through 2012, when Insight was sold to Time Warner Cable. Under Willner's leadership, Insight Communications became one of the most highly regarded operating companies in the industry. He began his career

in 1974 at Vision Cable Communications, a division of Advanced Publications and a part of the Newhouse family's media investments, where he rose to become the Chief Operating Officer. Willner currently serves as President and CEO of privately-held Penthera Partners, a software licensing company focused on cloud-to-mobile technology. He will remain involved with that company as a member of its board.

Willner twice served as Chairman of the National Cable and Telecommunications Association (NCTA), the industry's principal trade association. In addition, he was Chairman of the NCTA's political action committee (CablePAC) from 2000 until 2012, Chairman of the Board of the Cable Center from 2007 through 2011, was on the executive committee of CableLabs, and the boards of C-SPAN and the Walter Kaitz Foundation. Willner is a recipient of the NCTA's 2004 Vanguard Award for Distinguished Leadership and a member of both the Broadcasting and Cable Hall of Fame and the Cable Hall of Fame.

Willner graduated from Boston University's College of Communications in 1974.



## **MATTHEW SIEGEL NAMED CHIEF FINANCIAL OFFICER OF "SPINCO"**

**Stamford, CT and Philadelphia, PA – June 16, 2014** – Charter Communications, Inc. (Nasdaq: CHTR) and Comcast Corporation (Nasdaq: CMCSA, CMCSK) today announced that current Time Warner Cable SVP and Treasurer Matthew Siegel will serve as Chief Financial Officer of "SpinCo," the new cable company that will be spun off from Comcast upon completion of the Comcast – Time Warner Cable merger and the Comcast – Charter transactions. Siegel will continue to serve as Time Warner Cable SVP and Treasurer until the closing of the Comcast – Time Warner Cable merger.

"Matt's background, expertise in finance and knowledge of the cable industry make him a natural choice to serve as SpinCo CFO," said Michael Willner, who will serve as SpinCo CEO. "I have known Matt for many years and he is the ideal leader to oversee the financial operations of the new company. I look forward to working with him again."

In his current role as SVP and Treasurer at Time Warner Cable, Siegel oversees the Treasury functions, Investment Management, Real Estate, Risk Management and the company's Supply Chain Management. He joined Time Warner Cable in 2008 from Time Warner Inc., where he was Vice President and Assistant Treasurer. Prior to joining Time Warner Inc. in 2001, he served as Senior Vice President of Finance and Treasurer of Insight Communications.

"I am looking forward to working with Michael and the Board to build SpinCo into a great company," said Siegel. "My responsibilities at Time Warner Cable will continue to be my primary focus through the close of the transaction, after which I look forward to the work to be done at SpinCo."

Siegel graduated from the Wharton School at the University of Pennsylvania with a B.S. in Economics and earned his MBA from the University of Chicago's Graduate School of Business. He currently lives in Westport, CT with his wife and two children.

### Executive Biographies for Members of Midwest Cable's Board of Directors

- **Rick D'Avino** joined General Atlantic in 2014 and works closely with the Resources Group, investment teams and portfolio companies on all matters related to taxes. Mr. D'Avino served as Vice President and Senior Tax Counsel of the General Electric Company from 1991 through 2013. He was on the Boards of Directors of GE Capital Corporation and GE Capital Services, and of GE SeaCo, a joint venture between GE and Sea Containers Ltd. Prior to GE, Mr. D'Avino was a tax partner at King & Spalding, and served as an Attorney-Advisor and the Deputy Tax Legislative Counsel in the U.S. Treasury Department.
- **James Chiddix** has spent a career of 35 years in the cable industry, including senior roles at both major service providers and equipment suppliers. He was the Chairman and Chief Executive Officer of OpenTV Corporation prior to his retirement in 2007, having served in this position from March 2004 until April 2007. From 2007 to 2009, he served as the Vice-Chairman of the Board of OpenTV. Prior to 2004, his previous roles included President at MystroTV (a division of Time Warner) and Chief Technology Officer and Senior Vice President, Engineering and Technology at Time Warner Cable. Mr. Chiddix has served as a director of Arris Group, Inc. since July 2009, and of Magnum Semiconductor Inc. since October 2010. Mr. Chiddix previously served on the boards of Virgin Media Inc., Symmetricom Inc., Dycom Industries Inc., and Vvyo Inc. Mr. Chiddix attended the School of Electrical Engineering at Cornell University.
- **Gregory L. Doody** became Senior Vice President, Business Affairs for Vineyard Brands in January 2014. He previously served as Executive Vice President, Programming and Legal Affairs for Charter Communications, a position to which he was appointed in January 2011 after having previously served as Executive Vice President and General Counsel since December 1, 2009. He also served as Charter's Chief Restructuring Officer and Senior Counsel in connection with its Chapter 11 proceedings after being appointed on March 25, 2009. Prior to coming to work for Charter, Mr. Doody served as Executive Vice President, General Counsel, and Secretary of Calpine Corporation from July 2006 through August 2008. From July 2003 through July 2006, Mr. Doody held various positions at HealthSouth Corporation, including Executive Vice President, General Counsel, and Secretary. Mr. Doody served as an executive officer of Charter during the pendency of its Chapter 11 cases in 2009. Mr. Doody earned a J.D. degree from Emory University School of Law and received a bachelor's degree in management from Tulane University. Mr. Doody is a certified public accountant.
- **Jill A. Greenthal** is a Senior Advisor in the Private Equity Group at The Blackstone Group L.P. Before joining Blackstone in 2003, Ms. Greenthal was Co-Head of the Global Media Group, Co-Head of the Boston Office and a member of the Executive

Board of Investment Banking at Credit Suisse First Boston. Ms. Greenthal was also Co-Head of the Boston office of Donaldson, Lufkin & Jenrette, before its acquisition by CSFB. Prior to joining DLJ, she was Head of the Media Group at Lehman Brothers. Ms. Greenthal has advised and financed media companies for over 20 years, having worked in all sectors of the business. Ms. Greenthal graduated as a member of The Academy from Simmons College and received an MBA from Harvard Business School. Ms. Greenthal is on the Board of Directors of Akamai Technologies, Michaels Stores, Inc., The Weather Channel and Houghton Mifflin Harcourt. Ms. Greenthal is also a member of the Women's Executive Council of Dana-Farber Cancer Institute and a Trustee of The James Beard Foundation, Simmons College and Overseer of the Museum of Fine Arts in Boston.

- **Dennis S. Hersch** is President of N.A. Property, Inc., through which he acts as a business advisor to Mr. and Mrs. Wexner, and has done so since February 2008. He also serves as a trustee of several trusts established by Mr. and Mrs. Wexner. He was a Managing Director of J.P. Morgan Securities Inc., an investment bank, from December 2005 through January 2008, where he served as the Global Chairman of its Mergers & Acquisitions Department. Mr. Hersch was a partner of Davis Polk & Wardwell LLP, a New York law firm, from 1978 until December 2005. Mr. Hersch has served as a director at Sprout Foods, Inc., a producer of organic baby food, since 2009. Mr. Hersch also served as a director of NBCUniversal Enterprise, Inc., a subsidiary of Comcast Corporation from 2013 to May 2014, and Clearwire Corporation, a wireless, high-speed Internet service provider, from November 2008 to 2013.
- **Wendell F. Holland** served as Chairman of the Pennsylvania Public Utilities Commission and as Treasurer of the National Association of Regulatory Utility Commissioners (NARUC), in addition to serving on NARUC's Executive Committee, its Board of Directors, and as Chairman of its Audit and Investment committees. He is an attorney in private practice. Mr. Holland has organized and participated in several international programs relating to regulatory reform and energy sustainability. He has represented clients and advised governments on utility matters in more than 25 countries. Between his terms as PUC Chairman, Mr. Holland was Of Counsel at Obermayer Rebmann Maxwell & Hippel LLP from 1999 to 2003; Vice President of American Water Works Company from 1996 to 1999, and a Partner at Leboeuf Lamb Greene and Macrae LLP from 1993 to 1995, and at Saul Ewing LLP from 2009 to 2013. Mr. Holland holds a B.S. from Fordham University and a J.D. from the Rutgers University School of Law, Camden.
- **Gregory Maffei** is the President and CEO and a director of Liberty Media Corporation and Liberty Interactive Corporation. Liberty Media owns interests in a broad range of media, communications and entertainment businesses, including SiriusXM, Charter Communications, Live Nation Entertainment and the Atlanta Braves. Liberty Interactive has interests in digital commerce businesses, including TripAdvisor, QVC, Provide Commerce, Backcountry.com, Bodybuilding.com, CommerceHub, BuySeasons, Evite, Expedia, Tree.com, Interval Leisure Group, and HSN. Liberty's

stocks have significantly outperformed the major stock indices and comparable companies under his tenure. Mr. Maffei also serves as Chairman of the Liberty-related companies Live Nation Entertainment, SiriusXM, Starz and TripAdvisor, and as a director of Charter Communications and Zillow. Prior to his joining Liberty in 2005, Mr. Maffei served as President and CFO of Oracle, Chairman, President and CEO of 360networks, CFO of Microsoft and Chairman of the Board of Expedia. Additionally, he has served as a director of Barnes & Noble, Citrix, DIRECTV, Dorling Kindersley, Electronic Arts and Starbucks Coffee. He has an MBA from Harvard Business School, where he was a Baker Scholar, and an AB from Dartmouth College.

- **Thomas M. Rutledge** was appointed as a director and President and Chief Executive Officer of Charter Communications effective on February 13, 2012. A 34 year cable industry veteran, Mr. Rutledge served as Chief Operating Officer of Cablevision from April 2004 until December 2011 and previously served as president of Time Warner Cable. He began his career in 1977 at American Television and Communications (“ATC”), a predecessor company of Time Warner Cable. Mr. Rutledge currently serves on the board of the National Cable and Telecommunications Association (“NCTA”). He served as Chairman of the NCTA from 2008 to 2010 and currently serves on the boards of CableLabs, C-SPAN, and the Cable & Telecommunications Association for Marketing (“CTAM”) Educational Foundation. In 2011, Mr. Rutledge received NCTA’s Vanguard Award for Distinguished Leadership, the cable industry’s highest honor. He is a member of the Cable Hall of Fame and was inducted into the Broadcasting and Cable Hall of Fame in 2011. He received a B.A. in economics from California University in California, Pennsylvania in 1977.
- **Christopher L. Winfrey** joined Charter Communications as Executive Vice President and Chief Financial Officer on November 1, 2010. Mr. Winfrey is responsible for all of Charter’s financial functions, including accounting, financial planning and analysis, tax and treasury, mergers and acquisitions, capital structure activities, and investor relations. He also directs Charter’s supply chain management, facilities, revenue assurance, and business intelligence teams. Prior to joining Charter, Mr. Winfrey served as Chief Financial Officer and Managing Director of Unitymedia GmbH, Germany’s second-largest provider of media and communications services via broadband cable, from March 2006 through October 2010. Mr. Winfrey was also appointed Managing Director of Unitymedia Management GmbH, Unitymedia Hessen Verwaltung GmbH, and Unitymedia NRW GmbH in March 2006 and arena Sport Rechte und Marketing GmbH in April 2008. He has held leadership and finance positions with Cablecom and NTL Europe, assuming a key role in the operational turnaround, triple-play services rollout, and capital markets development at these companies over the last decade. Mr. Winfrey graduated from the University of Florida, with a B.S. degree in Accounting. He also received his M.B.A. from the University of Florida.



ASHPAUGH & SCULCO, CPAs, PLC  
Certified Public Accountants and Consultants



Front Range Consulting, Inc.

**REPORT  
REGARDING  
THE  
SPIN-OFF  
OF  
CABLE SYSTEMS  
TO  
MIDWEST CABLE, INC.**

January 2015

# Report on Spin-Off to Midwest Cable, Inc.

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## Introduction

Ashpaugh & Sculco, CPAs, PLC and Front Range Consulting, Inc. (the "Consultants") have been retained by several LFAs<sup>1</sup> to assist them in the financial analyses of the transfers of the cable television franchises now held by Comcast in a newly formed subsidiary of Comcast, Midwest Cable, Inc. and which are to be spun off to a new company, GreatLand Connections, Inc. ("GreatLand") assuming the Transaction is completed.<sup>2</sup> This spin-off<sup>3</sup> is part of a larger transaction that involves: (i) acquisition of Time Warner Cable, Inc. ("Time Warner") by Comcast Corporation, Inc. ("Comcast"); (ii) sale of systems by Comcast to Charter Communications, Inc. ("Charter"); (iii) swap of systems between Comcast and Charter; (iv) spin-off of systems from Comcast to SpinCo, (v) the reorganization of Charter (collectively, the "Transactions").<sup>4</sup> The Consultants are also assisting LFAs who have authority to review other elements of the Transaction. However, this particular report focuses on the Midwest Cable, Inc. / GreatLand Connections, Inc. spin-off.

## Executive Summary and Recommendations

As the Transfer (that is, the spin-off from Comcast into a new independent entity, GreatLand Connections, Inc. and associated Charter transactions) is currently structured, the Consultants have been given virtually no non-public data on which to assess this transaction

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<sup>1</sup> This report is prepared for the following municipal entities: Meridian Township, MI, the City of Southfield, MI, and the Minnesota Association of Community Television Administrators (MACTA) local franchise authorities (jointly the "Participating LFAs").

<sup>2</sup> The Consultants were not engaged to, and did not, perform an audit of Comcast, Time Warner, Charter or SpinCo (the "Companies"), the objective of which would be the expression of an opinion that the financial statements provide a representation of the operations for the period reviewed. Accordingly, we do not express such an opinion. Had the Consultants performed such additional procedures, other matters might have come to our attention that would have been reported to you. This memorandum relates only to the financial analysis of the proposed spin-off of cable systems owned by Comcast to Midwest Cable, Inc. and does not extend to any financial statements of the Companies or the Participating LFAs. This report is intended solely for the information and use of the Participating LFAs and is not intended to be and should not be used by anyone other than the Participating LFAs without the express written permission of the Consultants.

<sup>3</sup> GreatLand Connections, Inc. is the anticipated new name of the spun off company. During the LFA review process, the spun off company has also been referred to as SpinCo, Midwest Cable, LLC and Midwest Cable, Inc. For the purposes of this Report, GreatLand, SpinCo, Midwest Cable, LLC and Midwest Cable, Inc. are all referring to the same spun off entity. This report will generally refer to the entity as Midwest Cable.

<sup>4</sup> We have identified the following separate but interrelated transactions (jointly the "Transactions"): (1) Comcast acquisition of Time Warner ("Acquisition"); (2) purchase of subscribers by Charter from Comcast ("Sale"); (3) system swaps between Comcast and Charter ("Swaps"); (4) transfers of Comcast systems to SpinCo (aka Midwest Cable, LLC, Midwest Cable, Inc. to be renamed GreatLand Connections, Inc.) ("Transfers") and (5) creation of the new Charter ("New Charter"). They are all interrelated as items 2 through 5 would not occur if the Acquisition is not approved. The description of the transactions is based on the S-1 and S-1A filed by Midwest Cable, Inc. on October 31, 2014 and December 23, 2014.

## Report on Spin-Off to Midwest Cable, Inc.

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notwithstanding numerous data requests and the execution of a confidentiality agreement. As part of this project, the Consultants were asked to determine whether Midwest Cable had shown, either as part of the Form 394 or through supplemental submissions, that it is financially qualified to perform as Franchisee. Neither it, nor Comcast and Charter have provided adequate information that establishes the financial qualifications of Midwest Cable. As will be explained below, without the requested data, the Consultants had to make informed estimates as to the projected financial condition of Midwest Cable after the spinoff. In its December 9, 2014 filed S-4, Charter made projections based on limited data, and Charter, Midwest and Comcast did not provide the support for those projections to the Consultants as requested. As a result, Comcast, Charter and Midwest Cable are asking the Consultants and the Participating LFAs to trust the limited projections included in the Charter S-4 and the limited pro forma estimates in Midwest Cable's S-1 as a reasonable basis to conclude that the new entity, GreatLand, will be financially capable of meeting the franchise requirements and subscribers needs. The Consultants cannot provide that assurance to the Participating LFAs without access to the requested data to allow a full and complete review of the resulting new entity and of the projections of that new entity's initial years' operations. Neither Comcast, Charter nor Midwest Cable have provided reasonable cooperation in this process.

### **Debt**

One measure of financial health used in the cable industry is to compare EBITDA (earnings before interest, taxes, depreciation and amortizations) as a multiple of debt. A lower multiple suggests the company has greater ability to support operations and improve its system; a high multiple may mean the company will be unable to perform as promised because of the increased fixed costs associated with long-term debt. Based on the information provided by Comcast, Charter and Midwest Cable regarding Midwest's projected debt (which Comcast and Midwest indicated may be as much as \$7.8 billion) and the historical EBITDA for the systems Midwest is obtaining in the spin-off (adjusted to include new costs that will be incurred as a result of the Transfer and operating as a stand-alone company), EBITDA is projected to range from approximately 6.4 times to over 10 times multiple of debt in their initial years' of operations. Comcast's EBITDA would be about a 3 times multiple of debt post-transaction.<sup>5</sup>

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<sup>5</sup> The \$7.8 billion is the most recent estimate of the debt Midwest will assume from Comcast, according to the public filings of Comcast, Charter and Midwest Cable. (See Midwest Cable's 12/23/2014 S-1/A.) To be sure, the Transfer documents suggest that Midwest Cable's debt should be limited to no more than 5 times EBITDA – a high level, and still troubling in light of other aspects of the transaction, but at least at the high end of EBITDA/debt multiples in the industry. The so called "financing" EBITDA used to calculate the amount of debt to be assumed by Midwest is different from the EBITDA estimates the Consultants have determined as the projected EBITDA determined in Attachment D to more properly reflect the ongoing operations and costs for Midwest rather than a "financing" EBITDA that excludes real costs to Midwest like costs of executive staff, CSA costs, transactional and transitional related costs. Charter's S-4 filed December 9, 2014 seems to explain Midwest's EBITDA will be based on pro forma financials. However, based on the best information available to

# Report on Spin-Off to Midwest Cable, Inc.

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## Impact on Cash Flow

- Midwest is assuming significant deferred tax liabilities from Comcast. Midwest has asserted in its S-1 in its notes to its financial statements that approximately \$2.2 billion of this deferred tax liability is related to intangible cable franchise rights which will not become payable unless "... we recognize an impairment or dispose of a cable franchise ..." <sup>6</sup> The remaining balance of \$600 million is where Comcast has taken advantage of accelerated depreciation on plant assets and thereby deferring taxes Comcast would owe in the future. However, it is leaving Midwest with the duty to pay those deferred taxes, and that additional tax liability would amount to about \$5.25 per sub per month. This is also likely to impact cash flow, and the ability of Midwest to provide services and fund day-to-day operations.

## Infrastructure

- Midwest is not receiving in the spin-off basic infrastructure now used by Comcast to provide services to subscribers, such as the backbone connections used in the delivery of national programming, Internet and phone services. Hence, the "price" it is paying for the system does not include basic building blocks, which it will need to obtain in other ways. Its flexibility in this regard is limited by the debt it is obligated to acquire in the spin-off.

## Customer Service

- As part of the Transaction, Midwest is required to contract with Charter, which will then be responsible for providing basic customer services and day-to-day operations for an initial term of 3 years. In addition, Midwest will be contracting and paying Comcast for "transition" services. The costs of providing these services to Midwest by Charter under the Charter Service Agreement ("CSA") and by Comcast under the Transition Services Agreement ("TSA") are not known (except for the CSA's 4.25% of gross revenue management fee) and are likely further eroding Midwest's income and cash flow. The 4.25% fee is estimated to be an additional expense to Midwest of approximately \$200 million annually.

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the Consultants, Attachment D shows our calculation of pro forma EBITDA for Midwest is a range from 1,215 million to \$732 million. That is, assuming the \$7.8 billion is accurate, the company is incurring from approximately \$1.6 to \$4.1 billion more in debt than the financial analyses support. Of course, if Comcast were to limit Midwest's debt to 5 times actual pro forma EBITDA, Midwest would be in a much better position to perform.

<sup>6</sup> Midwest S-1 at F-14.

# Report on Spin-Off to Midwest Cable, Inc.

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## Impact on Rates

- Midwest has a high likelihood of cash flow difficulties – it starts day one with no cash reserves, which may require Midwest to increase cash through additional debt (if any debt could be raised), reducing/eliminating capital expenditures, eliminating services and/or raising rates.<sup>7</sup> According to the Charter S-4 projections, Midwest will have increased revenues in 2015 from 2014 of \$184 million compared to Wall Street consensus programming cost increases of \$179 million.

## Impact on Franchise Obligations

- There is significant question as to whether Charter, which is taking on the management of Midwest's 2.5 million subscribers and assuming significant new debt, will be in a position to perform in a manner that satisfies Midwest's franchise obligations. However, we have seen nothing, for example, that suggests that Midwest can perform if Charter does not; that Midwest can terminate the CSA if Charter fails to satisfy franchise obligations for customer service. While Charter and Midwest continue to maintain that the CSA is not yet final, the CSA does ensure Midwest will have significant expenses and it does not guarantee that Charter can or will be in a position to perform. From a review of the draft CSA, it appears that Midwest has limited "outs" if Charter does not perform adequately under the CSA for the first 3 years and Charter has virtually no incentive to ensure that it provides adequate services under the CSA.

Midwest's financial qualifications do not improve significantly if examined over the long term as compared to the short term. The charges under the CSA, the fee of 4.25% of total revenue plus costs for services provided, will continue for at least 3 years. The charges for services provided by the TSA are anticipated to diminish over the first 18 months, but that will require Midwest to have available funds to invest in needed accounting and management computer systems and training and backbone delivery systems for products such as voice, email and Internet. Additionally, Comcast is transferring \$600 million in deferred tax liability to Midwest that may add over \$159.57 million a year in income tax expense for 3 to 4 years.

As discussed in this report in detail, little information was provided and the typical response from Comcast, who, as its owner, was speaking for Midwest Cable, was that all needed information was publically available or "Midwest Cable does not yet own these properties and has not yet established definitive plans for future operations." The last statement is curious since Comcast did and does own these systems, has control of the data and is the guiding force behind the plans for the spin-off of Midwest Cable.

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<sup>7</sup> The Consultants have been advised that Midwest will have a \$750 million line of credit in addition to the initial debt from the spin-off.

## Report on Spin-Off to Midwest Cable, Inc.

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It should be noted that the original financial information contained in the FCC Form 394 as filed (and presented as Exhibit 6 to the filing) has changed materially. Comcast filed amended financial data on August 25, 2014 and September 3, 2014 with the Securities and Exchange Commission (the "SEC") in the form of S-4/As. Without explanation in these filings or to the Participating LFAs, the anticipated initial debt was reduced from \$8.8 billion to \$7.8 billion, reduced transferred deferred taxes from \$3.053 billion to \$2.859 and reduced initial start-up cash from \$600 million to \$300 million. Comcast did not notify the Participating LFAs of these changes and did not refile or amend the original FCC Form 394s.<sup>8</sup> By letter of September 30 to the Participating LFAs' counsels, it was made clear the reductions to the initial start-up debt were needed because revisions had caused Midwest Cable's anticipated income and EBITDA to drop significantly. The amounts for deferred taxes and cash were further changed in the October 31, 2014 S-1 filed by Midwest Cable, Inc., reducing deferred taxes to \$2.836 billion and cash to zero. Both Midwest and Charter have provided some limited new information in Midwest's S-1, S-1/A and Charter's S-4 (filed on December 9, 2014) but have not provided the Consultants with any supporting information to verify their assertions regarding the going forward revenues, expenses and resulting EBITDA notwithstanding the various requests by the Consultants for that supporting data.

Comcast/Charter/Midwest did provide a confidential letter to the Consultants on December 11, 2014 that reiterated the Charter projections contained in the December 9, 2014 Charter S-4 as well as some "averaged" Wall Street consensus forecasts for Midwest.<sup>9</sup>

If the Transaction was approved, from a financial perspective the Consultants recommend the Participating LFAs obtain protections to reduce or protect against the risks identified above; that ensure that customers will receive adequate service, and that there will be adequate remedies if Charter fails to perform; and that ensures that the Participating LFAs have a remedy if Midwest and or Charter do not perform. For Participating LFAs that have significant past performance issues, it may be appropriate to ensure that Comcast either resolves non-compliance issues prior to consummating the Transfer, or otherwise addresses non-compliance in a way that will not burden Midwest Cable.

In addition, the Participating LFAs may wish to ensure that the deal does not change prior to consummation in a way that may harm consumers; and may need to ensure that revenues are not diverted to Charter, and are fully recognized in franchise fees. For example, the management fees paid to Charter should not be deducted from gross revenues before

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<sup>8</sup> We are not aware of any LFA anywhere that received an amendment to the filed 394.

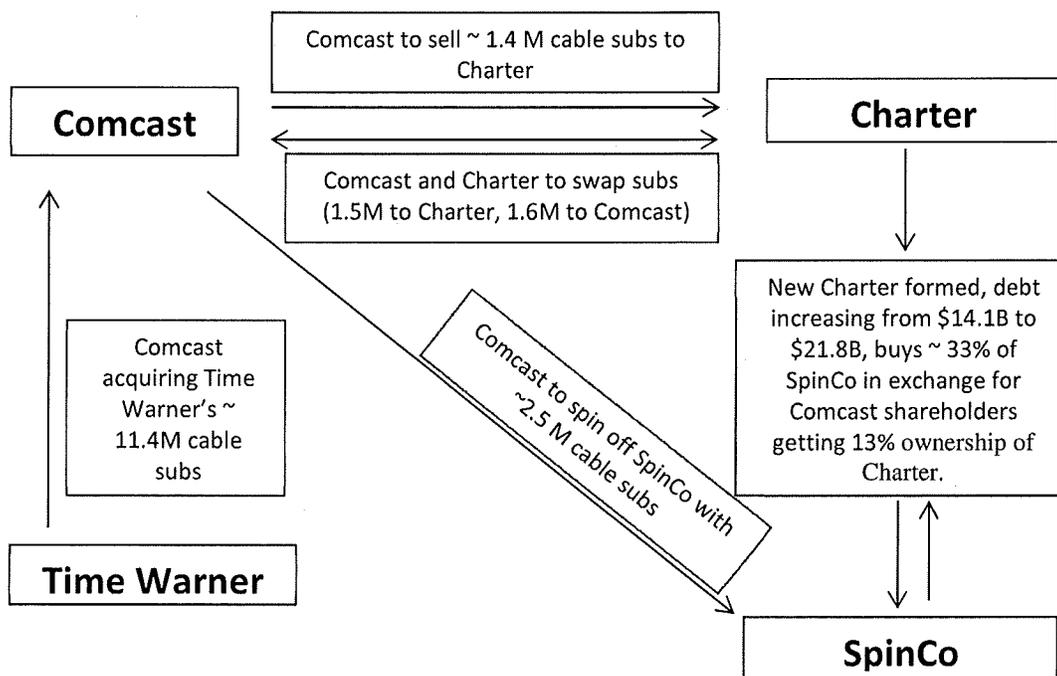
<sup>9</sup> Attachment G contains the redacted version of the December 11, 2014 letter.

# Report on Spin-Off to Midwest Cable, Inc.

computing franchise fees due to the Participating LFAs.<sup>10</sup> The Consultants realize that other non-financial conditions and/or agreements might outweigh or mitigate the impact of the possible financial conditions. The Consultants understand that these non-financial conditions/agreements could involve renewal and extensions of current franchise agreements, PEG financial commitments and channel placements and customer service standards.

## Overview of Transaction

Detailed below is a summary chart showing the Comcast-Time Warner-Charter-Midwest Cable transaction.



As explained above, the Acquisition is the initial transaction in a series of transactions that are all part of the same deal. When Comcast announced the Acquisition, it also explained that it would divest systems and subscribers to reduce its footprint to 30% or less of MVPD subscribers.<sup>11</sup> Comcast proposes to accomplish this through the sale of systems to Charter and the spin-off of systems to a new company, identified as SpinCo (aka Midwest Cable d/b/a

<sup>10</sup> The Consultants are not aware of Midwest Cable or Charter making such a claim at this time. However, protections can be made to prevent this in the future by specifically addressing it in the definition of gross revenues for franchise fees and PEG.

<sup>11</sup> See Comcast's Public Interest Benefits Summary of February 13, 2014.

## Report on Spin-Off to Midwest Cable, Inc.

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GreatLand Connections, Inc.). In addition, Comcast is “swapping” systems with Charter to consolidate its holding in certain areas of the country. (See the public disclosure of April 28, 2014, “Comcast and Charter Reach Agreement on Divestitures”.) As explained above, we refer to the composite of all of the transactions as the Transactions.

SpinCo was recently created by Comcast to effectuate the spin-off of these 2.5 million subscribers from Comcast into this new, to be publically traded cable company. One reason Comcast has proposed this new SpinCo was to bring down the number of video subscribers that Comcast controls to under 30% of the marketplace, a prior FCC threshold no longer in effect. In the SpinCo structure proposed, Comcast will have no direct ownership of SpinCo as Comcast’s contribution of 2.5 million subscribers will be accomplished by a spin-off of SpinCo. Existing Comcast shareholders will receive SpinCo (Midwest Cable) stock, initially owning 100%. Charter Communications will swap 13% of its ownership shares with SpinCo shareholders resulting in Charter Communications owning 33% of SpinCo. In this fashion, Comcast Corporation has no attributable interest in SpinCo or in Charter.

The SpinCo structure also includes the Charter Service Agreement (“CSA”) between Charter and Midwest Cable to allow Charter to assumedly provide much of the engineering, technical, accounting, billing, etc. support functions for Midwest Cable. This in turn would make Midwest Cable potentially a very small employee-based company compared to a traditional cable company. For this service support, Charter will charge Midwest Cable a service fee of 4.25% of its gross revenues plus the cost of the services rendered. Unlike franchise fees that are only applied to cable gross revenues, this service fee will be applied to all gross revenues including data and VoIP revenues. Additionally, Midwest Cable will also have a Transition Service Agreement (“TSA”) with Comcast to provide specified transitional services to Midwest Cable for periods of up to eighteen (18) months. Comcast has stated that charges to Midwest Cable for the TSA-based services will be at Comcast’s incremental costs of providing the services. Midwest Cable will also have a Separation Agreement with Comcast that will address legal matters regarding the spin-off and tax and debt issues. Midwest Cable will have to secure new debt to pay Comcast for the debt associated with the spun-off 2.5 million subscribers, which is reported to be approximately \$7.8 billion, although it is limited to 5 times Midwest Cable’s “financing” EBITDA. In its May 2014 S-4/A and the original FCC Form 394, Comcast identified this new debt level to be acquired by Midwest Cable to be \$8.8 billion. As currently described in filed documents, the new debt to be acquired by Midwest Cable is estimated to be approximately \$7.8 billion based on a 5.0 times estimated 2014 EBITDA.<sup>12</sup> This is a substantial reduction in the debt that Midwest Cable will be issuing and, as described more fully below, includes potential contingencies that Charter will have to participate in additional financing if Midwest Cable is unable to secure this new debt. Essentially the debt being issued by Midwest

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<sup>12</sup> See Charter’s S-4 filed December 9, 2014.

# Report on Spin-Off to Midwest Cable, Inc.

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Cable will allow Comcast to lower its own debt as the Midwest Cable debt will be exchanged for current Comcast debt. Should Midwest's "financing" EBITDA not support the level of \$7.8 billion, since it is limited to 5 times by the terms of the Transactions, any reduction will be absorbed by Comcast in the spin-off.

## Review Methodology

The Consultants have employed a seven step approach to its financial review of the Transactions that include: 1) a review of publicly available information on the Transactions, 2) a review of the FCC Form 394s filed with each of the Participating LFAs, 3) an initial assessment of the financial impacts of the Acquisition, 4) a development of an initial and follow-up data requests related to the Form 394 and underlying documents, 5) an assessment of the data provided by the companies to the data requests, 6) an independent assessment of the resulting financial impacts of the Acquisition and 7) providing this report to the Participating LFAs explaining our analyses and conclusions. In addition, the findings of this report have been discussed with Comcast, Midwest Cable and Charter prior to release.

## Consideration of the Franchisor

The Franchisor may consider many aspects of the transaction of the transfer. When the transfer is to a different company, these considerations include the "legal, financial, technical and character qualifications of the transferee." In the case of a transfer of interest, the franchisor may consider the public interest impact of the transaction if that is permitted by local franchise or state law. For example, the language of Comcast's current franchise with one Minnesota city states:

- 121.(d). For the purpose of determining whether it shall consent to a transfer, except as federal law prohibits it from doing so, the city may inquire into the qualification of the prospective transferee, and the company shall assist the council in any such inquiry. The proposed transferee must show financial responsibility as determined by the city and must agree to comply with all provisions of the franchise. A request for a transfer will not be granted unless the council determines, in light of the record before it, including the transfer application, that:
  - 121.(d).(1). there will be no adverse effect on the public interest, or the city's interest;
  - 121.(d).(2). the transferee will agree to be bound by all the conditions of the franchise and to assume all the obligations of its predecessor; and
  - 121.(d).(3). any outstanding compliance and compensation issues have been resolved or are preserved to the satisfaction of the city.
- 121.(e). The consent or approval of the council to any transfer shall not constitute a waiver or release of the rights of the city, and any transfer shall, by its terms,

## Report on Spin-Off to Midwest Cable, Inc.

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be expressly subordinate to the terms and conditions of the franchise and any amendments or agreements related thereto.

- 121.(f). In the absence of extraordinary circumstances, the council will not approve any transfer prior to substantial completion of the system upgrade required by Article III.
- 121.(g). In no event shall any transfer be approved without transferee becoming a signatory to the franchise, and any amendments or agreements related thereto.

As the above referenced franchise states and Federal law also suggests, a franchising authority may consider franchise compliance in connection with a transfer, and the effect of the transaction on competition in the provision of cable services.

One of the key elements of any transfer review is a consideration of the "financial, technical and legal" qualifications of the franchise holder post-transaction. Section 617 of the Cable Communications Policy Act of 1984 ("Cable Act"), 47 U.S.C. Sec. the FCC developed a form that specifies the *initial* information companies 537 to trigger applicable deadlines for review of a proposed acquisition or merger. The FCC-required information is focused on permitting localities to assess the financial, technical and legal qualifications of the franchise holder post-transaction.<sup>13</sup> Section 617 states:

A franchising authority shall, if the franchise requires franchising authority approval of a sale or transfer, have 120 days to act upon any request for approval of such sale or transfer that contains or is accompanied by such information as is required in accordance with Commission regulations and by the franchising authority. If the franchising authority fails to render a final decision on the request within 120 days, such request shall be deemed granted unless the requesting party and the franchising authority agree to an extension of time.

Additionally, the Code of Federal Regulations states in 47 CFR § 76.502:

Time limits applicable to franchise authority consideration of transfer applications.

- a) A franchise authority shall have 120 days from the date of submission of a completed FCC Form 394, together with all exhibits, and

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<sup>13</sup> While the FCC's form is focused on financial, technical and legal qualifications, it does not override local requirements or substantive standards for review. An application for a transfer should include the specific information required by the form, as well as information required by local ordinances and franchises governing transfers.

## Report on Spin-Off to Midwest Cable, Inc.

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any additional information required by the terms of the franchise agreement or applicable state or local law to act upon an application to sell, assign, or otherwise transfer controlling ownership of a cable system.

b) A franchise authority that questions the accuracy of the information provided under paragraph (a) must notify the cable operator within 30 days of the filing of such information, or such information shall be deemed accepted, unless the cable operator has failed to provide any additional information reasonably requested by the franchise authority within 10 days of such request.

c) If the franchise authority fails to act upon such transfer request within 120 days, such request shall be deemed granted unless the franchise authority and the requesting party otherwise agree to an extension of time.

From the perspective of local franchising authorities and consumers, the financial issues surrounding a merger or other transfer has less to do with whether someone may profit from a transaction and more to do with the potential impact of the transaction on current and future operations and cable subscribers. If, for example, a company pays too much for a cable system, it may be forced to raise rates, reduce franchise obligations, cut back on day-to-day customer services or take other steps to cut costs or increase revenues to achieve its targeted financial results. If, for example, a company is required to assume debt as part of a transaction, that could affect the company's ability to issue debt in the future, and may limit the company's ability to finance service or system expansions, upgrades and improvements. If, for example, a transaction has significant "transition costs" - costs associated with changing over internal systems, changing out customer premises equipment, making the systems operationally and administratively consistent, training and severing employees, etc. - the company must have enough cash on hand and sufficient cash flow to cover normal expenses but also the expected expenses and losses that can be anticipated to accompany the transaction, while maintaining debt service covenants and ratios that will allow the company to obtain any needed additional debt for equipment, system expansions and operational changes. Otherwise, the company is either likely to become financially unstable, or must respond with actions that affect the quality (and price) of cable services immediately and into the future. One should not and cannot just assume that a deal involving experienced cable operators is a sound deal particularly when these cable operators are merging established companies, each with its own established traditions and methodologies. Experienced cable operators can and do go bankrupt, as was the case with Adelphia Communications filing bankruptcy in 2002 and Charter in 2009.

### **Complicating Circumstances in this Transaction**

In this case, the financial analyses are complicated by at least three factors.

First, we need to analyze the financial position of Midwest Cable after the Spin-off. Midwest Cable-owned subsidiaries will own the local systems, and if the Spin-off results in insufficient

## Report on Spin-Off to Midwest Cable, Inc.

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cash flow, it will impact Midwest Cable's borrowing capabilities, redirects capital resources to transitional operations, etc. As a result, customers and franchise obligations may suffer. Financial detail of the spun off company has only been provided in summary and based on internal accounting allocations when these systems were part of Comcast, not as if Midwest Cable is a separate operating company. The emphasis included in the outside auditor's report, by Deloitte & Touche, LLP, dated October 24, 2014 contain the following caution:

"As discussed in Note 1 [to the audited financial statements], the Company [Midwest Cable] is an integrated business of Comcast Corporation and is not a stand-alone entity. The accompanying combined financial statements reflect the assets, liabilities, revenue, and expenses directly attributable to the Company, as well as allocations deemed reasonable by Comcast Corporation management, and do not necessarily reflect the combined financial position, results of operation, and cash flows that would have resulted had the Company been operated as a stand-alone entity during the periods presented." (Midwest Cable S-1 dated October 31, 2014, page F-2)

As discussed below, the overall concern is that the data presented initially and as revised by Comcast and Midwest Cable are NOT financial statements reflecting Midwest Cable as a separate operating company but rather an allocation of what Midwest Cable financial results were as part of Comcast using Comcast "shared" services, management team, programming contracts, etc.

Second, the Transactions also include the acquisition of former Time Warner and Comcast franchises in the Sale and Swaps between Comcast and Charter. Charter's operating efficiencies will be impacted as it transitions new systems from Time Warner and Comcast into "new" Charter and also provides services for systems that will be owned or operated by Midwest Cable. Midwest Cable will be dependent upon Charter for a multitude of day-to-day operating activities. To the extent new Charter struggles with the increased debt load it will acquire as part of these acquisitions and the integration of these new franchises into new Charter, the level of services being provided by new Charter to Midwest Cable could be impacted. A recent S-1/A filed by Liberty Broadband, a 26% owner of Charter explains the risk factors. Among other things, "Charter has a significant amount of debt and may incur significant additional debt, including secured debt, in the future, which could adversely affect its financial health and ability to react to changes in its business." Liberty goes on to note that "If current debt amounts increase, the related risks that Charter faces will intensify." The proposed transaction does increase Charter debt.

With respect to the Comcast-Charter-Midwest deal, the S-1/A states:

"Charter's management will be required to devote a significant amount of time and attention to the process of integrating the operations of the acquired assets with Charter's pre-Comcast Transactions operations. There is a significant degree of difficulty and management involvement inherent in that process. These difficulties include:

## Report on Spin-Off to Midwest Cable, Inc.

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- integrating the operations of the acquired assets while carrying on the ongoing operations of the businesses Charter operated prior to the Comcast Transactions;
- integrating information, purchasing, provisioning, accounting, finance, sales, billing, payroll, reporting and regulatory compliance systems;
- integrating and unifying the product offerings and services available to customers, including customer premise equipment and video user interfaces;
- managing a significantly larger company than before consummation of the Comcast Transactions;
- integrating separate business cultures;
- attracting and retaining the necessary personnel associated with the acquired assets;
- creating uniform standards, controls, procedures, policies and information systems and controlling the costs associated with such matters; and
- the impact on Charter's business of providing services to GreatLand Connections, Inc. which will also face the foregoing difficulties.

Charter and Comcast have agreed to provide each other with transition services in connection with the transferred systems and relevant assets. Providing such services could divert management attention and result in additional costs, particularly as Charter starts up infrastructure and staff to take over transitional services and provides transition services to Comcast for former Charter systems. In addition, the inability to procure such services on reasonable terms or at all could negatively impact Charter's expected results of operations. If Charter's management is not able to effectively manage the integration process, or if any significant business activities are interrupted as a result of the integration process, Charter's business could suffer and its liquidity, results of operations and financial condition may be materially adversely impacted.

Of course, the fact that these risk factors exist does not mean that Charter believes it will fail, or that it will be unable to address the risk factors. Some of the risks are common to any transaction, and not just this one. But the statement of risk factors does recognize that there are likely to be significant additional costs associated with the transactions that are not reflected in historical data, and it does suggest that there is reason for an LFA to approach the transaction cautiously.

Third, the company refused to provide meaningful information regarding future costs to Midwest Cable or to Charter, or information regarding expected cash flows, despite repeated requests. As part of a financial analysis, the Consultants will typically seek information sufficient to allow the Consultants to evaluate the company's (in this case, Midwest Cable) operations against standard industry metrics, and to determine (i) the impacts on cash flow from each of these deals and (ii) what sort of cash flows would be required to meet operational

## Report on Spin-Off to Midwest Cable, Inc.

and capital expenses of the resulting company and generate the sort of free cash-flow/return on investment expected in the industry. All that has been presented in the FCC Form 394 and made available in public filings are pro forma historical financials (balance sheet, income statement and a simplified cash flow for the first time in the S-1) showing Midwest Cable before the spin-off as operated by Comcast with limited pro forma adjustments from the spin-off (primarily the addition of the debt and the inclusion of the Charter Service Agreement gross revenue fee). No start-up or transition costs have been identified, and no information has been provided as to the costs that Charter will charge Midwest (remember, Charter recovers costs plus 4.25% of gross revenues under its deal with Midwest). Not only is information missing with respect to costs that clearly will be incurred, but the analysis is based on Comcast's performance as operator of the system.

That is, the financial information does not show if cash flow will be generated that will allow Midwest Cable to cover transitional and integration costs, without significant impact on rates, consumer service and investment throughout the spun off systems serving the Participating LFAs.

Charter's December 9 filed S-4 shows some projected financial data for Midwest Cable. This data cannot be analyzed by Consultants since the supporting detail has not been provided. However, Charter's projections show the following:

	Midwest Cable Projected <sup>14</sup>					
	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Revenue (\$MM)	\$4,625	\$4,809	\$5,050	\$5,378	\$5,728	\$6,043
EBITDA	\$1,558	\$1,575	\$1,609	\$1,713	\$1,825	\$1,925
CapEx (\$MM)	\$735	\$818	\$808	\$753	\$773	\$786
Cash Flow Before Finance and Tax (EBITDA less CapEx) (\$MM)	\$823	\$757	\$801	\$960	\$1,052	\$1,139

These Charter projections appear to be projections of what Charter believes the financial results of Midwest will be as a stand-alone entity as opposed to the financial results of Midwest as part of Comcast but cannot be reviewed or verified by the Consultants because Charter has refused to provide supporting detail.

Analysis of projected financials and cash flow would provide a basis for conclusions on shifts in revenues, expenses and capital budgets from the Transactions. Changes in revenues could signify rates increases above historical levels. Expense changes could identify changes in services, increased costs for the Transactions or discontinuation of some operations. Capital shifts from investment in customer premises equipment to distribution plant might suggest problems in providing enhanced services in legacy Comcast systems. Simply put, the financial

<sup>14</sup> Charter S-4 of December 9, 2015.

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## Report on Spin-Off to Midwest Cable, Inc.

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information provided to the Participating LFAs in the FCC Form 394, the multiple Comcast S-4/A's and the Midwest S-1 and S-1/A provide historical financial information on what Midwest Cable would look like as part of Comcast and not as a standalone entity. The Midwest S-1 and S-1/A contain financial information related to "shared" facilities costs from Comcast that will not continue after the spin-off and may or may not be replaced by new costs to Midwest Cable and/or part of the Charter Service Agreement ("CSA") and the Comcast Transition Service Agreement ("TSA"). It appears unlikely that Midwest would be able to replicate Comcast's performance, but the "financial qualifications" showing made by the company effectively is based on the assumption that Midwest Cable will be able to do so.

### **Efforts to Obtain Additional Information**

Comcast filed with the SEC Form S-4/A on May 23, 2014 and established a data link on its website for "public information" associated with the Transactions. The S-4/A contained basic information about the Transactions, including the anticipated spinoff of Midwest Cable, e.g., balance sheets and income statements in summary form showing Comcast, the adjustments to spinoff Midwest Cable, the adjustments associated with the Swaps with Charter, the adjustments associated with the Sale to Charter and the resulting financials of Comcast after the Transactions.

The FCC Form 394s for the transfer of the franchise from Comcast to Midwest Cable was filed with the Participating LFAs on or about June 17, 2014 and relied on the same data as in the May 23 S-4/A. Each of the Participating LFAs within 30 days provided a letter to the identified contact at Comcast explaining the deficiencies in the filed 394 and requesting additional information on the transfer and the financial aspects of the transaction. Comcast responded on or about July 28, 2014 providing no financial information typically stating "(t)he requested information falls outside the scope of this proceeding" and to refer the Participating LFAs to a website of publically available information which contained copies of SEC and FCC filings. Comcast's non-financial responses typically included statements such as:

- "We disagree with the suggestion in your letter that the Application was incomplete or inaccurate."
- "Midwest Cable does not yet own these properties and has not yet established definitive plans for future operations."
- "At this time, Midwest Cable has not developed any specific plans that would impact operations or facilities for the member communities served by the Commission."
- "This request exceeds the scope of permissible review of the Form 394 because it seeks information about broadband services, which are outside the Commission's regulatory authority."
- "We can assure you, however, that if any change is made, it will be undertaken in manner that minimizes disruption to existing subscribers."

## Report on Spin-Off to Midwest Cable, Inc.

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- “Midwest Cable does not have any current plans to change ...”

On behalf of the Participating LFAs, the Consultants sent a follow-up request to Comcast, Charter and Midwest Cable on August 13, 2014. Without making any promises or commitments to providing additional information, Comcast and Midwest Cable by letter of August 22, 2014 granted each of the Participating LFAs “a 60-day extension to December 15, 2014, to complete review of the pending Form 394 Application.”

On August 25, 2014, without any notice to the Participating LFAs, Comcast filed a SEC Form S-4/A that contained significant changes to the financial aspects of the spinoff of Midwest Cable, e.g., initial start-up debt was decreased from \$8.8 billion to \$7.8 billion, operating income was decreased by 11.8%. The Consultants provided an additional request on September 3 to address questions raised by the August 25 S-4/A.

The August 25 S-4/A was further corrected by Comcast’s S-4/A filed September 3, 2014. On September 30, 2014 Comcast (without responding to the August 13 request) explained that due to the 11.8% reduction in carve out “Operating Income” and the resulting flow-through to EBITDA (earnings before interest, taxes, depreciation and amortization) that Midwest Cable could not support the original start-up debt of \$8.8 billion requiring it to be decreased to \$7.8 billion.<sup>15</sup> Comcast acknowledged that the “enterprise value” of Midwest Cable had decreased to \$13 billion from the \$14.3 billion amount put forth by Comcast in April 2014. Comcast also revealed for the first time narrative describing generally the “transition services” Comcast would provide to Midwest Cable “on an incremental cost basis.” No additional information was provided on what those costs would be. As previously explained in public documents, the letter explained that Charter would provide services to Midwest Cable under the “Charter Services Agreement” (“CSA”) and stated “Charter will provide a variety of services to Midwest Cable in exchange for cost reimbursement at actual economic cost with no markup.” Again, no specific cost data was provided since the CSA had not been finalized. The letter stated that the Midwest Cable S-1 filing with the SEC was “expected to be filed by October 31, 2014.” Finally, the letter stated that “Comcast and Midwest Cable are together granting an additional one-month extension to January 15, 2015.” The Participating LFAs jointly responded to Comcast’s September 30 letter on October 10, 2014.

The Participating LFAs’ October 10 letter again included financial requests of Comcast, Midwest Cable and Charter, basically the August 13 requests updated to reflect the information in Comcast’s September 30 letter, and explained that “it is very important” the October 31 response to the LFAs “include responses to pending data requests” and a revised Exhibit 6 to the filed FCC Form 394. Comcast responded by letter dated October 21, 2014 making it clear

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<sup>15</sup> \$8.2 of the \$8.8 billion was to be paid to Comcast and \$600 million retained by Midwest Cable as start-up cash. The S-4/A shows all of the \$7.8 billion going to Comcast and there has not been any explanation of the resulting \$400 million reduction in the payment to Comcast or the lack of any start-up cash for Midwest Cable.

## Report on Spin-Off to Midwest Cable, Inc.

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that the requests would not be specifically responded to, that it was planning to publicly release the audited and unaudited financial statements in the Midwest Cable Form S-1 by October 31, 2014 and that, upon execution of "an appropriate confidentiality agreement," these documents could be provided to the Consultants.<sup>16</sup> The confidentiality agreement ("CA") was executed on October 24. The Midwest Cable, Inc. "audited" combined financial statements as of December 31, 2013 and 2012 were provided plus the condensed combined financial statements for the 6 months ended June 30, 2014. Since these documents were made public 7 days later, the only thing executing the CA did was allow the Consultants to view them a week early. As it turned out these was nothing new or meaningful in these documents. No financial information was provided on Midwest Cable's costs from Comcast under the transition agreement and no financial information was provided on Charter's charges to Midwest Cable. No adjustments were made to reflect Charter's costs. For example, Midwest Cable will be receiving programming under Charter's contracts and at Charter's costs, which are different than Comcast's programming and Comcast's costs, but no adjustment was made or even discussed in these financials. The Consultants immediately responded back to Comcast requesting more detail and pro forma data for the calendar year 2014.

On October 31, Midwest Cable filed its S-1 with SEC that included the financial data provided to the Consultants on October 24. No additional financial information or explanations were provided that had not already been made public.

On November 7, Comcast emailed the TSA (see Attachment C) by and between Comcast Corporation and Midwest Cable, Inc., 48 Statements of Work ("SOWs") prepared in connection with the TSA and the CSA (see Attachment B) by and between Midwest Cable, Inc. and Charter Communications Operating, LLC. These documents again described the services that would be provided but did not provide any cost data that had not already been made public.<sup>17</sup> The TSA and CSA are current drafts of these documents and have not been signed by either party and according to the S-1 are subject to material changes.

Attachment A provides samples of each of the documents referenced in the above discussion.

The publicly available information provided directly to the LFAs, or made available on the web by the companies has been provided to meet requirements of Federal regulatory agencies and shareholders. It is not designed to meet the needs of the Participating LFAs trying to assess the financial impacts of the Acquisition, Sale, Swaps and Transfers, and as suggested above, in this

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<sup>16</sup> It should be noted that starting with the Participating LFAs initial response to the 394 by letters generally dated on or around July 17, Comcast was told that the Consultants were willing to execute a confidentiality agreement with Comcast to protect confidential information from release. The October 21 letter was the first time Comcast had responded to the offer.

<sup>17</sup> The TSA, SOW and CSA are not included in Attachment A.

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## Report on Spin-Off to Midwest Cable, Inc.

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case clearly omits information relevant to an analysis of Midwest's capabilities as a standalone company.

In sum: the Participating LFAs made requests of Comcast/Charter/Midwest Cable for the required additional information. However, Comcast largely did not provide any additional detail and, again, only referenced the publically available information. As we explain below, the Consultants therefore developed an analysis of Midwest's position based on the information that was provided, adjusted conservatively for costs that Midwest will incur.

The Consultants had a conference call with Comcast, Midwest Cable and Charter on December 15, 2014 to discuss this report. While criticisms were made by Comcast and Charter, little additional information was provided in the call or in subsequent correspondence. This report, where appropriate, addresses the comments of Comcast, Midwest Cable and Charter. Changes were made based on clarifying information provided.

### Overview of Midwest Cable

Midwest Cable, Inc. was created as an operating subsidiary of Comcast Corporation<sup>18</sup> as part of the overall Transactions to house the cable systems that were being transferred to Midwest Cable assuming the approval of the merger. Midwest Cable, following the spin-off, will issue classes of common stock to each shareholder of Comcast's Class A, Class A Special and Class B common shareholders shares of Midwest Cable Class A and Class A-1 common stock. The Class A-1 will be converted in New Charter common stock whereby the Comcast shareholders will own approximately 13 percent (13%) of New Charter. After all of these technical and complicated stock transactions, the resulting ownership of Midwest Cable will be approximately sixty-seven percent (67%) will be owned by Comcast's three current classes of common stock and approximately thirty-three percent (33%) owned by New Charter directly.<sup>19</sup> The shares of Midwest Cable will be publically traded on the NASDAQ under the symbol "GLCI." Midwest Cable will be a separate stand-alone company with its own Board of Directors and Management team with two major caveats: first, the initial Board is appointed by Comcast and Charter, and second New Charter will be responsible for providing most of Midwest Cable's day-to-day operations under the Charter Service Agreement.

Midwest Cable presented the following chart of the post Transaction ownership structure in its S-1.

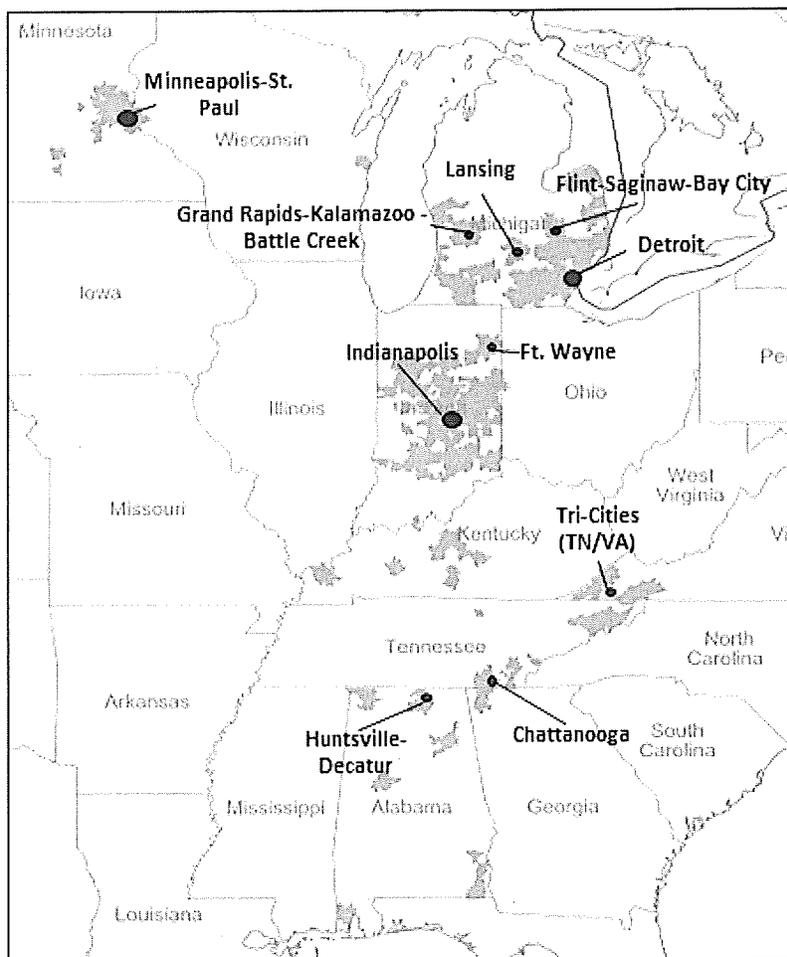
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<sup>18</sup> Midwest was formed in May 2014 as a wholly owned subsidiary of Comcast.

<sup>19</sup> As the shareholders of Comcast will own 13% of New Charter, the real ownership of Midwest Cable by Comcast shareholders will be 67% plus approximately 4% (New Charter's 33% times Comcast shareholders' 13%) or over 71% of Midwest Cable.



## Report on Spin-Off to Midwest Cable, Inc.



The three largest clusters for Midwest Cable appear to be in the metropolitan areas including and surrounding Detroit (28%), Indianapolis (14%) and Minneapolis-Saint Paul (22%).

The Board of Directors initial make-up is very interesting as Comcast has appointed three (3) of the Board members, New Charter has appointed three (3) members and Comcast has selected three (3) members from a list presented by New Charter. Mr. Michael S. Willner (previously CEO of Insight Communications, which was sold to Time Warner in 2012) will serve as President and CEO of Midwest Cable. Mr. Thomas M. Rutledge (currently President and CEO of Charter Communications) will become the Chairman of the Board of Midwest Cable. The September 30, 2014 letters sent to the Participating LFAs details other executive management employees that are to be part of Midwest Cable. As a result, it is not unreasonable to assume that the direction of Board of Directors and the executive management team will be greatly aligned with the strategy being used by Comcast and Charter.

## Report on Spin-Off to Midwest Cable, Inc.

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Midwest in its S-1 has identified “risks” associated with this Transaction. They identified the following risk factors:

- *We currently face a wide range of competitors, and our business and results of operations could be adversely affected if we do not compete effectively.*
- *Newer technologies and services are driving changes in consumer behavior, which may increase the number of competitors we face and adversely affect our businesses.*
- *Our programming expenses may increase materially following the spin-off.*
- *Programming expenses for our video services are increasing, which could adversely affect our businesses.*
- *We face risks inherent in our commercial business.*
- *Our business depends on keeping pace with technological developments.*
- *We are subject to regulation by federal, state and local authorities, which may impose additional costs and restrictions on our businesses.*
- *Changes to existing statutes, rules, regulations, or interpretations thereof, or adoption of new ones, could have an adverse effect on our business.*
- *Tax legislation and administrative initiatives or challenges to our tax positions could adversely affect our results of operations and financial condition.*
- *A decline in advertising expenditures or changes in advertising markets could negatively impact our businesses.*
- *We rely on network and information systems, properties and other technologies, and a disruption, cyber attack, failure or destruction of such networks, systems, properties or technologies may disrupt or have an adverse effect on our business.*
- *Weak economic conditions may have a negative impact on our business.*
- *We may be unable to obtain necessary hardware, software and operational support.*
- *We may be unable to maintain intellectual property protection for our products and services.*
- *Our cable system franchises are subject to non-renewal or termination. The failure to renew a franchise in one or more key markets could adversely affect our business.*
- *The effect of changes to healthcare laws in the United States may increase the number of employees who choose to participate in our healthcare plans, which may significantly increase our healthcare costs and negatively impact our financial results.*

Midwest has identified additional risk factors associated with the Transaction. They identified the following risk factors.

## Report on Spin-Off to Midwest Cable, Inc.

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- *We have no operating history as a separate company and may be unable to maintain our operating results at historical levels after becoming a stand-alone company.*
- *As a stand-alone company, we expect to expend additional time and resources to comply with rules and regulations that do not currently apply to us.*
- *Our historical and pro forma financial information may not be indicative of our future results as a separate company.*
- *The combined post-distribution value of Comcast, our and New Charter shares of common stock may not equal or exceed the pre-distribution value of Comcast shares of common stock.*
- *The transactions are subject to certain conditions, and therefore the transactions may not be consummated on the terms or timeline currently contemplated.*
- *After the transactions, certain members of management, directors and stockholders may face actual or potential conflicts of interest.*
- *The indemnification arrangements we entered into with Comcast in connection with the transactions may require us to divert cash to satisfy indemnification obligations to Comcast. In addition, Comcast's indemnity to us may not be sufficient to insure us against the full amount of liabilities for which it will be allocated responsibility, and Comcast may not be able to satisfy its indemnification obligations to us in the future.*
- *Transfer or assignment to us of certain contracts and other assets may require the consent of a third party. If such consent is not given, we may not be entitled to the benefit of such contracts and other assets in the future.*
- *Our financial results may be impacted in the event we no longer receive services from Comcast or Charter.*
- *If the spin-off and SpinCo merger, together with certain related transactions, do not qualify as a transaction that is generally tax-free for U.S. federal income tax purposes, holders of Comcast common stock and Comcast could be subject to significant tax liability.*
- *If the spin-off is taxable to Comcast and Comcast is not at fault or is not otherwise indemnified by New Charter under the tax matters agreement, we will generally be required to indemnify Comcast; the obligation to make a payment on this indemnification obligation could have a material adverse effect on us.*
- *We may be affected by significant restrictions following the spin-off and SpinCo merger in order to avoid triggering significant tax-related liabilities.*

Finally Midwest has identified several risk factors associated with their indebtedness.

## Report on Spin-Off to Midwest Cable, Inc.

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- *In connection with the transactions, we expect to incur indebtedness, which could adversely affect our financial condition and prevent us from fulfilling our obligations under anticipated agreements governing our indebtedness.*
- *We may not be able to generate sufficient cash to service our indebtedness and may be forced to take other actions to satisfy our obligations under our indebtedness, which may not be successful.*
- *We may not be able to access the credit and capital markets at the times and in the amounts needed and on acceptable terms.*
- *The terms of the agreements governing our indebtedness are expected to restrict our current and future operations, particularly our ability to respond to changes or to take certain actions, which could harm our long-term interests.*

In any S-1, "risk factors" are identified to alert potential stockholders as to risks associated with a transaction, and, in many, risk factors are common to any merger. However, what the risks do show is what may happen if a company has excessive debt, is undercapitalized, has insufficient operating capital, or lacks the infrastructure and resources necessary to provide services itself. The question, then is whether the companies have shown that the Transfer is structured in such a way that there no real risk of non-performance or failure to perform as now required or as may be required to meet future needs, and no significant risk of harms to subscribers (in the form of increased rates, reduced services or poor customer service).

Four significant aspects of Midwest Cable's new structure will be: (1) issuance of approximately \$7.8 billion of new debt<sup>20</sup>, (2) entering into the Charter Service Agreement, (3) entering into the Comcast Transition Service Agreement and (4) assuming approximately \$600 million in deferred tax liability associated with non-intangible assets. Midwest Cable has presented in its S-1 that the shareholder equity on a book basis at the time of spin-off be approximately a negative \$2 billion. This negative equity coupled with the \$10.6 billion of long term liabilities (debt and deferred taxes) suggests a new company saddled with a significant hill to climb before shareholders will see positive earnings results.<sup>21</sup> Impacts to the Participating LFAs could be difficulty in funding needed equipment, upgrades and promised franchise-related expenditures, fixing non-compliance issues and increases in rates.

The two service agreements, the CSA<sup>22</sup> and the TSA,<sup>23</sup> are very important in understanding the management of Midwest Cable on a stand-alone basis. Midwest Cable will enter into a service

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<sup>20</sup> See note 5 above.

<sup>21</sup> A more complete discussion of the debt level and deferred taxes is contained in the following section discussion Midwest's Financial Qualifications.

<sup>22</sup> See Attachment B.

<sup>23</sup> See Attachment C.

## Report on Spin-Off to Midwest Cable, Inc.

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agreement, the TSA, with Comcast to provide a multitude of transitional services to Midwest Cable as it transitions from being Comcast owned and managed systems to a stand-alone entity at the time of spin-off. The S-1 description<sup>24</sup> of the TSA is:

The nature and scope of the transition services will be as set forth in the transition services agreement and will otherwise be substantially consistent with the nature and scope of such services as provided by Comcast and its subsidiaries to the SpinCo systems immediately before the effective date of the spin-off. If, after the effective time of the spin-off, we identify additional services that are not provided under the transition services agreement (other than because Comcast and we agreed that those services would not be provided), and certain other conditions are met, Comcast and its subsidiaries will provide those services as they can reasonably provide and those services that Comcast and its subsidiaries provide will become transition services under the transition services agreement.

Promptly following entry into the transition services agreement, we and Comcast will develop a joint migration plan, which will target completion of the migration of certain transition services to us or our designees by not later than the first anniversary of the effective date of the spin-off.

In consideration for the transition services, the transition services agreement will provide that we will reimburse and pay to Comcast and its subsidiaries their actual, incremental costs (without overhead allocation) of providing the transition services (including in connection with the migration of the transition services).

While there has been no presentation of the estimated costs associated with this TSA included in the financial data supporting this Transaction, we find the inclusion of the incremental cost language and no overhead allocation to be a positive position for Midwest Cable. Having said that, many of the items that Comcast will be providing will only allow Midwest Cable to have a limited time to decide whether to include these services under the CSA or require Midwest Cable to internally provide these services. For example, if Comcast was providing any general accounting services to Midwest Cable for a fixed time period, Midwest Cable will be required if not covered by the CSA to develop these internal accounting systems to replace those being provided by Comcast under the TSA. This will require capital and significant management time and effort to take an empty shell company and bring it up to a fully functioning stand-alone company. Historically in the cable industry, mergers and acquisitions occurred where the surviving party was already a functioning operating company with all necessary back-office operations. That is not the case with Midwest Cable. The financial information provided about Midwest Cable in this spinoff does not reflect these potentially significant start-up costs that will be required. Additionally, the S-1 contains the following caveat:

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<sup>24</sup> See pages 68 and 69 of the Midwest S-1.

## Report on Spin-Off to Midwest Cable, Inc.

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The terms of the transition services agreement have not yet been finalized; changes, some of which may be material, may be made to the terms of the transition services agreement before it is finalized, including to the terms described above. You should read the full text of the transition services agreement, which will be filed with the SEC as an exhibit to the registration statement into which this prospectus is incorporated.

As a result, the Consultants caution the Participating LFAs that this TSA needs to be fully understood especially with respect to the ongoing costs to Midwest Cable and the efforts Midwest Cable will need to accomplish in order to self-provision these TSA services within the estimated one-year term of the TSA. These costs to Midwest Cable could be significant and may result in capital expenditures and operational expenses to be diverted from day to day operations, like franchise compliance, in order to get this start-up company fully functioning.

The CSA is a much different agreement. Instead of being short-term in nature the CSA is for a minimum of three (3) years with automatic renews for one year periods. The services to be provided under the CSA include:

- Corporate Services;
- Network Operations;
- Engineering and IT;
- Voice Operations
- Field Operations Support Services
- Customer Service;
- Billing and Collections
- Product Services;
- Marketing Services;
- Sales;
- Business Intelligence; and
- Intellectual Property Licensing.

From this list it would appear that the CSA will cover virtually all of the day-to-day operations except for HR, Legal, Finance and Accounting and Government Affairs. The CSA provides the following compensation terms for Midwest Cable payments to Charter.

In consideration for the services, the Charter services agreement will provide that we will pay to Charter and its subsidiaries the actual, economic costs of providing the services, without markup, which will comprise any direct costs incurred in providing the services and, subject to certain exceptions, an allocated portion of the compensation and overhead expenses incurred in providing the services. We will also reimburse Charter and

## Report on Spin-Off to Midwest Cable, Inc.

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its subsidiaries for out-of-pocket costs incurred in providing the services. In addition, in consideration for certain rights, including the rights to purchase goods and services, and the rights to obtain programming services, under Charter's third party procurement and programming agreements, we will pay Charter a services fee equal to 4.25% of our gross revenues.

Different from the TSA which provides for incremental costs without overhead, the CSA provides for a flat percentage of gross revenues (including non-cable revenues) at 4.25 % plus direct costs, out-of-pocket costs and allocated overhead expenses. Based on 2013 gross revenues, Midwest Cable has estimated the 4.25% service to be approximately \$190 million exclusive of any direct and allocated overhead costs.

It does appear that Midwest Cable will be relying on new Charter's programming agreements to provide the necessary video programming to the Midwest Cable systems. While there has been no estimate of the potential programming cost increases provided by Comcast, Charter or Midwest Cable as a result of Midwest Cable subscriber's losing the expected lower programming costs from Comcast to the new Charter programming costs, sources from Wall Street reportedly estimate the increase to programming to be around \$179 million in Midwest Cable first year of operation. If this \$179 million is correct, that would mean that each video subscriber will cost Midwest approximately \$6.00 per month or approximately 8% to 10% more. It is likely that if the programming costs under the CSA are greater than as part of Comcast, Midwest Cable will likely be incented to raise prices for its products to produce the same net income as it would have under Comcast ownership. In fact the Midwest S-1 states:

Prior to the spin-off, programming expenses for our video services were our largest single expense item, even with the benefit of lower rates obtained by Comcast due to its scale as being the nation's largest cable operator. Following the spin-off, we will not receive the benefit of Comcast's lower programming rates. We expect that we will obtain our programming primarily through Charter's programming arrangements, as well as through some direct relationships with programmers. As a result, our programming expenses may increase materially due to the loss of benefits attributable to Comcast's scale.

The CSA has the same caveat as quoted above in that it is not final and may be revised. In the S-1, Midwest Cable also describes a second service agreement with Charter that will reverse the roles of the CSA, that is, Midwest Cable providing services to Charter. It is intended to have the same cost reimbursement procedures as the CSA with the notable exception of the elimination of the 4.25% gross revenue fee.

Additionally, the S-1 discusses a Separation Agreement between Comcast and Midwest Cable that addresses many corporate transactions and regulatory approvals required as part of the Transfer. Part of the provisions of the Separation Agreement relate to the issuance of the \$7.8 billion in new debt to Midwest Cable. The S-1 states:

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## Report on Spin-Off to Midwest Cable, Inc.

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The separation agreement will also provide that we [Midwest Cable] and Comcast will use reasonable best efforts to cause us to incur new indebtedness in an aggregate amount equal to 5.0 times the 2014 EBITDA of the SpinCo systems (as such term is defined by our financing sources for purposes of the financing). The indebtedness will consist of (i) credit facilities to be used to fund cash distributions to Comcast and for our general corporate purposes, and (ii) notes newly issued by us to Comcast, which notes will be used to enable Comcast to complete a debt-for-debt exchange whereby one or more financial institutions are expected to conduct a third-party tender offer for certain of Comcast's publicly-traded debt securities, which is referred to as the "debt tender offer", and will then exchange the tendered debt securities of Comcast for our new notes held by Comcast, which is referred to as the "debt-for-debt exchange."

Essentially what will take place is that Comcast will be able to retire its current debt by \$7.8 billion and have that become long term debt of Midwest Cable. The \$7.8 billion is the latest Comcast estimate of the debt that will be assumed by Midwest Cable, and based on the language above, appears to be based on the 2014 performance of the systems that will be spun-off: that is, the EBITDA, with small adjustments, seems to be based on the performance of the systems as part of Comcast. But the actual EBITDA of the systems post-transaction will be based on Midwest's revenues and costs, which will be affected by the costs of the CSA. Likewise, the financial position of the company as measured by EBITDA as a multiple of debt will be based on Midwest Cable's costs and revenues, not Comcast's costs and revenues.

### **Overview of Charter/New Charter**

The Consultants have analyzed the current financial picture of Charter Communications as part of the Midwest Cable review because of the significant impact Charter will have on the day-to-day operations of Midwest Cable's systems under the CSA. Under the proposed Transaction, Charter will be swapping with Comcast approximately 1.5 million subscribers, acquiring approximately 1.4 million subscribers from the combined Comcast and Time Warner and managing the Midwest Cable properties covering approximately 2.5 million subscribers. As a result, Charter will be growing from its current 4.4 million subscriber to 5.7 million subscribers and then manage another 2.5 million Midwest Cable subscribers resulting in Charter owning or managing almost double its current subscriber amounts. As we have concluded in the Report on the Comcast Time Warner acquisition, substantial changes in subscribers served from the "Swaps", subscriber growth from the "Purchase" and the 2.5 million of Midwest Cable will require significant senior management attention to assimilate acquired systems into the Charter-way and will also require management attention to properly execute the CSA.

Because of these Transactions' impacts and the inter-company relationship with Midwest Cable, the financial qualification of New Charter is an important component of assessing the

## Report on Spin-Off to Midwest Cable, Inc.

overall financial qualifications of Midwest Cable.<sup>25</sup> Charter emerged from bankruptcy 5 years ago, in November 2009. One of the largest changes to Charter was the restructuring and lowering of its debt levels. If these Transactions are completed, Charter will be returning to a total debt level that is close to its pre-bankruptcy level. Currently, Charter has about \$14 billion in long term debt and will be acquiring another \$8 billion in long term debt to fund the acquisition of the Comcast-Time Warner 1.4 million subscriber systems. On a per video subscriber basis after the proposed Transactions, Charter will have approximately \$22 billion in long term debt and approximately 5.7 million subscribers or \$3,900 of debt per video subscriber. This high level of debt does expose New Charter to substantial interest rate risk and a large portion of the long term debt is due within the next five (5) years.

New Charter will have a different subscriber base than current Charter. Current Charter has approximately 4.4 million subscribers across the country. Only approximately one-third (1/3) of those current subscribers will exist in new Charter owned and managed systems. Charter will be faced with a difficult task of integrating two-thirds (2/3) of its owned and managed subscribers into the new Charter day-to-day operations and corporate processes. Table 1 below shows the make-up of new Charter's subscribers.

Table 1

Subscriber Sources <sup>26</sup>	Subscribers
Current Charter Subscribers	4.4 million
Current Charter Subscribers Swapped to Comcast	(1.6) million
Remaining Current Charter Subscribers	<b>2.8 million</b>
Comcast Subscribers Swapped to New Charter	1.5 million
New Charter Purchased Subscribers from Comcast	1.4 million
New Charter Subscribers	5.7 million
New Charter Managed Subscribers (Midwest Cable)	2.5 million
Total New Charter Owned and Managed Subscribers	<b>8.2 million</b>

Of primary concern to Midwest Cable will be the ability of new Charter to provide at least the same level of day-to-day services to Midwest Cable subscribers as Comcast is currently providing. While the CSA does provide Charter almost \$200 million in additional revenues

<sup>25</sup> The technical and legal qualifications are also important, but as noted above, this report is focused on a financial review of the transaction.

<sup>26</sup> See April 28, 2014 Investor Presentation

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## Report on Spin-Off to Midwest Cable, Inc.

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(under the 4.25% gross revenue portion alone), Charter's management structure and back-office systems could be over taxed by the addition of another 2.5 million managed subscribers, while incorporating the almost 3 million new subscribers acquired. Such pressures could affect new Charter's performance under the CSA. From what has been presented in the CSA, it does not appear that there are any performance standards that new Charter must meet in order to get the payments. As a result, Charter will have financial incentives to limit the resources devoted to providing services pursuant to the CSA, and Midwest Cable appears to have no simple mechanism for ensuring that Charter will perform to standards required under the franchise (and no obvious way to correct service deficiencies using its own employees). To be sure, the companies argue that because Charter owns a significant stake in Midwest Cable, it will have an incentive to ensure that the company does well.

In short, there is no assurance in the deal documents that Charter will perform adequately, and Midwest Cable, because of its obligations under the CSA, may not have the financial wherewithal or the ability to deliver adequate services.

### **Midwest Cable Financial Qualifications**

The Consultants relied on publicly available information and their 40+ years of combined experience in preparing this analysis. Typically, evaluations of cable companies are driven based on cash flow, *i.e.*, the cash generated by the entity indicate its financial health. As noted above, in this case, Comcast, Charter and Midwest Cable have not provided any meaningful cash flow analyses relative to system cash flow after the Spin-off is completed, and instead have relied on historical data based on Comcast's performance. The Comcast's latest S-4/A of September 3 and Midwest Cable S-1 of October 31, 2014 provide the most update and detailed historical financial data publically available. The S-1 provides a simplified cash flow that simply shows that Midwest Cable has no cash because it is all transferred to Comcast. This is also shown on Midwest Cable's balance sheet in the S-1 with no cash shown for any period.

On December 9, 2014, Charter filed a S-4 that contained information concerning Midwest Cable. As discussed above on page 14 and shown in the table, Charter prepared projections based on the historical data from the Comcast S-4/A and Midwest Cable S-1 plus some adjustments associated with Midwest Cable as a stand-alone company taking service under the CSA. The Consultants have not been provided detail supporting the projections. Of major concern is the lack of support for programming cost changes and the cost adjustments related to Charter providing services under the CSA. While historical data for Charter shows it has higher operational costs per subscriber than Comcast, the adjustments Charter has made in its projections for Midwest Cable seem to indicate that costs under the CSA, the TSA and Midwest Cable's executive staff will be about the same amount as the costs of Comcast that are being replaced. The Consultants do not believe that is logical or supportable. Attachment F to this report shows the higher costs per subscriber that Charter incurs compared to Comcast. With respect to total operating expenses, Charter incurs between \$18 to \$22 more costs per subscriber than Comcast. Assuming Charter's costs will replace the current Comcast costs,

## Report on Spin-Off to Midwest Cable, Inc.

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Midwest will see additional pressure to raise rates and/or reduce services in order to achieve its EBITDA goals.

Throughout this review, the Consultants have notified the Participating LFAs and, through the requests for information, Comcast and Midwest Cable that additional information needed to be provided. We also pointed out that the FCC Form 394 filing was premature. These concerns have been verified over the course of this review.

- Charter will providing services at “actual economic cost with no markup” generally described in the documents provided, but the agreement for these services is still not final and the costs that Midwest Cable must bear from this agreement are still not known. Midwest Cable will pay Charter a “management fee” of 4.25% but it is still unclear how that fee will interact with the services provided at cost. Our assumption is that it will not have any impact, that no services are included for that fee.
- Comcast will be providing “transitional services” but those, again, are only generally described. And, again, the agreement is not final and the costs to Midwest Cable are unknown.
- The financial data of Exhibit 6 provided in the filed FCC Form 394 has changed dramatically in documentation from Comcast and Midwest Cable. Start-up cash has decreased from \$600 million to zero. Debt has decreased from \$8.8 billion to \$7.8 billion. Annual net income based on 2013 data has decreased from \$705 million to \$272 million. While the latest S-1 pro forma (estimated) net income does now include an adjustment for Charter’s management fee, it still does not include any cost changes from the spinoff and the associated changes. It does not include any transitional costs and it does not include Charter’s service costs or programming costs, which apparently will be passed through to Midwest Cable. It does not include Comcast’s charges for transitional services. It does not even include adjustments for to reflect the addition of executive management personnel to Midwest Cable hired earlier this year.

None of these costs are specifically estimated in any of the documentation provided to date. In addition, while the Consultants have repeatedly requested such data and support, no documentation or support for the adjustments shown to the financials in the S-1 to reflect pro forma Midwest Cable have been provided.

### **Exhibit 6 to Form 394**

As stated above, Exhibit 6 contained the same financial information as in the May 23 S-4/A of Comcast. The unaudited pro forma financial information presented was “to give effect to the spin-off of cable systems serving approximately 2.5 million current Comcast subscribers into the newly formed public entity.” Comcast was asked specific questions about the Exhibit by the LFAs. Comcast’s response to the development of the financial information was:

*29. With respect to Exhibit 6, please provide:*

## Report on Spin-Off to Midwest Cable, Inc.

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*a. The methodology used, including all assumptions made by Comcast, Time Warner and/or Charter, by Comcast to allocate the assets, liabilities, revenues and expenses of the historical Comcast systems and those systems that are anticipated being spun-off that are currently Time Warner systems. Included, but not limited to, in the response should be the identification of the records used by Comcast to include current Time Warner systems;*

RESPONSE: The cable systems that will comprise Midwest Cable are all legacy Comcast systems. Midwest Cable will not include any Time Warner or Charter cable systems. The cable systems' historical accounting records are maintained as part of Comcast's consolidated records. The accounting operating ledgers considered in preparation of the analysis underlying Exhibit 6 involve cable systems destined for Midwest Cable and no other cable systems. These accounting records serve as the base for the combined Midwest Cable financial statements. For those operating ledgers which are not fully comprised of cable systems that will be spun-off, an allocation methodology was adopted so as to properly represent the historical assets, liabilities, revenues and expenses of the particular systems being spun-off to Midwest Cable. The allocations were primarily based on the relative number of subscribers, however other allocations were used on particular accounts if deemed more reasonable.

*b. The methodology used, including all assumptions and appraisals (whether in-house or prepared by a third party), by Comcast to estimate:*

*i. Property and equipment, net of \$1.957 billion;*

RESPONSE: Property and equipment value is based on the historical cost of the underlying asset. Property and equipment is comprised of the historical assets on the operating ledgers of the cable systems that will be included in the spin-off Transaction, as well as other assets that were deemed to be part of the historical operations of the cable systems. The value of these assets was based on the historical cost of the underlying asset with no fair value adjustment. To the extent allocations were used to value assets associated with these particular cable systems, a variety of methodologies were employed to best allocate the assets at issue. Plant, for example, was allocated based on the total pro-rata amount of plant miles. Customer premises equipment and vehicles, however, were based on specific identification. Land and buildings were based on the preliminary shared asset list.

*ii. Franchise rights of \$6.231 billion; and*

RESPONSE: Franchise rights were allocated based on the estimated fair value of Midwest Cable compared to the overall "cable communications" segment of Comcast.

*iii. Goodwill of \$1.391 billion;*

RESPONSE: Goodwill was allocated based on the estimated fair value of Midwest Cable related to the overall "cable communications" segment of Comcast.

## Report on Spin-Off to Midwest Cable, Inc.

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*c. Please provide support for the amount shown for "Deferred Taxes" of \$3.053 billion that explains in detail the pro forma valuation at "Spin-Off";*

RESPONSE: Deferred taxes is a preliminary estimate based on the difference between the estimated book basis of the assets to be included in the spin-off Transaction (exclusive of non-deductible goodwill), and the estimated tax basis of these assets.

*d. An explanation regarding the plans of Comcast and/or Midwest Cable to change any asset depreciation rates for the properties being dedicated to Midwest Cable;*

RESPONSE: There is no plan to change any asset depreciation rates at the current time. The basis used in spin-off scenarios is the historical cost basis of those assets and liabilities.

*e. Detailed support for the identified shared facilities cost of approximately \$245 million;*

RESPONSE: The \$245 million cost does not reflect shared facilities cost, but is an estimated allocation of overhead costs. These overhead costs include administrative support, technical support, and other back-office rules that are not performed at a regional level.

*f. A list of and explanation regarding any known and measurable costs similar to the "share facilities" costs that Comcast has failed to include in Exhibit 6 - the explanation should include the reasoning for not including the costs in Exhibit 6; and,*

RESPONSE: The shared facilities list is still being refined.

*g. A list of and explanation regarding any other estimable costs, such as, but not limited to, transaction costs and integration costs, that have not been included in Exhibit 6 - the explanation should include the reasoning for not including the costs in Exhibit 6, an identification of the costs and estimates of the amounts for calendar years 2014 and 2015.*

RESPONSE: It is not possible to calculate those future costs at the current time.

(Response to 29 of the July 17, 2014 letter of Bradley Hagen & Gullikson, LLC on behalf of its clients.)

Clearly, Comcast's responses show that financial data of Exhibit 6 were estimates and Comcast anticipated they would change. The changes that have occurred thus far are very significant. In Midwest Cable's filed S-1 total assets decreased \$1.4 billion, primarily driven by the adjustments to intangible assets due to the \$1 billion decrease in debt. Equity decreased from a negative \$1.933 billion to a negative \$2.029 billion.

Seventy-five percent (75%) of Midwest Cable's assets of \$9.043 billion are \$6.802 billion of intangible assets consisting of franchise rights of \$5.561 billion and goodwill of \$1.241 billion. Since Midwest Cable was required to "pay" Comcast \$7.8 billion for the spinoff, the amount of intangible assets is a function the debt amount and needed to "balance" the financial

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## Report on Spin-Off to Midwest Cable, Inc.

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statements. Otherwise, the only other balancing item would have been equity and lowered equity at start-up to a negative \$8.831 billion. Midwest Cable describes its franchise rights in the S-1 as follows:

Our largest asset, our cable franchise rights, results from agreements we have with state and local governments that allow us to construct and operate a cable business within a specified geographic area. The value of a franchise is derived from the economic benefits we receive from the right to solicit new customers and to market new services, such as advanced video services and high-speed Internet and voice services, in a particular service area. The amounts recorded for cable franchise rights are primarily a result of cable system acquisitions. Typically when cable systems are acquired, the most significant asset recorded is the value of the cable franchise rights. Often these cable system acquisitions include multiple franchise areas. We currently serve approximately 950 franchise areas in the United States. The value of our cable franchise rights represents the aggregate value for the cable systems attributable to our operations, which were previously components of two of Comcast Cable Communication's divisions.

### **Analysis of Exhibit 6 to Form 394**

The Consultants review of Exhibit 6 noted the above deficiencies. In order to present a more appropriate representation of the pro forma operations of Midwest Cable going forward, the Consultants created the financial statements included as Attachment D. We have included the balances from the S-1, S-1/A and the S-4 as reported by the companies and no adjustments were made to the Balance Sheet. For the income/expense statement, again we used the nine-month S-1/A data as of September 30, 2014. The amounts were increased to show annualized pro forma revenues and expenses. We then made adjustments to reflect:

- Charter's advertising revenue, made on a per sub basis times Midwest Cable's 2.5 million subs (because Charter, and not Comcast's advertising performance is more likely indicative of the performance of the system post-transfer);
- Charter's expenses, made on a per sub basis times Midwest Cable's 2.5 million subs;
- The decrease in the Charter service fee due to the reduction in revenues;
- Estimated amounts of Midwest Cable funded transition costs; and,
- Elimination of the Comcast shared asset costs.

## Report on Spin-Off to Midwest Cable, Inc.

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The adjustments to advertising revenue and to expenses were based on Charter's per subscriber amounts<sup>27</sup> times Midwest Cable's number of subscribers or 2.5 million. (See Attachments D and F.) Since the adjustment decreased advertising revenue, it was necessary to make a minor reduction to Charter's management fee.

The largest two components of the adjustment to reflect Charter's level of expenses were to programming expenses and other operating administrative and general. At the spin-off, Midwest Cable will be providing programming under Charter's programming contracts and paying the same fees for programming as Charter. Since these costs are more than Comcast's programming expenses an adjustment was required. The Consultants have used both the per subscriber programming costs from the trend reports and the Wall Street Consensus estimate on Exhibit D in Scenarios A and B, respectively. The increased programming costs range from approximately \$15 per subscriber per month (Scenario A) to approximately \$6 per subscriber per month (Scenario B). On a per subscriber basis, Charter's other operating administrative and general expenses are higher than Comcast's expenses. Charter will be providing these types of services and charging Midwest Cable for these services at cost. This adjustment is to reflect those costs. The Consultants have also addressed a concern raised by Comcast *et al* in their December letter that the Consultants have not eliminated the Comcast overhead included in the S-1 operating expenses of Midwest. Because the Consultants have not used any of the S-1 operating expenses (programming, other operating and advertising expenses) the Consultants have not included any legacy overhead expenses from Comcast in Exhibit D. The Consultants have also addressed the potential that the Charter trend reports include corporate overhead allocations of Charter by including an adjustment in Scenario B to reduce other operating and advertising costs by an estimated \$200 million from the amounts shown in Scenario A. The Consultants would have been able to use an amount supported by the data instead of an estimate had Comcast/Charter/Midwest provided the information requested. In addition, Midwest Cable has an executive staff under contract, for example the S-1 states Mr. Willner will receive an annual salary of \$1.5 million and be eligible for bonuses up 150% of his base or an additional \$2.25 million. No adjustment was made in the Midwest Cable's S-1 or in Charter's *pro forma* S-4 calculations to reflect the additional costs of the executive staff or any other employees of Midwest. Our income statement also excludes any adjustment regarding this in order to present a conservative analysis. As shown in Attachment D, the effect of our adjustments reduces operating income from an annualized S-1/A amount of \$907 million to between \$201 million and \$685 million, reduces annualized S-1/A net income from \$304 million to between (\$126) million and \$168 million, and reduces EBITDA from an annualized S-1/A amount of \$1.560 billion to between \$732 million and \$1,215 million.

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<sup>27</sup> The per subscriber amounts were derived from Charter's 3<sup>rd</sup> Quarter Trend Reports from its website.

## Report on Spin-Off to Midwest Cable, Inc.

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We have also provided a simplified cash flow statement that shows cash from the pro forma operations of (\$330 million) to (\$36 million). We have used the same projection of capital expenditures as Charter. (See the table on page 14 above.) Midwest Cable will need to increase capital expenditures in the first year of the spin-off to replace equipment and software provided by Comcast. As reported in the Charter S-4, Charter is estimating Midwest capital expenditures to be between \$753 million and \$818 million for years 2015 through 2019. It is also simplified in that we do not know additional funding sources that will be accessed by Midwest Cable in the form of lines of credit and or short term debt. None of that information has been provided by Comcast, Charter or Midwest Cable.

### **EBITDA**

With these adjustments, we are able to estimate post-Transfer EBITDA for Midwest Cable in Attachment D. The adjustments significantly reduce EBITDA as opposed to the EBITDA figures Comcast provided based on its past performance. As part of the Transaction, Midwest is required to assume debt up to 5 times EBITDA. The S-1/A data does not reflect the costs that Midwest would be incurring if the Transaction were in place today – it reflects Comcast's costs with some adjustments. However, Midwest's costs (because of its agreements with Charter and Comcast) will reflect Charter's costs plus transitional costs from Comcast. Charter's costs alone are higher than Comcast's. (See Attachment F.) Adjusted to reflect Charter's costs, and reasonable assumptions with respect to costs Midwest will incur but which were not included in the S-1/A data, Midwest's debt at \$7.8 billion will be roughly between 6.4 and 10.7 times EBITDA per Scenarios B and A, respectively, of Attachment D, exceeding normal industry parameters, which include roughly three times cash flow for Comcast, and at the higher end, five times for companies like Charter. The basis of the funding of the spin-off has been publically discussed by Comcast and Charter as 5 times the SpinCo systems' 2014 EBITDA, presumably because any higher multiple would be inconsistent with industry metrics, and imply significantly greater risks. As noted above, the companies themselves reduced the estimated EBITDA for Midwest Cable that were revealed in the August S-4/A of Comcast and resulted in a reduction of Midwest Cable's debt from \$8.8 billion to \$7.8 billion. But, using the announced criteria of 5 times EBITDA, our forward-looking analyses in Attachment D, Scenarios A and B, show Midwest Cable can only afford between \$3.6 billion and \$6.1 billion in debt.

### **Deferred Tax Liability**

At spin-off, Midwest Cable has a deferred income tax liability of \$2.838 billion that has been transferred by Comcast, comprised of \$2.238 billion related to intangible assets and \$600 million associated with tangible assets. This liability recognizes that Comcast has realized income tax benefits (typically such benefits are in the form of accelerated depreciation for income purposes) associated with the assets transferred to Midwest but that Midwest Cable will be required to "pay back" those benefits in the form of higher income taxes in the future. The following table illustrates how deferred taxes are created from the timing differences of

## Report on Spin-Off to Midwest Cable, Inc.

book depreciation and tax depreciation and how the amount is reversed over the life of the associated asset.

Table 2  
Example

The following assumes a company purchases an asset on day 1 of month 1 of year 1 for \$1,000. The asset has a 5 year book life with annual depreciation of \$200. For income tax purposes, the company can depreciate the asset \$500 in year 1, \$300 in year 2 and \$200 in year 3, so that for income purposes the asset is fully depreciated at the end of year 3. For book purposes, the asset is not fully depreciated until the end of year 5. This results in an income tax benefits in years 1 and 2 and increased income tax expense in years 4 and 5 when actual taxes paid are compared to book income tax expense.

Line No.		Accounting value (a)	Accounting Depreciation (b)	Net Accounting Value (c)
1	Purchase at 01/01/Year 1	1,000		
2	Year 1		200	800
3	Year 2		200	600
4	Year 3		200	400
5	Year 4		200	200
6	Year 5		200	0
7	Year 6		0	0
8			1,000	
			Tax	
		Tax value	Depreciation	Net Tax Value
9	Purchase at 01/01/Year 1	1,000		
10	Year 1		500	500
11	Year 2		300	200
12	Year 3		200	0
13	Year 4		0	0
14	Year 5		0	0
15	Year 6		0	0
16			1,000	
		Difference	Deferred Tax	Deferred Tax
		Accounting less	@39%	Asset (Liability)
		Tax Depreciation		
17	Year 1	(300)	(117)	(117)
18	Year 2	(100)	(39)	(156)
19	Year 3	0	0	(156)
20	Year 4	200	78	(78)
21	Year 5	200	78	0
22	Year 6	0	0	0

## Report on Spin-Off to Midwest Cable, Inc.

Line No.	Accounting value	Accounting Depreciation	Net Accounting Value
23	0	0	

A simple comparison of deferred incomes taxes of Comcast to net plant at December 31, 2013 yields a ratio of 1.0629 (\$31.595 billion divided by \$29.588). For Midwest Cable the same ratio at spinoff is 1.4728. (See Attachment E.) For Midwest to have the same ratio, deferred taxes would need to be reduced to \$2.048 billion.

Midwest Cable shows net plant of \$1.926 billion and annual depreciation expense of \$512 million. This yields an average book life of the net plant of 3.76 years (\$1,926 divided by \$512). Assuming the deferred income tax liability associated with tangible assets would be recovered ratably over the remaining life of the assets, Midwest Cable would have increased income tax expense of \$159.57 million per year, \$63.80 per subscriber per year. This is \$5.32 per subscriber per month in increased costs. Again, Comcast realized the benefits of accelerated depreciation, i.e., \$600 million in tax savings, but Midwest Cable will have to pay for it.

### Comparison of Comcast Costs to Midwest Cable

Attachment E to this report shows comparisons of financial information of Midwest compared Comcast, Time Warner and Charter. Comcast's net property and equipment per subscriber is almost twice the amount per subscriber of Midwest - \$1,413 to \$770, respectively. However on debt supporting the investment Comcast's level is 87% of Midwest - \$2,728 per subscriber for Comcast to \$3,120 per subscriber for Midwest. As shown by the ratio of "Debt to Assets net of Franchise Rights and Goodwill", Comcast's ratio is .6971 dollars of debt per dollar of assets net of franchise rights and goodwill. Midwest's ratio is 5 times higher - 3.4806 dollars of debt per dollar of assets net of franchise rights and goodwill.

### Impacts on Rates

It appears that the Wall Street Consensus has estimated the programming increases by moving the Midwest subscribers to Charter's programming cost will result in approximately \$179 million of additional programming expense to Midwest notwithstanding normal programming increases.<sup>28</sup> According to the Kagan projections provided by Comcast/Charter, video revenues for the first nine months of 2014 are approximately \$1.660 billion for Midwest. Annualized for the full 12 twelve months suggests a video revenue of approximately \$2.213 billion for Midwest. To recover the estimated impact of the \$179 million programming cost changes would require annual rate increase of approximately 8% (or approximately \$6.00 per subscriber per month), in addition to the normal rate increases the industry has seen of approximately 5% to 7% annually. This could result in a significant rate increase as a result of this transfer. It does

<sup>28</sup> See Charter S-4 and Midwest S-1.

## Report on Spin-Off to Midwest Cable, Inc.

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not appear that Charter's 2015 estimated EBITDA has fully reflected this impact. It would appear logical that for Charter's estimated growth in EBITDA to occur in 2015, that Charter is estimating that they will be able to lower the operating costs of Midwest below the estimated \$300 million of Comcast overhead<sup>29</sup> currently included in the Midwest financials notwithstanding the almost \$200 million of the Charter management fee (4.25% fee) which is not logical.

As a result, the actual rate increases will have to likely be more than the recovery of the Comcast to Charter programming costs and if not implemented will result in much lower 2015 EBITDA than Charter is projecting in its S-4.

### **New Charter**

In order to fund its portion of the Transactions, Charter, which has recently emerged from bankruptcy, is reorganizing and taking on 50% more debt, i.e., increasing its debt from \$14 billion to \$22 billion. The reorganized Charter is being referred to as "New Charter".

New Charter will have responsibility for acclimating to 2.9 million former Comcast and Time Warner subscribers (1.5 million in Swaps and 1.4 million purchased), incurring the costs of this transition, taking on the management of Midwest Cable and providing services to Midwest Cable. New Charter is also banking on Midwest Cable's ability to pay its bills. Any financial difficulty of Midwest Cable will also result in financial concerns for New Charter. New Charter will not be in a position to assist Midwest Cable financially due to its increased debt load and may not be in a position to satisfactorily perform the services under the CSA.

### OTHER ISSUES

#### **Non-compliance.**

As suggested above, Midwest Cable will have little cash on hand to address any issues associated with franchise non-compliance, and may not have significant funds available to correct any current system deficiencies. This will make it important for localities to ensure that there is some mechanism in place that ensures non-compliance issues will be addressed.

#### **Changes to the Transfer**

Our report and the accompanying analyses are based on the transfer as presented in the filed FCC Form 394 with subsequent adjustments addressed in publically available documents. It is possible before the transfer actually takes place, the parameters of the deal may change. For example, the companies may realize that Midwest cannot afford such a substantial amount of

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<sup>29</sup> Comcast has suggested in its December 11 letter that the \$300 million of included Comcast overhead should be removed from the calculation of EBITDA. (See Attachment G.) We disagree. Our adjustment (b) in Attachment D restates operating expenses to Charter's cost per subscriber and eliminates any pre-existing Comcast costs in operating expenses.

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## Report on Spin-Off to Midwest Cable, Inc.

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debt and changes will be made. It is not possible for us to contemplate or plan for such changes, so this report does not address them, and in any action taken with respect to the transfer, a locality may wish to ensure that if there are additional changes, those are also subject to local review so that the impact of the changes may be taken into account.

### **Conclusion / Recommendations**

The Consultants have identified financial impacts that suggest Midwest Cable may be incurring debt levels that exceed the industry norm of 5 times EBITDA. As described above, financial conditions should be considered by the Participating LFAs. Also, the Participating LFAs should consider the complete lack of any financial information that was requested but refused to be provided by Comcast and Charter in reviewing this Transaction. Our analyses described above and in Attachments D, E and F are based on the straightforward adjustments to historical data of the spun-off Midwest Cable, Inc. The only pro forma adjustment made, shown in Midwest Cable's S-1/A, is for the 4.25% management fee from the CSA. No footnotes in the S-1/A explain the impacts to historical costs from adopting Charter's programming costs (only that costs will increase) or of the CSA or the TSA or of adding its own executive staff and other employees.

Neither Midwest Cable, Comcast nor Charter have provided adequate information that established Midwest Cable's financial qualifications. All information provided, publically and the very limited additional information provided in the response to a small portion of our requests, show the debt assumed in the S-1/A is high compared to EBITDA, show Midwest with no cash at start-up and with limited ability to acquire cash absent reductions in spending or increases in rates resulting in little, if any, working capital.<sup>30</sup> All of these factors point towards a stand-alone company that may experience a difficult financial future, at least in the short term, without reductions to capital expenditures, customer services, franchise obligations and other cash conserving activities and or rate increases to support its obligations under the anticipated debt load and the agreements under the CSA and TSA for management fees and cost reimbursement.

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<sup>30</sup> The Consultants recognize that Midwest as a business has a revenue stream and necessary expenses and expenditures. We have not done a working capital analysis to determine if the inflow of cash is sufficient and properly timed to meet the day-to-day cash needs of the company.

## Meridian Township FAQ regarding the Comcast Transaction Request

### **Why does Meridian claim they have the right to review the transfer?**

- The Meridian Township Code of Ordinances, Chapter 70, Sec. 70-57, addresses the review of transfers.
- The existing Code says we have that authority, and the franchise itself is subject to the ordinance. The question is whether state law altered BOTH the franchise and the ordinance so the transfer requirements are unenforceable. The Uniform Act doesn't say that it alters ordinances. The Detroit court decision, although vacated, said that franchises could not be unilaterally modified. And in our own PEG suit, the court said the Uniform Act couldn't alter any existing PEG obligations.

### **Why is Comcast claiming Meridian doesn't have the right to review the transfer?**

This claim is based entirely on PA 480. Comcast feels it is protected to continue with transfer with or without Township approval based on Public Act 480. We think that they agree that under the Township Code, we have the right to review.

### **Why is Meridian reviewing the transfer and most other communities are not?**

- Not all communities in Michigan would be able to review this transaction even under their pre-Uniform Act franchises. Many communities have signed or agreed to Uniform Act franchises, which contain no transfer review provisions, and they do not have independent review authority. In Meridian, we continue to operate under our old franchise, and we have a Township Ordinance, separate from the franchise, that allows us to review transfers. While Comcast can argue that our ordinance has been preempted, no court has said so, and to the extent that courts have reviewed claims like those Comcast is making here, they have not been accepted.
- Several other communities also asserted authority to review the transfer. In most of those communities, review authority was asserted and the company entered into transfer agreements. In others, the transfer is still under review. We have been open to agreement to terms that would protect the community.

### **What reasons does Meridian have for denial?**

- We looked at financial, technical and legal qualifications; we looked at whether Comcast is in compliance; we looked at whether there is an agreement on franchise terms, since as part of the transfer, the transferee needs to accept and agree to franchise terms; we looked at whether the approval would adversely affect the public in light of the impending expiration of the franchise.
- The company failed to show it was financially or technically qualified – in fact it failed to provide some basic information about operations that the ordinance requires.
- Comcast is not in compliance. It has failed to allow us to conduct inspections permitted under state and local law and the franchise, and it is not in compliance with all its PEG

obligations. We need an agreed corrective plan so that the new franchisee can start with a clean slate.

- There is no agreement as to what the terms and conditions of the franchise are
- Approving the transfer would mean we could no longer effectively address problems in past customer service, and we have no guarantees that ensure that the company would be in a position to meet local needs going forward.

**Why does Meridian have until February 27, 2015 to respond to the transfer request?**

- Federal law does set a deadline for local action on a complete transfer application, and if no action is taken, the application is deemed granted. Comcast has agreed that it will not claim that the deadline expires before 2/27, but after that date, Comcast would claim the transfer is deemed approved.

**Why is an option to extend the deadline to respond to the request not an option?**

There is, but Comcast and GreatLand would have to agree to it.

**What does the Detroit case have to do with the transfer?**

The Detroit case raises the question as to whether the Uniform Act unilaterally modifies existing franchises (the lower court's vacated decision says it does not). The case also raises the question as to whether localities can say "no" to a company that requests a uniform franchise. The court said we could – but the decision is vacated. Effectively, GreatLand is asking for a uniform franchise.

**What does the Dearborn Meridian case have to do with the transfer?**

It says that the uniform act does not preempt existing PEG requirements, which means we can insist on compliance with those provisions.

**Why does Comcast say those cases have nothing to do with the transfer?**

It doesn't. What it says is that the decisions and a pro-City opinion of the AG as to the meaning of the uniform act should be ignored, and the Act should be read as they read it.

**What reasons does Meridian have for approval based on conditions?**

If an agreement can be made regarding franchise terms that adequately protect the community, and obtain some effective warranties and promises from the company, we may be protected enough to allow approval of the transaction then a recommendation can be made to approve the transfer.

**What would the next steps be if Meridian were to deny the transfer without prejudice?**

Comcast could:

- Meet with the Township and try to resolve the dispute. If successful the meetings would result in development of agreed conditions for the transfer. This is what Comcast has done elsewhere where there was a denial.

- Accept the ruling and either re-apply or not transfer. We view this as unlikely.
- File in court or take some other action to have the denial set aside. This could have the effect of delaying the transfer, and an adverse decision could affect Comcast elsewhere
- Ignore the denial and essentially dare the Township to enforce its order. This could put GreatLand in a precarious position as it could not be sure it has the franchise required by federal law
- Some combination of the above.

**What would the next steps be if Meridian were to approve upon conditions?**

If it approves upon condition, and Comcast does not agree to the conditions in advance, the result will be the same as a denial, but it will actually be harder to defend, as every condition will need to be defended before a court. By contrast, in a denial situation, the Township need only show that there was at least one good reason for denying the transfer.

**What could possibly happen if Meridian were to approve the transfer as submitted to us?**

If the Township maintains it had the right to approve, and then approves without conditions, it may be waiving rights to address any existing non-performance issues, and it cannot be certain whether GreatLand is (a) agreeing to the franchise as written; (b) agreeing to the PEG provisions per Dearborn; or (c) agreeing only to the uniform act provisions. That is, it may lose rights it now has, and will be uncertain as to what rights it has going forward. As the existing franchise is set to expire in a few months, it may be that the Township could approve this transfer, and then reject the application from GreatLand when it is submitted, based on the vacated Detroit decision. But this is likely to be a more expensive and time consuming route than addressing issues through this transfer process.

**What would the next steps be if Meridian decided to not act on a response?**

The application would be deemed granted, with the same consequences as above.

**I. Summary of Recommendation**

The Township has before it an application for approval of a transaction which will result in the control of the franchise being transferred from Comcast, to a Comcast-created company, Midwest Cable LLC. If the transaction is approved, Midwest Cable is expected to change its name to GreatLand Communications, Inc. We will refer to the transferee as GreatLand Communications.

For reasons explained below, staff advise that the Township deny the transfer without prejudice to the companies resubmission of request, unless the Township and the company agree to terms and conditions for a transfer that will adequately protect the community in which case staff would advise that the Township approve the transfer with conditions. Ultimately the Township could either approve as submitted; approve with conditions; deny without prejudice; or to do nothing (remain silent).

This recommendation was prepared after looking at the A&S report, and after discussing the standards for review and options with legal counsel. Their analysis is reflected in this summary. Reasons why the franchise transfer should be denied include the following, each of which staff believes would justify saying no to the transfer absent an agreement:

1. The companies involved in the transaction failed to reasonably cooperate with consultants hired by the Township to analyze the transaction. By doing so, and by failing to provide information required by the Code, the companies placed themselves in violation of their obligations under the Township Code governing transfers.
2. The companies failed to show that GreatLand is financially qualified, and there are serious reasons to be concerned about its financial qualifications.<sup>1</sup> These include assumption of significant tax and other debt and significant obligations to Charter, resulting in both a high revenue to debt ratio and inadequate cash flow.
3. The companies failed to show that GreatLand is technically qualified to perform as promised. Among other things, a substantial portion of the operations of the system will be performed by another cable company, Charter, which is not clearly required to produce reports to the Township or to GreatLand that may be required under the Code or under the franchise.<sup>2</sup> It continues to be unclear who will be doing what, which creates issues with respect to protection of the rights of way – will a company with limited assets be responsible for harm to the right of way? Will the company that is performing the work? Absent some guarantees from the companies,

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<sup>1</sup> Ashpaugh and Sculco, CPAs, PLC and Front Range Consulting, Inc. "Report Regarding the Spin-Off of Cable Systems To Midwest Cable, Inc." January 2015.

<sup>2</sup> See Charter Services Agreement By and Between Midwest Cable, Inc. and Charter Communications Operating, LLC

it is not clear that GreatLand can perform as it may be required to perform. There is also concern with respect to customer services. Charter itself consistently ranks among the lowest rated companies with respect to customer service<sup>3</sup>, but its primary promise to GreatLand is that it will provide service typical of its own franchise areas<sup>4</sup>. It is not clear that GreatLand has any means to ensure effectively that Charter will comply with applicable customer service standards now in place or that may be adopted.

4. The Township is in the midst of a franchise renewal with Comcast. Approving the transfer would provide significant benefits to Comcast, while preventing the Township from holding Comcast responsible for its past performance problems. What makes the approval particularly troubling is that Comcast has been refusing to cooperate in the renewal process in a way that would permit the Township to determine whether its system meets the requirements of law (including performance requirements established by federal law, as well as PEG requirements that federal court has specifically found remain applicable). Unless there is some agreement as to the conditions of the franchise, including going-forward conditions, it would be inappropriate to approve the transfer.

5. It is not clear that GreatLand is able or prepared to step into the shoes of Comcast and provide service on a short-term basis, because it is not clear what terms GreatLand is prepared to accept, if any. Approval of a transfer requires that there be some agreement as to what conditions apply. On a long-term basis, the documents provided appear to assume that GreatLand will continue to have a long-term cash flow from the franchise area – an assumption that cannot be made unless there is an agreement upon going-forward conditions.

It is possible that the Township could agree to conditions that would allow the transfer to move forward. At this stage Comcast contends that the Township must act on the transfer by February 27, 2015, assuming the Township has any authority to review the transaction at all.<sup>5</sup> The Township should certainly be open to such discussions; however, given the limited time to act, we also believe that the Township should consider what steps it should take if there is not an agreement.

## II. Background

1. *Basis for Township Authority to Review and the Challenge to that Authority.* Setting aside state law issues discussed below, cable franchises in Meridian are controlled by two documents: the cable franchise itself, which is a contract between the Township and a provider, and the Township's Cable Ordinance, which was

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<sup>3</sup> See Steve Donohue, "Bright House, DirecTV top Temkin customer experience rankings," *FierceCable* March 28, 2014, available at <http://www.fiercecable.com/story/bright-house-directv-top-temkin-customer-experience-rankings/2014-03-28> (where Charter placed 168 out of 268); see also Steve Donohue, "Charter, TWC, Cox, Cablevision ranked last in Temkin customer service ratings." *FierceCable*, August 23, 2013, available at <http://www.fiercecable.com/story/charter-twc-cox-cablevision-ranked-last-temkin-customer-service-ratings/2013-08-23> (where Charter ranked 235 out of 235)

<sup>4</sup> Charter Services Agreement at Section 1.1(b)

<sup>5</sup> December 23, 2014 letter, Klayton Fennell to Joseph Van Eaton

adopted pursuant to the Township's police powers. The franchise was issued in 2005. It does not contain transfer provisions, but it does require strict compliance with the Township Code. The Meridian Charter Township Code of Ordinances, Chapter 70, Sec. 70-57, describes the transfer process. It provides:

(a) The initial and transfer applications for a franchise to install, construct, maintain or operate a cable system, open video system or other multichannel video provider using or occupying the public right-of-way in the Township or to furnish a cable service must:

(1) Be made in writing to the Township Board in such form as may be prescribed.

(2) Include a description and map of the territory within the Township in which the cable system, open video system or other multichannel video provider system using or occupying the public right-of-way is to be installed, constructed, maintained or operated or to furnish cable service is to be provided.

(3) Be accompanied by a showing of the applicant's legal, financial, technical and other qualifications to be a franchisee which must contain:...

...b. In establishing financial qualifications, a copy of applicant's current balance sheet as of a date not more than 60 days prior to the date of the application shall be furnished. If a loan or other credit arrangement is to be consummated to finance the establishment and operation of the proposed facilities, full particulars shall be disclosed, including the identity of the creditor.

c. In establishing technical qualifications, a statement of the arrangements to ensure the rendition of good service, including the type and kind of facilities to be employed, the technical standards to be followed, the maintenance and repair facilities to be used, the number and description of technical personnel, including copies of any contracts, agreements or arrangements relating to any of the above....

(4) The applicant shall furnish information as to the programming services and public services which it shall provide including:

a. The number of channels offered and the potential for diversified services to local government, educational institutions, community groups, householders and local commercial interests....

...d. Revenue forecasts for the next five years of service.

e. A proposed schedule of rates for installation charges, monthly service fees and relocation charges.

(b) Upon the filing of such an application and the payment of the fee as prescribed, the Township Board will consider the application and may request such additional information as it may deem necessary to establish the legal, financial, technical and other qualifications of the applicant to provide a cable service in the Township.

(c) If the Township Board determines that the applicant possesses the necessary qualifications, legal, financial, technical and otherwise, to reasonably assure applicant's ability to satisfactorily install, construct, maintain or operate a cable television system, open video system or

other multichannel video provider using or occupying the public right-of-way or to furnish a cable service to the public in the Township, the Township Board may issue applicant a non-exclusive franchise. No franchise shall be issued:

(1) Until the franchise application has been on file and available for public inspection in the office of the Township Clerk for at least 30 days; and

(2) Until the Township Board holds a public hearing on such application after due notice of the time and place of such hearing has been given the public.

(d) In determining whether such a franchise will be issued, the Township Board will take into consideration, among other things, the legal, technical and financial qualifications of the applicant; including the prior experience, if any, of the applicant in providing cable systems or furnishing cable service; the proposed rate schedule; the nature and scope of the applicant's proposed system; and the timetables for development of applicant's proposed system.

(e) No franchise may be sold, transferred or assigned unless such transaction is first approved by the Township Board after receipt of a written application containing the same information regarding transferee as would be required of an original application and any application fee prescribed by the grantee's franchise agreement....

(f) The Township may acquire the cable system, open video system or other multichannel video provider using or occupying the public right-of-way if a renewal is denied or revoked for cause subject to 47 USC 547, as amended.

The transfer requires the Township to consider the ability of an entity to comply with its obligations with respect to the use of the rights of way, as well as its ability to provide cable services.

The ordinance clearly requires Comcast and GreatLand to obtain the Township's consent to the transaction. The companies therefore submitted an FCC Form 394 (a federal form that specified the information that must be provided seeking the Township approval of the transfer), but did not submit all the information required by the Township Code, either as part of the application, or in response to questions from consultants retained by the Township to review the transaction, Ashpaugh & Sculco and Front Range Consulting (the Consultants).

At the same time the companies submitted the application, they also argued that the transfer was not subject to Township review under PA 480, the Michigan Uniform Video Services Franchise Act. Under that law, Comcast and GreatLand contend that their only obligations with respect to the transfer are set out in Section 3(4), which says that "an existing franchise of an incumbent video service provider is fully transferable to any successor in interest to the provider to which it is initially granted. A notice of transfer shall be filed with the franchising entity within 15 days of the completion of the transfer." That is, they contend that under the state law, as no transfer process is specified, no transfer process can possibly apply. According to Comcast, this is so even if a local, valid franchise sets out a transfer process, because

the Uniform Act provides that “on the effective date of this act, any provisions of an existing franchise that are inconsistent with or in addition to the provisions of a uniform video service local franchise agreement are unreasonable and unenforceable by the franchising entity.” But there are three problems with the company’s argument.

- First, Section 2(3)(i) of the Uniform Act also specifically states that “[a] requirement that the provider agrees to comply with all valid and enforceable local regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the franchising entity.” Section 2(3)(q) makes any grant under the franchise subject to “the police powers” of the franchise entity. Section 1(c) of the Comcast franchise specifically recognizes that the Cable Ordinance includes an exercise of the Township’s police powers. Applying the transfer provisions is consistent, not inconsistent with the Uniform Act
- Second, the only case that addressed the validity of Section 3(4) found that the provision was preempted by federal law, and that existing franchises could not be unilaterally modified. While the decision has been vacated, that does not mean it was wrong.
- Third, the Township itself was in a dispute with Comcast involving its PEG channels, and a district judge concluded that Section 3(4) was preempted at least to the extent that purported to modify the PEG provisions of the existing franchise, which would include PEG obligations, as well as institutional network obligations. Neither company seems willing to comply with these obligations and we doubt even the Uniform Act permits a transfer without a clear agreement to comply with provisions that *do* apply. To put it another way: the Act clearly requires a person providing cable service to have a franchise. As a matter of the constitution, local governments have ultimate franchising authority. There at least has to be a meeting of the minds as to what franchise applies before a franchise could become effective, either pursuant to an initial authorization, a transfer or a renewal. Here there does not appear to be any agreement as to what will apply now, or going forward.

While the issue is not settled, it appears to us that we do have the authority to act on the transaction. We recognize that some other Michigan Townships have come to different conclusions, but it is also the case that Comcast and GreatLand have reached agreements with other Townships regarding the transfer that were intended to provide benefits to the Township, and which preserve local rights with respect to transfers. We think the Township has a good legal basis and sound reasons for insisting that it has the right to review the transfer.

## 2. *Complications surrounding the franchise.*

(a) When does the franchise expire? When it was issued in 2005, the franchise provided that if the company completed an upgrade of the system, the franchise would expire in 2020, but if the upgrade was not completed, it would expire on April 29, 2015. Comcast activated the federal, formal renewal process in 2012. Subsequently, the Township offered to confirm that the existing franchise would remain in effect through 2020, but Comcast took the position that the franchise expires in 2015. It obviously makes a great deal of difference whether the franchise is

about to expire or whether it has an additional 5 years to run in determining whether a transfer to GreatLand should be approved.

(b) Does the formal process apply? Having activated the formal process, Comcast proceeded to refuse to cooperate in that process. It refused to comply with Code and franchise requirements that would have allowed the Township to inspect the system and its compliance with federal standards that apply under *both* the existing franchise and Code, and under the Uniform Act (the uniform act requires compliance with federal regulations governing system performance). This is so even though the formal process requires consideration of the past performance of the operator. In effect, the company has abandoned the federal rights to renewal altogether, and GreatLand would take the system without any renewal rights. However, it is not clear at all that GreatLand understands that Comcast has abandoned those rights – it actually appears to assume that it will have a franchise going forward.

(c) What are the franchise terms? As noted above, the Township's PEG provisions have been preserved in litigation but GreatLand appears not to even recognize these obligations continue, and would continue to apply, and Comcast has refused to permit the Township to conduct a review that would allow it to determine whether it is in compliance with its obligations.

At the very least, it seems that as part of any transfer, there should be an agreement on the franchise term, and the franchise conditions. But there is no indication that there is any such understanding.

### **III. Description of the Transaction and the Township's Review**

1. *Description of the transaction.* The transaction before the Township is part of a larger deal that involves the merger of the nation's two largest cable companies, Comcast and Time Warner (the "Acquisition"). When Comcast announced the Acquisition, it also explained that it would divest systems and subscribers to reduce its footprint to 30% or less of multichannel video programming subscribers.<sup>6</sup> Comcast proposed to accomplish this through the sale of certain systems to Charter and the spin-off of systems to a new company, initially identified as SpinCo in SEC documents (SpinCo has since become Midwest Cable, and if all elements of the transaction are ultimately approved, Midwest will become GreatLand Connections, Inc. For convenience, we refer to the entity that will control the franchises for Township that makes up the Township as "GreatLand").<sup>7</sup> In addition, Comcast is "swapping" systems with Charter to consolidate its holding in certain areas of the country.<sup>8</sup> The transaction is described in more detail in the attached report prepared by the Consultants.<sup>9</sup>

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<sup>6</sup> David L. Cohen, "Comcast and Time Warner Cable Announce Merger, Detail Public Interest Benefits and Undertakings," *Comcast Voices*, February 13, 2014, available at <http://corporate.comcast.com/comcast-voices/comcast-and-time-warner-announce-merger-detail-public-interest-benefits-and-undertakings>

<sup>7</sup> See Midwest Cable, Inc., "Amendment No. 1. To Form S-1," available at [http://www.sec.gov/Archives/edgar/data/1622920/000095010314008965/dp51946\\_s1a.htm](http://www.sec.gov/Archives/edgar/data/1622920/000095010314008965/dp51946_s1a.htm)

<sup>8</sup> Gregory J. Wilcox, "Comcast, Charter execute blockbuster customer swap," *Los Angeles Daily News*, April 28, 2014, available at <http://www.dailynews.com/business/20140428/comcast-charter-execute-blockbuster-customer-swap>

<sup>9</sup> See Ashpaugh and Sculco at 7.

Comcast will have no direct ownership of GreatLand. Instead, existing Comcast shareholders will receive GreatLand stock, initially owning 100%.<sup>10</sup> Charter Communications will swap 13% of its ownership shares with GreatLand shareholders resulting in existing Comcast subscribers owning shares of Charter, and Charter Communications owning 33% of GreatLand.<sup>11</sup>

As part of the transaction, GreatLand entered into a service agreement with Charter (the Charter Service Agreement, or “CSA”) which appears to allow Charter to provide much of the engineering, technical, accounting, billing, and support, including customer service functions for GreatLand.<sup>12</sup> Additionally, GreatLand will also have a Transition Service Agreement (“TSA”) with Comcast to provide specified transitional services to GreatLand for periods of up to eighteen (18) months.<sup>13</sup> GreatLand will also have a Separation Agreement with Comcast that will address legal matters regarding the spin-off and tax and debt issues.<sup>14</sup> GreatLand will be assuming a significant amount of Comcast debt – the exact amount has not been established – and will also be assuming certain deferred tax liabilities.<sup>15</sup> As a result, after the transaction is completed, and the TSA expires, the franchise for the Township will be controlled by GreatLand, and Charter, which will own a significant share of GreatLand, will be directly involved in the operations of the system and providing strategic management services that will directly affect subscribers.

2. *The Township’s Review.* The Township had clear ordinance authority to review the transaction, as explained above, and to require Comcast to provide information that would allow the Township to analyze the transaction. The Township agreed to contribute to preparation of a financial report on the transaction. A true copy of that report is attached.<sup>16</sup> In addition, Staff has worked with its outside counsel, Best Best & Krieger, and The Kitch Firm to review the transaction from non-financial perspectives.

The timing of the review has been driven by the Section 617 of the federal Cable Communications Act of 1984, as amended (“Cable Act”)<sup>17</sup>, which provides that localities must either act on a complete application for a transfer within 120 days of its submission, or approval is deemed granted. The time can be extended by mutual agreement.<sup>18</sup> Comcast and GreatLand agreed to extend the time for review of the transaction through and including at least February 27, 2015. It is Staff’s position that the 120-day deadline was never triggered because the Company never submitted a complete application. However, as a matter of caution, the Township must assume that it must act by the deadline to which Comcast and GreatLand agreed, or else risk losing these rights.

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<sup>10</sup> Id.

<sup>11</sup> Id. at 8.

<sup>12</sup> Charter Services Agreement at Section 1.2.

<sup>13</sup> Transition Services Agreement By and Between Comcast Corporation and Midwest Cable, Inc. Filed with the FCC December 2, 2014, available at <http://apps.fcc.gov/ecfs/document/view?id=60000989214>

<sup>14</sup> Id.

<sup>15</sup> See Ashpaugh and Sculco at 5.

<sup>16</sup> See Ashpaugh and Sculco.

<sup>17</sup> 47 U.S.C. § 537

<sup>18</sup> Id.

3. *The standards for approval.* Federal law does not set substantive standards for review, so the Township is free to consider the effect of the proposed transaction broadly, and determine whether it would adversely affect the Township or the public.<sup>19</sup> For purposes of this report, we focused on the following:

(a) Did Comcast and GreatLand cooperate with the Township to allow them to fully analyze the transaction?

(b) Has GreatLand shown it is financially, technically and legally qualified to hold the franchise?

(c) Is Comcast in compliance with its franchise? If not, has an adequate protective plan been proposed?

(d) Is there agreement on the terms of the franchise that will apply, now or going forward – that is, is GreatLand actually willing to assume the franchise that would apply to it, or is it requiring that the Township accede to modifications of the franchise?

#### IV. Analysis

1. *Cooperation.* The Financial Report explains that Comcast, GreatLand and Charter did not provide the information requested by the consultants, but only provided certain public information which was not sufficient to enable the Consultants to fully analyse the financial impacts of the transaction.<sup>20</sup> As far as we can determine, with inconsequential exceptions the companies produced only public information to the Consultants, although thousands of pages of non-public materials were produced to the FCC, and the report suggests that non-public analyses directly responsive to questions asked by the Consultants did exist.<sup>21</sup> The report and Attachment A detail the non-cooperation.<sup>22</sup> The failure to cooperate did affect the analysis, according to the report.<sup>23</sup>

In addition, Comcast refused to cooperate with the Township to allow inspection of its system to determine compliance with federal law, and provisions of the franchise that continue to apply under the court's decision in the *Dearborn/Meridian Township* case. As the Township is expected to review operator performance as part of the consideration of a transfer, this refusal is also a ground for denying the application (as well as being an independent violation of the existing franchise terms).

2. Qualifications.

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<sup>19</sup> Id.

<sup>20</sup> Ashpaugh and Sculco at 3.

<sup>21</sup> Id.

<sup>22</sup> Ashpaugh and Sculco at 3, 40.

<sup>23</sup> Id. at 3.

(a) Financial qualifications. The Consultant's report is clear that neither Comcast, GreatLand nor Charter showed that GreatLand was financially qualified to perform.<sup>24</sup> Based on the best information available to them, the Consultants found that there were meaningful indications that GreatLand would face significant financial issues that could translate into increased rates, reduced services, or reduced capital investment.<sup>25</sup> In a worst case scenario, of course, the company may not prove viable. GreatLand provided analyses from analysts who find that the deal is financially sensible from an investment point of view.<sup>26</sup> But those analyses raise as many questions as they answer – they appear to assume a cash flow level that does require significant operational changes, and the companies never provided any information as to how those results could be practically achieved without harming subscribers.<sup>27</sup> We understand that private businesses should be permitted to take risks, and that the future is to some degree always uncertain. However, we have no information, and no guarantees or warranties that would ensure that consumers are protected. This is particularly important because of the status of the franchise. The franchise is near expiration, and if the company lacks the financial resources necessary to expand its system to new areas or to continue support for PEG and for the institutional network (and improvements to those), consumers and the Township could suffer, and it will become difficult to meet future needs and interests. Indeed, there are significant concerns about the current franchisee's inability or unwillingness to meet current franchise PEG obligations.

In addition, the report suggests that the company assumes it will be able to operate within its franchise areas for an extended period. But without a franchise or agreement on franchise terms, that assumption cannot be made with respect to the Township within the Township's jurisdiction.

(b) Technical Qualifications. GreatLand relied heavily on the experience of Charter to establish its technical qualifications to perform. Great Land's executives have significant cable experience, but GreatLand, as a company, obviously does not. But Charter has not shown that it will be able to provide customer services that meet local needs and interests, or comply with local (or federal) standards. Charter ranks among the lowest rated video providers in 2014 J.D. Powers survey<sup>28</sup> and near the bottom in Consumer Reports latest ranking of television providers (which is based on surveys from Spring, 2013)<sup>29</sup>. Of course, Comcast does not fare well in these rankings either, a matter which has been of concern to the Township. But Comcast was in a position to improve services on its own. If Charter does not perform well, it is not clear that GreatLand would be in a position to force Charter to promptly move to bring itself into compliance with local standards, or to meet local

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<sup>24</sup> Id.

<sup>25</sup> Id. at 39.

<sup>26</sup> See Midwest Cable, Inc., "Amendment No. 1. To Form S-1," available at [http://www.sec.gov/Archives/edgar/data/1622920/000095010314008965/dp51946\\_s1a.htm](http://www.sec.gov/Archives/edgar/data/1622920/000095010314008965/dp51946_s1a.htm)

<sup>27</sup> Ashpaugh and Sculco at 4.

<sup>28</sup> J.D. Power, "Performance and Reliability Problems Decline in Both Residential TV and Internet Services; Quality and Connection Speeds Continue to Improve." September 25, 2014, available at <http://www.jdpower.com/press-releases/2014-us-residential-television-internet-telephone-service-provider-satisfaction>

<sup>29</sup> "Consumers still don't like Cable TV Companies" [ConsumerReports.org](http://www.consumerreports.org), March 26, 2014, available at <http://www.consumerreports.org/cro/news/2014/03/consumers-still-don-t-like-cable-tv-companies/index.htm>

needs. The Charter Service Agreement, while indicating that Charter must satisfy local service requirements, also promises that the service will be “average” for Charter systems.<sup>30</sup> If there is a breach, there is an extended process for cure.<sup>31</sup> What is not clear is that there is a mechanism for timely response to non-compliance. There is added concern because surveys that were conducted in connection with the ongoing franchise renewal suggest that customer service needs improvement.<sup>32</sup> It is not clear how it can be improved under the proposed transaction. This is of concern since even under the Uniform Act; a company cannot take a franchise unless it is in a position to comply with federal customer service standards. Those issues might be addressable through appropriate warranties and guarantees, but those are not in place now.

Charter itself has advised investors that its role will be a “management” role. In a presentation to investors in April of last year, it noted that as a result of the transaction:

- “Charter will own systems with an estimated 5.7 million video customers”
- “Through its services agreement with SpinCo, Charter **will manage** an additional estimated 2.5 million SpinCo video customers”
- “As a result of the transactions Charter will own 5.7 million video customers **and manage** systems comprising 8.2 million video customers providing scale and operating efficiencies for both companies...”<sup>33</sup>

(c) Legal Qualifications. Legal qualifications are related both to the non-cooperation issue, and the non-compliance issues discussed below, as well as issues related to the terms of the franchise.

3. Compliance. There are outstanding compliance issues. As noted above, Comcast has refused to allow an inspection required by the franchise, directly related to provisions that the *Dearborn/Meridian* court indicated were enforceable, and necessary to the federal formal process activated by Comcast. Particularly given the financial issues associated with the transaction, it would be important to ensure that system issues have been identified and plans for addressing them agreed upon as a condition of a transfer.

4. Agreement on Franchise Terms. As discussed above, there does not appear to be an agreement as to what terms apply now, or what terms will apply going forward.

## CONCLUSION

It may be that with appropriate conditions, the transfer could be approved, but for now, with the impending deadline, we recommend for the reasons above, that the transfer be denied without prejudice to the companies to renew the application. Of course, if an agreement can be reached on transfer conditions before the date for action addressing the concerns discussed above, it may be possible for an approval to move forward.

<sup>30</sup> Charter Services Agreement at Section 1.2.

<sup>31</sup> Id. at 3.2

<sup>32</sup> See Donohue.

<sup>33</sup> <http://files.shareholder.com/downloads/CMCSA/0x0x747845/e572c896-c3f2-496e-9241-0c98c9f18b16/Investor%20Presentation.pdf>

## Sandy Otto

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**From:** bowlby@msu.edu  
**Sent:** Friday, January 30, 2015 9:11 AM  
**To:** Board  
**Cc:** Phil Ballbach; Eckhart Dersch; Leonard Provencher; Barb Sears; John Veenstra; Bob Wasserman  
**Subject:** Thoughts about the Township's role in the proposed Consumers Energy solar farm

Dear Meridian Township Board,

I found the presentation by Ms. Popa at the January 20 Board meeting to be very exciting. It offers an opportunity for Meridian Township to not only be a frontrunner in the renewable energy initiative, but would also serve as a feather in our cap when it comes to branding. A quick Google search turned up the following articles that you may find useful in formulating a role for the Township to play:

<http://arstechnica.com/gadgets/2011/08/how-one-michigan-undergrad-built-a-150kw-solar-farm/>

[http://www.mlive.com/news/kalamazoo/index.ssf/2011/05/solar\\_farm\\_near\\_climax\\_loosing.html](http://www.mlive.com/news/kalamazoo/index.ssf/2011/05/solar_farm_near_climax_loosing.html)

<http://www.midwestenergynews.com/2014/05/27/community-solar-coming-of-age-in-michigan/>

<http://www.cleanenergyauthority.com/solar-rebates-and-incentives/michigan/>

The Township could play a big role in securing this project for Meridian Township by putting its money where its mouth is. A review of the Township's electric bills from Consumers Energy over the last year shows that we spent approximately \$407,000 on items labelled "SERVICE" and "UTILITIES", which I'm told are the items that reflect the electric use of the Township. This amount is the total disbursed from the General Fund and from Public Works, and does not include payments for "STREETLIGHTS" or payments from the CRC fund.

Applying a liberal estimate of \$0.18/kWhr leads to an estimate of approximately 2,261,000 kWhr used annually by the Township (a lower rate per kWhr would lead to a higher estimate of total annual usage.) Whatever the exact number, it is evident that the Township uses a significant amount of energy, and would clearly benefit in many ways by becoming a major player in supporting the project by buying into it in a concrete way. A quick estimate, made by using a calculator provided by the U.S. National Renewable Energy Laboratory (<http://pvwatts.nrel.gov/>) shows that a 1 megawatt solar farm situated in the Township would generate from 1,300,000 - 1,500,000 kWhr of electricity annually (that's 1.3 - 1.5 gigawatt hours per year!).

I look forward to participating in discussions on this subject when it comes before the Board.

Sincerely,

Neil Bowlby  
6020 Beechwood