



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD – REGULAR MEETING
April 9, 2019 6:00 pm

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS
3. ROLL CALL
4. PRESENTATION
5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS*
6. TOWNSHIP MANAGER REPORT
7. BOARD MEMBER REPORTS OF ACTIVITIES AND ANNOUNCEMENTS
8. APPROVAL OF AGENDA
9. CONSENT AGENDA
 - A. Communications
 - B. Minutes
 - (1) March 12, 2019 Special Meeting
 - (2) March 19, 2019 Regular Meeting
 - C. Bills
 - D. Motor Pool Equipment Purchases
10. QUESTIONS FOR THE ATTORNEY
11. HEARINGS (CANARY)
 - A. Mixed Use Planned Unit Development #18034 (Meridian Investment) Red Cedar Manor
12. ACTION ITEMS (PINK)
 - A. Ethics Conflict of Interest Report #1
 - B. Ethics Conflict of Interest Report #2
 - C. Mixed Use Planned Unit Development #18044 (Newton Pointe LLC) Newton Park
 - D. Wetland Use Permit #18-03 (Newton Pointe LLC) Newton Park
 - E. Special Use Permit #18091 (Newton Pointe LLC) Newton Park
 - F. Time Limitations for Vending-**Introduction**
 - G. Fireworks Ordinance-**Introduction**
 - H. Grand River Avenue Public Water Main Improvement SAD #49
 - I. Kansas Road Sewer SAD #52 Reapportionment
13. BOARD DISCUSSION ITEMS (ORCHID)
 - A. Mixed Use Planned Unit Development #18034 (Meridian Investment Group LLC) Red Cedar Manor
 - B. Special Use Permit #18031 (Meridian Investment Group LLC) Red Cedar Manor
 - C. Zoning Amendment #19040 (Township Board) Senior Living Communities
 - D. Rezoning #19010 (Woda Cooper)
 - E. ELMWSA Contract Amendment
14. COMMENTS FROM THE PUBLIC
15. OTHER MATTERS AND BOARD MEMBER COMMENTS
16. ADJOURNMENT
17. POSTSCRIPT-PHIL DESCHAIINE

All comments limited to 3 minutes, unless prior approval for additional time for good cause is obtained from the Supervisor.
Appointment of Supervisor Pro Tem and/ or Temporary Clerk if necessary.

Individuals with disabilities requiring auxiliary aids or services should contact the Meridian Township Board by contacting:
Township Manager Frank L. Walsh, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4258 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864 Township Hall

**CLERK'S OFFICE BOARD
COMMUNICATIONS
April 9, 2019**

**BOARD INFORMATION
(BI)**

Riley Millard

From: Rose Family <rose1628@att.net>
Sent: Friday, March 15, 2019 4:27 PM
To: Board
Subject: Mixed Use Planned Unit Development #18044 and Wetland Use Permit #18-03

Dear Meridian Township Board Members,

We are writing in opposition to the current plan for the MUPUD at 6276 Newton Road. We ask that you heed the recommendation of the Meridian Township Planning Commission and deny the request for MUPUD #18044.

At their November 26, 2018 meeting the Planning Commission failed to approve MUPUD #18044. In bold below are some of the reasons listed for denial of this project (Planning Commission Resolution to Recommend Denial-December 17, 2018). Following the bold statements are concerns we have regarding Newton Park despite recent changes to the plan.

The buildings in the MUPUD did not provide adequate setback from the road rights-of-way (to the west and north) or the future phase of Sierra Ridge Estates single family subdivision to the south.

The most recent plan for this development still requires major concessions in setbacks on all four sides of the parcel. A 20% reduction in setback relative to Saginaw Highway R.O.W. to the north, a 76% reduction in setback from Newton Road R.O.W. to the west, a 70% reduction in setback to Sierra Ridge Estate the RAA zoned subdivision to the south and an 80% reduction in setback to the RR zoned parcel to the east.

The proposed location of the Newton Road driveway, recycling and trash facilities, mail kiosk, clubhouse, and pool would adversely affect the future phases of the Sierra Ridge Estates to the south.

The current plan for this development did relocate the recycling and trash facilities, mail kiosk, clubhouse, and pool further from the border with Sierra Ridge. The Newton Road driveway, however, is still located 30' from the residentially zoned properties to the south. There are only two exits from this large development one onto Saginaw Highway in the northeast corner of the property and one onto Newton Road in the southwest corner of the property. The large scale of this development as well as the location of the Newton Road driveway will have a negative impact on the property values, character, aesthetics, safety and welfare of the adjacent residentially zoned neighborhood despite the addition of a 10' berm with trees.

As designed the proposed project creates bottlenecks and traffic concerns at both the Newton Road and Saginaw Highway entrances to the property.

Relocating some of the Newton Park facilities away from the Sierra Ridge setback may reduce bottleneck concerns at the Newton Road entrance but these facilities are still located in the southern portion of the development so the volume of traffic in this area will not be reduced. The concern regarding the apartment building garage exits into to the Saginaw Highway entrance has not been addressed.

The requested waivers for building setbacks, parking lot setbacks, number of parking spaces, signage, and water feature setbacks are too numerous and significant in scale to meet the spirit and intent of the MUPUD ordinance.

Upon receiving a copy of the Legal Ad Notice for MUPUD #18044 and Wetland Use Permit #18-03 prior to this meeting I was surprised that despite the numerous concerns expressed by the Planning Commission (November 2018) regarding the size of Newton Park that the current plans have increased the scope of this project.

When the Planning Commission recommended denial of this project it included 218 residential units constituting 238,625 sq. ft. and 19,367 sq. ft. of commercial space. The applicant was asking to construct a group of buildings of approximately 264,684 sq. ft. The current proposal for MUPUD #18044 includes 225 residential units constituting 316,366 sq. ft. and 6,081 sq. ft. of leasable commercial space. The current plan includes construction of a group of buildings of 333,200 sq. ft. This represents a 33% increase in residential sq. footage, a 26% increase in total sq. footage, and a 69% reduction in commercial sq. footage.

Newton Park is proposed as a mixed use planned unit development of a commercially zoned parcel of land. The amount of commercial square footage (6,081 sq. ft.) proposed represents only 1.8% of the total square footage of this development. The maintenance garage, mail kiosk and clubhouse space account for 3.2% of the planned square footage. The remaining 94.9% of the planned square footage will be residential. As this clearly indicates Newton Park is primarily a large residential development.

A blueprint for this site list the amount of pervious and impervious acreage. The plan states that 373,000 sq. ft. of the total site area (1,043,357 sq. ft.) is pervious which represents 35.75% of the parcel. The plan also states that the maximum impervious area allowed is 70%. The pervious area of the site can be used to roughly approximate the amount of "open space" since it represents the land that will allow water to pass (i.e., unpaved or undeveloped). Using this very loose definition the proposed development would have only 35.75% "open space". If Newton Park was a PUD rather than a MUPUD the Meridian Township ordinance would require that 50% of the project area allowed for density determination, excluding wetlands and floodplains, be provided as open space. If the township values open space in Planned Unit Developments (residentially zoned parcels) why is the same value not placed on Mixed Use Planned Unit Developments (commercially zoned parcels) particularly in light of the small amount of commercial square footage in this development?

This parcel has 5.43 acres (236,531 sq. ft.) of regulated wetlands (not including the required setbacks). The regulated wetlands represent 22.67% of the pervious acreage of this site and this acreage would be even greater if the required setbacks were included. If the wetland acreage was excluded from the calculations this project would be 83% impervious and 17% pervious. The health of the regulated wetlands on this parcel with such a large reduction in surrounding pervious land is a concern.

The PUD ordinance also states that within the appropriate zoning district that the commercial usage shall not occupy more than 3% of the total buildable land area of the PUD. For comparison we evaluated the amount of buildable area that would have commercial usage in Newton Park. The plans for Newton Park state that 70% of the parcel (730,349 sq. ft.) may be impervious (i.e., buildable). Newton Park currently plans for 6,081 sq. ft. of commercial space which represents 0.83% of the buildable land area. As indicated earlier the commercial square footage of Newton Park is 1.8% of the total square footage planned for the site. Regardless of the criteria used to evaluate this development it is primarily a residential development on a commercially zoned parcel of land. As planned Newton Park does not respect Meridian Township's transitional land use concept to protect, enhance, and preserve natural resources (MUPUD ordinance). Nor does it promote open space and allow flexibility without sacrificing established values and rights to adequate light, air, noise, and privacy (PUD ordinance).

The current plans for Newton Park still require extensive waivers for building setbacks (21 of the 30 buildings proposed are wholly or partially located in the conventional setbacks for this parcel), parking lot setbacks (55% reduction), number of parking spaces (37% reduction), building setback from road R.O.W. and signage. We ask that the Township Board follow the recommendation of the Planning Commission and vote to deny MUPUD

#18044. Do not allow such extreme waivers to the underlying zoning requirements for a project that does not meet the spirit or intent of the MUPUD ordinance.

Thank you for your time and consideration.

Sincerely,

Brenda and Philip Rose
6106 Fresno Lane

Riley Millard

From: Michelle Prinz
Sent: Friday, March 15, 2019 5:29 PM
To: Riley Millard
Subject: Fwd: Redi-Ride renewal

From: Allan Falk <falklaw@comcast.net>
Sent: Friday, March 15, 2019 5:27:42 PM
To: Township Board
Subject: Redi-Ride renewal

Dear Trustees,

On March 18th, 2019 the Meridian Township board is set to once again vote to approve a 5-10 year millage (.02) proposal for Redi Ride. At the last board meeting on March 5th, three members supported the disability and senior community by agreeing to swap the term 'CATA' with "transportation provider", making it possible for seniors and disabled riders to experience some real improvements in this transportation system. It seemed the Board was on the verge of making this change until two Trustees falsely asserted that the effort to eliminate the CATA monopoly was being driven by a small coterie of troublemakers.

I am a senior citizen--and proud to be a "troublemaker" (if asserting my rights as a taxpayer, citizen, and voter is problematic for the unenlightened), although my coterie is hardly "small"--as is my wife, and we cannot imagine why some Trustees continue to favor giving CATA a monopoly. As recent history demonstrates, monopolies like CATA have no incentive to improve service or vehicles, to increase hours or the speed of service, or to do anything more than minimally necessary to maintain their monopoly. Riders are a secondary consideration, especially seniors and the disabled, as they are a minor part of the market. What harm will befall the community if other transportation companies are allowed to compete? Is CATA worried that its inferior service will be out competed by others offering newer, cleaner, more comfortable vehicles, or better routes, lower cost, more efficient service, or more courteous and helpful drivers? Government sometimes needs to step in when the market fails to provide needed services at a

reasonable price; government disserves the people when it bars competition and creates a monopoly without justification.

As Trustees, you were elected to further the interests of the community. The City of Lansing structurally dominates CATA, and while it is a neighbor, it is not *our* community (it is my former community--I lived in Lansing for 20 years, and have resided in Meridian for 27 years; Lansing is under the thumb of developers and others bent on serving their own interests rather than the whole community, one reason we moved to Meridian). Meridian Township consists of the people who live *here* and the taxpayers who pay taxes *here*. Lansing has its own taxpayers and residents, and they have their needs and interests, which may coincide with those of Meridian, but not always, and in terms of CATA's record of service to Meridian seniors and the disabled, there is little if any meshing of interests between the two.

Please vote on March 18, do the right thing, and support Meridian's seniors and the disabled by eliminating the CATA monopoly over Redi-Ride. If the opposing cohort is right (that CATA is the best option), the market will prove it in short order, as whatever competitors emerge to challenge CATA for the Redi-Ride business will quickly fall by the wayside, leaving CATA with a monopoly it will have earned rather than gouged in a smoke-filled room. And if they are wrong, the Board can pride itself on having improved the lives of Meridian seniors and the disabled.

Allan Falk & Jacqueline DeRouin

2010 Cimarron Dr

Okemos, MI 48864-3908.

Riley Millard

From: Meridian Township, MI <meridian-mi@enotify.visioninternet.com>
Sent: Friday, March 15, 2019 9:22 PM
To: Board
Subject: redi ride

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

Site Visitor Name: kenneth harrow
Site Visitor Email: harrow@msu.edu

dear board members. i am opposed to limiting the redi ride services solely to CATA. i understand it is far less expensive if the riders had a choice of options in addition to just CATA bus service, i favor the use of competitive bidding by transportation providers, not solely CATA service. thank you, ken harrow, 1147 daisy lane, east lansing.

Riley Millard

From: Nancy Newman <nancylnewman@yahoo.com>
Sent: Sunday, March 17, 2019 12:38 PM
To: Board
Subject: Character Reference Statement-Steve Vagnozzi

To Whom It May Concern

I have known Steve Vagnozzi for over 50 years, went to school with his siblings, and looked up to his family as an excellent example of civic and community leadership.

Steve has reached out to my family in times of crisis. He is a very caring and compassionate person. He is one of the most ethical persons I know. He has demonstrated his ability to be fair and objective on many occasions. He seeks opportunities to improve his community and world by speaking up for our most vulnerable persons. He provides leadership with his excellent problem solving skills and willingness to share those skills. He is passionate about his belief that every member of our society should have equal access to service.

I find it impossible to entertain the notion that he would ever take an action on a governmental body for personal benefit. This is just not in his DNA!

Please feel free to contact me, if necessary at 720-375-4401.

Sincerely,
Reverend Nancy L. Newman
2252 South Worcester CT Unit B
Aurora, CO 80014

March 18, 2019

Dear Township Board

I have read many of the letters and spoken with many people who are disenchanted with the board's unwillingness to swap Transportation Provider for the current CATA. Thank you to those who are standing up to the others and we will not forget you.

Once upon a time, I felt that CATA had a very poor leader; perhaps once effective but eventually forgot why she was there and became very ineffective with poor transparency for the organization that I once held in high regard.

Today, I see a better leader; a stronger leader however this is not about the leadership of CATA which some may use as a defense to NOT changing language in the millage at the center of the concern. This is about listening to the people speaking. This is about remembering years ago when this came up and concerns were raised over Redi Ride.

I can't say much that hasn't already been said either historically or currently by those who are frustrated by the Redi Ride situation. These are people who are so frustrated by a system that is broken for them.

I will point out that there has been an underlying theme in our society to disregard and toss aside the elderly and those with challenges, and the actions of those board members who oppose swapping CATA for Transportation Provider seems to be consistent with that theme. What are you afraid of? What is CATA afraid of? Are we still that deeply in bed with CATA that we can't do the right thing and require that they continue to earn our money?

It seems as though the "click" in the township is alive and well. One can almost predict who will support what; not by what they individually stand for but who they associate with. I have witnessed all too much the veiled bullying which takes place in front of camera and behind the scenes.

Please remember that each of you represents the citizens who "hired" you; sometimes that responsibility must supersede your individual and collective egos. THOSE need to be checked at the door.

There is no reason why CATA won't get the money unless they no longer earn the right for that money.

Listen to the people; check egos at the doors. Think as individuals who are suppose to advocate for those in your township that you work for. You don't work for CATA.

Regards,

Renee Korrey

4633 Okemos Rd

Riley Millard

From: Bowlby, Neil <bowlby@msu.edu>
Sent: Monday, March 18, 2019 7:57 AM
To: Board
Cc: Bowlby, Neil
Subject: Redi-Ride millage renewal ballot language
Attachments: Renewal_millage_ballot_language-opinion by Mr Schultz_7-24-2017.pdf

Importance: High

Dear Meridian Township Board,

In listening to your discussion during the March 5th board meeting regarding the Redi-Ride millage renewal ballot language, both the Supervisor and Manager stated that, in the opinion of the township's legal counsel, any change to the Redi-Ride millage renewal ballot language would require it to be a "new" millage rather than a renewal. The Supervisor referenced the July 13, 2016 correspondence from Mr. Schultz, and I assume the Manager's answer was also based on this previous opinion, which, while not dismissing the possibility of amending the "intended purpose" language, and provided supportive arguments that would allow amending the language, indicated that there might be a potential for problems if the language were amended.

However, in his more recent reply to the Transportation Commission, which was included in the packet for the 3/19/2019 meeting (see attachment), Mr. Schultz seemed to be saying that there is no stated provision in the General Property Tax Act that requires the "intended purpose" language in a renewal to be identical to the "intended purpose" in the original millage ballot language. In fact, he says:

"Thus, we think that if the Legislature wanted to require that the ballot language for a renewal of a previously voted millage contain the same stated purpose as the original ballot question, the Legislature could have so required. Having only required that the ballot question for a renewal of a previously voted millage 'specify the intended purpose of the renewed funds,' we think that the renewal ballot question may include a 'clear statement of purpose' that varies from the original question."

Notwithstanding the fact that a modified (but clear) statement of purpose on a millage renewal ballot appears to be allowed, even if a "new" millage is proposed, I am troubled by the notion expressed by at least one Board member that township voters might not approve the millage. Do they think we are stupid? We have supported Redi-Ride for 19 years, and to suggest that we wouldn't continue to support it, especially if it were made clear to voters why it is appearing as a "new" millage request, is, in my opinion, an affront to the intelligence of the electorate.

In listening to the discussion, I didn't hear a single, fact-based argument for why the renewal ballot language should not be changed to specify a "transportation provider" rather than naming CATA specifically. I heard anecdotes by the Manager regarding the low number of complaints he has personally received regarding Redi-Ride service, and I heard comments that the ~20,000 riders/year seem to be satisfied so we should keep the current provider, but these are not solid arguments to deny the taxpayers of Meridian Township the opportunity to "shop around" for the best provider of Redi-Ride services. One statistic that I haven't seen, and it may have been in some previous packet, is the number of requests for Redi-Ride service that CATA has been unable to provide due to lack of available capacity. I would bet dimes to dollars that it's more than can just be counted on one hand.

I think you all consider yourselves to be intelligent, thinking, individuals, and for the most part I would agree, so when you really think about this issue I find it hard to believe that you can come to the conclusion that limiting the options for a Redi-Ride service provider by designating CATA as the sole provider is the best use of taxpayer monies.

Sincerely,

Neil Bowlby
6020 Beechwood
Haslett

Mark Kieselbach

From: Stephen Schultz <sschultz@fsbrlaw.com>
Sent: Monday, July 24, 2017 5:53 PM
To: Frank Walsh
Cc: William Fahey; Christopher Patterson
Subject: RE: Strongly Object to CATA Being Named as the Sole Redi Ride Transportation Provider

Dear Frank,

Chris Hackbarth's question does not have a definitive answer, though, the statutory language related to millage proposals, including renewal questions, provides guidance. Essentially, Chris asks if the language of a ballot question to extend the millage for transportation services does not list CATA as the provider, does that change the question from one of a millage "renewal" to one of a "new" millage?

MCL 211.203 (3), which is part of the General Property Tax Act, sets forth the requirements for millage ballot questions. It says in Part:

The ballots shall state the amount in dollars per thousand dollars of taxable value by which it is proposed that the total tax rate limitation on property in the local unit be increased and the number of years for which it is proposed that the increase shall be effective. If a previous increase in the total tax limitation on property is about to expire and a new increase for the identical amount levied in the immediately preceding year or a lesser amount is proposed, the ballot proposal may be presented as a renewal or continuation of the previous increase for a specified number of years. The ballot shall specify the intended purpose of the renewed or new funds. The ballot may also state the purpose for which the funds derived from the voted increase over the constitutional tax rate limitation may be used,

Interestingly, the statutory language, while calling it a "new increase" recognizes that a ballot question to continue an existing millage that is about to expire may be treated as a renewal, with the only other language requirement being a statement of the purpose of the new/renewal millage. What that statement of purpose must include, and whether it must be the same statement of purpose as in the original ballot language is not defined in the statutory language, however.

Further, MCL 211.24f, which also addresses the required information in a ballot proposal to collect a "new millage," only states that the ballot question must set forth "A clear statement of the purpose of the millage."

Thus, we think that if the Legislature wanted to require that the ballot language for a renewal of a previously voted millage contain the same stated purpose as the original ballot question, the Legislature could have so required. Having only required that the ballot question for a renewal of a previously voted millage "specify the intended purpose of the renewed funds," we think that the renewal ballot question may include a "clear statement of purpose" that varies from the original question. It is up to the Board to decide what statement of purpose it wishes to include in the ballot proposal.

As always, if this reply to your question provokes a follow-up question or if I have misunderstood what you have asked here, please don't hesitate to call.

Steve

Stephen O. Schultz

Riley Millard

From: Michelle Prinz
Sent: Monday, March 18, 2019 11:19 AM
To: Riley Millard
Subject: FW: road conditions

From: vin lyon-callo [mailto:vlyoncallo@gmail.com]
Sent: Monday, March 18, 2019 11:14 AM
To: Township Board <Townshipboard@meridian.mi.us>
Subject: road conditions

Dear Township Board members,

Hello. I realize that maintaining roads is quite difficult given budget constraints. However, I do want to request/suggest that perhaps a different approach to the southern section of Hulett Road (between Jolly and Bennett) might be needed.

Dropping my children off at the high school is increasingly a challenge trying to navigate a path through the potholes where there might be some intact pavement. The same thing happens every year on that road.

Clearly, that road is not engineered correctly for the current conditions and just throwing patch into the holes is not a solution. This section of road must have thousands of trips on it each day with the traffic going to OHS and Bennett Woods (including many buses and young drivers) and all of the newer housing on both sides of the road. I'm not an engineer, but I wonder if the hundreds of new homes in a very wet, swampy area has displaced the water in such a way that it impacts the stability of the subsurface of the road? The small lake that develops each spring on the pathway of that road near the entrance to College Fields might be an indicator of a design problem with the flow of water with the new developments, roads, and pathways.

I know that there are many challenges. And, I am unsure of if it is the township or the county road commission who maintains Hulett, but I am writing to suggest that the board might act to seek a more comprehensive, design driven approach for maintaining this very busy road through the township.

Thank you,

Vin Lyon-Callo
4112 Hulett Road

March 18th,2019

As a former member of the Transportation Commission I brought up the need, to the committee, that a special transportation provider search should be put out for bid. In fact I said this several times and it was treated with polite agreement. However, as the year progressed it became apparent that this group was not going to change anything in the relationship between the Township and CATA. Only two people voted against the proposed language one being a person that uses Redi Ride and can discuss the issue with first hand knowledge.

I have lost a lot of faith in this Township in the last year and decisions that seem to be made by a small group of people. But none is as glaring as the relationship with Cata. They fund projects that will primarily benefit developers not residents. The BRT is an example of a huge waste of tax dollars funneled to private companies. It was never about meeting the needs of people especially when those who truly depended on public transportation, the Frandor area, were going to be left off the route. But I digress from the current topic of Redi Ride.

I usually support the township millage but that is going to stop. I find it very disappointing that the Board and Manager ignore the two people who use and depend on Redi Ride. Do any of you grasp the problem of late or missed arrivals at appointments, especially medical appointments? You have to pay for the appointment even if you are only there for 15 minutes. My husband could benefit from Redi Ride however our rehab provider has said they are unreliable, leaving clients sitting for a long time. If CATA had some competition and we had more than one provider they may learn how to manage their time.

Most people do not know that we are paying for students to receive door to door transportation. I did not until last year. My mistake. However, I will do my best to continue to share that information because I was not the only one unaware that we were paying for that service. There seems to be a fear of transparency on the part of the Manager and board. So it is up to us to make sure everyone knows how their tax money is used and the murky relationship between the Township and CATA.

Sincerely,

Christine Goodrick Beavers

Rhonda Bueche
4126 Leeward Dr. Okemos, MI

3-17-2019

Dear Meridian Township Supervisor, Manager and Board Members,

It is with great disappointment that the citizens of Meridian Township continue to have a dysfunctional Redi-Ride Service, because it is solely sourced to CATA. This has to stop. This allows for social inequality and it is illegal and unethical. Social inequality is unjust and negatively impacts health and contributes to increased mortality.

The ballot must omit "CATA" from the language so that other transportation providers can appropriately service the needs of the community. Our taxes and individuals pay dearly for this service, therefore, by law, it must not be monopolized. Our laws provide for competitive bids and specifically indicate they are not to be contracted to a single provider. The present solo contract with CATA for Redi-Ride is discriminatory of citizens, seniors and the disabled, as they are being restricted from access to affordable and accessible means of transportation.

If you fail to make this change, you are in violation of the Americans with Disabilities Act and the Meridian Township Charter which mandates open contract bids. This is a violation of civil rights as it restricts access to employment, education, healthcare, public and private facilities.

Ingham County has eliminated CATA on their ballot, we must follow suit.

CATA Redi-Ride is enormously expensive and unavailable to those who need it the most. Instead, students have been given priority.

Meridian Township residents' civil liberties are being discriminated against because you have allowed CATA to monopolize this service.

Meridian Township is a growing, evolving community. In order to attract residents, a sustainable, equitable source of transportation must be provided. This model has proven not to work. Change must take place by removing CATA from the ballot language.

As elected officials, you are expected to represent the voice of the citizens of this community. Hear our voice once and for all, and remove "CATA" from the ballot language, as the Redi-Ride provider. Anything less, is an abuse of power.

Respectfully,

Rhonda Bueche

March 19, 2019

Meridian Township Board
5151 Marsh Road
Okemos MI 48864

Jennifer Ronan
6430 Heathfield Drive
East Lansing, MI 48823

To whom it may concern. I am writing a letter of support for the Newton Park project. I have had the opportunity to directly see DTN's recently developed communities at Aspen Lakes, The Quarry and the Vistas. As someone who needed this type of housing in the past, I feel Haslett has a strong need for this type of development. I have often had friends who are looking for a luxury apartment living with attached garages in Haslett area. Plus, there was a time several years back that my family needed an apartment in the school district while we were building our house and the options available were limited for our family of 4 and no option with a garage, so we ended up in a small two bedroom unit because it was the only place we could find with a washer and dryer in the unit. Additionally, the limited housing stock for rentals in Haslett are older homes or duplexes and do not have the amenities and quality that some of my friends expect, so I have had to recommend my friends to adjacent DTN communities in Dewitt and Holt instead of Haslett

The idea that I could rent a home or townhome or apartment with attached garages and not have any maintenance responsibilities is very appealing. It would be nice to see Haslett have type of luxury rental communities DTN develops and operates, as there is a need for this type of development that would bring young people to our community. This type of development is great for families and professionals who move into the area and do not want to commit to buying a home. I strongly believe that this project will be a benefit to the Haslett community and I support this project.

Jennifer Ronan

March 19, 2019

Meridian Township Board
5151 Marsh Road
Okemos MI 48864

Richard Luke
Luke Landscape Company
1890 Towner Rd.
Haslett, MI 48840

To whom it may concern,

I am writing this letter in support of DTN's Newton Park project. I have had the opportunity to see DTN developments such as Aspen Lakes, The Quarry, and the Vistas provide a high-end living experience with additional benefits like attached garages and included maintenance in areas like Holt and Dewitt. However, I have found myself unable to identify such high-end options in Haslett. I often find myself recommending people live in the Haslett community, however I often find it difficult to identify a luxury apartment complex that would allow certain people to live in the area as many of the apartment options within Haslett are older and do not include certain amenities that many would expect.

As the owner of two separate Haslett properties, one of which is the property I run my Haslett based business out of, I find myself seeing DTN's Newton Park as a necessary addition to the Haslett Area. The addition of this type of complex to the Haslett area could help boost the community as well as provide housing options for people and families who may not have previously considered the area. I myself may end up living in one of these types of complexes one day. I feel very strongly that this project would be a benefit to the greater Haslett Community and wish to express my support for it.

Richard Luke
Pres. & CEO
Luke Landscape Company



3/19/19

Charter Township of Meridian
5151 Marsh Rd
Okemos, MI 48864

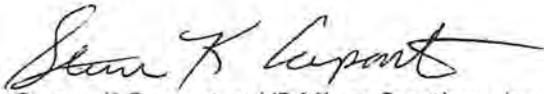
RE: Special Assessment For Water Main Run On Grand River Near VanAtta Rd

Dear Brett Dreyfus, Township Clerk:

I write this letter because I am concerned that the special assessment for the address of 693 W. Grand River is so much higher than the original quote that was presented by which I made the decision to go ahead with this project. I don't have the exact number but \$8,500 is what I remember as opposed to the now proposed \$12,811.97. Because of this discrepancy, I protest the amount that is being requested.

I also want to bring attention that myself and the others who are paying for this project now will benefit others in the future who will want to connect to the water supply who won't have to pay. Not knowing how this works, it very well could be that new connections will have to pay so please let me know if I'm wrong on this. Please call and clarify this for me. My number is on this letterhead and I am option #3. If I don't answer, please leave a message.

Sincerely,


Steven K Carpenter, VP Minor Creations, Inc

693 W. Grand River
Okemos, MI 48864
1.800.255.1595
p: 517.347.2900
f: 517.349.5745
MinorCreations.com

2373 Barnsbury Road
East Lansing, MI 48823
March 17, 2019

Mr. Frank Walsh, Manager
Meridian Township
5151 Marsh Road
Okemos, MI 48864-1198

Dear Mr. Walsh:

My wife and I have resided in the Township for twenty-five years. We have paid our taxes and have consistently voted for and supported the millage requests that have been proposed.

However, as in the previous situation with the Bus Rapid Transit (BRT), we are unable to support the Board on the issue of more funding for CATA without a meaningful effort to solicit bids for service from other potential providers.

CATA was formed to provide transportation services for the people of our county. But when we looked into the finances of CATA it was apparent that the sacred cow has grown fat at our Township's expense.

We are also concerned that the language in a millage request that identifies only one source for services may not be legal. What is wrong with doing a competitive bid to receive the best price and services for our residents?

We also have become aware that the Township is subsidizing Okemos schools by indirectly paying \$50 per day per child to have Redi-Ride take children to and from school. We are also aware that there are school buses that deliver children to and from school at the same time

It would certainly appear that doing this violates the intent of the millage. This may well be a violation of the millage, if not legally, then in spirit.

None of us voted to provide special bus services for Okemos kids. It may be wise to consult with your Township's legal adviser about these serious concerns we have raised.

It is very likely that when the public learns of the misuse of millage and our tax dollars for the children of Okemos the millage may fail.

Redi-Ride provides door-to-door immediate service to children of Okemos, while disabled people and senior citizens wait 1-2 hours for a ride or don't get a ride at all. We see this often at the Michigan Athletic Club and Meijer's. It is a very expensive resource at \$25/ride being used with priority reservations for the kids.

Mr. Frank Walsh
March 17, 2017
Page Two

This currently costs the kids \$1.25/ride and the taxpayer about \$24 for each person, Why is that the current situation?

To summarize, the people most in need of the Redi-Ride are not given the compassion and care they deserve. Children should not be the priority of Redi-Ride.

Please read the front section article in the Sunday, March 17th Styles in the New York Times ("Snowplow Parents") and share our letter with the Township Board.

Sincerely,

Bill and Chris Collette

Riley Millard

From: Tracy Symanzik <tysymanzik@gmail.com>
Sent: Thursday, March 14, 2019 2:35 PM
To: Board
Subject: Concerning marijuana planting site and medical use retail store

Dear Meridian Township Board,

I am Tracy Symanzik and currently a resident in Okemos. I write to express my strong concerns about the recent Meridian Township marijuana zoning ordinances.

I've been living in Okemos for 10 years and really feel proud of our community and neighborhood. Our family choose to live in Okemos because of its high quality schools and family friendly communities. The Township's recent marijuana zoning ordinances really raised concerns for our family (and also, I believe, many other families who share our values). I understand the appeared short-term economic benefit that marijuana business is assumed to bring to the Township. However, I believe in the long-run, it will destroy our community's tradition, known for its family friendly atmosphere. It will increase our kids' exposure and access to marijuana, which is the worst thing I want to see as a mom with two young school-age sons. It may also affect the safety of our neighborhood due to the very likely increased rate of illegal marijuana use. Seriously, the marijuana business is the biggest reason now for our family to consider moving out of this area because we want our kids to be raised in a safe and friendly environment. I believe there are other families like us who share our concerns. More families with kids may move out which may hurt the housing market and economy of Okemos in a long-run.

I sincerely hope you could seriously consider our concerns. I know many families with kids have similar concerns. Please keep marijuana away from our kids and our neighborhood! Thank you for helping us make a difference in our community!

Respectfully,
Ed and Tracy Symanzik
Home address: 4412 Oakwood Dr. , Okemos

Timothy E. Smith

10156 N. Cochran Road
Grand Ledge, MI 48837
(517) 282-5489
Timber113@juno.com

25 March 2019

To whom it may concern

It is with great pleasure that I write this letter of character reference for Steve Vagnozzi. I have known Steve for almost forty three years and am honored to call him a very good friend. Steve and I worked together on the same systems development team early in our careers with the State of Michigan. We worked closely for about ten years before Steve accepted a promotion and moved to another State department. I followed Steve to that department about three years later where we both were first line managers performing systems development. We continued to work fairly closely for the remainder of our careers until we both retired after thirty years of State service. We have remained good friends and know him, his wife and three grown children very well.

I have known Steve to be of high moral and ethical character. While working together, Steve and I did have some occasional disagreements, but I always believed Steve could see all sides of a situation and was effective at developing solutions that benefited everyone involved. I never had a concern that Steve would jeopardize his ethics for personal gain.

Sincerely,

Timothy E. Smith

Riley Millard

From: Karla Hudson <hudson.kc@live.com>
Sent: Tuesday, March 26, 2019 12:42 PM
To: Township Board; Board
Subject: Response to Redi-ride discussion March board meetings

Dear township board,

I wanted to address some of your comments made at the last two township board meetings regarding the Redi-ride issue. Each of my comments is directed to statements made by each individual board members discussion on the Redi-ride issue.

To the Township manager: After four years of the disability community requesting that Redi-ride be improved you finally used the service. I am guessing your tour was arranged by CATA with their best bus operator. The report you gave about one resident indicating that the bus operator is an "angel" I am sure is true. I have positive relationships with many of the CATA bus operators dating back 26 years. I am concerned that you did not fully grasp the "struggle" for those using the intricacies of the service. The finer details are where the problems for your residents are happening. Those of us who are users and advocates have tried to help you understand these though seems that the bigger picture of politics has stopped that conversation from improving the transportation in the township.

To Mr. Styka: Those of us involved with you since the big community outcry on this issue in 2015 thought you understood the "struggle." After your service on the Redi-ride committee and voting for a Transportation Commission to be formed with the mission of "improving Redi-ride" we trusted that you saw the need for change and innovation. The fact that you just want to continue down the same road with CATA in the same manner that has occurred for the past 20 years is extremely disappointing. Why did you even agree to a Transportation Commission if you did not want to see "real change" in the Redi-ride service? You stated that CATA has all the infrastructure to support the service and this is one of the reasons for remaining with CATA. Other vendors have such systems in place much like that of the service CATA currently contracts with for their paratransit SpecTran services. When CATA put out the RFP for the SpecTran service many vendors attended a meeting prepared to bid with technologies needed to operate the SpecTran services for CATA. These companies exist and even CATA is partnering with them to operate SpecTran. The "school bus" issue that you nor others want to address. You sighted that when serving on the school board that school bus privatization for the students was not a safe option though the school aged children are using Redi-ride with bus operators who do not have training with school aged children. A school bus driver gets extra training in topics such as addressing bullying and even training for administering basic medical needs such as for those students with EpiPen needs for allergies. Furthermore, the Redi-ride is not equipped with the flashing light systems hallmark safety features of school buses indicating that children are coming on and off the bus. The Redi-ride sits at one Okemos school for 45 minutes something that would never happen for an everyday user of the service. Although creative ways to manage the students have been discussed at both the Redi-ride committee and the Transportation Commission the township and CATA continues to not address fully the school aged student problem. A issue that continues to grow more problematic as more and more students use Redi-ride to go door-to-door to their homes using approximately an hour and a half each day for their busing needs. The liability of transporting school aged children should be explored by our township. If something happens to these students the township and the school will all be held responsible along with CATA.

To Mr. Deschaine: The transportation service you shared as an example at the March 19 meeting is actually much like that of the one CATA uses for their SpecTran program throughout Ingham county. I share below the following media release from CATA to refresh your memory that even CATA contracts out services. You stated that we need to get back to the real concerns of those in the community who have everyday issues of economic struggles and worries about their family's needs. Those needing access to good quality public transportation do have this as a concern as they do not have two cars in the garage and with gas prices rising and bound to continue to rise with the need for road repairs the need

for public transportation increases. The need for quality transportation seems to not be a worry for you as “property development and roads” are where the board needs to be spending their time according to your statements made at the March 5 meeting.

CATA awards paratransit demand services contract

to Transdev – a worldwide transit provider

(Lansing, Mich.) – CATA’s board of directors on Wednesday unanimously supported staff’s recommendation to award its paratransit demand services contract

to Transdev – a Maryland-based passenger-transportation corporation with global operations. Transdev will begin providing CATA’s Spec-Tran and supplemental rural services effective April 2018, affecting more than 15,500 paratransit customers.

To Mr. Opsommer: The fact that you stated that the Redi-ride issue could be a “goal” for the board is an insult to those of us who have been working at this issue for the past four years and are disability advocates in the community. The Redi-ride issue has been “a Goal” since 2015 showing up each year on the managers “goal” list. What have we achieved as a “goal” extended hours with a fare raise to the residents! We have achieved three grants that does not fully secure the services for the residents putting us in the same place of that of Delta township where the transportation was discontinued when the grants came to an end. If we might have other transportation vendors to consider we might not need the grants nor the \$150,000 you all want to point to each time this topic comes forward for discussion. The challenge to you now that you have decided to continue with CATA is to consider the “penalty” for the transportation provider when they do not show for the scheduled ride. As you can see from an email I sent you I had just that experience with Redi-ride and had to problem solve my way out of the service not showing up. You clearly want to express your concern for the most vulnerable in using transportation and the safety issues. Can you imagine having CATA not show up for a senior who does not use a Smart Phone or an individual with a developmental disability being left behind with no ability to communicate this issue just being left stranded? Mr. Opsommer how are you going to hold CATA accountable for situations where passengers are left without a ride or the ride never shows?

If you are a true advocate than stand up and demonstrate that you will not allow such injustices to happen to the most vulnerable of your community.

To Ms. Jackson: I always think you are going to come through for the underdog on these issues. In your comments two weeks prior to the March 19 meeting you seemed to understand the need and the “struggle.” Seems as though another board member influenced you to change your views. As I demonstrated to you in articles I provided in the board packet public/private partnerships can work for quality public transportation. The solutions are available but out of fear and I am guessing the DDA agreement with CATA influenced you to back away from voting “yes” to the term “transportation provider” being placed on the ballot. I and others will look to you to put forth some strong accountability measures for CATA as this is what will be needed for true quality transportation to occur for your residents.

To Ms. Wisinski: Given that you are new to the board and have not experienced the entire Redi-ride issue I want to address a few items. In the discussion you mentioned having heard that one parent used the Redi-ride to have their child transported from a school activity. A suggestion I have presented many times is that Okemos schools consider contracting for a “late bus” service for their students. This is something that the East Lansing schools provide for so that their students can attend after school programming. This “late bus” model keeps children on a school bus with a trained school bus driver and takes the burden off the Redi-ride system of transporting students when these slots could be used for citizens needing to attend doctor appointments or travel to their employment. I also want to mention to you that your approach of saying “we hear your voices” was an insult to those of us in the disability community who have given four years to this project. If this issue was just manufactured like Mr. Deschaine wants to suggest than I can certainly guarantee you we all would have moved on long ago. All of us involved see the transportation struggle daily and to see our township ignore this problem is a slap in the face to our professionalism. This is not “politicizing” as some might want to suggest this is “pure advocacy” by the nondriving community. This is not a new issue MS Wisinski and the township has heard from more than those of us who attended on March 19. A room full of concerned citizens brought this forward in 2015 at this is the reason the township formed the Redi-ride committee and that is the reason we all

thought the township agreed to a Transportation Commission to make a change for quality transportation for their residents.

Lastly to the two outliers Mr. Dreyfus and Ms. Sundland. Thank you for your advocacy and for hearing the disability community. Both of you listened to the residents and did not let fear nor politics drive the issue before you. You both should be commended for seeing the need and willing to embrace the new concepts being offered in the world of public transportation. The fact that you understood that the voters of your township are educated enough to understand the change in the millage language, that a lack or break in service by CATA could be negotiated and that "now" is the time for change was so refreshing to hear. The fact that you did not put political aspirations before the "will of the people" demonstrates you put yourself in the shoes of the average citizen and their everyday need for quality transportation. Mr. Dreyfus the energy you put forth to research the issue and to stand with your fellow citizens in being a "possibility thinker" is exhilarating to us who came forward on advocating for change.

In closing, I want to remind you all that in 2009 the CATA administration had concerns that this millage would not pass. Our family came forward at that time as my husband and I went door-to door pulling our small children in their wagon asking residents to vote for Redi-ride. My husband joined head administrators from Cata to meet with the Lansing State Journal to secure CATA's endorsement with the newspaper something CATA feared they might not receive. We have been continuous users and friends of public transportation. If we thought the service was meeting expectations of excellence and did not need a review we would not have come to you. Now is the time for change and innovation and with the direction the majority of the board is taking on this issue I fear that the supported need from the community on transportation in the township may dissolve given the boards lack of interest to make the program meet the concerns of the community. I want to once again state that it is a "fine day" when the two nondriving citizens of your community have reservations if this is a millage that should be brought forward to the voters given the quality of the program. I hope you consider all that you are jeopardizing by not making changes to a program that needs restructuring after 20 years.

Regards,

Karla Hudson

Riley Millard

From: Jim <j.windsand@comcast.net>
Sent: Tuesday, March 26, 2019 10:05 PM
To: Board
Subject: Steve Vagnozzi

To the Meridian Township Board:

I have known Steve Vagnozzi for almost forty years and consider him a good friend. I worked with Steve at the State of Michigan until he retired. He was a skilled professional IT person who made numerous decisions that helped a lot of his co-workers. I also worked with Darlene for a number of years. I have the utmost respect for Steve and consider him to be of high ethical character - a person who would make decisions based on facts and on how the decision would be best for the majority of people. Steve is very knowledgeable about many things, and I would trust him with any decision.

Sincerely,

Jim Windsand
5565 Canoga Lane
Haslett, MI 48840
517-230-1839

Riley Millard

From: Donna Rose <wild-rose@sbcglobal.net>
Sent: Thursday, March 28, 2019 11:35 PM
To: Board; Frank Walsh
Subject: For Next Board Packet: CATA Redi Ride

Board of Trustees:

Words are inadequate to express my disappointment and dissatisfaction over your vote to renew the CATA Redi Ride millage without at least talking to CATA first to find out if we have other options with them to increase capacity. This was such a simple request from me. Why on earth did you string us along for four years if your intentions were to just renew without any acknowledgement of issues which have been raised over the years? Your promises now ring hollow because you could have carried them out years ago. You don't know how much extra capacity will cost and not doing your due diligence to find out is so irresponsible. Yes, CATA adds \$133K in funding to our service, so you know extra capacity will likely cost more than what we pay now. Many of us thought you were listening and in the end all you did was to try to defame us to justify your own consciences. It has been a very cruel and patronizing hoax which we did not deserve. Not that you care, but it is just so disrespectful! What you have done is exposed your true character to our residents. You have made your point that you cannot offer better transit service to people with disabilities, the poor, and the elderly. You just dissed three vulnerable groups without batting an eye. I hope they will have long memories when election time rolls around, and I hope their families and friends will remember too.

You doubled the Redi Ride fare in order to add three hours a day of service to Redi Ride, and now at least 88 individuals are asking for a reduced cost for fare cards. Our residents need a fare that is comparable to city bus service they don't have. When these two grants run out in 2 1/2 years do you expect CATA to keep subsidizing fare cards for low income folks, or will the fare go back to that equivalent to bus service and Redi Ride service in all other towns? The Board of Trustees said previously they do not want to pay for this service when the grants are over using general funds. Without some kind of a responsible plan people will be left as they were in Delta Township, losing jobs because they could no longer get to them. I don't know what could make you just renew a millage without considering people's real lives and the real cost to provide that service. You just kicked the can down the road, and it is your residents which pay the price.

I looked at the Michigan Dems web page; and except for Clerk Dreyfus, you don't stand for the things for which you are supposed to stand. I find our township is turning into a crowded metropolis without enough public transit. You are selling out our town to outsiders over and over again when the only true value in a town is its people! "Roads and development", that is your mantra.

As an appointee to the CATA Board I feel ignored by most of you. And for what reason? I did not ask you to help with any unreasonable goal. But you made it unnecessarily complicated with talk about living wages, CATA and TIF, and CATA being a government entity. These are the things you care about, and not how easy it might be to go and get a gallon of milk, or get to the doctor when sick. All your residents are your customers, not developers, not CATA and not employee unions. Talk about "politicizing" an issue! You made it political, when it wasn't ever that complicated. All you had to do is talk to CATA first and see what needed to be done to add extra capacity. I did not ask you for anything you couldn't have done, or which would jeopardize jobs, or developments.

To the township manager; thank you for trying Redi Ride. If you really want the real experience you must call to make your ride at 517-394-2282 and press #2 to make your ride as an anonymous user. You should book a ride to a destination where you get off the bus and then have a trip scheduled to go back. If you are truly interested in gearing people's feelings ask them what they would like to see improved with the service. What you and others fail to understand is people need this service, even if it has issues. They aren't going to volunteer much about it to a person in

power unless they are asked directly. No one ever said our drivers aren't pleasant and helpful. It's not about them, but the ability to have enough transit available so it isn't so cumbersome to get a convenient ride.

I have spent years working with people who are seniors, those with disabilities and low income folks. I know a large number of people in our township who use this service. Their ideas for improvement mirror one another. If a person is ill and low income, it is very unlikely they can get a ride on the same day to get medical help. Redi Ride was supposed to offer them this option. The only same day service available to riders is a fixed route bus and this might not be available where they live. When you invited riders to come and speak during the day when Redi Ride is available for trips to and from our Township Hall, people came because they had the low cost transit they need to attend such a meeting. Don't blame those of us with more resources who can attend meetings and advocate on their behalf.

As a social worker I am at a loss as to why someone would think putting public housing in a town where public transit is sparse could ever be a good idea. However, this should never be a problem in a township as wealthy as ours. The simplest fix is to talk with CATA about rearranging our service to be more available to those who need it. This would cost more money and I am not sure CATA would be willing to absorb this cost. CATA might be able to offer some less expensive alternatives, but you didn't ask before making a sweeping decision to just renew so we really don't know, do we?

Next time you go out in your vehicle to do a short errand, I hope you will think about others who don't have it this easy. Imagine always having to plan your transit for your lives days ahead. Some day as you all grow older you might face a time when you cannot drive. Maybe those in charge then will be more benevolent to you than you have been now to the non-drivers in your township. I hope I am around to see how that works out for you!

With great frustration,
Donna Rose, LMSW
6207 Cobblers Dr.
East Lansing, MI 48823

Riley Millard

From: Frank Walsh
Sent: Friday, March 29, 2019 11:07 PM
To: Township Board
Cc: Riley Millard
Subject: Fwd: Medical Marijuana

For the Board packet.

Frank

Sent from my iPhone

Begin forwarded message:

From: Joyce <jvc5530@comcast.net>
Date: March 29, 2019 at 11:05:01 PM EDT
To: walsh@meridian.mi.us
Subject: **Medical Marijuana**

Township Board Members:

I am writing to provide feedback related to your medical marijuana discussions. I respect the vote of the people supporting medical and recreational marijuana.

I have listened carefully to your discussions and deliberation and appreciate the time and effort you have put into drafting an ordinance. I was especially interested in your joint meeting with the Planning Commission. A few Planning Commissioners were concerned with the number of dispensaries as I am as well. One Commissioner provided

feedback related to the comments of what if, maybe a possibility, unsure, etc. I believe those comments should be carefully considered. I believe at this point there are a lot unknowns. I think six dispensaries is far too many for the size of our township. Also, please consider our adjacency to East Lansing who will also have dispensaries. Why not start with a lower number? Maybe more licenses can be added if there is market demand.

Again, I appreciate your thoughtful deliberation.

Please ensure my communication is included in the board packet.

Respectfully,

Riley Millard

From: Michelle Prinz
Sent: Monday, April 1, 2019 3:48 PM
To: Riley Millard
Subject: FW: Please help Meridian Township Sleep Better at Night by Establishing a Meridian Township Quiet Zone

From: Jason Nicholas [mailto:jdn@msu.edu]
Sent: Monday, April 01, 2019 3:43 PM
To: Township Board <Townshipboard@meridian.mi.us>
Subject: Please help Meridian Township Sleep Better at Night by Establishing a Meridian Township Quiet Zone

Dear Meridian Township Board,
Hello! My name is Dr. Jason Nicholas and I am a proud Meridian Township taxpayer! Unfortunately, my neighbors and I are awoken several times a night by the loud train whistles occurring on the Union Pacific railroad line.

With some research on the internet, I've learned that with a few infrastructure upgrades, a railroad quiet zone could be established across much of Meridian Township. I've also learned that this issue has been discussed by the Township in the past but has not been resolved.

I know that you have many deserving projects, each chasing after the same pot of resources.
However, I urgently implore you make the establishment of a Meridian Township Quiet Zone a priority.

In addition to making a dramatic improvement in the quality of life for many Meridian Township residents, the additional property taxes realized from the increased property values caused by establishment of a Meridian Township Quiet Zone might partially offset the necessary infrastructure improvements and could even be a net money maker for the township over time.

Hence, this investment in a Meridian Township Quiet Zone is not just an investment in railroad infrastructure: it is an investment in the lives and productivity of your constituents, the desirability of our community, and also (hopefully) the township's finances.

Thanks for listening and have a great day.
Your service to the township is appreciated,
-Jason
jdn@msu.edu

=====
Dr. Jason D. Nicholas
Associate Professor and Materials Science Graduate Recruiting Coordinator
Chemical Engineering and Materials Science Department
Michigan State University
2100 Engineering Building
428 South Shaw Lane
East Lansing, Michigan 48824-1226
jdn@msu.edu, JDNicholas@gmail.com,
<https://www.egr.msu.edu/nicholasgroup/>
Office: (517) 355-1615
Fax: (517) 432-1105

Riley Millard

From: Jenelle Jackson <jenellerogers@gmail.com>
Sent: Tuesday, April 2, 2019 1:31 PM
To: Board
Subject: Reference Letter: Steve Vagnozzi

To Whom It May Concern:

I am writing this reference letter for Steve Vagnozzi, as a character reference.

I have known Steve Vagnozzi for more than 12 years. He and I met while working at System Automation Corporation where Steve offered his consulting services. I have had the pleasure of working with Steve in several capacities and in all of them he has demonstrated maturity, outstanding leadership, and professionalism. He is a natural problem solver and seeks ways to help others where ever possible. I have been in several high stress and demanding situations with Steve where he has always remained ethical. He is not only job focused, works well with others, but also compassionate and kind.

Sincerely,

Jenelle Jackson



Meridian Township Board of Trustees,

April 1, 2019

The Chamber serves as the voice of business for the Greater Lansing region. Our government relations team is focused on leading advocacy efforts to strengthen the business environment in our region and enhance our community while keeping our members connected and advocating on their behalf.

The Chamber has worked hard at building and strengthening key relationships with local, state and federal policymakers who are making important decisions that impacts our region on a daily basis. We have continued our efforts at hosting our monthly business roundtables with governmental officials at all levels of government including Meridian Township. Our goal continues to be concentrated on leading and executing efforts that focused on our member's guiding principles and our shared vision to make our region a better place to live, work and thrive.

As we enter the second quarter of the year, we wanted to share the Chamber's 2019 advocacy priority areas that we have been focused on:

- Talent and Workforce development
- Regional Infrastructure
- Economic Development
- Regulatory Environment
- Local Government Financial Health

These priorities are broad, however; as issues arise throughout the year that fall within our priority focus areas in Meridian Township, we will make sure we are communicating with you on those particular matters.

We appreciate our important partnerships and look forward to continuing to work with Meridian Township. Please do not hesitate to contact myself or Amanda Fischer for any questions, concerns or suggestions.

Sincerely,


Steven D. Japinga
Vice President
Government Relations
Lansing Regional Chamber of Commerce


Amanda Fischer
Communications and Public Policy Coordinator
Government Relations
Lansing Regional Chamber of Commerce

500 E. Michigan Avenue, Suite 200
Lansing, MI 48912
p. 517.487.6340
f. 517.484.6910

www.lansingchamber.org





March 26, 2019

Ms. Deborah Guthrie, Communications Director
Meridian Township
5151 Marsh Road
Okemos, MI 48864

Re: Acorn TV

Dear Ms. Guthrie:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note that as of May 2, 2019, the monthly rate for Acorn TV will change from \$4.99 to \$5.99 per month. This price change is due to an increase in programming costs from Acorn TV.

We are notifying customers who currently subscribe to Acorn TV through bill messages.

Please feel free to contact me at 517-334-5686 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "John P. Gardner".

John P. Gardner
Director, External Affairs
Comcast, Heartland Region
1401 E. Miller Rd.
Lansing, MI 48911

PROPOSED BOARD MINUTES

PROPOSED MOTION:

- (1) Move to approve and ratify the minutes of the Regular Meeting of March 19, 2019 as submitted.
- (2) Move to approve and ratify the minutes of the Special Meeting of March 12, 2019 as submitted.

ALTERNATE MOTION:

- (1) Move to approve and ratify the minutes of the March 19, 2019 Regular Meeting with the following amendment(s):
[insert amendments]
- (1) Move to approve and ratify the minutes of the March 12, 2019 Special Meeting with the following amendment(s):
[insert amendments]

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING **-DRAFT-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, MARCH 19, 2019 **6:00 pm.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Deschaine, Trustees Jackson, Opsommer, Wisinski

ABSENT: Trustee Sundland

STAFF: Township Manager Walsh, Assistant Manager Perry, Police Chief Plaga, Fire Chief Hamel, Information Technology Director Gebes, Community Planning and Development Director Kieselbach, Principal Planner Menser, Human Resources Director Marx, Parks and Recreation Director Maisner, Economic Director Buck

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:02 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Board.

4. PRESENTATIONS

A. Findings of the Local Officials Compensation Commission

Director Marx presented on the findings and recommendation for a 2% increase from the Local Officials Compensation Commission.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:04 pm.

Louis and Max Boyang, 4573 Spicewood Dr., Okemos; spoke in support of Arts Council of Greater Lansing (Non-Agenda Item.)

Donna Rose, 6207 Cobblers Dr., East Lansing; spoke in opposition to Redi-Ride Millage (Agenda Item 12A).

Karla Hudson, 6009 Skyline Dr., East Lansing; spoke in opposition to Agenda Item 12A.

Fred Wurtzel, 1212 N. Foster, Lansing; spoke in opposition to Agenda Item 12A.

Mike Hudson, 6009 Skyline Dr., East Lansing; spoke in opposition to Agenda Item 12A.

Sung Lee, 1898 Shadywood Ln., Okemos; spoke in opposition to Agenda Item 12A.

Bill Collette, 2373 Barnsbury Rd., Okemos; spoke in opposition to Agenda Item 12A.

Neil Bowlby, 6020 Beechwood, Haslett; spoke on a John Veenstra Memorial donation program (Non-Agenda Item,) and spoke in opposition to Agenda Item 12A.

Brenda Rose, 6106 Fresno Ln., East Lansing; spoke in opposition to Newton Park development (Agenda Items 13A/B/C).

Patty McPhee, Thames Dr., Haslett; spoke in opposition to Agenda Item 12A.

Supervisor Styka closed public remarks at 6:37 pm.

6. TOWNSHIP MANAGER REPORT

Township Manager Walsh reported: Brianne Randall-Gay investigative report complete, *Shoptown vs. Meridian Township* update, 2018 audit with Yeo & Yeo, comprehensive road plan coming, Redi-Ride, Meridian Mall / Farmer's Market progress.

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Clerk Dreyfus reported:

- Attended Michigan Municipal League (MML) Municipal Services and Elections Committee; analyzed and provided recommendations on legislation before Michigan House and Senate.

Treasurer Deschaine reported:

- Apologized on mentioning citizen by name at previous meeting.
- Treasurer's Office conducting Tax Settlement Process with Ingham County.
- Attended Downtown Development Authority (DDA) Downtown Okemos meeting; discussed Tax Increment Financing (TIF) applications.
- Announced Transportation Commission meeting, Mar. 22.
- Attended ribbon cutting for new Okemos orthopedic rehab facility.

Trustee Wisinski reported:

- Visited Aspen Lakes community, similar design to Newton Park Development.
- Received citizen comments on positive Redi-Ride usage.
- Preparing to attend Zoning Board of Appeals as Board liaison.

Trustee Jackson reported:

- Attended MML Capital Conference; discussed Governor Whitmer's budget proposal.
- Attended workshops on bias and government services for economic development.

Trustee Opsommer reported:

- Attended Land Preservation Advisory Board (LPAB) meeting; discussed 2019 Management Plan, Tower Woods tree planting on Apr. 27, Davis Foster Preserve control burn, buckthorn management.

8. APPROVAL OF AGENDA

Clerk Dreyfus moved to approve the Agenda as presented. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 6-0

9. CONSENT AGENDA

Supervisor Styka reviewed the consent agenda.

Trustee Opsommer moved to adopt the Consent Agenda as amended. Seconded by Clerk Dreyfus.

Treasurer Deschaine moved to include the summarized board communications in the next board packet. Seconded by Trustee Jackson.

VOICE VOTE: Motion passed 4-2 (Clerk Dreyfus, Supervisor Styka)

ROLL CALL VOTE

ON ORIGINAL MOTION: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

A. Communications

Trustee Opsommer 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 Clerk Dreyfus.

ROLL CALL VOTE: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

B. Minutes – March 5, 2019 Regular Meeting

Trustee Opsommer moved to approve and ratify the minutes of the Regular Meeting of March 5, 2019 as submitted. Seconded by Clerk Dreyfus.

ROLL CALL VOTE: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

C. Bills

Trustee Opsommer moved to approve that the Township Board approve the Manager’s Bills as follows, seconded by Clerk Dreyfus:

Common Cash		\$	196,726.94
Public Works		\$	528,630.41
Trust & Agency		\$	351,206.35
	Total Checks	\$	1,076,563.70
Credit Card Transactions		\$	7,395.16
Feb. 28 to Mar 13			
	Total Purchases	\$	<u>1,083,958.86</u>
ACH Payments		\$	<u>516,627.00</u>

ROLL CALL VOTE: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

D. Georgetown #4 Public Streetlighting SAD #427-Resolution #5

Trustee Opsommer moved to approve the Georgetown #4 Public Streetlighting Improvements Special Assessment District #427 - Resolution #5, which approves the final special assessment roll, adopts the amount of \$2,263.28 as the first year assessment and the amount of \$1,256.64 (subject to adjustment) as the annual assessment thereafter. Seconded by Clerk Dreyfus.

ROLL CALL VOTE: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

E. DNR Park Acquisition Grant Application-Okemos Road

Trustee Opsommer moved to support the attached resolution to apply to acquire parcel numbers 33-02-02-16-200-011 from Richard and Lorraine McKane, Trustees, utilizing \$127,000 of grant funding through the Michigan Natural Resources Trust Fund and \$42,500 from the Park Millage to add 1.858 acres of land to the Meridian Township Parks. Seconded by Clerk Dreyfus.

ROLL CALL VOTE: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

F. Resolution of Declaration and Notice – North Meridian Road Park

Trustee Opsommer moved to approve the Resolution of Declaration and Notice for North Meridian Road Park. Seconded by Clerk Dreyfus.

ROLL CALL VOTE: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

G. Disposal of Surplus Vehicles

Trustee Opsommer moved to authorize the Department of Public Works to sell noted surplus vehicles at public auction, internet auction, or by sealed bid. Seconded by Clerk Dreyfus.

ROLL CALL VOTE: YEAS: Trustees, Jackson, Opsommer, Wisinski, Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine

NAYS:
Motion carried 6-0

10. QUESTIONS FOR THE ATTORNEY – NONE

11. HEARINGS

A. MUPUD #18044 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview on the current proposed Mixed-Use Planned Unit Development (MUPUD) project and covered all required waivers.

Supervisor Styka opened the hearing at 7:08 pm.

Brett Forsberg, 2420 Jolly Rd., Okemos; presented on the proposed Newton Park project and the adjustments that have been made to meet recommendations and suggestions.

Jerry Fedawa, 5570 Okemos Rd., Okemos; developer of Sierra Ridge Neighborhood to the south, spoke on impact of proposed Newton Park development on Sierra Ridge Phase 4 of development; noted density concerns, encroachment into set-backs, and waiver increases.

Supervisor Styka closed the hearing at 7:29 pm.

B. WUP #18-03 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the current requests for Wetland Use Permits (WUP) by the Newton Park development and drainage locations.

Supervisor Styka opened the hearing at 7:33 pm.

Brenda Rose, 6106 Fresno Ln., East Lansing; spoke in opposition to the WUP and to the Newton Park development.

Supervisor Styka closed the hearing at 7:35 pm.

C. Grand River Avenue Public Water Main Improvement SAD #49

Director Perry provided an overview of the Special Assessment District (SAD) to extend public water along Grand River Avenue.

Supervisor Styka opened the hearing at 7:36 pm.

Director Perry read a communication received by Steve Carpenter, 683 W. Grand River Ave., Okemos; in opposition to the perceived increase in cost.

Ali Damsaz, 743 W. Grand River Ave., Okemos; spoke on the possibility of expanding the service extension to help spread the cost of the project.

Supervisor Styka closed the hearing at 7:40 pm.**12. ACTION ITEMS**

A. Redi-Ride Millage

Treasurer Deschaine moved the Township Board renew and restore the previously authorized .2 (2/10) mills to maintain the Redi-Ride service for a period of five (5) years and have the Township Manager and Township Attorney draft the appropriate ballot language subject to the Township Board's approval and to authorize the Township Manager to negotiate a new Service Agreement with the Capital Area Transportation Authority (CATA) including the provisions recommended by the Transportation Commission. The new Service Agreement shall be approved by the Township Board prior to July 31, 2019. Seconded by Trustee Wisinski.

Board discussion: Current structure of CATA Redi-Ride services, CATA subsidy, disadvantages of "privatizing" Redi-Ride, need for reliable service, long history of good service, possible addition of 2020 Board Goal to investigate alternative options, alternative options should be a separate discussion, current millage with CATA as sole provider would preserve service, service should be provided by public entity, Township membership with CATA, issues should be addressed within Agreement, new public/private service would require separate Township resources, problems with initial development of Redi-Ride, past conversations of service and millage, some citizens with disabilities have long-standing concerns about Redi-Ride, promises made for years to not have CATA as sole service provider, importance of competitive bidding to obtain best services at lowest cost, initial intent of Redi-Ride was to connect riders with CATA fixed-route service, impact of new ride-share services such as Uber, sufficient time available to analyze new transportation options right now, length of sole-service contract, examples of public partnerships with Uber, Transportation Commission should draft RFP to bid out Redi-Ride service, no fear of lapse of coverage, bid process would reaffirm transparency and , CATA likely to receive contract even if put out to bid.

Clerk Dreyfus moved to renew and restore the previously authorized .2 (2/10) mills to maintain the Redi-Ride service for a period of five (5) years and have the Township Manager and Township Attorney draft the appropriate ballot language subject to the Township Board’s approval and to authorize the Township Manager to negotiate a new Service Agreement with a Service Provider, including the provisions recommended by the Transportation Commission.

Motion failed for lack of a second.

Supervisor Styka moved to amend the current motion by changing the date from “July 31, 2019” to “May 9, 2019.” Seconded by Trustee Opsommer.

VOICE VOTE

ON AMENDMENT: Motion passed 5-1 (Clerk Dreyfus)

Board discussion: Service can be improved, Redi-Ride agreement is an inter-governmental agreement, recognized issues with Redi-Ride, past attempts of Township at addressing issues, supplements from CATA and efforts to address issues, alternative service providers in the area, CATA is quasi-governmental, cost isn’t main concern, citizens negative reaction to decision for sole source contract with CATA, conflict-of-interest charges by citizen regarding Trustee Opsommer in his role as CATA Representative, upcoming decision to be made by Township Manager, CATA as a local government, CATA law allows municipalities to send representatives to Board of Directors, past Attorney Generals have noted ability for members to send representatives to authorities, complexities of Township transit system.

[Clerk Dreyfus left the room at 8:20 pm.]

ROLL CALL VOTE: YEAS: Trustees Opsommer, Wisinski, Jackson, Treasurer Deschaine, Supervisor Styka

NAYS:
Motion carried 5-0

B. Rezoning #18160 (Giguere) - Final Adoption

Treasurer Deschaine moved to adopt the resolution for final adoption of Ordinance No. 2019-04 pursuant to Rezoning #18160. Seconded by Trustee Jackson.

Board discussion: Location and size of rezoning, details of rezoning, history of request.

ROLL CALL VOTE: YEAS: Supervisor Styka, Treasurer Deschaine, Trustees Wisinski, Jackson, Opsommer

NAYS:
Motion carried 5-0

C. Rezoning #18150 (Township Board) - Final Adoption

Trustee Opsommer move to adopt the resolution for final adoption of Ordinance No. 2019-03 pursuant to Rezoning #18150. Seconded by Treasurer Deschaine.

[Clerk Dreyfus re-entered the room at 8:29 pm.]

Board discussion: History of request, efforts of staff in land acquisition and Farmer’s Market development, needed for Commercial PUD compliance, public/private relationship with Meridian Mall.

ROLL CALL VOTE: YEAS: Treasurer Deschaine, Clerk Dreyfus, Supervisor Styka, Trustees Jackson, Opsommer, Wisinski

NAYS:
Motion carried 6-0

D. Elevation at Okemos Pointe Brownfield Plan

Trustee Jackson moved to adopt the attached resolution approving the transfer of the Elevation at Okemos Point brownfield plan from Ingham County to Meridian Township. Seconded by Treasurer Deschaine.

Board discussion: Impact of transfer, ability to use Township Brownfield Authority.

ROLL CALL VOTE: YEAS: Trustees Wisinski, Opsommer, Jackson, Clerk Dreyfus, Treasurer Deschaine, Supervisor Styka

NAYS:
Motion carried 6-0

E. Biber Street Land Transfer

Trustee Jackson move to authorize the Township Supervisor to sign the quit claim deeds to transfer two parcels of land from the Charter Township of Meridian to the Nancy L. Shepherd Revocable Trust. Seconded by Trustee Opsommer.

ROLL CALL VOTE: YEAS: Trustees Jackson, Wisinski, Opsommer, Treasurer Deschaine, Supervisor Styka, Clerk Dreyfus

NAYS:
Motion carried 6-0

13. BOARD DISCUSSION ITEMS

A. MUPUD #18044 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the proposed MUPUD.

Board discussion: examples of similar developments, amenities, development shift away from home-ownership in the Township and towards rental properties, possibility of increase in renters, meets both end of market, waiver requests, surrounding zoning, parking, set-back limits and other

zoning categories, parking set-back waivers, distances from Newton Road right-of-way, responsiveness of development to concerns from Planning Commission, past rezoning of surrounding areas, analysis and concerns about rezoning history of property, only high-density residential and virtually no commercial in proposed MUPUD, site is on Business 69 and future land use focuses on commercial development along corridor, proposal does not align with original rezoning intent for commercial and residential mix, concerns about rental to homeownership ratio, wetlands and floodplains are excluded from open space count in Planned Unit Developments (PUD), property better suited as a PUD rather than MUPUD, negatives of including wetlands for density increase, proposed density too high –reduce dwelling limits per acre, current 61% to 39% owner-occupied to rental ratio, benefits of Towner Park, original design proposal adjustments, signage size, wetland drains, density allowed by MUPUD, amount of backyard included, possibility of mediation meeting, rezoning process.

Board consensus to put this item up for action at a future meeting.

B. WUP #18-03 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the proposed Wetland Use Permit (WUP).

Board consensus to put this item up for action at a future meeting.

C. SUP #18091 (Newton Pointe LLC) Newton Park

Director Kieselbach provided an overview of the proposed Special Use Permit (SUP).

Board consensus to put this item up for action at the next meeting.

Supervisor Styka moved to discuss Agenda Item 13H next. Seconded by Trustee Opsommer.

H. Grettenberger Drain 434 Agreement

Director Perry provided overview of a plan to provide funding to Country Drain Office to conduct a drain study.

Carla Clos, Deputy Ingham County Drain Commissioner, provided an overview of the plan to conduct a study on the Grettenberger Drain.

Alan Boyer, Principal Engineer, LSG Engineers and Surveyors, provided history and status of the current drain.

Board discussion: Work in conjunction with MDOT and ICRC Okemos Road Enhancement, reduce impact of multiple projects on public, cost to Township, budget amendment process, partnering.

Treasurer Deschaine moved to suspend the rules and allow for action. Seconded by Trustee Opsommer.

Treasurer Deschaine moved to authorize the Township Supervisor to sign the attached Agreement for Advance of Money for Drain Work Pursuant to Section 434 of Act No. 40 of the Public Acts of 1956, as amended, agreeing to advance the Ingham County Drain

Commissioner \$54,350 for the Grettenberger Drain and its associated tributaries hydrologic and hydraulic study. Seconded by Trustee Opsommer.

ROLL CALL VOTE: YEAS: Clerk Dreyfus, Supervisor Styka, Treasurer Deschaine,
Trustees Wisinski, Opsommer, Jackson

NAYS:
Motion carried 6-0

D. Grand River Avenue Public Water Main Improvement SAD #49

Director Perry provided an overview of the project process and identified reasoning for the increased cost.

Board discussion: Increases in costs, early estimates, costs increase over time, possible inclusion of additional parcels, distance from public sewer service.

Board consensus to put this item up for action at a future meeting.

E. Time Limitations for Vending

Director Kieselbach described changes to the times that allow for door to door vending.

Board discussion: Limits those offering goods/services for sale, time restrictions, preserving first amendment rights vs privacy and safety.

Board consensus to put this item up for action at the next meeting.

F. Fireworks Ordinance

Director Kieselbach presented on required changes to Township ordinances in response to recently passed State legislation, with added Township adjustments.

Board discussion: Restriction windows, established timeframes set by the State, enforcement of using fireworks while intoxicated, fine limits and enforcement details.

Board consensus to put this item up for action at the next meeting.

G. Kansas Road Sewer Special Assessment District (SAD) #52 Reapportionment

Director Perry presented details on an established SAD that is being reapportioned due to the splitting of parcels.

Board discussion: cost apportionment after splitting of parcels.

Board consensus to put this item up for action at a future meeting.

14. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 10:03 pm.

Brenda Rose, 6106 Fresno Ln., East Lansing; spoke in opposition to Agenda Item 13A. (MUPUD #18044 - Newton Pointe LLC)

Supervisor Styka Closed Public Remarks at 10:06 pm.

15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Clerk Dreyfus reported:

- Very concerned about practice of City of East Lansing in secretly conducting land auction via eBay to sell million-dollar public property, EL citizens upset about lack of transparency.

16. ADJOURNMENT

Treasurer Deschaine moved to adjourn. Seconded by Trustee Opsommer.

VOICE VOTE: Motion carried 6-0

Supervisor Styka adjourned the meeting at 10:08 pm.

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD SPECIAL MEETING **-DRAFT-**
5151 Marsh Road, Okemos MI 48864-1198
853-4000, Township Hall Room
TUESDAY, MARCH 12, 2019 **6:00 pm.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Deschaine, Trustees Jackson, Opsommer, Sundland, Wisinski

ABSENT:

PLANNING COMMISSIONERS: Chair Scott-Craig, Vice Chair Lane, Commissioners Hendrickson, Premoe, Richards, Shrewsbury, Trezise

STAFF: Township Manager Walsh, Public Works Director Perry, Police Chief Plaga, Fire Chief Hamel, IT Director Gebes, Community Planning Director Kieselbach, Township Attorney Patterson

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:02 pm.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Recording Secretary called the roll of the Township Board and the Planning Commission.

4. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened public remarks at 6:05 pm.

John Fraser, 2290 Science Pkwy, Okemos; spoke in support of Medical Marihuana Ordinances (Agenda Item 12A)

Rod Schultz, 1303 Montgomery St., Eaton Rapids; spoke on Agenda Item 12A.

Lynne Page, 3912 Raleigh Dr., Okemos; spoke in opposition of Agenda Item 12A.

Travis Wilson, 2180 Cider Mill Dr., East Lansing; spoke in support of Agenda Item 12A.

Mike Callton, 224 Washington St., Nashville; spoke in support of Agenda Item 12A.

Matthew Roman, 1573 Penistone St., Birmingham; spoke in support of Agenda Item 12A.

Supervisor Styka closed public remarks at 6:25 pm.

5. APPROVAL OF AGENDA

Clerk Dreyfus moved to approve the Agenda as presented. Seconded by Treasurer Deschaine.

VOICE VOTE: Motion carried 7-0

6. JOINT MEETING WITH TOWNSHIP BOARD & PLANNING COMMISSION

A. Medical Marihuana Non-Zoning/Zoning Ordinances

Director Kieselbach provided an overview of the current draft non-zoning and zoning ordinances.

Discussion: types and number of permits allowed, permit process, overlay districts, differences between 5 types of medical marijuana facilities, market forces will dictate actual number of permits requested by applicants, difficulty in locating provisioning centers in Township due to lack of available properties in overlay districts, federal loan prohibitions currently restrict property owners with federally-backed loans from leasing to a marijuana facility, current draft ordinance was drafted after much debate and compromise, 21 permits cover all five (5) facility types, maximum of 6 provisioning centers, likely to have less than 6 provisioning centers due to various barriers, recreational vs medical marijuana issues in the future, Township has control over allowing recreational facilities in future, fees and revenues from marijuana facilities that the Township could receive, bonding applicants, restricting processors to industrial zones, odor concerns, odor control technologies odor violation fines start at \$1,000 per infraction, need to avoid exclusionary zoning, community safeguards built into the ordinance, revocation clause in ordinance, Planning Commission should recommend Special Use Permit (SUP) to Board and not have final decision, current odor/nuisance ordinances can also be used for enforcement, facility separation, buffer zones.

7. COMMENTS FROM THE PUBLIC

Supervisor Styka Opened Public Remarks at 8:06 pm.

Cindy Liu, 1575 Maiden Ln., Okemos; spoke in opposition to Agenda Item 12A.

Lynne Page, 3912 Raleigh Dr., Okemos; spoke in opposition to Agenda Item 12A.

Rob Baldori, 2719 Mt. Hope, Okemos; spoke in support to Agenda Item 12A.

Jeff Neilson 2455 Barnsbury Rd., East Lansing; spoke in support of Agenda Item 12A.

Johnathan Stock, 5322 Otter Dr., Lansing; spoke in support of Agenda Item 12A.

Supervisor Styka Closed Public Remarks at 8:20 pm.

8. ADJOURNMENT

Trustee Jackson moved to adjourn. Seconded by Clerk Dreyfus.

VOICE VOTE: Motion carried 7-0

Supervisor Styka adjourned the meeting at 8:22 pm.

RONALD J. STYKA,
TOWNSHIP SUPERVISOR

BRETT DREYFUS,
TOWNSHIP CLERK



To: Board Members
From: Miriam Mattison, Finance Director
Date: April 9th, 2019
Re: Board Bills

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

COMMON CASH	\$	256,599.52
PUBLIC WORKS	\$	587,793.15
TRUST & AGENCY	\$	8,615.69
	TOTAL CHECKS:	\$ 853,008.36
CREDIT CARD TRANSACTIONS March 14th to April 3rd	\$	21,717.70
	TOTAL PURCHASES:	<u>\$ 874,726.06</u>
ACH PAYMENTS	\$	<u>584,695.34</u>

Vendor Name	Description	Amount	Check #
1. 54-A DISTRICT COURT	CASH BOND - YOUNG-ABDUL-BAITH, CHIANN	200.00	100270
2. 54-B DISTRICT COURT	CASH BOND-QIAO, CHEN	500.00	100267
3. CATHERINE ADAMS	REIMBURSEMENT FOR MILEAGE-MARCH	116.87	
4. AIRGAS GREAT LAKES	STANDING PO FOR MEDICAL OXYGEN	102.26	
	STANDING PO FOR MEDICAL OXYGEN	110.07	
	TOTAL	212.33	
5. ALLGRAPHICS CORP	SPORTIES FOR SHORTIES T SHIRTS	1,593.75	
	UNIFORM SHIRTS FOR FARMER MKT MANAGER C PATRICK	61.00	
	UNIFORM SHIRTS FOR FARM MKT MANAGER C PATRICK	44.00	
	TOTAL	1,698.75	
6. ALPHA YOUTH SPORTS, INC	BASKETBALL COACHING MATERIAL	865.00	
7. ROE ANTCLIFF	SOCCER CLINIC INSTRUCTOR FEE	300.00	
8. APPLICANT PRO	ONLINE APPL SYSTEM RENEWAL	1,095.00	100268
9. APPLIED IMAGING	BALANCE OF COPIER CONTRACT	37.32	
10. ARROW INTERNATIONAL INC	STANDING PO FOR IO EMS SUPPLIES/EQUIPMENT	560.58	
	STANDING PO FOR IO EMS SUPPLIES/EQUIPMENT	101.92	
	TOTAL	662.50	
11. AT & T	MONTHLY SERVICE	136.72	
12. AT & T MOBILITY	MONTHLY SERVICE	74.43	
13. AUTO VALUE OF EAST LANSING	FLEET REPAIR PARTS 2019	29.94	
	FLEET REPAIR PARTS 2019	27.00	
	FLEET REPAIR PARTS 2019	164.07	
	TOTAL	221.01	
14. AVALON TECHNOLOGIES INC	AVALON TECH EQL (9NB0942) TECHNICAL SUPPORT	1,702.65	
15. BANNASCH WELDING INC	REPAIRS TO 10 YD DUMP TRUCK BOX	3,689.68	
16. BARYAMES CLEANERS	STANDARD POLICE UNIFORM CLEANING	767.09	
17. BOARD OF WATER & LIGHT	2019 STREETLIGHT SERVICE	597.88	
18. JEFFORY BROUGHTON	RADIO MAINTENANCE FOR POLICE	328.00	
	STANDING PO FOR RADIO MAINTENANCE/PARTS/EQUIP.	973.50	
	TOTAL	1,301.50	
19. CARLSON APPRAISAL CO	APPRAISAL OF POTENTIAL LAND PRESERVE	1,200.00	
20. CARRIER & GABLE INC	OPTICOM CABLE FOR NEW AMBULANCE	92.00	
21. CDW	MICROSOFT O365 E3 AND E7 LICENESES	551.16	
	CDW MICROSOFT OFFICE PRO LICENSES FOR EA.	3,760.00	
	TOTAL	4,311.16	

Vendor Name	Description	Amount	Check #
22. CINTAS CORPORATION #725	MECHANICS UNIFORMS 2019	40.13	
	MECHANICS UNIFORMS 2019	40.13	
	MECHANICS UNIFORMS 2019	40.13	
	MECHANICS UNIFORMS 2019	40.13	
	TOTAL	160.52	
23. CITY OF EAST LANSING	IST QTR MEP REVENUE	50,822.47	
24. CITY OF GRAND RAPIDS	ANNUAL SUMMER CONF J. WADE	175.00	
	APRIL SEMINAR FOR J. WADE	40.00	
	TOTAL	215.00	
25. COMCAST	MONTHLY SERVICE	329.54	
	MONTHLY SERVICE	193.31	
	MONTHLY SERVICE	22.37	
	MONTHLY SERVICE	126.85	
	TOTAL	672.07	
26. CONSUMERS ENERGY	CRC EMERG PAYM'T TO AVOID SHUTOFF	183.08	100271
27. CONSUMERS ENERGY	MONTHLY SERVICE	25.40	
28. CORECOMM INTERNET SERVICES	DNS HOSTING-SEMI ANNUAL	29.95	
29. COURTESY FORD	AMBULANCE BODY REPAIR FROM DEER HIT	2,066.89	
30. DATAWORKS PLUS	MOBILE FINGER PRINT READER	3,240.00	
31. DBI	BINDER CLIPS	7.74	
	CLIP BINDERS & WATER	15.23	
	BINDER/CLIP	11.94	
	FOLDERS	27.96	
	PENCIL	1.78	
	MISC OFFICE SUPPLIES	30.00	
	MISC OFFICE SUPPLIES	34.78	
	TOTAL	129.43	
32. KELSEY DILLON	REIMBURSEMENT FOR MILEAGE - MARCH	28.54	
33. DLZ MICHIGAN INC	HISTORIC CAMELBACK BRIDGE ASSESSMENT FOR NEEDED RE	2,183.41	
34. FAHEY SCHULTZ BURZYCH RHODES PLC	LEGAL FEES	2,250.00	100269
35. FD HAYES ELECTRIC	PERMIT PE19-0080 CANCELLED - 50% REFUND	58.25	
	REPLACE/REPAIR SEVERAL LIGHTS, EMERGENCY LIGHTS C	2,300.00	
	ELECTRIC REPAIRS/MAINTENANCE 2019	88.00	
	TOTAL	2,446.25	
36. FEDEX	SHIPPING	55.55	
37. FELD FIRE	AKRON QUAD STACKED DELUGE TIPS	498.45	
38. FIRST AMERICAN ADMINISTRATORS	EMPLOYEE/RETIREE EYE INSURANCE	2,665.83	
39. FIRST COMMUNICATIONS	MONTHLY SERVICE	904.19	
40. FISHBECK, THOMPSON, CARR & HUBER	MUNI BLDG ENGINEERING SERVICES	5,259.80	
	PROF SERVICES FOR WUP18-02 - TWP PAID	1,480.00	
	PROFESSIONAL SERVICES - WDV 19-1	1,103.20	
	TOTAL	7,843.00	

Vendor Name	Description	Amount	Check #
41. FORESIGHT GROUP	ENGRAVED NAME PLATES	156.60	
	MAILING ENVELOPES	251.35	
	WATER BILL MAILING 3/15	229.50	
	WATER BILL MAILING 3/29 WITH A CREDIT \$67.87	360.64	
	RECYCLE FLYER FOR 3/29 WATER BILLS	124.34	
	TOTAL	1,122.43	
42. GRANGER	DEER DISPOSAL	11.00	
	DEER DISPOSAL	11.00	
	DEAD ANIMAL REMOVAL	11.00	
	DEAD ANIMAL REMOVAL	11.00	
	TOTAL	44.00	
43. THE HARKNESS LAW FIRM PLLC	LEGAL FEES-UTC	6,781.17	
44. HASLETT PUBLIC SCHOOLS	MAINTENANCE REIMBURSEMENT 1ST QTR 2019	4,434.39	
45. HASLETT COMMUNITY EDUCATION	GYM SPACE RENTAL BASKETBALL PROGRAM	5,250.00	
46. HASLETT-OKEMOS ROTARY	MEMBERSHIP F. WALSH 2ND QTR	140.00	
	MEMBERSHIP M. HAMEL 1ST & 2ND QTR'S	280.00	
	TOTAL	420.00	
47. HEALTH AND SAFETY INSTITUTE	24/7 EMS COURSES FOR 41 OFFICERS	1,107.00	
48. DANIELLE HUGHES	REIMBURESMENT FOR MILEAGE - FEB	11.02	
	REIMBURSEMENT FOR MILEAGE - MAR	12.18	
	TOTAL	23.20	
49. INGHAM COUNTY REGISTER OF DEEDS	REGISTER RESOLUTION-N MERIDIAN RD PARK	30.00	
50. INGHAM COUNTY FINANCIAL SERVICES	911 LEGACY COSTS W/ EAST LANSING & INGHAM COUNTY F	9,000.00	
51. JOHN DEERE FINANCIAL	FLEET FUEL 2019	16,478.10	
52. JOHNSON CONTROLS	STUDIO CONTROL PANEL	174.36	
53. KEBS INC	DESIGN AND ENGINEERING SERVICES FOR FARMERS MARKET	1,016.25	
54. KEYSTONE PRINTING GROUP	BUSINESS CARDS	108.23	
	BUSINESS CARDS	83.20	
	TOTAL	191.43	
55. LANSING FIRE DEPARTMENT	FIRE REPORT WRITING COURSE	400.00	
56. LANSING JUNK REMOVAL	JOB #17257483	1,650.00	
57. LANSING SANITARY SUPPLY INC	STANDING PO FOR CLEANING SUPPLIES & EQUIPMENT	47.67	
	STATE CONTRACT CUSTODIAL SUPPLIES 2019	241.17	
	TOTAL	288.84	
58. LANSING UNIFORM COMPANY	STANDARD POLICE UNIFORM PURCHASES	645.00	
	STANDING PO FOR UNIFORMS	89.95	
	STANDING PO FOR UNIFORMS	79.95	
	STANDING PO FOR UNIFORMS	365.65	
	STANDARD POLICE UNIFORM PURCHASES	239.60	
	TOTAL	1,420.15	
59. LAUX CONSTRUCTION LLC	ADDITIONAL DESIGN CONSULTANT SERVICES FOR MARKETPL	2,084.00	

04/04/2019 03:20 PM
 User: hudecek
 DB: Meridian

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF MERIDIAN
 EXP CHECK RUN DATES 04/09/2019 - 04/09/2019
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
 BANK CODE: GF

Vendor Name	Description	Amount	Check #
60. MADISON NATIONAL LIFE INS CO	EMPLOYEE LIFE INSURANCE - APRIL	3,249.13	100272
61. BEN MAKULSKI	REIMBURSEMENT FOR MILEAGE-TRAINING	84.91	
62. USA SOFTBALL OF MICHIGAN	2019 HOLOGRAMS	75.00	
	SOFTBALLS FOR SOFTBALL LEAGUES	1,260.00	
	TOTAL	1,335.00	
63. MCKESSON MEDICAL-SURGICAL GOV SOL	STANDING PO FOR EMS SUPPLIES/EQUIPMENT	1,548.39	
	STANDING PO FOR EMS SUPPLIES/EQUIPMENT	65.90	
	STANDING PO FOR EMS SUPPLIES/EQUIPMENT	14.98	
	STANDING PO FOR EMS SUPPLIES/EQUIPMENT	(99.80)	
	TOTAL	1,529.47	
64. MERIDIAN TOWNSHIP	TRANSFER FOR FLEX CKING PAYROLL 3/29/19	870.23	
65. MEDICAL MANAGEMENT SYSTEMS OF	AMBULANCE BILLING SERVICE	5,710.53	
66. MICHIGAN ASSESSORS ASSOCIATION	CONT EDUCATION - D WOZNIAK/J FLOWER	170.00	100276
67. NAPA	FLEET REPAIR PARTS 2019	206.77	
68. NORTHSIDE SERVICE	REPLACE CLUTCH 10 YARD DUMP TRUCK	2,659.81	
69. OKEMOS PUBLIC SCHOOLS	MERIDIAN SENIOR CENTER EXPENSES	51,595.03	
70. ORKIN, 551-LANSING, MI	PESTICIDE TREATMENT-MUNICIPAL BLDG	125.00	
	PESTICIDE TREATMENT-SERVICE CENTER	75.00	
	TOTAL	200.00	
71. OVERHEAD DOOR OF LANSING	DOOR REPAIR FIRE ST #92	394.24	
72. PEOPLEFACTS LLC	PROFESSIONAL SERVICES ACCT#35367	29.94	
73. PIONEER MFG.CO/PIONEER ATHLETICS	STAR LINE FIELD PAINT ACCT#ME9153	9,400.00	
74. PLANTWISE LLC	PRESCRIBED BURN 14 ACRES DAVIS FOSTER PRESERVE	1,575.00	
75. ROB PORRITT	BASKETBALL CLINIC INSTRUCTOR FEE	300.00	
76. POSTMASTER	POSTAGE FOR WATER BILLS	1,305.44	100275
77. CHRIS POTTERPIN	WETLAND DELINEATION REFUND-WDV #18-07	679.10	
78. PRO-TECH MECHANICAL SERVICES	REPLACEMENT BLOWER MOTOR PSB	3,800.00	
	2019 HVAC REPAIRS	543.63	
	2019 HVAC MAINTENANCE	4,206.25	
	2019 HVAC REPAIRS	107.94	
	TOTAL	8,657.82	
79. QUALITY TIRE INC	STATE CONTRACT FLEET TIRES 2019	487.44	
80. RECLAIMED BY DESIGN	2019 MONTHLY OPERATION OF RECYCLING CENTER	2,000.00	
81. KIT RICH	REIMBURSEMENT FOR MILEAGE-MARCH	76.56	
82. ROWERDINK AUTOMOTIVE PARATS	FLEET REPAIR PARTS 2019	82.50	
	FLEET REPAIR PARTS 2019	44.34	
	FLEET REPAIR PARTS 2019	194.64	
	TOTAL	321.48	
83. RS ENGINEERING, LLC	INSTALLATION OF RRFB LIGHT @ INTERURBAN @ OKEMOS	4,201.59	

Vendor Name	Description	Amount	Check #
84. SAFETY SERVICES INC	ZIP COVERALLS	78.42	
85. MIKE SCHNEIDER	REFUND-NATURE TOTS CLASS FOR FRIDA	50.00	
86. SHERWIN WILLIAMS CO	PAINT FOR PUBLIC SAFETY BUILDING	921.29	
	SUPPLIES FOR PUBLIC BUILDING IMPROVEMENT	51.42	
	SUPPLIES FOR PUBLIC BUILDING IMPROVEMENT	61.00	
	TOTAL	1,033.71	
87. SIGNWORKS OF MICHIGAN INC	SUMBALL DEDICATION SIGNS FOR FERGUSON PARK AND LAN	182.50	
88. SOLDAN'S FEED & PET SUPPLIES	CANINE SUPPLIES FOR ONE DOG	56.99	
	CANINE SUPPLIES FOR ONE DOG	56.99	
	TOTAL	113.98	
89. SPARROW OCCUPATIONAL	PROFESSIONAL SERVICES	109.50	
	PROFESSIONAL SERVICES	180.00	
	PROFESSIONAL SERVICES	416.50	
	TOTAL	706.00	
90. STAY DRY BASEMENT WATERPROOFING	REFUND - PERMIT PB19-0135 OVER PAID	75.00	
91. ST THOMAS AQUINAS PARISH	REIMBURSEMENT FOR PM'T TO AVOID EVICTION X3	1,050.00	100273
92. SUPREME SANITATION	PORTABLE TOILET RENTAL	160.00	
93. TDS	MONTHLY SERVICE	1,380.75	
94. TEAM FINANCIAL GROUP	CONTRACT #40026582-1	1,453.00	
95. T MOBILE	PHONE PLAN FOR NETWORK TESTING	128.18	
96. LEAH TRACIAK	INSTRUCTOR FEE FOR FITNESS OVER 50	112.00	
97. TRS MANAGEMENT	CRC EMERG PAYM'T TO AVOID EVICTION	400.00	100274
98. VARIPRO BENEFIT ADMINISTRATORS	FLEX ADMINISTRATION - APRIL	175.00	
99. VIRIDIS DESIGN GROUP	ENGINEERING SERVICES FOR HNC PAVILION AND RESTROOM	3,000.00	
100 ZOLL MEDICAL CORP	STANDING PO FOR HEART MONITOR SUPPLIES/EQUIPMENT	359.25	
	STANDING PO FOR HEART MONITOR SUPPLIES/EQUIPMENT	985.00	
	TOTAL	1,344.25	
TOTAL - ALL VENDORS		256,599.52	

Vendor Name	Description	Amount	Check #
1. CITY OF EAST LANSING	OPERATING COSTS - APRIL	258,171.25	
	SEWER OPERATIONS BILLING - APRIL	246,359.17	
	TOTAL	504,530.42	
2. TOM DAVIS	REFUND OVERPMT FINAL #BARN-002295-0000-01	50.00	
3. JERRY FEDEWA HOMES, INC	REIMBURSEMENT-LIFT STATION FEES,SIERRA RIDGE#3,CHAM	12,218.07	
4. FERGUSON WATERWORKS #3386	WATER METERS AND ASSOCIATED PARTS	32,902.50	
	WATER METERS AND ASSOCIATED PARTS	10,260.00	
	WATER METERS AND ASSOCIATED PARTS	16,796.00	
	WATER METERS AND ASSOCIATED PARTS	1,217.90	
	WATER METERS AND ASSOCIATED PARTS	1,349.84	
	WATER METERS AND ASSOCIATED PARTS	197.00	
	WATER METERS AND ASSOCIATED PARTS	1,217.90	
	WATER SYSTEM REPAIR PARTS	1,813.94	
	TOTAL	65,755.08	
5. FIRST AMERICAN ADMINISTRATORS	EMPLOYEE EYE INSURANCE	389.18	
6. LAWRENCE HORN	REFUND OVERPMT FINAL #CORA-005605-0000-02	25.00	
7. CHAD HOUCK	REIMBURSEMENT MILEAGE-TRAINING	96.51	
8. LIBERTY TITLE AGENCY	REFUND OVERPMT FINAL #YOSE-003785-0000-02	80.00	
9. MADISON NATIONAL LIFE INS CO	EMPLOYEE LIFE INSURANCE - APRIL	376.34	27701
10. MICHIGAN ASSOCIATION OF PLANNING	MEMBERSHIP D PERRY 7/1/19 TO 6/30/20	60.00	
11. MICHIGAN SUPPLY CO	COPPER PIPE	190.70	
	COPPER PIPE	138.40	
	TOTAL	329.10	
12. TROY PEARCE	REFUND OVERPMT FINAL #CORN-005619-0000-02	15.00	
13. PREMIER SAFETY	CONFINED SPACE MONITOR (AIR)	139.03	
14. KEVIN SAUNDERS	REFUND OVERPMT FINAL #CAPE-002542-0000-01	60.00	
15. SME	2019 MISCELLANEOUS TESTING FOR EMERGENCY WATER AND	719.20	
	2019 MISCELLANEOUS TESTING FOR EMERGENCY WATER AND	492.00	
	TOTAL	1,211.20	
16. ALLISON SOLIT	REIMB/ELECTRIAL WORK & PERSONAL ITEMS-WATER MAIN B	2,042.78	
17. ROBERT STACY	REIMBERSEMENT MILEAGE-TRAINING	96.51	
18. TDS	MONTHLY SERVICE	132.48	
19. TRI-COUNTY TITLE AGENCY LLC	REFUND OVERPMT FINAL #SORI-006109-0000-02	41.45	
20. TRI TITLE AGENCY LLC	REFUND OVERPMT FINAL #HEMM-003831-0000-02	145.00	
TOTAL - ALL VENDORS		587,793.15	

04/04/2019 02:57 PM
User: hudecek
DB: Meridian

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF MERIDIAN
EXP CHECK RUN DATES 04/09/2019 - 04/09/2019
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: TA

Vendor Name	Description	Amount	Check #
1. CAPITAL AREA DISTRICT LIBRARY	DELINQ PERSONAL PROPERTY TAX COLLECTED	703.00	12576
2. CATA	DELINQ PERSONAL PROPERTY TAX COLLECTED	1,355.09	12578
3. CAPITAL REGION AIRPORT AUTHORITY	DELINQ PERSONAL PROPERTY TAX COLLECTED	312.87	12577
4. HEATHER DE FEIJTER-RUPP	REFUND OVERPM'T SUMMER TAX @ 3676 DOBIE	17.07	
5. HASLETT PUBLIC SCHOOLS	DELINQ PEROSNAL PROPERTY TAX COLLECTED	55.69	12579
6. ANDREW & NANCY HEWAT	OVERPM'T OF PROPERTY TAX-ORIGINAL SENT TO TITLE CO	7.39	
7. INGHAM INTERMEDIATE SCHOOL	DELINQ PERSONAL PROPERTY TAX COLLECTED	440.76	12580
8. YOUNG SUK KIM/GLORIA KIM	REFUND OVERPM'T SUMMER TAX#33-02-02-33-327-075	8.72	
9. LANSING COMMUNITY COLLEGE	DELINQ PERSONAL PROPERTY TAX COLLECTED	1,715.76	12581
10. MERIDIAN TOWNSHIP DDA	2018 TAX COLLECTION	37.84	12582
11. OKEMOS PUBLIC SCHOOLS	DELINQ PERSONAL PROPERTY TAX COLLECTED	3,618.20	12583
12. PRIMARC PROPERTIES LLC	REFUND-OVERP'MT OF TAXES	283.30	
13. STATE OF MICHIGAN	ENDING SOR REGISTRATION DATE 2/28/19	60.00	
TOTAL - ALL VENDORS		8,615.69	

Credit Card Report 3/14 to 4/3

Posting Date	Merchant Name	Amount	Account Name
2019/03/27	AC&E RENTALS INC	\$60.00	MATT FOREMAN
2019/03/25	ACT*TRAINING FORCE USA	\$199.00	SCOTT DAWSON
2019/03/26	ADOBE *ACROPRO SUBS	\$15.89	DEREK PERRY
2019/04/03	AIRGASS NORTH	\$178.85	TODD FRANK
2019/03/14	ALLTRAILS.COM	\$29.99	CATHERINE ADAMS
2019/04/02	AMAZON.COM*MWORD1H52 AMZN	\$118.97	KRISTI SCHAEING
2019/03/27	AMAZON.COM*MW2UX1VH0	\$85.92	KRISTI SCHAEING
2019/03/20	AMAZON.COM*MW36D60I1	\$39.95	KRISTI SCHAEING
2019/03/19	AMAZON.COM*MW3JL7FX2	\$51.92	KRISTI SCHAEING
2019/03/27	AMAZON.COM*MW6D55M31 AMZN	\$119.00	KRISTI SCHAEING
2019/03/26	AMAZON.COM*MW7IV6E12	\$205.00	MICHELLE PRINZ
2019/03/26	AMAZON.COM*MW9O48E92	\$150.00	MICHELLE PRINZ
2019/03/25	AMZN MKTP US*MI4Z113V1 AM	\$8.99	KRISTI SCHAEING
2019/04/02	AMZN MKTP US*MW1EW4880	\$45.08	MICHELLE PRINZ
2019/03/27	AMZN MKTP US*MW1JP3XGO	\$17.27	MICHELLE PRINZ
2019/03/22	AMZN MKTP US*MW29Q8PY1	\$16.78	KRISTI SCHAEING
2019/03/18	AMZN MKTP US*MW2J81ZC0	\$20.75	MICHELLE PRINZ
2019/03/26	AMZN MKTP US*MW3DY50V2	\$65.53	MICHELLE PRINZ
2019/03/22	AMZN MKTP US*MW4PT2NS2	\$90.27	CATHERINE ADAMS
2019/03/18	AMZN MKTP US*MW51J5JY1	\$15.19	DARLA JACKSON
2019/04/01	AMZN MKTP US*MW79T7Q11	\$19.99	MICHELLE PRINZ
2019/03/25	AMZN MKTP US*MW75V71O0	\$12.98	BENJAMIN MAKULSKI
2019/03/20	AMZN MKTP US*MW9RN3E31	\$39.90	KATHERINE RICH
2019/04/03	BATTERIES PLUS - #0445	\$48.58	PETER VASILION
2019/03/14	BEST BUY 00004168	\$429.99	RICHARD GRILLO
2019/03/22	BEST BUY 00004168	\$243.99	WILLIAM PRIESE
2019/03/22	BEST BUY 00004168	\$37.99	WILLIAM PRIESE
2019/03/18	BIGGBY COFFEE #0285	\$40.26	KENNITH PHINNEY
2019/03/18	BIGGBY COFFEE #121	\$37.98	KENNITH PHINNEY
2019/04/01	BLUE-X ENTERPRISES INC	\$558.56	KELSEY DILLON
2019/04/02	CBI*WINZIP	\$29.95	STEPHEN GEBES
2019/03/29	CHEQROOM	\$300.00	ANDREA SMILEY
2019/04/01	CHILI'S GRILL & BAR #200	\$55.77	FRANK L WALSH
2019/03/14	CLEANITSUPPLY.COM	\$210.46	ROBERT MACKENZIE
2019/04/01	CMP DISTRIBUTORS INC	\$190.00	KYLE ROYSTON
2019/04/01	CMP DISTRIBUTORS INC	\$93.75	KYLE ROYSTON
2019/03/29	COMPLETE BATTERY SOURCE	\$15.64	JAY GRAHAM
2019/03/27	COMPLETE BATTERY SOURCE	\$16.96	TOM OXENDER
2019/04/02	COMPLETE BATTERY SOURCE	\$63.62	MATT FOREMAN
2019/03/20	CORNWELL HACKERT TOOLS	\$32.46	TODD FRANK
2019/03/21	CULVER'S OF OKEMOS	\$32.97	SCOTT DAWSON
2019/03/25	D & G EQUIPMENT INC	\$155.44	JIM HANSEN
2019/03/29	D & G EQUIPMENT INC	\$38.86	JIM HANSEN
2019/03/22	DBI BUSINESS INTERIORS	\$700.00	DENNIS ANTONE
2019/03/19	DELTA COLLEGE CASHIER	\$55.00	KRISTI SCHAEING
2019/03/20	EB STATE OF MICHIGAN-	\$318.77	DENNIS ANTONE
2019/03/25	FACEBK NNEMRKA9U2	\$5.00	ANDREA SMILEY
2019/04/01	FACEBK XDBFCJN592	\$21.04	MICHAEL DEVLIN
2019/03/15	FASTENAL COMPANY01	\$316.84	ROBERT STACY
2019/03/15	FASTENAL COMPANY01	\$110.88	ROBERT STACY
2019/03/25	FEDEX 786174120368	\$46.08	WILLIAM PRIESE
2019/03/29	FORESIGHT GROUP INC	\$88.13	WILLIAM PRIESE
2019/03/22	GALLS	\$280.00	WILLIAM PRIESE
2019/04/02	GARY'S ELECTRIC	\$8.46	PETER VASILION

2019/03/26	GOOGLE *ADS3069275384	\$75.42		ANDREA SMILEY
2019/03/15	GRAFF-CHEVROLET-OKEMOS	\$110.00		JIM HANSEN
2019/04/02	GRAINGER	\$129.12		TYLER KENNEL
2019/04/01	GRAINGER	\$53.92		DAVID LESTER
2019/04/02	GRAINGER	\$33.44		DAVID LESTER
2019/03/15	HARBOR FREIGHT TOOLS 157	\$51.92		TYLER KENNEL
2019/03/18	HARBOR FREIGHT TOOLS 157	\$47.48		DAVID LESTER
2019/04/01	HARBOR FREIGHT TOOLS 157	\$42.39		WILLIAM PRIESE
2019/03/14	HASLETT TRUE VALUE HARDW	\$7.16		RICHARD GRILLO
2019/03/27	HEROES BAR-BQ & BREW	\$12.50		RICHARD GRILLO
2019/03/29	HITCHES AND MORE INC	\$16.00		TODD FRANK
2019/03/29	HOBBY LOBBY #360	\$39.95		ERIN LINN
2019/03/21	IACP	\$190.00		KEN PLAGA
2019/03/14	IN *JOHNSON, ROBERTS, & A	\$15.00		KRISTI SCHAEING
2019/03/28	INGHAM COUNTY ROD	\$30.00		YOUNES ISHRAIDI
2019/03/18	JETS PIZZA - MI-053 - MOT	\$44.87		KENNITH PHINNEY
2019/03/22	JETS PIZZA - MI-053 - MOT	\$535.58		MICHAEL DEVLIN
2019/03/20	KIMBALL MIDWEST	\$263.86		TODD FRANK
2019/03/20	KROGER #793	\$28.49		MICHELLE PRINZ
2019/03/28	LARRY CUSHION TROPHIES	\$15.00		ERIN LINN
2019/03/14	LEXISNEXIS RISK SOL EPIC	\$50.00		KRISTI SCHAEING
2019/03/25	LOWES #00779*	\$77.94		CATHERINE ADAMS
2019/03/21	MARKS LOCK SHOP INC	\$865.00		PETER VASILION
2019/03/22	MARRIOTT JW GR-PARKING	\$24.00		JOYCE A MARX
2019/03/29	MATCO CRAIG	\$33.87		TODD FRANK
2019/03/21	MEIJER INC #025 Q01	\$49.96		MATTHEW WALTERS
2019/04/01	MEIJER INC #025 Q01	\$134.97		DEREK BURCHAM
2019/03/20	MEIJER INC #025 Q01	\$53.17		DARCIE WEIGAND
2019/03/14	MEIJER INC #025 Q01	\$225.01		WILLIAM RICHARDSON
2019/03/15	MEIJER INC #025 Q01	\$13.56		SCOTT DAWSON
2019/03/14	MEIJER INC #025 Q01	\$27.77		MICHELLE PRINZ
2019/04/03	MEIJER INC #025 Q01	\$82.97		WILLIAM PRIESE
2019/03/21	MEIJER INC #025 Q01	\$35.74		CATHERINE ADAMS
2019/03/18	MENARDS LANSING SOUTH MI	\$29.25		LAWRENCE BOBB
2019/03/19	MI STATE POLICE PMTS	\$350.00		MICHAEL HAMEL
2019/04/01	MI STATE POLICE PMTS	\$350.00		SCOTT DAWSON
2019/03/20	MI STATE POLICE PMTS	\$350.00		KEN PLAGA
2019/03/15	MI STATE POLICE PMTS	\$350.00		WILLIAM PRIESE
2019/03/14	MICHIGAN MUNICIPAL TREASU	\$550.00		PHIL DESCHAIINE
2019/03/22	MICHIGAN MUNICIPAL TREASU	\$325.00		PHIL DESCHAIINE
2019/03/18	MICHIGAN STATE FIREMEN	\$75.00		WILLIAM PRIESE
2019/03/15	MRWA	\$295.00		DENISE GREEN
2019/03/18	NATIONAL EMERGENCY TRAIN	\$309.50		WILLIAM PRIESE
2019/03/18	OFFICEMAX/OFFICEDEPT#3379	\$21.18		ROBERT STACY
2019/03/25	OFFICEMAX/OFFICEDEPT#3379	\$26.98		WILLIAM PRIESE
2019/04/01	OFFICEMAX/OFFICEDEPT#3379	\$25.98		WILLIAM PRIESE
2019/03/20	ONLINE LABELS	\$112.25		KYLE ROYSTON
2019/03/26	ONLINE LABELS	\$145.70		KYLE ROYSTON
2019/03/29	PANERA BREAD #600715 P	\$34.37		MICHAEL HAMEL
2019/03/21	PARKING LANSING CENTER	\$7.00		DEREK PERRY
2019/03/15	PARKING LUKES	\$2.00		CHRIS BUCK
2019/03/20	PAYPAL *CAMERA SHOP	\$10.59		KRISTI SCHAEING
2019/03/29	PAYPAL *FIRSTONEGOI	\$60.90		WILLIAM PRIESE
2019/03/27	PAYPAL *MICHIGANWIL	\$138.75		KELSEY DILLON
2019/03/25	PAYPAL *PLAK IT	\$138.07		DEBORAH GUTHRIE
2019/03/15	POLLARDWATER.COM #3326	\$190.63		CHAD HOUCK
2019/04/03	PURITY CYLINDER GASES	\$102.72		TODD FRANK
2019/04/03	QUALITY DAIRY 31280027	\$35.27		DARCIE WEIGAND

2019/03/20	QUALITY TIRE	\$44.00		TODD FRANK
2019/04/01	SEC OF STATE CASHIER	\$66.14		KYLE ROYSTON
2019/03/14	SENTRY SAFETY SUPPLY	\$143.44		ROBERT MACKENZIE
2019/03/21	SOLDANS FEEDS & PET S	\$59.47		CATHERINE ADAMS
2019/03/25	SOLDANS FEEDS & PET S	\$10.74		CATHERINE ADAMS
2019/04/01	SOLDANS FEEDS & PET S	\$10.74		CATHERINE ADAMS
2019/04/03	SP * AIRTAME.COM	\$419.00		STEPHEN GEBES
2019/03/25	SPARTANCHASSIS (APA)	\$327.30		TODD FRANK
2019/03/28	SQ *T SHIRT GOODS,	\$140.00		SCOTT DAWSON
2019/03/15	THE HOME DEPOT #2723	\$46.50		LAWRENCE BOBB
2019/03/18	THE HOME DEPOT #2723	\$4.48		LAWRENCE BOBB
2019/03/21	THE HOME DEPOT #2723	\$17.91		LAWRENCE BOBB
2019/03/22	THE HOME DEPOT #2723	\$33.48		LAWRENCE BOBB
2019/03/29	THE HOME DEPOT #2723	\$7.66		LAWRENCE BOBB
2019/03/18	THE HOME DEPOT #2723	\$39.36		ROBERT STACY
2019/03/15	THE HOME DEPOT #2723	\$9.44		PETER VASILION
2019/03/18	THE HOME DEPOT #2723	(\$7.48)		PETER VASILION
2019/03/18	THE HOME DEPOT #2723	\$132.00		PETER VASILION
2019/03/18	THE HOME DEPOT #2723	\$14.96		PETER VASILION
2019/03/18	THE HOME DEPOT #2723	\$7.98		PETER VASILION
2019/03/20	THE HOME DEPOT #2723	\$37.33		PETER VASILION
2019/03/22	THE HOME DEPOT #2723	(\$9.97)		PETER VASILION
2019/03/22	THE HOME DEPOT #2723	\$6.97		PETER VASILION
2019/03/22	THE HOME DEPOT #2723	\$9.97		PETER VASILION
2019/03/27	THE HOME DEPOT #2723	\$199.00		PETER VASILION
2019/04/01	THE HOME DEPOT #2723	\$6.48		PETER VASILION
2019/04/03	THE HOME DEPOT #2723	\$14.95		PETER VASILION
2019/04/03	THE HOME DEPOT #2723	\$29.98		PETER VASILION
2019/04/03	THE HOME DEPOT #2723	\$52.31		ROBIN FAUST
2019/03/15	THE HOME DEPOT #2723	\$69.97		JOHN HECKAMAN
2019/03/14	THE HOME DEPOT #2723	\$13.98		DAVID LESTER
2019/03/29	THE HOME DEPOT #2723	\$50.20		DAN PALACIOS
2019/03/28	THE HOME DEPOT #2723	\$46.40		MATT FOREMAN
2019/03/25	THE HOME DEPOT #2723	\$69.97		WILLIAM PRIESE
2019/03/21	THE HOME DEPOT #2723	\$7.88		CATHERINE ADAMS
2019/03/25	THE HOME DEPOT #2723	\$76.99		CATHERINE ADAMS
2019/03/25	THE HOME DEPOT #2723	\$35.45		CATHERINE ADAMS
2019/03/26	THE HOME DEPOT #2723	\$44.53		CATHERINE ADAMS
2019/04/01	THE HOME DEPOT #2723	\$167.42		CATHERINE ADAMS
2019/03/18	THE HOME DEPOT 2723	\$238.48		LAWRENCE BOBB
2019/03/14	THE HOME DEPOT 2723	\$223.87		WILLIAM RICHARDSON
2019/03/21	THE HOME DEPOT 2723	\$84.97		PETER VASILION
2019/03/25	THE HOME DEPOT 2723	\$209.91		JOHN HECKAMAN
2019/03/28	VEHICLE CITY-HD	\$4,574.89		KEN PLAGA
2019/03/28	WAL-MART #2866	\$78.14		DARCIE WEIGAND
2019/03/28	WAL-MART #2866	\$22.84		PETER VASILION
2019/04/03	WAL-MART #2866	\$11.73		PETER VASILION
2019/04/02	WAL-MART #2866	\$29.56		DAVID LESTER
2019/03/20	WAL-MART #2866	\$17.65		CATHERINE ADAMS
2019/03/20	WILD BIRDS UNLIMITED	\$67.99		CATHERINE ADAMS
2019/03/15	WPSG, INC	\$57.89		WILLIAM PRIESE

TOTAL **\$21,717.70**

ACH Transactions

Date	Payee	Amount	Purpose
03/17/19	IRS	87,872.31	Payroll Taxes 03/29/19 Payroll
03/17/19	Various Financial Institutions	249,249.99	Direct Deposit 3/29/19 Payroll
03/18/19	Elan	24,702.14	Feb Credit Card Charges
03/19/19	Blue Care Network	33,312.40	Employee Health Insurance
03/19/19	Consumers Energy	58,062.41	Electric & Gas
03/19/19	Meridian Township	340.90	Utility Billing
03/26/19	Blue Care Network	12,061.63	Employee Health Insurance
03/26/19	Blue Care Network	50,342.07	Employee Health Insurance
03/27/19	ICMA	38,248.45	Payroll Deductions 03/29/19 Payroll
04/02/19	Meridian Township	65.00	Utility Billing
04/04/19	Blue Care Network	30,438.04	Employee Health Insurance
Total ACH Payments		<u><u>584,695.34</u></u>	



9. D.

To: Township Board Members
**From: Derek N. Perry, Assistant Township Manager
Director of Public Works & Engineering**
Date: April 9, 2019
Re: Motor Pool Purchases

In the 2019 Motor Pool Budget, the following vehicles and equipment were approved for purchase: ambulance (Fire), zero-turn mower (Parks), small truck (Pathways), 3 Police Interceptors (Police), and 4 sedans (2- Police, 1- Assessing and 1- Community Development).

Recently, the Parks and Grounds Team requested that we replace a 19-year-old dump truck and a 16-year-old large width mower because of their current poor condition. Both pieces of equipment are critical for their day-to-day operations and no longer suitable for safe and reliable use.

Based on the request and our review, we are recommending that we proceed with the requested purchases of a new dump truck and large width mower and forgo the 2019 approved purchase of the zero-turn mower and small pickup truck.

The total cost for the requested dump truck and large width mower is \$102,905. If approved, the cost will be offset by not purchasing the zero-turn and small truck (\$58,000) authorized in the 2019 budget. The remaining \$44,905 is proposed to be covered by the use of cash reserves in the Motor Pool Budget.

If expenses go as planned throughout the year, we are anticipating the Motor Pool Fund Equity on December 31, 2019 to be \$989,398.00. If we deduct the restricted allocation for the future ladder truck (\$500,000) we are left with an un-restricted fund equity of \$489,398. Our cash reserve target for the Motor Pool is \$400,000, which will be met even with the recommended use of cash reserves for the purchases.

Proposed motion:

“Move to authorize the purchase of a new dump truck and large width mower for Parks and Grounds and amend the 2019 Motor Pool Budget to reflect the approval of the purchases, and authorize the disposal of equipment #65 (2000 Ford dump truck), #83 (2001 Toro mower), and #86 (2003 Toro mower) by public auction, internet auction, or by sealed bid.”



11.A/13.A

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Mackenzie Dean, Assistant Planner

Date: April 3, 2019

Re: Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC) Red Cedar Manor

Meridian Investment Group, LLC has submitted a mixed use planned unit development (MUPUD) proposal for a project identified as Red Cedar Manor. The proposal includes the demolition of an existing two-story, 40,504 square foot office building at 2875 Northwind Drive and construction of a new three-story, 70,213 square foot mixed use building with 88 apartments and 3,115 square feet of commercial space in approximately the same footprint. The 9.13 acre parcel is located in both the RCC (Multiple Family) and PO (Professional and Office) zoning districts. Of the total 9.13 acre site, 4.99 acres is located in the PO zoning district, which is the portion of the property proposed for development as a MUPUD.

In addition to the MUPUD, a special use permit (SUP) is required for constructing a building totaling more than 25,000 square feet in gross floor area (SUP #18031). The special use permit is being processed concurrently with the MUPUD request.

The Planning Commission held the public hearing for MUPUD #18034 at its meeting on June 11, 2018. Shortly after the public hearing the project was put on hold while issues related to the location of the property in the floodway of the Red Cedar River were addressed. The project came back for consideration and discussion by the Planning Commission at its January 14, 2019 and February 11, 2019 meetings. At its February 25, 2019 meeting, the Planning Commission voted to recommend denial of MUPUD #18024, citing the following reasons for their decision:

- The submitted site plan for the proposed development depicts a majority of the parking lot to serve the building (83 of the 116 total parking spaces on the property) is located in the floodway of the Red Cedar River.
- The proposed location of the parking in the floodway will adversely impact the residents of the proposed development by exposing their personal property (motor vehicles) to potential damage from floodwaters.
- The applicant provided a study from their consultant Hubbell, Roth, & Clark, Inc., noting the parking lot has been impacted by floods 81 times during the last 115 years and 60 of those flood events had 12 inches of water or greater covering the parking lot.
- The proposed development could be reduced in size to minimize the number of parking spaces subjected to potential flooding.

Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC)
Township Board (April 9, 2019)
Page 2

Staff memorandums outlining the MUPUD request and minutes from the Planning Commission meetings at which the request was discussed are attached for the Board's review.

Township Board Options

The Township Board may approve or deny the proposed mixed use planned unit development project. If the Board amends the proposal, the request may be referred back to the Planning Commission for a recommendation. A resolution will be provided at a future meeting.

Attachments

1. Staff memorandums dated June 5, 2018, January 9, 2019, February 7, 2019, and February 21, 2019 with attachments.
2. Planning Commission resolution recommending denial of MUPUD #18034 dated February 25, 2019.
3. Planning Commission minutes dated June 11, 2018 (public hearing), January 14, 2019 (discussion), February 11, 2019 (discussion), and February 25, 2019 (decision).

G:\Community Planning & Development\Planning\MIXED USE PLANNED UNIT DEVELOPMENT (MUPUD)\2018\MUPUD 18034 (Meridian Investment Group, LLC) Red Cedar Manor\MUPUD 18034.tb1.doc



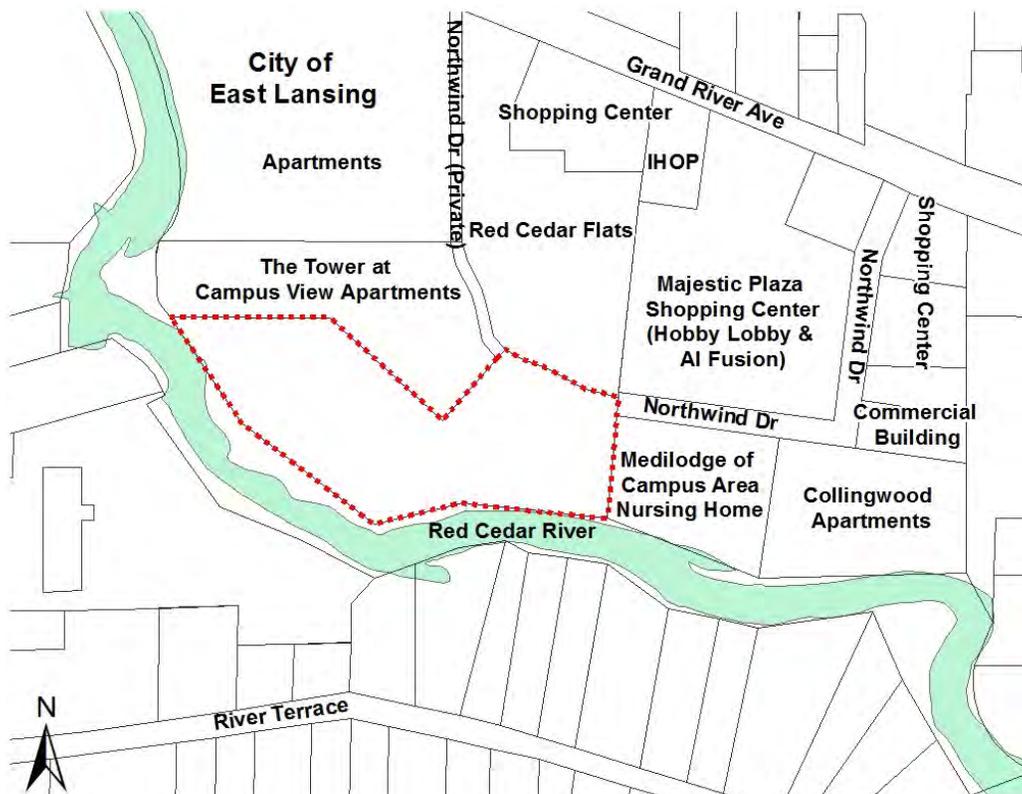
To: Planning Commission

From: Peter Menser, Principal Planner

Date: June 5, 2018

Re: **Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC)**, construct 70,213 square foot mixed use building with 3,115 square feet of commercial space and 88 apartments.

Meridian Investment Group, LLC has submitted a mixed use planned unit development (MUPUD) proposal for a project identified as Red Cedar Manor. The proposal includes the demolition of an existing two-story, 40,504 square foot office building at 2875 Northwind Drive and construction of a new three-story, 70,213 square foot mixed use building in approximately the same footprint. The 9.13 acre parcel is located in both the RCC (Multiple Family) and PO (Professional and Office) zoning districts. Of the total 9.13 acre site, 4.99 acres is located in the PO zoning district, which is the portion of the property proposed for a MUPUD. The map below depicts the site location and surrounding land uses.



**Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC)
Planning Commission (June 11, 2018)
Page 2**

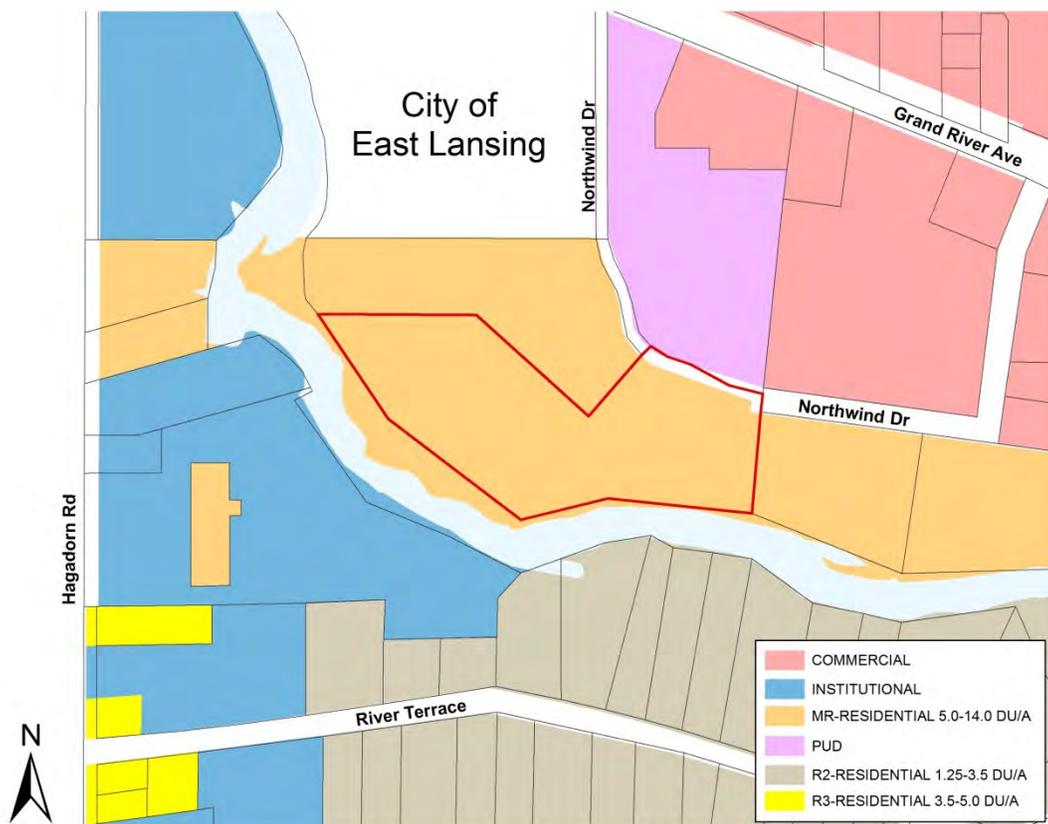
The new building will have a total of 88 apartments divided amongst the first, second, and third floors. The portion of the building along the Red Cedar River includes a lower level, which will have 12 apartments. The apartments consist of 65 one bedroom and 23 two bedroom units. A 3,115 square foot commercial space is shown on the first floor of the building.

In addition to the MUPUD, special use permits (SUP) are required for constructing a building totaling more than 25,000 square feet in gross floor area (SUP #18031) and for grading and fill activities in the floodplain of the Red Cedar River (SUP #18041). The special use permits are being processed concurrently with the MUPUD request.

Master Plan

The property is designated on the Future Land Use Map from the 2017 Master Plan as MR-Residential, 5.0-14.0 dwelling units per acre.

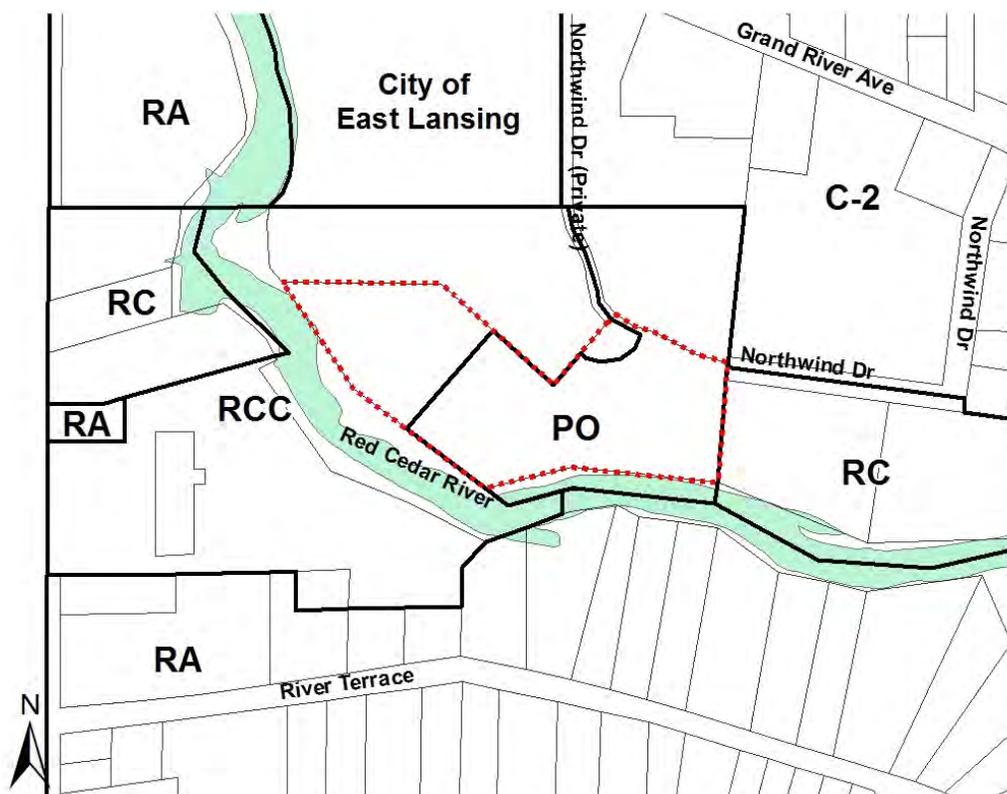
FUTURE LAND USE MAP



Zoning

The proposed project is located in the PO (Professional and Office) zoning district. The PO zoning district allows for a MUPUD but only where public water and sewer are available, and when the MUPUD is adjacent to land zoned and developed in a single-family residential district, the height of buildings in the MUPUD are limited to being no taller than the abutting residential district would allow.

ZONING MAP



Physical Features

The property is currently occupied by a two-story 40,504 square foot office building that was constructed in 1978 along with a parking lot and associated access drives.

Floodplain

The property is located in both the floodplain and floodway of the Red Cedar River. The applicant is proposing to place 357 cubic yards of fill in the floodplain to facilitate re-grading of the parking lot to address existing steep slopes related to ADA and Ingham County Road Department standards for parking lots. A 481 cubic yard detention basin is proposed to the west of the parking lot to provide storm water pre-treatment and serve as compensating excavation for the fill in the floodplain.

The Code of Ordinances allows the placement of fill in the floodplain, subject to the provision of an equal or greater compensating cut in the floodplain to maintain flood water impoundment capacity and approval of a special use permit from the Planning Commission. Special Use Permit (SUP) #18041 addresses the proposed work in the floodplain and is running concurrent with the MUPUD. The applicant has also applied for a Michigan Department of Environmental Quality (MDEQ) permit for the work in the floodplain.

Both the existing and proposed building on the property are located outside of the floodplain. The lowest floor of the new building will be located one foot above the floodplain elevation of 840.9.

FLOODPLAIN MAP



Wetlands

Approximately 1.73 acres of Township Wetland #20-5 is located on the project site. A wetland delineation was conducted by the applicant's wetland consultant and the delineation was verified by the Township's wetland consultant in April of 2018. Wetland #20-5 is regulated by the Township as well as the Michigan Department of Environmental Quality due its proximity to the Red Cedar River. A 40 foot water features setback must be maintained from the delineated boundary of the wetland. As proposed, grading for the proposed detention basin may extend into the 40 foot wetland setback, which would require a waiver as part of the MUPUD.

WETLAND MAP



Streets and Traffic

The subject site is located on the south side of Northwind Drive, a two lane road classified as a local street in the 2017 Master Plan. Northwind Drive runs south off Grand River Avenue just west of Brookfield Drive and meets again with Grand River Avenue at a signalized intersection near the entrance to the Whole Foods store. The west portion of Northwind Drive adjacent to the Red Cedar Flats development is a private road owned by the applicant. The eastern leg, beginning at the subject property and heading out to the signalized intersection at Grand River Avenue, is a public road. Traffic counts are not available from the Ingham County Road Department (ICRD) for Northwind Drive.

The applicant provided a letter from Traffic Engineering Associates (TEA) Inc. comparing traffic generation of the existing use of the property as an office building to the proposed use as a mixed use development. A traffic study for the project was not required as the proposed development will not generate 100 vehicle trips during a peak hour of the adjacent roadway. The proposed project generates 36 trips during the AM peak hour and 64 during the PM peak hour.

In 2015 a traffic study submitted for the Red Cedar Flats MUPUD project provided information on the level of service (LOS) at the two Northwind Drive/Grand River Avenue intersections. The study noted that, after the Red Cedar Flats project was completed, the left turn movement from Northwind Drive (Private) on to Grand River Avenue would operate at a LOS F and that the northbound left turn movement from Northwind Drive on to Grand River Avenue at the signalized intersection would operate at a LOS E. Level of service is ranked A-F, with a LOS of D or better considered to be acceptable. The left turn movement from Northwind Drive (Private) on to Grand River Avenue was ranked as a LOS F prior to the development of the Red Cedar Flats project.

A five foot wide sidewalk is located on the east side of Northwind Drive (Private), connecting Grand River Avenue to the subject site. A sidewalk is located on the north side of Northwind Drive (Public), connecting the subject site to the signalized intersection at Grand River Avenue.

The 2017 Master Plan shows a proposed 10 foot wide paved Cross County trail along the north side of the Red Cedar River from Hagadorn Road to Lake Lansing. A portion of the Cross Country trail is located along the southern portion of the subject property. The applicant will be required to construct the portion of the trail located on the property as part of the MUPUD. A 20 foot wide easement is shown on the submitted site plan in the location of the planned trail.

Utilities

The current office building on the property is served by municipal water and sanitary sewer and are available to serve the proposed new mixed use building. The exact location and capacity of utilities will be reviewed in detail during site plan review if the MUPUD and SUPs are approved.

Parking

The Township Code of Ordinances requires two parking spaces for each dwelling unit plus an additional 25% expansion capacity. Five (minimum) to 5.5 (maximum) parking spaces per 1,000 square feet of gross floor area are required for the commercial space. With 88 dwelling units and 3,115 square feet of commercial space, a total of 236 parking spaces would be required for the project.

One bicycle parking space for every 10 required vehicle parking spaces is also required in addition to the required motor vehicle parking. With 236 motor vehicle parking spaces, 24 bicycle parking spaces are required for the project. 64 bicycle parking spaces (32 bicycle racks) are proposed in four different areas on the property.

The ordinance allows the number of required motor vehicle parking spaces on the site to be reduced by one motor vehicle parking space for every two bicycle parking spaces installed on a site, up to a maximum of 10 percent of the total number of required motor vehicle parking spaces. Using this formula the required number of motor vehicle parking spaces can be reduced by 23 spaces. With the allowed reduction granted for bicycle parking, the total required motor vehicle parking is reduced to 213 spaces.

The submitted site plan proposes 116 parking spaces on the site. 36 additional spaces are located in the circular drive located on the parcel owned by the applicant but in a portion of the property zoned RCC (Multiple Family) and not included in the MUPUD. While the additional 36 parking spaces will be available for use by the tenants of the new development, they will not be counted towards the total parking spaces in the project. With 213 required parking spaces and 116 proposed spaces the applicant will be seeking a 97 space waiver from the Township Board as part of the MUPUD approval.

Staff Analysis

The applicant has requested to construct a 70,213 square mixed use building with 88 units and 3,115 square feet of commercial space using the MUPUD process for a project identified as Red Cedar Manor. In a MUPUD request the Planning Commission makes a recommendation on the project and the Township Board makes the final decision. When reviewing the project the Planning Commission should consider the appropriateness of the requested waivers, the proposed amenities and related review criteria, and the design standards as outlined in Section 86-440(f) of the Code of Ordinances.

The MUPUD ordinance generally waives the standard requirements for lot size, yards, frontage requirements, setbacks, maximum impervious surface, and type and size of dwelling unit, provided the purpose and intent of the ordinance are incorporated into the overall development plan. The MUPUD ordinance is intended to provide flexibility for the Planning Commission and Township Board to set appropriate standards during the review process.

The following is a summary of the project's consistency with the MUPUD ordinance standards. As part of this project analysis, standards for the underlying PO zoning district will be compared to what is proposed on the submitted site plan.

**Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC)
Planning Commission (June 11, 2018)
Page 8**

Land Use: All uses permitted by right and by special use permit in the underlying zoning district are allowed in a MUPUD. A MUPUD in the PO zoning district allows only neighborhood-oriented commercial uses such as personal service establishments, restaurants and cafes (bars/taverns are prohibited), grocery stores, banks, or retail. The type, size, and location of the proposed commercial uses must be depicted on a site plan and approved by the Township Board at the time the MUPUD is considered.

Density: The submitted plan proposes 88 dwelling units on 4.99 acres for a density of 17.64 dwelling units per acre (du/a). In a MUPUD, residential density is allowed up to 14 du/a for a redevelopment project, but can be increased to 18 du/a with the provision of four or more unique and extraordinary amenities acceptable to the Township. The four amenities required to qualify for the density bonus to 18 du/a must be in addition to the one amenity required for the MUPUD.

Phasing: The applicant has not provided a phasing plan for the proposed project. Staff is under the impression the entirety of the project will be completed in one phase.

Amenities: One or more amenities are required for every MUPUD project and should represent multiple categories from the list of amenity categories which are Conservation; Environment; Parks, Recreation, and Culture; Social Interaction; and Site and Building Design. Criteria to determine whether a proposed amenity is acceptable for consideration can be found in Section 86-440(e)(2) of the MUPUD ordinance. The four amenities required to qualify for the density bonus to 18 du/a must be in addition to the one amenity required for the MUPUD, so a minimum of five amenities are required for the project.

The submitted site plan lists the following amenities: connection to non-motorized pathway and future river trail, easement to be granted to Township for river trail, increased pervious area, and covered bike parking.

Building height: The maximum building height allowed in a MUPUD is 45 feet. One exception is that in a MUPUD proposed on land zoned PO, when adjacent to land zoned and developed in a single-family residential district, building height is limited to being no taller than the abutting residential district would allow. Building elevations are provided in the MUPUD application materials but the elevations are not scaled and do not indicate the height of the building. The applicant has indicated that the building is approximately 36 feet in height. The applicant has also indicated that the southern side of the building, the side facing the Red Cedar River, is approximately 47 feet in height due to the level of the adjacent grade as it slopes down toward the river. A waiver from the 45 foot maximum height is not required as the extra building height is the result of the sloping grade in this area of the site.

Building materials: Generally, building materials in a MUPUD should include, but are not limited to, wood, brick, clapboards, beadboard, glass, and stone. Other materials such as vinyl, aluminum, and metal sidings should be avoided. All buildings should be completed on all sides with accepted materials. The design of the building should relate to and blend with the facades of adjacent buildings and complement streetscape improvements in the area. The proposed building materials for the building are a mix of concrete block and fiber cement board panels in different colors. Elevations of the building were submitted that show the different building materials for the project. A sample board of the building materials submitted by the applicant will be displayed at the public hearing.

Architectural design: The MUPUD ordinance states that buildings wider than 50 feet shall be divided into increments of not more than 50 feet through articulation of the façade. Scaled building elevations have not been provided however it appears the building as proposed provides the required façade articulation. The MUPUD ordinance also requires that windows cover no less than 50% of nonresidential street level facades. Based on the submitted floor plans the 3,115 commercial space is located on the north building façade, along Northwind Drive. The submitted building elevations show windows along Northwind Drive that appear to cover at least 50% of façade at the street level.

Railings, benches, trash receptacles, or bicycle racks: Accessory items such as railings, benches, trash receptacles, or bicycle racks are required to be of commercial quality and complement the building design and style. The submitted architectural renderings of the building shows railings for the balcony units and benches but details were not provided to indicate the materials of these items. The submitted site plan shows 32 bicycle racks on the site but does not note the style or material of the racks. The Township requires the use of an inverted "U" shaped bicycle rack but will consider other styles if the racks are functionally equivalent.

Trash and recycling: A dumpster is shown on the submitted site plan at the south east corner of the proposed building. The Township requires any proposed trash or recycling structure to be screened by an enclosure.

Parking: The setbacks for a parking area and the number of parking spaces required can be waived in a MUPUD. 213 parking spaces are required for the project and the applicant is proposing 116 spaces.

Landscaping: Proposed landscaping must generally comply with the provisions of the Code of Ordinances. Landscaping should be designed to preserve existing significant natural features and to buffer service areas, parking lots, or dumpsters. A mix of evergreen and deciduous plants and trees are preferred, along with seasonal accent plantings. A minimum of four feet of landscaped area is required around the perimeter of the building. While not required as part of the MUPUD application, a landscape plan for the project was submitted.

Lighting: The MUPUD ordinance requires site lighting to comply with the Outdoor Lighting Ordinance and limits street lighting intended to provide illumination for pedestrians on the sidewalk to no taller than 15 feet in height. Information on site lighting was provided and will be reviewed in detail during site plan review if the project proceeds.

Signs: A sign program is required as part of the MUPUD application showing the style, size, number, and location of any proposed signs and is approved as part of the MUPUD. The submitted plans show a 9' 3" monument sign located on the east side of the driveway at Northwind Drive. Freestanding signs are generally not permitted in a MUPUD. Exceptions for freestanding signs of the monument type may be permitted when a building is set back a minimum of 15 feet from the right-of-way (ROW) line with the resulting yard set aside for permanent public open space. The building is set back approximately 14 feet from the Northwind Drive ROW. The freestanding sign is required to be at least 10 feet back from the Northwind Drive ROW. The proposed sign is not shown on the site plan so staff is unable to verify if the 10 foot setback has been met.

Sidewalks: Generally, sidewalks in a MUPUD must be a minimum of five feet in width. Seven foot wide sidewalks are required when a sidewalk is located immediately adjacent to an off-street parking area. The submitted site plan shows seven foot wide sidewalks connecting the parking lots to the building. A five foot wide sidewalk connecting Northwind Drive to the Cross Country trail along the Red Cedar River is proposed in the area east of the building.

Waiver requests

The MUPUD generally waives the standard requirements for lot size, setbacks, type and size of dwelling unit, lot frontage, number of required parking spaces, and impervious surface coverage, provided the purpose and intent of the ordinance are incorporated into the overall development plan. Based on the submitted site plan the applicant is requesting the following waivers for the Red Cedar Manor project.

Front yard setback

A 25 foot front yard setback from the street right-of-way (ROW) line is required along Northwind Drive. At its closest point the proposed building is located 13.99 feet from the Northwind Drive ROW. A waiver of 11.01 feet is requested for the front yard building setback.

Setback from residential zoning district

In the PO zoning district no structure is permitted within 50 feet of any residential district boundary line. The proposed building is located 19.47 feet from the RC (Multiple Family) property to the east. A waiver of 30.53 feet is requested for the setback from the residential zoning district boundary.

Parking lot setback

Where a parking area with a capacity of 50 or more vehicles adjoins a residential district a landscaped buffer at least 40 feet wide must be provided between the parking area and the adjoining property line. At its closest point the parking lot on the north side of the property is located 2.49 feet from the RCC zoning district line. A waiver of 37.51 feet is requested for the parking lot setback from a residential zoning district.

Parking

213 parking spaces are required for the project based on the number of residential units and commercial space in the building. 116 parking spaces are proposed by the applicant. A waiver of 97 parking spaces is requested.

Wetland setback

All structures and grading activities shall be setback at least 40 feet from the delineated boundary of a wetland. Grading activities related to the proposed detention pond appear to be within approximately 25 feet of the wetland. A waiver of 15 feet will be required for the grading within a wetland setback unless the applicant can provide information showing there will be no grading within the setback.

Planning Commission Options

The Planning Commission may recommend approval, approval with conditions, or denial of the proposed MUPUD. The Planning Commission is required to make a recommendation on the MUPUD within 60 days of the date of the public hearing. A resolution will be provided at a future meeting.

Attachments

1. Application and attachments.
2. Site plan prepared by Kebs, Inc. dated May 5, 2017 and received by the Township on April 25, 2018.
3. Architectural renderings, floor plans, building elevations, and sign plan prepared by ASL dated April 25, 2018 and received by the Township May 14, 2018.
4. Landscape plan prepared by Outdoor Living, Inc. dated February 28, 2018 and received by the Township on April 25, 2018.

G:\Community Planning & Development\Planning\MIXED USE PLANNED UNIT DEVELOPMENTS (MUPUD)\2018\MUPUD 18034 (Meridian Investment Group LLC) Red Cedar Manor\MUPUD 18034.pc1.docx

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

MIXED USE PLANNED UNIT DEVELOPMENT APPLICATION

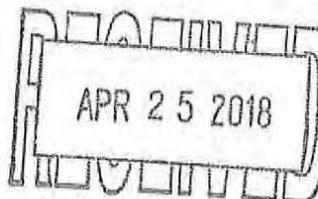
Before submitting this application for review, an applicant shall participate in the pre-application conference with the Director of Community Planning and Development to discuss the requirements for a Mixed Use Planned Unit Development.

Part I

- A. Applicant MERIDIAN INVESTMENT GROUP, LLC - 90 ECKHARDT & ASSOCIATES
 Address of Applicant 2875 NORTHWIND DR - STA 235, EAST LANSING, MI 48023
 Telephone - Work 517-664-9114 E-Mail TOMBOC.DAVE@COM Fax 517-664-4144
 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 2875 NORTHWIND DR - 33-02-02-20-128-003
 Legal description (please attach if necessary) SEE ATTACHED
 Current zoning P.O.
 Project name RED CEDAR MAJOR
- C. Developer (if different than applicant) _____
 Address _____
 Telephone: Work _____ E-Mail _____ Fax _____
- D. Architect, Engineer Planner or Surveyor responsible for design of project if different from applicant:
 Name KEBS INC - JEFF KYES
 Address 2116 HASLETT RD, HASLETT, MI 48840
 Telephone(s) 517-339-1014 E-Mail JKYES@KEBS.COM Fax 517-339-8097
- E. Acreage of all parcels in the project: Gross 4.891 Net 4.891
- F. Proposed Uses and Site Amenities:

1. Non-residential uses:
- a. Type OFFICE/RETAIL
 - b. Percent of project area 1.5%
 - c. Total square feet for non-residential uses 3,115 sq'
 - d. Usable floor area 20,425
 - e. Number of employees (TBD)
 - f. Hours of operation (TBD) 8:00 AM - 9:00 AM
2. Residential Uses:
- a. Percent of project area 31.5%
 - b. Total dwelling units 88
 - c. Dwelling unit mix:
 - i. Number of single family detached: for Rent _____ Condo _____
 - ii. Number of duplexes: for Rent _____ Condo _____
 - iii. Number of townhouses: for Rent _____ Condo _____
 - iv. Number of garden style apartments: for Rent _____ Condo _____
 - v. Number of other dwellings: for Rent 88 Condo _____

(APARTMENTS)



4/16/18

Signature of Applicant

Date

BY: SCOTT A. CHAPPELLO, ITS: AUTHORIZED
Type/Print Name SIGNATORY

Fee: 990⁰⁰

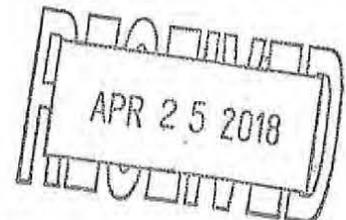
Received by *Nita Mendez*

Date: 5-25-18

Pre-Application Meeting Held: _____
Date

Application Complete: _____
Date

By: _____
Staff



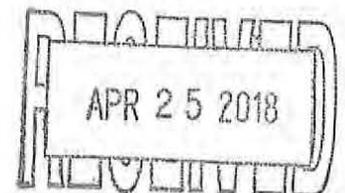
RED CEDAR MANOR
MIXED USE PLANNED UNIT DEVELOPMENT APPLICATION

Meridian Investment Group LLC

23-Apr-18

SUPPORT MATERIALS FOR MUPUD

1. Nonrefundable fee of \$940.00 enclosed (\$500 plus \$5/DU)
2. Legal Description - Attached
3. Warranty Deed - Attached
4. Written Description of Project - Attached
5. Project Zoning - Attached
6. Site Plan - ¹³20 sets of 24"x36" drawings prepared by KEBS Inc are attached. An 11" x 17" set of drawings is attached as part of the application
7. Topographic Survey - Attached
8. Schematic layout of the proposed utilities - Attached
9. Architectural Sketches - 21 Sets of 11" x 17" color drawings prepared by ASL Architectural of the proposed building is attached.
10. Floor Plans of proposed units - Attached
11. Traffic Study - The trip generation comparison study completed by TEA is attached
12. Natural Features assessment - No Natural Features assessment is required as this is a "Redevelopment" of an existing site.
13. Wetland Verification - Attached
14. Preliminary layout of water and sanitary sewer - Attached
15. Proposed Sign Program - Attached
16. Lighting Plan - Attached
17. Copies of comments - None returned yet!



ECKHARDT & ASSOCIATES, P.C.

ATTORNEYS AT LAW

April 25, 2018

Mr. Mark Kieselbach
Director
Community Planning and Development
Meridian Charter Township
5151 Marsh Road
Okemos, Michigan 48864

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

Mr. Kieselbach:

This office represents Meridian Investment Group LLC. I have enclosed completed applications and related fees requesting approval of a Mixed Use Planned Unit Development and a Special Use Permit for the above-referenced property. This proposed "redevelopment" contains 4.891 acres and will have 88 dwelling units and approximately 3,100 square feet of office/retail space.

In addition, the following documents are enclosed: Legal Description, Warranty Deed, Trip generation comparison, Wetlands Verification, Environmental Permits Checklist, Health Impact Assessment, 21 sets of full-size scalable civil drawings and 21 sets of color 11" x 17" architectural drawings, along with a material sample board. A "Natural Features" assessment was not performed as this is a "redevelopment" of an existing developed site. A MDEQ permit application has been filed, for work being performed within the 100 year floodplain.

We understand that a Planning Commission, public hearing will be scheduled for Monday, May 21 at 7:00 p.m. concerning the requested applications.

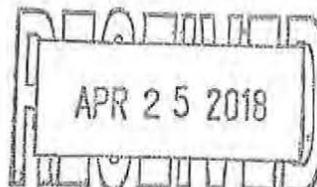
Sincerely,

Eckhardt & Associates, PC

Thomas R. Eckhardt

Enclosures

2875 Northwind Drive, Suite 235
East Lansing, MI 48823



TELEPHONE:
(517) 336-8736
FACSIMILE:
(517) 336-4490

Red Cedar Manor

Red Cedar Manor embodies the very best in an Urban/Traditional Development. The project will couple the principals of a redevelopment of a Traditional suburban office development with a redevelopment of a new Urbanism concept within a Traditional Neighborhood.

Urban/Traditional Neighborhood:

The goal of the Manor is not to simply create more residential housing but instead build a thriving residential neighborhood, which appeals to all generations of renters. The first floor of the mixed use building along Northwind Drive will contain roughly 3,115 of Retail and Office space, mostly occupied by Professionals or support for the tenants. The Manor has community transit, including footpaths, bike paths and easy access to municipal transportation. The bus stop at E Grand River Avenue (approx. ¼ mi north) allowing connections to MSU, East Lansing and areas to the east, while also being connected to over 70.6 miles of existing pathways. Thus allowing everyone to work, relax and play together.

Connectivity within the development to the hub will be one of the keys to instilling a sense of community. The project will provide 32 bicycle parking spaces, 18 of which will be covered.

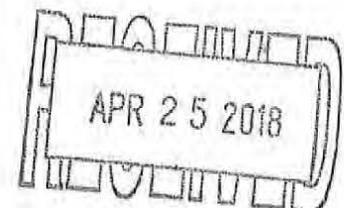
The Manor redevelopment will increased the existing "green" pervious space by about 5% to almost 62% of the site. This is an increase of green space in an Urban Neighborhood, where most developments barely provide 25%. The development will offer a wide array of unit types ranging from one (1) to two (2) bedrooms, each with their own bathroom with almost 40% having direct views to the Red Cedar River.

Unit Types:

Over 90% of the units will have balconies, providing a unique sense of open space while maintaining tenant privacy. Almost Seventy-five (75) % of the units will be one (1) bedroom – 1 bath apartments. The balance of the units will be a mix of one (1) bedroom units with a den and two (2) bedroom units, all with private baths. These unit types will appeal to a broad range of residents, including professionals and offer an upscale yet affordable alternative to existing rental units in the surrounding area.

Unit Finishes:

Residents will find the Manor is designed to feel warm and inviting while featuring a very urban up-scale, low maintenance exterior. The units will typically have faux wood floors in the den and kitchen areas, laminate tile in the baths and plush carpet flooring in the bedrooms. Residents will enjoy a gourmet kitchen with granite countertops and designer cabinets. All appliances, including range, dishwasher, refrigerator and microwave range hood will be Stainless steel and state of the art. Each unit will have a separate laundry area that will include a full size washer and dryer. All appurtenances will have a solid feel and weight about them while having a clean, streamlined urban look and design.



RED CEDAR MANOR

Redevelopment

Existing Construction -		40,504 sqft
New Construction -		
Retail/Office	3,115 GSF	
Mix-Use Apartments	67,098 GSF	
	TOTAL	70,213 GSF

Dwelling Unit Mix

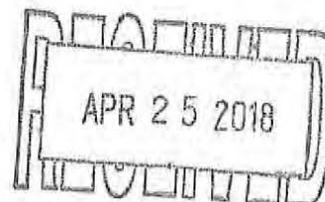
Mix-Use Apartments		
Lower Level	12 units	8 (One Bedrooms) 1 (One Bedrooms + Den) 3 (Two Bedrooms)
		15 Beds
First Floor	22 units	17 (One Bedrooms) 1 (One Bedrooms + Den) 4 (Two Bedrooms)
		26 Beds
2nd Floor	27 units	20 (One Bedrooms) 1 (One Bedrooms + Den) 6 (Two Bedrooms)
		33 Beds
3rd Floor	27 units	20 (One Bedrooms) 1 (One Bedrooms + Den) 6 (Two Bedrooms)
		33 Beds

APARTMENT TOTALS

65 (One Bedrooms)
 4 (One Bedrooms + Den)
 19 (Two Bedrooms)

107 Beds

1.2 Ave # Beds/unit
 762 Ave GSF/Unit
 627 Ave GSF/Bed



4/16/18



April 4, 2018
Project No. 180564

Mr. Mark Kieselbach
Charter Township of Meridian
5151 Marsh Road
Okemos, MI 48864

Re: Wetland Verification and Regulatory Review – WDV 18-01
2875 Northwind Drive, East Lansing, MI

Dear Mark:

At the request of the Charter Township of Meridian (Township), FTCH's sub-consultant, Peterson Environmental (PE), has inspected the flagged boundaries at the referenced site. It should be noted that we are uncertain when Gary Marx of Marx Wetlands, LLC (Marx) delineated and flagged the wetland boundaries, as no delineation report was provided to the Township or FTCH for review.

On March 22, 2018, PE conducted the site inspection and determined wetland boundaries flagged by Marx directly west of the parking lot/end of Northwind Drive were accurate. In addition, PE identified and flagged additional wetland boundaries for the entire 1.46-acre wetland, which were not flagged by Marx, and do not exist within the assumed proposed project area outlined in gold on Figure 1. Additional information regarding PE's delineation can be found in the attached report.

We appreciate the opportunity to assist in the review of this file. If you have any questions or require additional information, please contact me at 517.887.4018 or clpitchford@ftch.com.

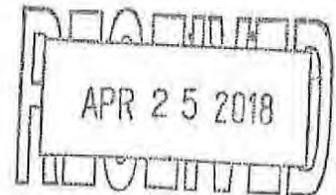
Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

Cheryl L. Pitchford

pmb
Attachments
By email

cc/att: Mr. Peter Menser – Meridian Township



the northwest property line, then comes into the property up to the southeast in close proximity to the parking area or end of Northwind Drive. The flagged area along the river is predominately a steep slope down to the river with some narrow areas of adjacent wetlands. No other wetland areas were identified on the property.

The wetland investigation was conducted in accordance with the US Army Corps of Engineers (USACE) 1987 manual and USACE regional supplement. A completed Wetland Data Form for this wetland area is enclosed.

Site Investigation

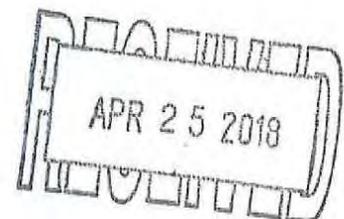
On March 22, 2018, Peterson Environmental inspected the newly flagged, old wetland boundary flags and not flagged areas of the property. The wetland areas on the property were flagged, reflagged as appropriate, confirmed and located with GPS. The enclosed Figure 1 depicts the location of the confirmed wetland boundary on the property. The wetland is 1.46 acres in size. It is a floodplain, predominately forested with some areas of buttonbush wetland.

The following summarizes Peterson Environmental's findings:

Peterson Environmental verified the presence of dominant wetland vegetation, hydric soils, and wetland hydrology in the identified wetland at wetland sampling point SP-A, noted on Figure 1. The flags identifying this wetland are AB1-AB44 connected to A12-A27. Green Ash (*Fraxinus pennsylvanica*) - FACW, Eastern cottonwood (*Populus deltoides*) - FACW, buttonbush (*Cephalanthus occidentalis*) - OBL, Tartarian honeysuckle (*Lonicera tatarica*) - FAC were the dominant species observed and are typically found in wetland areas. The wetland was saturated to the surface and water was present in the soil pit at a depth of 2 inches, confirming the presence of wetland hydrology. A soil pit excavated at SP-A contained a loamy clay soil, Munsell Soil Color 10YR 2/1 from 0-18 inches, verifying the presence of hydric soil. Data obtained from SP-A is summarized in the Wetland Determination Data Form in Attachment 1. The wetland boundaries are depicted on Figure 1.



SP-A Wetland



A Wetland Use Permit would be required from the Township for any of the following activities within wetland regulated by the Township:

- Placing fill or permitting the placement of fill in regulated wetland.
- Dredging, removing, or permitting the removal of soil or minerals from regulated wetland.
- Constructing, operating, or maintaining any use or development in regulated wetland.
- Draining surface water from regulated wetland.

In addition, the Township requires that all structures and grading activities during site development shall be set back 40 feet from the delineated wetland boundary and a natural vegetation strip shall be maintained within 20 feet of the wetland boundary. Wetland mitigation will be required for forested wetland impacts by creating new wetland at a 2 to 1 ratio (wetland created to wetland impacted).

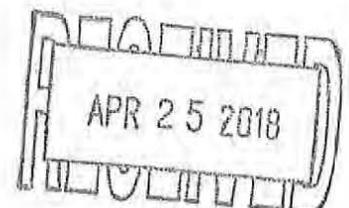
The property is also regulated by the MDEQ under Part 303 – Wetland Protection, Part 31 -- Water Resources Protection (Floodplain) and Part 301 – Inland Lakes and Streams. A permit must also be obtained from the MDEQ prior to conducting most filling, dredging and/or draining activities or maintaining a use of a regulated wetland. A permit must also be obtained from the MDEQ for work, such as filling, dredging and structure placement within a stream or 100-year floodplain of a stream.

We appreciate the opportunity to assist in the review of this property. If you have any questions or require additional information, please contact me at 616.402.7592 or adrienne@petersonenviro.com.

Sincerely,


Peterson Environmental
Adrienne Peterson

Enclosures

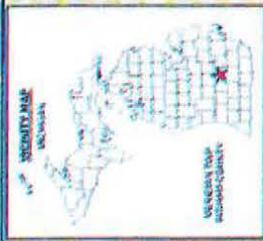
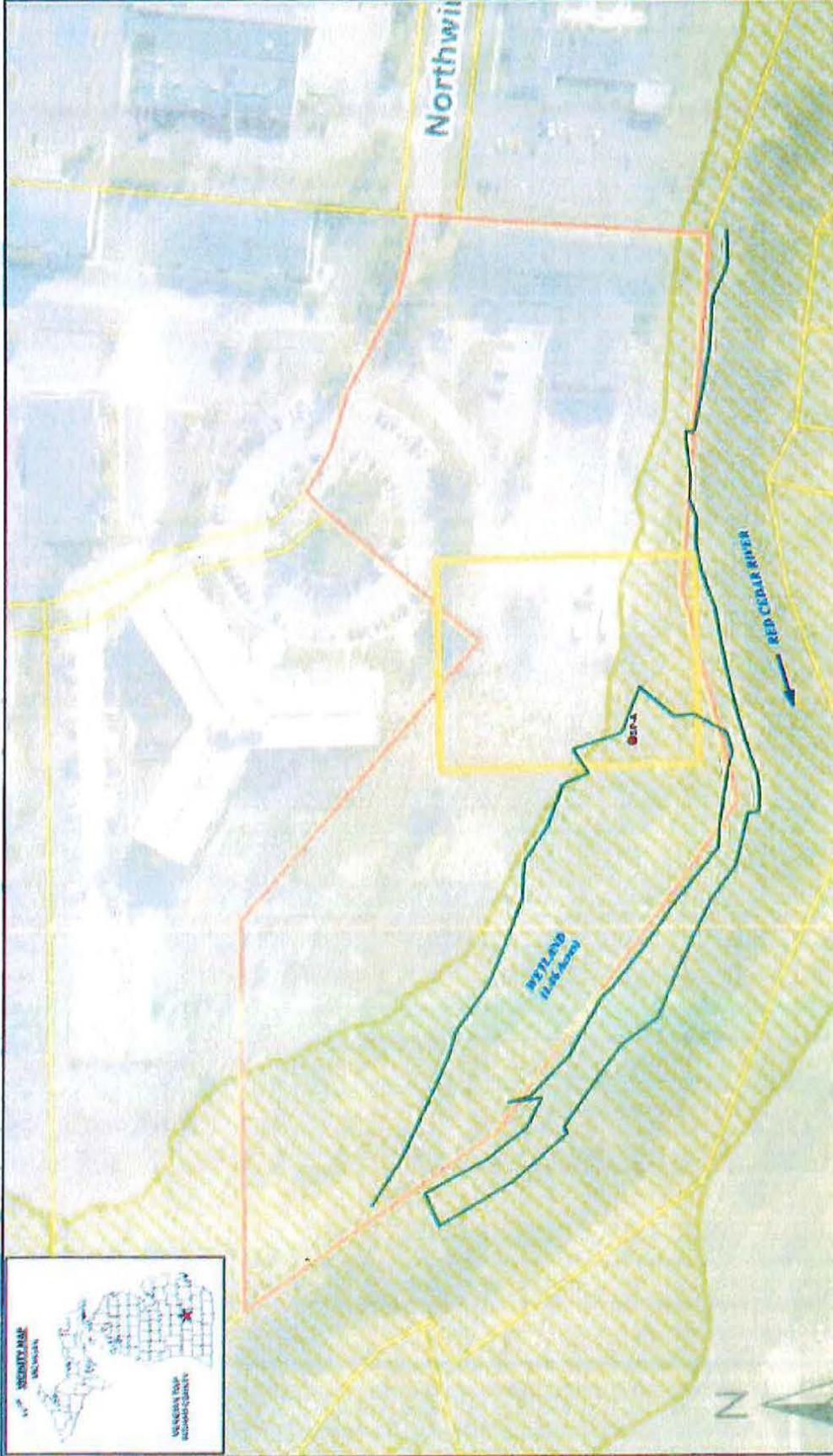


fresh

engineers
scientists
architects
constructors

Meridian Charter Township
2875 Northwind Drive, East Lansing, Michigan
Wetland Delineation

PROJECT NO.
180524
FIGURE NO.
1



SITE PLAN

NORTH 0° 30' 00" WEST

1" = 50' 0" 1" = 100'

LEGEND

- Wetland Sampling Point
- Delineated Wetland

APR 25 2018

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: WDV 18-01; 2875 Northwind Drive City/County: East Lansing, Ingham Sampling Date: 3/22/18
 Applicant/Owner: Ron Calhoun State: MI Sampling Point: Wetland A
 Investigator(s): Adrienne Peterson Section, Township, Range: 04, T1N, R20W
 Landform (hillslope, terrace, etc.): Flat Local relief (concave, convex, none): none Slope %: 0-4
 Subregion (LRR or MLRA): LRR L Lat: 42.72471 Long: -84.45823 Datum: _____
 Soil Map Unit Name: Urban Land - Marlette complex, 2 to 12% slopes NWI classification: PF01C
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes x No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____ If yes, optional Wetland Site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) Recent flooding and evaluation prior to the growing season made the site evaluation challenging	

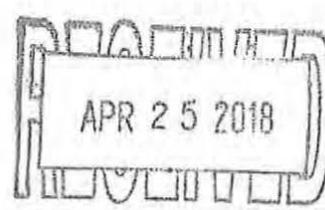
HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply) ___ Surface Water (A1) <u>x</u> Water-Stained Leaves (B9) <u>x</u> High Water Table (A2) ___ Aquatic Fauna (B13) <u>X</u> Saturation (A3) ___ Marl Deposits (B15) <u>x</u> Water Marks (B1) ___ Hydrogen Sulfide Odor (C1) <u>x</u> Sediment Deposits (B2) ___ Oxidized Rhizospheres on Living Roots (C3) <u>x</u> Drift Deposits (B3) ___ Presence of Reduced Iron (C4) ___ Algal Mat or Crust (B4) ___ Recent Iron Reduction in Tilled Soils (C6) ___ Iron Deposits (B5) ___ Thin Muck Surface (C7) ___ Inundation Visible on Aerial Imagery (B7) ___ Other (Explain in Remarks) <u>x</u> Sparsely Vegetated Concave Surface (B8)	Secondary Indicators (minimum of two required) ___ Surface Soil Cracks (B6) <u>x</u> Drainage Patterns (B10) ___ Moss Trim Lines (B16) ___ Dry-Season Water Table (C2) ___ Crayfish Burrows (C8) ___ Saturation Visible on Aerial Imagery (C9) ___ Stunted or Stressed Plants (D1) ___ Geomorphic Position (D2) ___ Shallow Aquitard (D3) ___ Microtopographic Relief (D4) <u>X</u> FAC-Neutral Test (D5)
---	---

Field Observations: Surface Water Present? Yes _____ No _____ Depth (inches): _____ Water Table Present? Yes <u>x</u> No _____ Depth (inches): <u>2</u> Saturation Present? Yes <u>X</u> No _____ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No _____
---	--

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

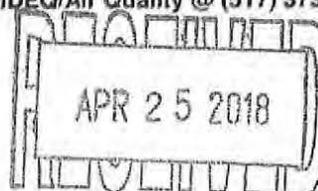


**CHARTER TOWNSHIP OF MERIDIAN
ENVIRONMENTAL PERMITS CHECKLIST**

Name: MERIDIAN INVESTMENT GROUP, LLC - 5/0 ECKHARDT AND ASSOCIATES
Mailing Address: 2875 NORTHWIND DR. STA 235, EAST LANSING, MI 48023
Telephone: 517-669-4119 Fax: 517-669-4124 E-Mail: TOTR@C-DEVELO.COM
Type of Business (if applicable): MIXED USE - HOUSING, OFFICE/RETAIL
Owner/Manager: SCOTT A. CHAPPELLE; AUTHORIZED SIGNATORY
Date: APRIL 16, 2018 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. N Will the project involve the discharge of any type of wastewater to a storm sewer, drain, lake, wetland, or other surface water? Contact: MDEQ/Water Resources @ (517) 241-8993; MDEQ/Land & Water Features Programs @ (517) 373-9244; Meridian Township Dept. of Community Planning and Development @ (517) 853-4560.
2. N Will the project involve any construction work, fill with any material, or soil disturbance in the 100-year floodplain? Contact: MDEQ Land & Water Featured Programs @ (517)373-9244 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: MDEQ/Groundwater Permits Program @ (517) 373-8148.
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: MDEQ/Water Resources @ (517) 241-1346. For discharging to groundwater; Contact: MDEQ/Groundwater Permits Program, @ (517) 373-8148.
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: MDEQ/Water Resources, Part 5 Rules Program @ (517) 373-1623; Ingham County Health Department; Environmental Health Division @ (517) 887-4312; Meridian Township Fire Admin. @ (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: MDEQ/Storage Tank & Solid Waste Section @ (517) 335-7211 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: MDEQ/Storage Tank & Solid Waste Section @ (517) 335-2690.
8. Y N Will the project involve the generation of hazardous waste or medical waste? Hazardous Waste Contact: MDEQ/Waste & Hazardous Materials @ (517) 335-9875. Medical Waste Contact: MDEQ/Medical Waste Program @ (517) 335-1146.
9. Y N Will the project involve the on site treatment, storage, or disposal of hazardous waste? Contact: MDEQ/Waste & Hazardous Materials @ (517) 335-2690.
10. Y N Will the project involve the transport of hazardous waste or non-hazardous liquid industrial waste? Contact: MDEQ/Waste & Hazardous Materials @ (517) 335-2690.
11. Y N Will the project involve landfilling, transferring or processing solid non-hazardous wastes on site? Contact: MDEQ/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, such as boilers, generators, and sandblasting. Contact: MDEQ/Air Quality @ (517) 373-7023.



4/16/18

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 Rural Development/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 MDEQ/Land & Water Feature Programs @ (517) 373-9244.
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: MDEQ/Land & Water Feature Programs @ (517) 373-9244 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: MDEQ/Resource Management @ (517) 335-4035.

 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: MDEQ/Resource Management @ (517) 335-4035.

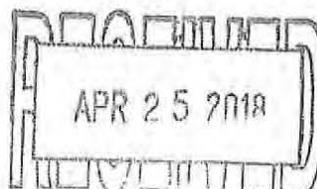
 For industrial or commercial wastewater (other than sanitary sewage) in any quantity. Contact: MDEQ/Waste & Hazardous Materials @ (517) 335-2690.
17. Y N Will the project involve construction of a water supply well or extension of a water supply service from an existing water system? Contact: MDEQ/Water Bureau @ (517) 335-6127 and Ingham County Health Dept./Environmental Health @ (517) 887-4312.
18. Y N Are there out-of-service water wells, abandoned water wells, or cisterns on the site? (drinking water, irrigation & monitoring wells). Contact: MDEQ/Water Bureau @ (517) 241-1377; 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: MDEQ/Resource Management @ (517) 335-4035.
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: MDEQ/Remediation & Redevelopment @ (517) 373-8815 and/or MDEQ/Waste & Hazardous Materials @ (517) 335-9837.
22. Y N Will the project involve the installation of a seawall or bulkhead? Contact: MDEQ/Land & Water Feature Programs @ (517) 373-9244 and Meridian Township Dept. of Community Planning & Development @ (517) 853-4560.

Notes:

- For assistance with permits and approvals from the Michigan Department of Environmental Quality (MDEQ), including coordination among MDEQ divisions, contact the Office of Environmental Assistance at (517) 373-9244 or (800) 662-9278.
- For Spill/Release reporting to the MDEQ, call (517) 373-8481.
- For pollution emergencies, call the MDEQ at (800) 292-4706 in Michigan and (517) 373-7660 outside of Michigan.

Last updated: July 2012

g:\planning\forms\applications\environmental\panels\checklist.doc



4/14/18

CHARTER TOWNSHIP OF MERIDIAN HEALTH IMPACT ASSESSMENT

Please circle the appropriate answer and 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 needed to respond.
Please submit the completed form with your application - **Incomplete/illegible forms will be returned.**

Person Completing this form: R. CALHOUN Phone 469-46-8074 Email address: RONCO@C-DIPLYLO.COM
Project name: RIO CEDAR MANOR Address/location: 2875 MOUNTAIN WIND Case # _____
Type of project (circle each applicable): Residential Commercial Office Industrial Mixed Public

Water Quality

- Y N Does the project require access to public water and sewer?
If NO, what is the source of water for the proposed project or development? MERIDIAN TWP - PUBLIC
What is the estimated daily water demand? _____
- N/A N If public water is required, is there available capacity to handle this project in the municipal facilities?
- N/A N Is the project/development within existing municipal service areas?
- N/A N If a private well will be used, is the water considered potable (safe)?
- N/A N Will the water supply require on-site treatment, such as iron removal?
- N Are there nearby sources of potential water contamination?
- N Are there underground storage tanks within 1000 feet (or distance specified by local ordinance) of the project?
- N Are there gasoline or oil pipelines?
- N Is there a nearby known source of contaminated soil?
- N Is site located within a wellhead protection zone?
- N Are there abandoned wells on the site?
- N Are there any wetlands on the site? If YES what is/are the size(s) of the wetland(s)? 1.73 AC
- N Is the project located in a known floodplain?
- N Will the project create bodies (e.g., detention ponds) of water that might provide habitat for mosquitoes?
- N Has a plan been submitted based on best management practices for managing water/soil erosion during construction?
- N Will the proposed project affect groundwater recharge?
- N Does the project have a substantial percentage of the parcel covered by impervious (e.g., hard) surfaces? 38.05%
- N Does the project affect the overall percentage of impervious surfaces in the watershed or allowed by local community?
DECREASE FROM EXISTING

Wastewater

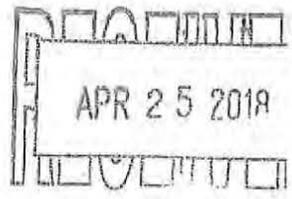
- N/A N Does the project/development require an on-site wastewater system?
- N/A N Are the soils appropriate to support a septic system?
- N Will any animal waste from household pets or domestic animals generated by the development be disposed of safely?
- N Is project/development within the service area of the municipal sewage system?
- N/A N Does the municipal sewage system have sufficient capacity to service the development?

Air Quality

- N Does the project/development entail demolition activities?
- N If YES, has the presence of asbestos and lead been determined?
- N Are there plans for mitigating dust?
- N Will the project/development result in increased stationary air emissions?
- N/A N If YES, have the necessary permits been obtained?
- N Will the project result in increased mobile-source air emissions, not including automobiles?
- N Will the project result in increased air emissions from automobiles?
- N Has the project accommodated public transit (e.g., bus stops) in its design?
- N Is the proposed use compatible with adjacent uses?
- N Is the site near known areas affected by radon?
- N Are nonmotorized transportation options available for those who do not own or do not want to use their cars?
- N Do anticipated emissions include controlled contaminants (e.g., VOCs, mercury)?

Solid & Hazardous Waste Disposal

- N Is the proposed project or development located near any facility handling or disposing of hazardous waste?
- N Is there historic evidence of solid or hazardous waste disposal or releases on or adjacent to the site?
- N Are there plans in place to prevent the release of hazardous materials into the environment in emergencies?



4/16/19

CHARTER TOWNSHIP OF MERIDIAN HEALTH IMPACT ASSESSMENT

Please circle the appropriate answer and 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 needed to respond
Please submit the completed form with your application - incomplete/illegible forms will be returned.

- Y N Does the project entail hazardous waste disposal?
- N/A Y N If YES, is the proposed waste handling or disposal activity compatible with adjacent land use and/or zoning?
- Y N Is the proposed waste handling or disposal activity compatible with the Ingham County Solid Waste Management Plan?
- Y N Is the facility near vulnerable uses (e.g. nursing homes) that may require contingency planning for emergencies?
- Y N Does the project provide on-site recycling compatible with the Ingham County Solid Waste Management Plan?

Noise

- Y N Is the project/development likely to generate noises that will create a nuisance to neighboring uses?
- Y N Are there engineered or non-engineered measures that can be employed to mitigate nuisance noises?
- Y N Does the generated noise violate the noise ordinance?

Social Capital

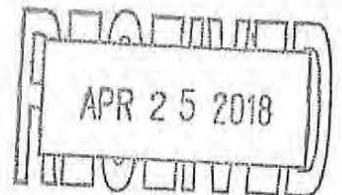
- Y N Does the project/development promote interaction between neighbors?
- Y N Is the physical design of the project harmonious with the overall neighborhood?

Physical Activity & Injury Prevention

- Y N Does the project/development provide mobility options for those who cannot drive?
- Y N Does the project have sidewalks that lead to local destinations?
- Y N Does the project have or connect to a trail system for walking or biking?
- Y N Does the width of the sidewalk meet walkability standards?
What is the proposed width of the sidewalks? 5'-0"
- Y N Does the project provide adequate open space and recreational facilities for the new residents?
- Y N Does this public open space provide trails for walking?
- Y N Does this project provide bike racks for safely storing bicycles?
- Y N Does the project/development contain elements that enhance the feeling of neighborhood safety?
- Y N Are local streetlights being provided?
- Y N Are dwellings oriented toward the street to provide "eyes on the street"?
- Y N Can a child walk safely to school?
What is the distance to area schools? 1-MI. WEST
- Y N Does the route to school contain known dangerous intersections?
- Y N Are there crossing guards at these intersections?
- Y N Is visibility good? Can drivers see (short) children?
- Y N Will the project/development contain a significant elderly population?
- Y N Can the elderly walk to important destinations (e.g., the post office, bank, library)?
- Y N Does the project contain design elements to calm traffic?
- Y N Are there: street trees, speed humps, extended corners, raised street crossings?
- Y N For projects with side-streets, does the plan include pedestrian crossing signals and mid-street islands?
- Y N Does the project present unsafe conditions or deter access and free mobility for the physically handicapped?
- Y N Is public transportation available?
Where is the nearest public transport stop? 1/4 MI - NORTH
- Y N Is the bus stop protected from the elements?
- Y N Is the proposed project located within easy range of fire fighting facilities?

Health Equity & Food Systems

- Y N Does the project provide for a diversity of housing types to accommodate a variety of income groups?
- Y N Does this price represent an "affordable house" given the area median income?
- Y N 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? ADJOINING
- Y N What is the distance to the nearest convenience store? ADJOINING
- Y N Does the neighborhood have a disproportionate number of liquor/party stores?



CHARTER TOWNSHIP OF MERIDIAN HEALTH IMPACT ASSESSMENT

Please circle the appropriate answer and 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 needed to respond. Please submit the completed form with your application – **incomplete/illegible forms will be returned.**

- Y N Does the neighborhood have a disproportionate number of food-serving establishments that serve alcohol?
- Y N Is the project/development located in a neighborhood or region characterized by concentrated poverty?
- Y N Are area residents involved in the planning process?
- Y N Are disadvantaged populations at greater risk of exposure to environmental hazards?
- Y N Is the project located in a neighborhood or region characterized by disproportionately negative health characteristics?

Growth Objectives

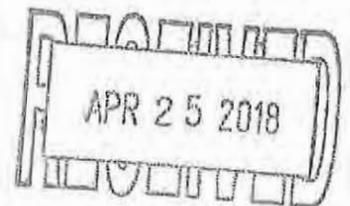
- Y N Is the project located within the designated growth area of the Tri-County Regional Growth Project?
- N Could the project be developed on already urbanized land with pre-existing infrastructure and urban services?
- Y N Does the project take place on agricultural land characterized by superior / very productive soils?
- Y N Is the project site on state-defined unique or important soils?
- Y N Will the project involve any man-made change in the natural cover or topography of the land?
- N/A Y N If yes, have proper permits and approvals been obtained?
- Y N Is the project located near active farms that employ common agricultural practices such as spreading manure on fields?
- Y N Could the project, if approved, potentially result in incompatible uses or interfere with current farming activity?

Ecological Value

- Y N Is the project/development likely to adversely affect a state or federally protected species of wildlife or vegetation?
- Y N Does the location contain potential habitat for a protected species/ecosystems of local, regional, or state importance?

If you have questions or are unsure how to respond to any of the questions, please feel free to contact the Meridian Township Department of Community Planning & Development at 517-853-4560. Incomplete and/or illegible forms will be returned to the applicant.

Revision date: June 2015



4/14/18

Traffic Engineering Associates, Inc.

517/627-6028 FAX: 517/627-6040

PO Box 100
Saranac, Michigan 48831

Scott Chappelle
Meridian Investment Group, LLC
2875 Northwind Drive, Suite 235
East Lansing, MI 48823

April 17, 2018

Dear Mr. Chappelle:

Traffic Engineering Associates, Inc. (TEA) conducted a trip generation comparison for the proposed development for the Red Cedar Manor Development in the Meridian Charter Township, Ingham County, Michigan.

PROJECT DESCRIPTION

Currently, there is an existing three (3) story office building with 36,257 square feet of space on the site. This will be razed and a three (3) story apartment building will be built with 88 apartment units and a 3,115 square foot gym that is expected to be open to the public.

TRAFFIC ANALYSIS

Existing Use

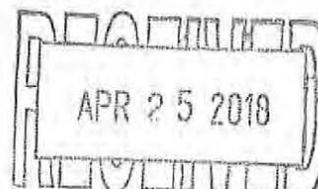
For this analysis, trip generation rates were derived from the ITE TRIP GENERATION MANUAL (10th edition). The ITE trip generation rates for General Office Building (Land Use Code 710) were selected as representing the existing 36,257 square feet of office space. The ITE description of General Office Building is as follows:

A general office building houses multiple tenants; it is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities.

It is projected that the existing land use generated 61 vehicle trips during the AM peak hour, 43 vehicle trips during the PM peak hour, and a weekday total of 397 vehicle trips.

Existing Vehicle Trips

Description	Size	AM Peak Hour			PM Peak Hour			Weekday
		In	Out	Total	In	Out	Total	
General Office Building (Land Use Code 710)	36,257 Sq. Ft.	52	9	61	7	36	43	397



Proposed Use

For the proposed use, the ITE trip generation rates for Multifamily Housing (Mid-Rise) (Land Use Code 221), were selected as representing the proposed 88 unit apartment building. The ITE description of Multifamily Housing (Mid-Rise) is as follows:

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have between three and 10 levels (floors).

The ITE trip generation rates for Health/Fitness Club (Land Use Code 492) were selected as representing the proposed 3,115 square foot gym. The ITE description of Health/Fitness Club is as follows:

A health/fitness club is a privately-owned facility that primarily focuses on individual fitness or training. It typically provides exercise classes; weightlifting, fitness and gymnastics equipment; spas; locker rooms; and small restaurants or snack bars. This land use may also include ancillary facilities, such as swimming pools, whirlpools, saunas, tennis, racquetball and handball courts, and limited retail. These facilities are membership clubs that may allow access to the general public for a fee.

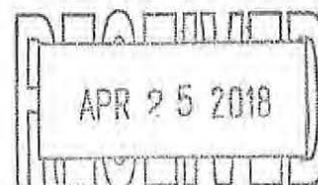
The ITE Trip Generation Manual does not provide weekday trip generation rates for Health/Fitness Club. It is projected that the proposed site will generate 36 vehicle trips during the AM peak hour and 64 vehicle trips during the PM peak hour, and 478 weekday trips.

Proposed Vehicle Trips

Description	Size	AM Peak Hour			PM Peak Hour			Weekday
		In	Out	Total	In	Out	Total	
Multifamily Housing (Mid-Rise) (Land Use Code 221)	88 Units	8	24	32	24	15	39	478
Health/Fitness Club (Land Use Code 492)	3,115 sq. ft.	2	2	4	14	11	25	N/A
Total		10	26	36	38	26	64	478

COMPARISON

A comparison of the existing site traffic versus the proposed redevelopment site traffic shows that the proposed redevelopment is expected to generate 25 less vehicle trips in the AM peak hour, 21 more vehicle trips in the PM peak hour and add 81 trips over a 24 hour period.



Comparison Vehicle Trips

Description	AM Peak Hour			PM Peak Hour			Weekday
	In	Out	Total	In	Out	Total	
Existing Land Use	52	9	61	7	36	43	397
Proposed Land Use	10	26	36	38	26	64	478
Total	-42	17	-25	31	-10	21	81

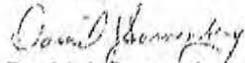
FINDINGS

In accordance with the Meridian Charter Township standards, a traffic impact assessment is required when the proposed development will generate 50 to 99 directional trips during a peak hour of traffic; or, a traffic impact statement is required if the proposed development will generate 100 directional trips or more during a peak hour of traffic, or over 750 trips on an average day.

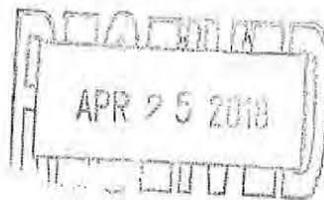
The results of the comparison between the existing site and the proposed site show that there will be a decrease in the AM peak hour vehicle trips to the proposed redevelopment and a small increase in the PM peak hour and weekday 24-hour vehicle trips. The comparison shows that the threshold for either a traffic assessment or a traffic impact study is not met.

If you have any questions, please write or call.

Sincerely,



David J. Sonnenberg, PE



M.U.P.U.D. & S.U.P. PLAN FOR:
Red Cedar Manor
 MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN

CLIENT:
 MERIDIAN INVESTMENT GROUP, LLC
 3000 NORTHWOOD DR.
 E. LANSING, MI 48223
 PH: (313) 684-4111
 FAX: (313) 684-4151

ENGINEER/SURVEYOR:
 KEBS, INC.
 2116 HAZLETT RD.
 HAZLETT, MI 48842
 PH: (517) 338-1014
 FAX: (517) 338-0847

BUILDING COVERAGE:
 TOTAL BLDG. COVERAGE = 20,716
 S.F. = 9.53%

PARKING REQUIRED:
 COMMERCIAL 3,115/1000 X 5 =
 16 SPACES
 RESIDENTIAL RR 1/2 = 178
 SPACES
 PLUS 25% = 176 X .25 = 44
 SPACES

**TOTAL PARKING REQUIRED 236
 SPACES
 BEFORE ALLOWABLE REDUCTIONS**

PARKING DATA:
 TOTAL PARKING PROVIDED ON SITE (110 STANDARD)
 110 STANDARD
 5 BARRIER FREE
 116 SPACES ON SITE
 36 SPACES OWNED OFF SITE
 152 SPACES TOTAL PROPOSED

**BIKE PARKING REQUIRED = 24 SPACES
 28 OPEN SPACES PROPOSED
 38 COVERED SPACES PROPOSED
 64 TOTAL SPACES PROPOSED**

SEWER INVENTORIES

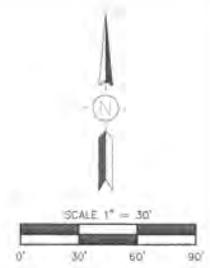
CATCH BASIN #102
 10' DIA. = 829.84
 12" HOPE N. INV. = 829.84
 12" HOPE SE. INV. = 829.87
 12" HOPE SW. INV. = 831.02

STORM MANHOLE #107
 18" DIA. = 841.23
 12" HOPE N. INV. = 831.23
 12" HOPE SE. INV. = 831.29
 12" HOPE SW. INV. = 831.27

STORM MANHOLE #102
 18" DIA. = 831.14
 12" HOPE N. INV. = 829.44
 12" HOPE SE. INV. = 829.34

SANITARY MANHOLE #201
 18" DIA. = 848.42
 4" PVC IN. INV. = 845.10
 4" PVC SE. INV. = 845.10
 4" PVC SW. INV. = 845.02

SANITARY MANHOLE #201
 18" DIA. = 844.44
 12" HOPE N. INV. = 834.33
 4" PVC SW. INV. = 834.23



NOTE: WATER SHALL HAVE 10" HORIZONTAL SEPARATION & 18" VERTICAL SEPARATION FROM ALL SEWERS.

NOTE: WATER SHALL HAVE 10" HORIZONTAL SEPARATION & 18" VERTICAL SEPARATION FROM ALL SEWERS.

- EX. LEGEND**
- = SET 1/2" BARS WITH CAP
 - = TYPICAL ROW AS NOTED
 - = OPEN LINE
 - = DISTANCE NOT TO SCALE
 - = VEHICLE
 - = KERNEL
 - = CONCRETE
 - = GRAVEL
 - = GRADING SPOT ELEVATION
 - = EXISTING SPOT ELEVATION

- = SANITARY MANHOLE
- = DOWNHOLE MANHOLE
- = ELECTRIC MANHOLE
- = TELEPHONE MANHOLE
- = CAT-HOLE
- = SANITARY CLEANOUT
- = FIRE HYDRANT
- = VALVE
- = UTILITY POLE
- = LIGHT POLE
- = RAIL POLE
- = GUY WIRE
- = UTILITY TRENCH
- = TRANSFORMER
- = MANHOLE
- = ELECTRIC METER
- = GAS METER
- = WATER METER
- = SIGN
- = 90°
- = CORNERED TIE
- = AIR CONDITIONED UNIT



BENCHMARKS

BENCHMARK #1 ELEV. = 850.21 (NAVD83)
 SOUTH FLANGE BOLT, UNDER "M" IN "MADE IN USA", FIRE HYDRANT, NORTH OF NORTHWIND DRIVE, ACROSS FROM ENTRANCE DRIVE TO #2875 NORTHWIND DRIVE.

BENCHMARK #2 ELEV. = 852.56 (NAVD83)
 NORTH FLANGE BOLT, UNDER "M" IN "MADE IN USA", FIRE HYDRANT, NORTH OF NORTHWIND DRIVE, 75' NORTH AND 25' EAST OF NORTHEAST CORNER OF #2875 NORTHWIND DRIVE.

- LEGEND**
- = EXIST. CONTOUR
 - = EXIST. WATER MAIN
 - = EXIST. SANITARY SEWER
 - = EXIST. STORM SEWER
 - = EXIST. ELEVATIONS
 - = PROPOSED WATER MAIN
 - = PROPOSED SANITARY SEWER
 - = PROPOSED STORM SEWER
 - = PROPOSED VENT
 - = PROPOSED FLOOR MANHOLE, CULVERT
 - = UTILITY CASING
 - = CENTER LINE OF ROAD
 - = ROAD RIGHT OF WAY
 - = PROPERTY LINE
 - = VISE HYDRANT
 - = WATER VALVE
 - = TRUNK BLOCK
 - = MARKED TOP OF CURB ELEV.

NOTE: PROPOSED WATER & SANITARY SEWER SHALL BE WITHIN A 20' EASEMENT

PROPOSED SAN1
 (7.00' DIA.)
 (E. N. W. 835.61)

- 1) DENOTES NUMBER OF D/P SPACES
- VA) DENOTES VAN ACCESS D/P SPACES
- 1) DENOTES PROPOSED NUMBER OF 2' X 30' PARKING SPACES
- 2) DENOTES PROPOSED NUMBER OF 10' X 15' PARKING SPACES

REVISIONS

NO.	DATE	DESCRIPTION

KEBS, INC. KEYS ENGINEERING
 2116 HAZLETT ROAD, HAZLETT, MI 48842
 PH: 517-338-1014 FAX: 517-338-3047

Red Cedar Manor
 SITE & UTILITY PLAN

SCALE: 1" = 30'
 DATE: 8-1-17
 AUTHORIZED BY: MERIDIAN INVESTMENT GROUP, LLC

APPROVED BY: KEYS ENGINEERING
 SHEET: 2 OF 2
 JOB #: 92403

M.U.P.U.D. & S.U.P. PLAN FOR:
Red Cedar Manor
 MERIDIAN TOWNSHIP, INGHAM COUNTY, MICHIGAN



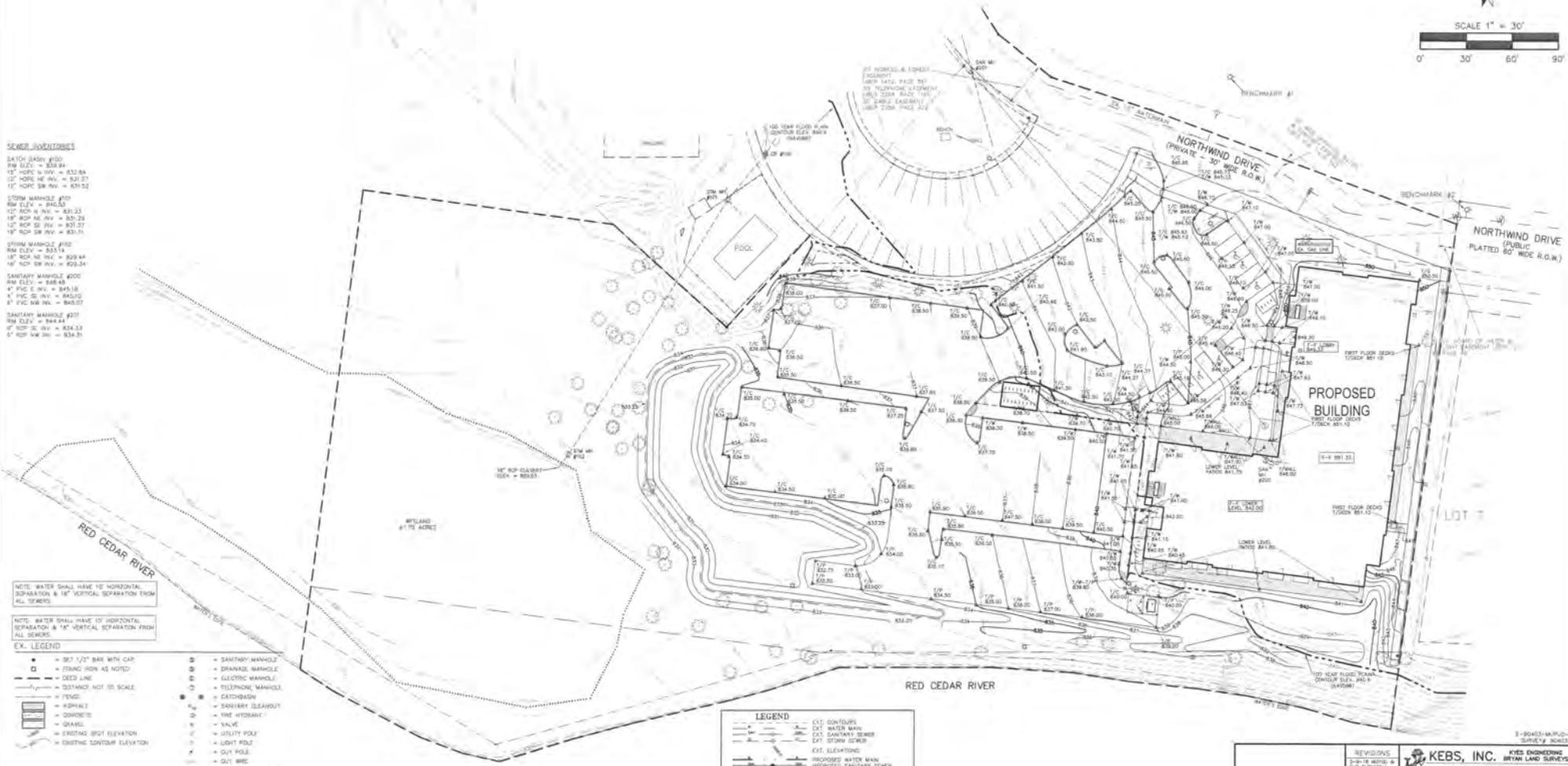
SCALE 1" = 30'
 0' 30' 60' 90'

- SEWER MANHOLES**
- SEATCH BASIN #00
 RM ELEV. = 830.84
 12" HORE IN INV. = 832.84
 12" HORE NE INV. = 831.27
 12" HORE SW INV. = 831.52
- STORM MANHOLE #01
 RM ELEV. = 846.53
 12" ROP IN INV. = 841.23
 18" ROP NE INV. = 831.29
 12" ROP SE INV. = 831.27
 18" ROP SW INV. = 831.11
- STORM MANHOLE #02
 RM ELEV. = 833.18
 18" ROP NE INV. = 829.44
 18" ROP SW INV. = 829.54
- SANITARY MANHOLE #002
 RM ELEV. = 848.49
 4" PVC SE INV. = 848.18
 4" PVC SW INV. = 845.07
- SANITARY MANHOLE #001
 RM ELEV. = 844.44
 4" PVC SE INV. = 844.23
 4" PVC SW INV. = 838.31

- NOTE: WATER SHALL HAVE 10' HORIZONTAL SEPARATION & 18" VERTICAL SEPARATION FROM ALL SEWERS
- NOTE: WATER SHALL HAVE 10' HORIZONTAL SEPARATION & 18" VERTICAL SEPARATION FROM ALL SEWERS
- EX. LEGEND**
- = 36" 1/2" BARE WITH CAP
 - = STANCHION AS NOTED
 - = SEED LINE
 - = DISTANCE NOT TO SCALE
 - = FENCE
 - = ASPHALT
 - = CONCRETE
 - = GRAVEL
 - = EXISTING SPOT ELEVATION
 - = EXISTING CONTIGUOUS ELEVATION
 - = SANITARY MANHOLE
 - = DRAINAGE MANHOLE
 - = ELECTRIC MANHOLE
 - = TELEPHONE MANHOLE
 - = CATCHBASIN
 - = SANITARY CLEANOUT
 - = FIRE HYDRANT
 - = VALVE
 - = UTILITY POOL
 - = LIGHT POLE
 - = GUY POLE
 - = GUY WIRE
 - = UTILITY RESTRICTION
 - = TRANSFORMER
 - = MANHOLE
 - = ELECTRIC METER
 - = GAS METER
 - = WATER METER
 - = D.B.V.
 - = HOI
 - = AIR CONTROLLING UNIT

- BENCHMARKS**
- BENCHMARK #1 ELEV. = 850.21 (NAVD83)
 SOUTH FLANGE BOLT, UNDER "M" IN "MADE IN USA", FIRE HYDRANT, NORTH OF NORTHWIND DRIVE, ACROSS FROM ENTRANCE DRIVE TO #2875 NORTHWIND DRIVE.
- BENCHMARK #2 ELEV. = 852.74 (NAVD83)
 NORTH FLANGE BOLT, UNDER "M" IN "MADE IN USA", FIRE HYDRANT, NORTH OF NORTHWIND DRIVE, TO NORTH AND 25' EAST OF NORTHEAST CORNER OF #2875 NORTHWIND DRIVE.

- LEGEND**
- = EXIST. CONTOURS
 - = EXIST. WATER MAIN
 - = EXIST. SANITARY SEWER
 - = EXIST. STORM SEWER
 - = EXIST. ELEVATIONS
 - = PROPOSED WATER MAIN
 - = PROPOSED SANITARY SEWER
 - = PROPOSED STORM SEWER
 - = PROPOSED C.L.B.
 - = PROPOSED C.L.B.
 - = PROPOSED C.L.B.
 - = CENTER LINE OF ROAD
 - = ROAD RIGHT OF WAY
 - = PROPERTY LINE
 - = FIRE HYDRANT
 - = WATER VALVE
 - = TRIPLET BLOCK
 - = PROPOSED TOP OF CURB ELEV.



1-80403-M.U.P.U.D.-S.U.P. SURVEY BY KEBS, INC.

KEBS, INC. KIES ENGINEERING
 BRYAN LAND SURVEYS
 2016 HAZLETT ROAD, HAZLETT, MI 48840
 PH. 517-338-1014 FAX 517-338-3047
 Meridian Office
 Ph. 269-781-2800

Red Cedar Manor
 GRADING & FLOODPLAIN PLAN

REVISIONS

SCALE: 1" = 30'

DATE: 05-11

AUTHORIZED BY: MERIDIAN INVESTMENT GROUP, LLC

DESIGNED BY: JLM

CHECKED BY: JLM

DRAWN BY: JLM

DATE: 05-11

SHEET 3 OF 7

JOB # 90403



I:\2004\05\03\0003-M.U.P.U.D.-S.U.P. SURVEY BY KEBS, INC.

EX. PERVIOUS/IMPERVIOUS PLAN

"2875 NORTHWIND DRIVE AND VACANT GRAND RIVER AVENUE, EAST LANSING, MI 48823"

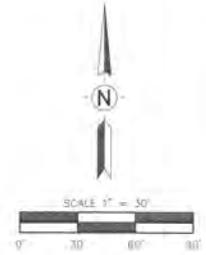
FOR: MERIDIAN INVESTMENT GROUP, LLC

BENCHMARKS

BENCHMARK #1 ELEV = 859.21 (NAVD83)
SOUTH FLANGE BOLT, UNDER "N" IN "MADE IN USA", FIRE HYDRANT, NORTH OF NORTHWIND DRIVE, ACROSS FROM ENTRANCE DRIVE TO #2875 NORTHWIND DRIVE.

BENCHMARK #2 ELEV = 852.58 (NAVD83)
NORTH FLANGE BOLT, UNDER "N" IN "MADE IN USA", FIRE HYDRANT, NORTH OF NORTHWIND DRIVE, 70' NORTH AND 25' EAST OF NORTHEAST CORNER OF #2875 NORTHWIND DRIVE.

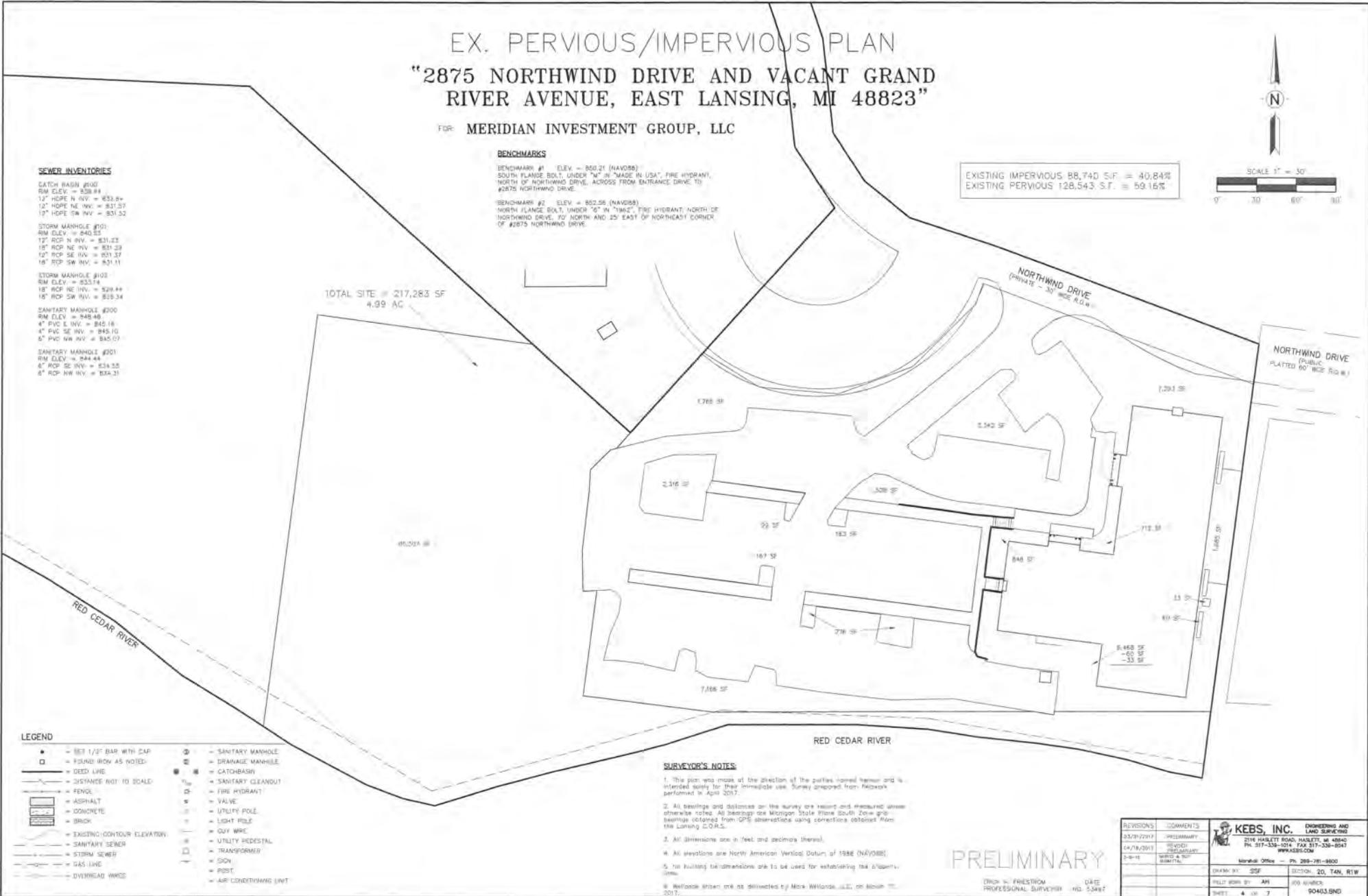
EXISTING IMPERVIOUS 88,740 S.F. = 40.84%
EXISTING PERVIOUS 128,543 S.F. = 59.16%



SEWER INVENTORIES

- CATCH BASIN #100**
RM ELEV = 838.84
12" HOPE N INV. = 833.84
12" HOPE NE INV. = 831.57
12" HOPE SW INV. = 831.52
- STORM MANHOLE #101**
RM ELEV = 840.55
12" RCP N INV. = 831.23
18" RCP NE INV. = 831.23
12" RCP SE INV. = 831.37
18" RCP SW INV. = 831.11
- STORM MANHOLE #102**
RM ELEV = 833.14
18" RCP NE INV. = 829.44
18" RCP SW INV. = 818.34
- SANITARY MANHOLE #200**
RM ELEV = 845.48
4" PVC E INV. = 842.18
4" PVC SE INV. = 845.10
6" PVC NW INV. = 845.07
- SANITARY MANHOLE #201**
RM ELEV = 844.44
4" RCP SE INV. = 834.55
4" RCP NW INV. = 834.31

TOTAL SITE = 217,283 SF
4.99 AC



LEGEND

	= 1/2" BAR WITH CAP		= SANITARY MANHOLE
	= ROUND IRON AS NOTED		= DRAINAGE MANHOLE
	= DEAD LINE		= CATCHBASIN
	= DISTANCE NOT TO SCALE		= SANITARY CLEANOUT
	= FENCE		= FIRE HYDRANT
	= ASPHALT		= VALVE
	= CONCRETE		= UTILITY POLE
	= BRICK		= LIGHT POLE
	= EXISTING CONTOUR ELEVATION		= GUY WIRE
	= SANITARY SEWER		= UTILITY PEDESTAL
	= STORM SEWER		= TRANSFORMER
	= GAS LINE		= SIGN
	= OVERHEAD WIRE		= POST
			= AIR CONDITIONING UNIT

SURVEYOR'S NOTES

- This plan was made at the direction of the parties named herein and is intended solely for their immediate use. Survey prepared from records performed in April 2017.
- All bearings and distances on this survey are taken and measured unless otherwise noted. All bearings are Monaghan State Plane South Zone grid bearings obtained from GPS measurements using corrections obtained from the Lansing CORS.
- All dimensions are in feet and decimals thereof.
- All elevations are North American Vertical Datum of 1988 (NAVD83).
- All building dimensions are to be used for estimating tax liability.
- Wellmark shown and its delineated by Mark Wellmark, LLC, on March 11, 2017.

PRELIMINARY

DRAWN BY: FRIESTROM
PROFESSIONAL SURVEYOR
DATE: 5/24/17

REVISIONS	COMMENTS	KEBS, INC. ENGINEERING AND LAND SURVEYING	
23/07/2017	PRELIMINARY	2116 HASELTT ROAD, HASELTT, MI 48840	PH: 317-338-1014 FAX: 317-338-8047
04/18/2017	REVISED PER CLIENT	WWW.KEBS.COM	
5-8-17	REVISIONS & NOT SUBMITTAL	Head Office - Ph: 288-781-8800	
		DRAWN BY: SSF	SECTION: 20, T4N, R1W
		FIELD BOOK BY: AHI	JOB NUMBER
		SHEET: 4 OF 7	90403.BND

RED CEDAR MANOR

MUPUD-SUP Submission Set 04.25.18

TOTAL BUILDING S.F.
70,213 S.F.

TOTAL:UNITS 88 (107 BEDROOMS)



2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 1



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 2



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 3



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 4



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 5



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 6

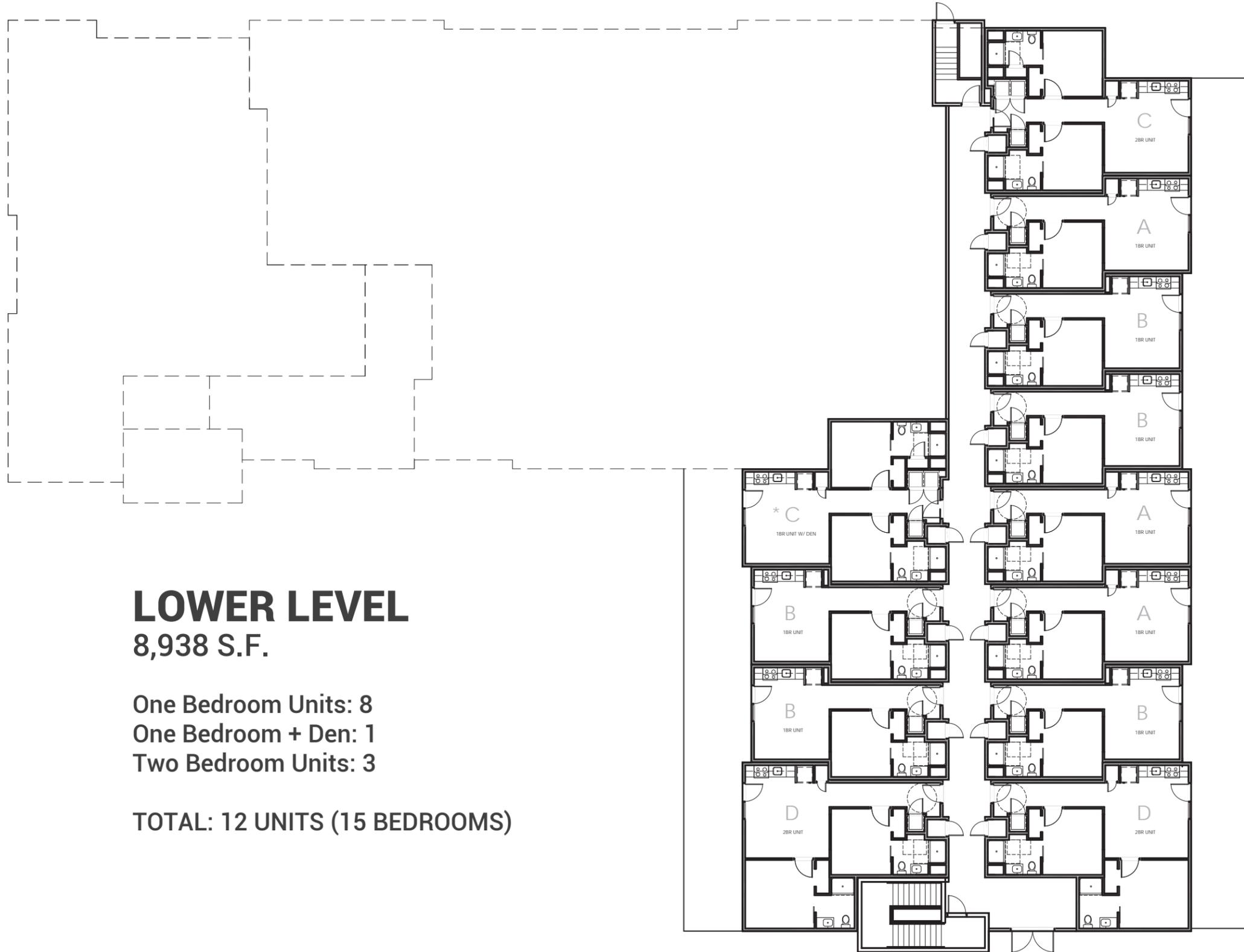


RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 7



LOWER LEVEL
8,938 S.F.

One Bedroom Units: 8
 One Bedroom + Den: 1
 Two Bedroom Units: 3

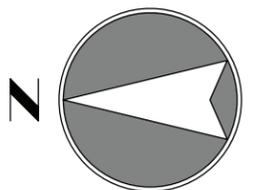
TOTAL: 12 UNITS (15 BEDROOMS)

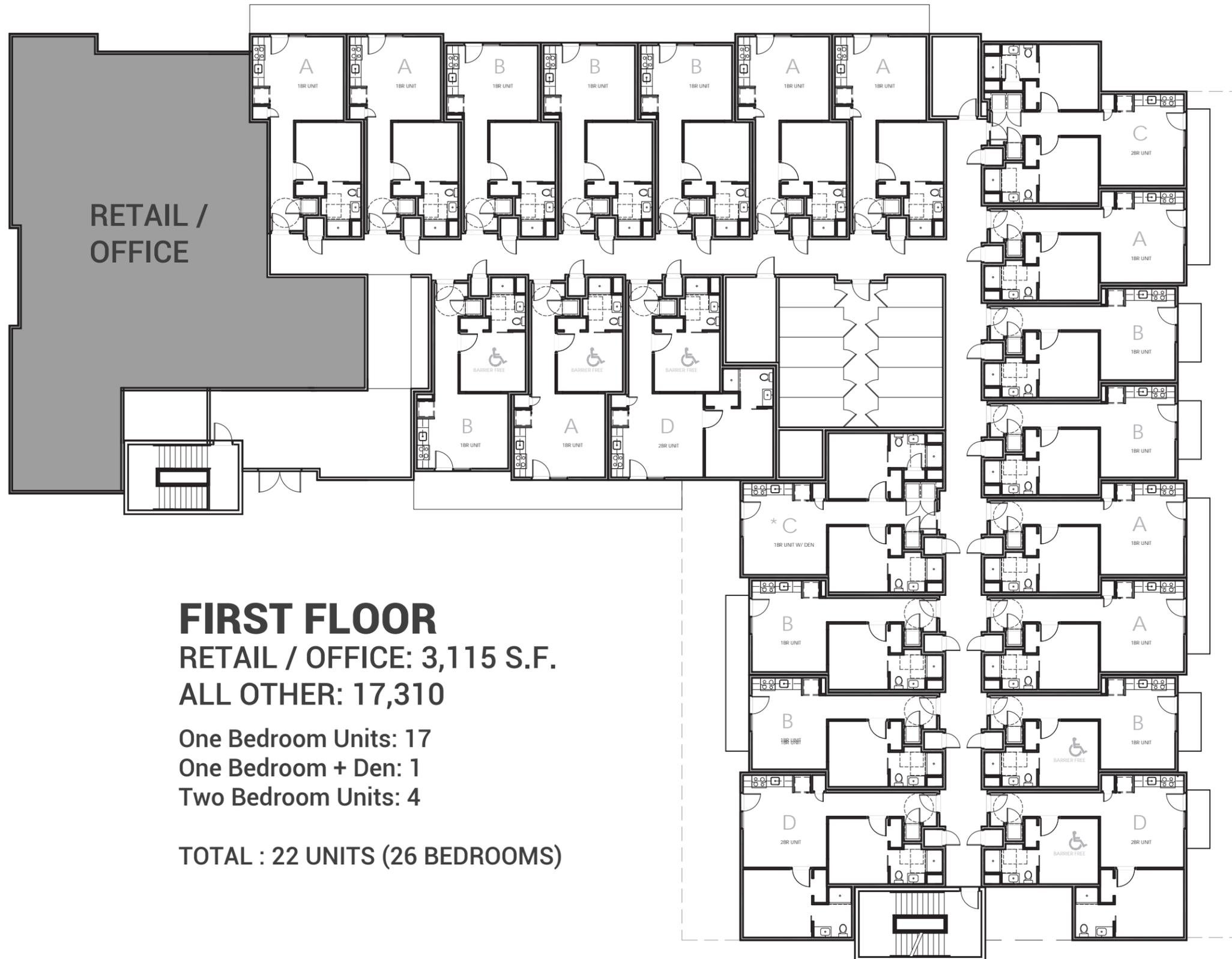
RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 8

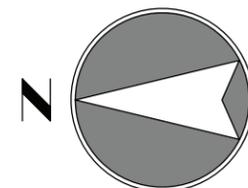




FIRST FLOOR
 RETAIL / OFFICE: 3,115 S.F.
 ALL OTHER: 17,310

One Bedroom Units: 17
 One Bedroom + Den: 1
 Two Bedroom Units: 4

TOTAL : 22 UNITS (26 BEDROOMS)



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 9

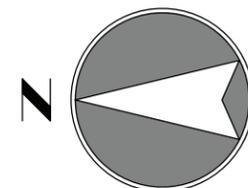




SECOND FLOOR
20,425 S.F.

One Bedroom Units: 20
 One Bedroom + Den: 1
 Two Bedroom Units: 6

TOTAL: 27 UNITS (33 BEDROOMS)



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 10





THIRD FLOOR
20,425 S.F.

One Bedroom Units: 20
 One Bedroom + Den: 1
 Two Bedroom Units: 6

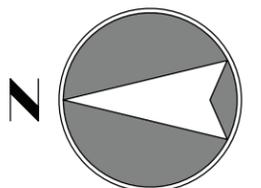
TOTAL: 27 UNITS (33 BEDROOMS)

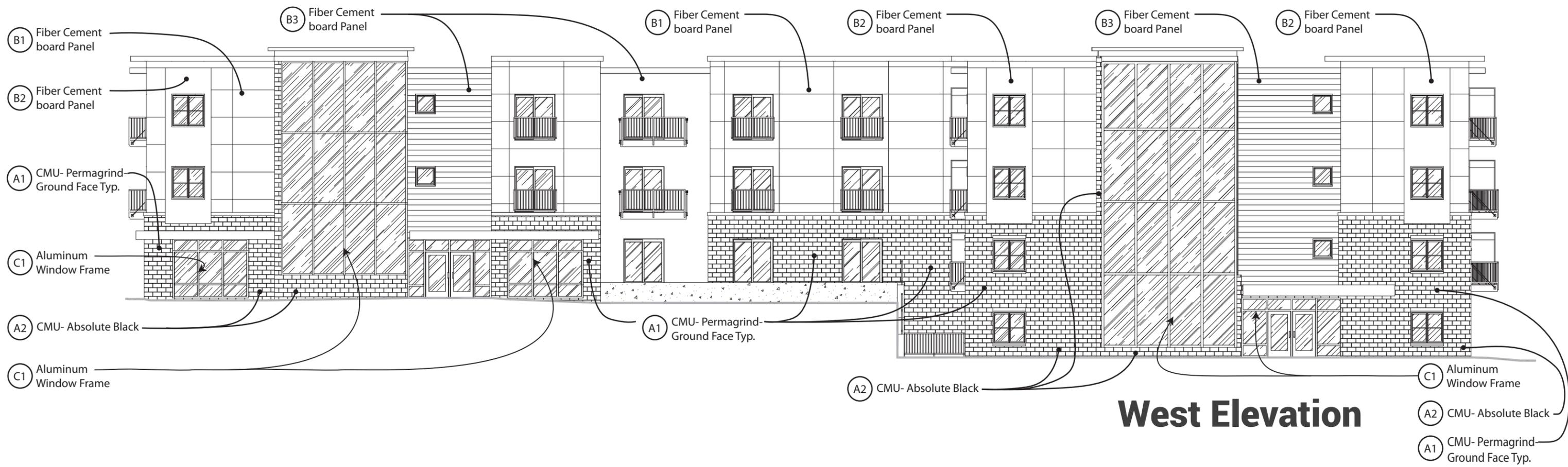
RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

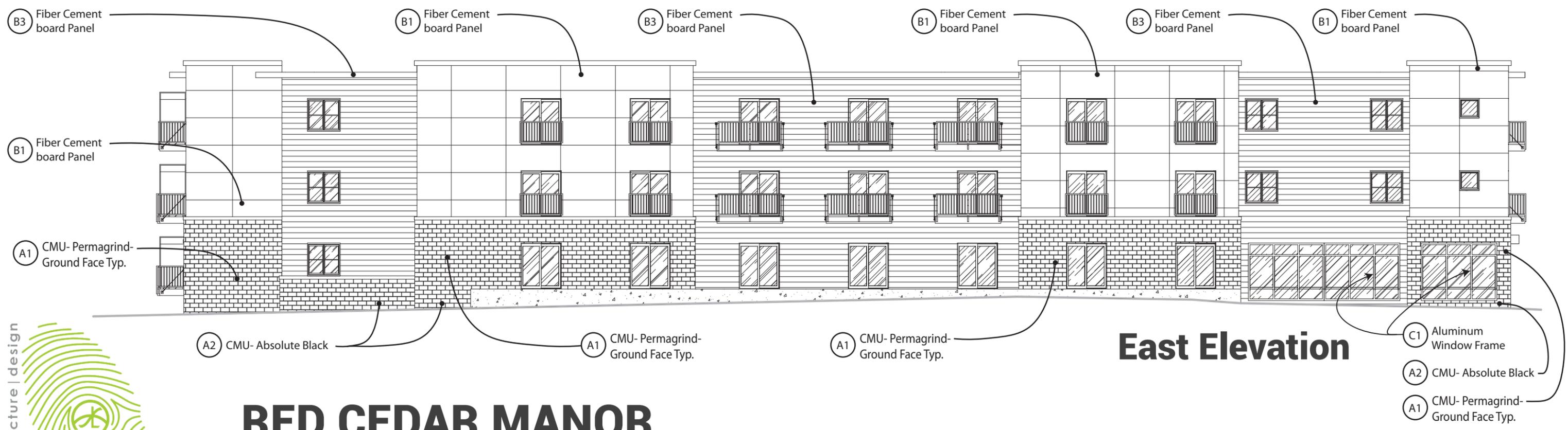
MUPUD-SUP Submission Set 04.25.18

PAGE 11





West Elevation



East Elevation

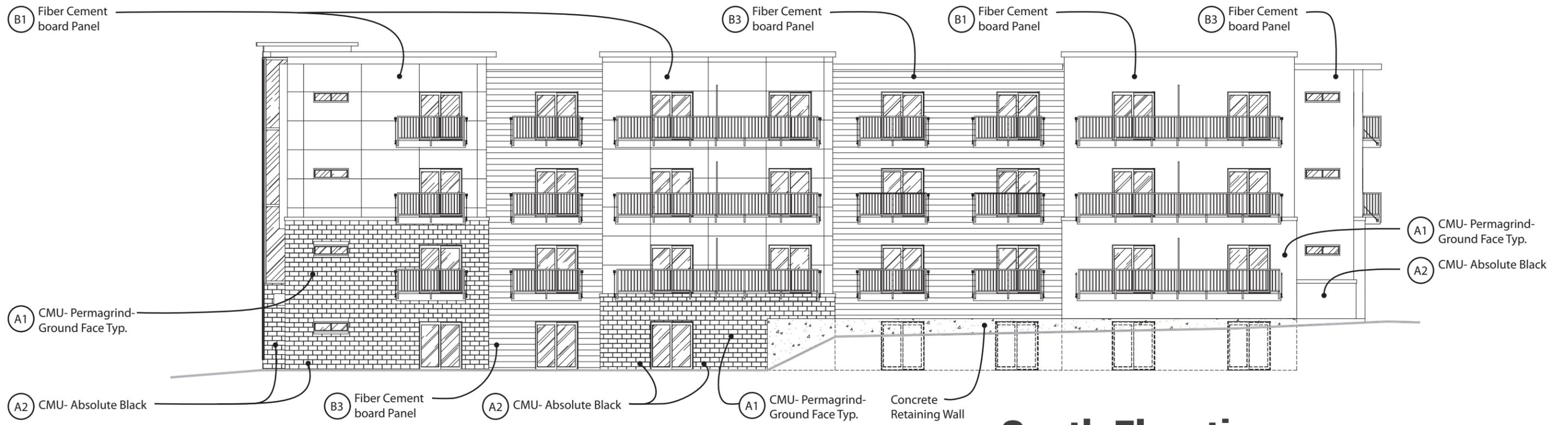


RED CEDAR MANOR

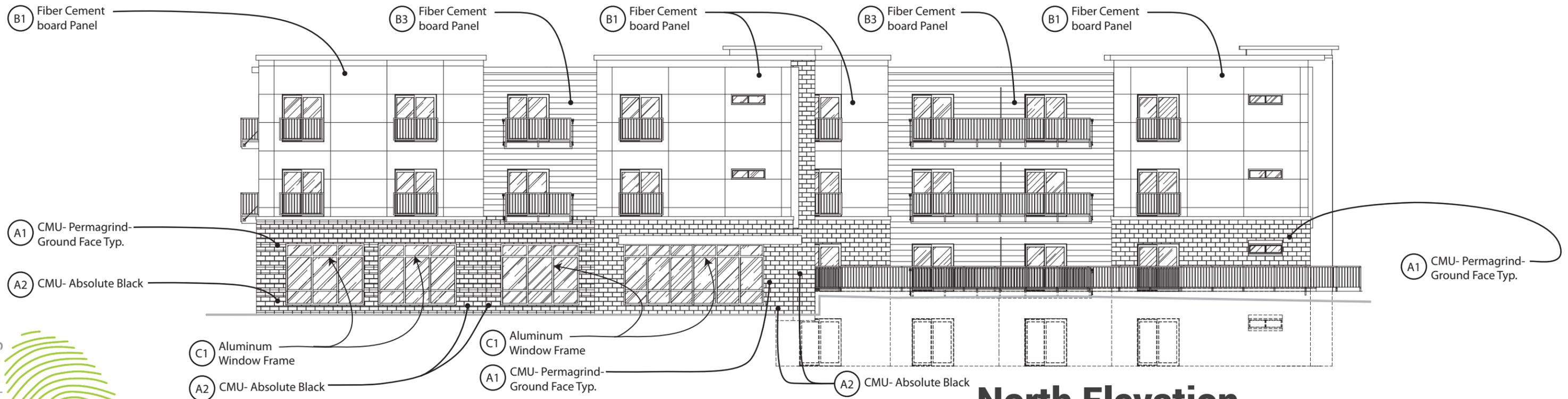
2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 12



South Elevation



North Elevation

RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

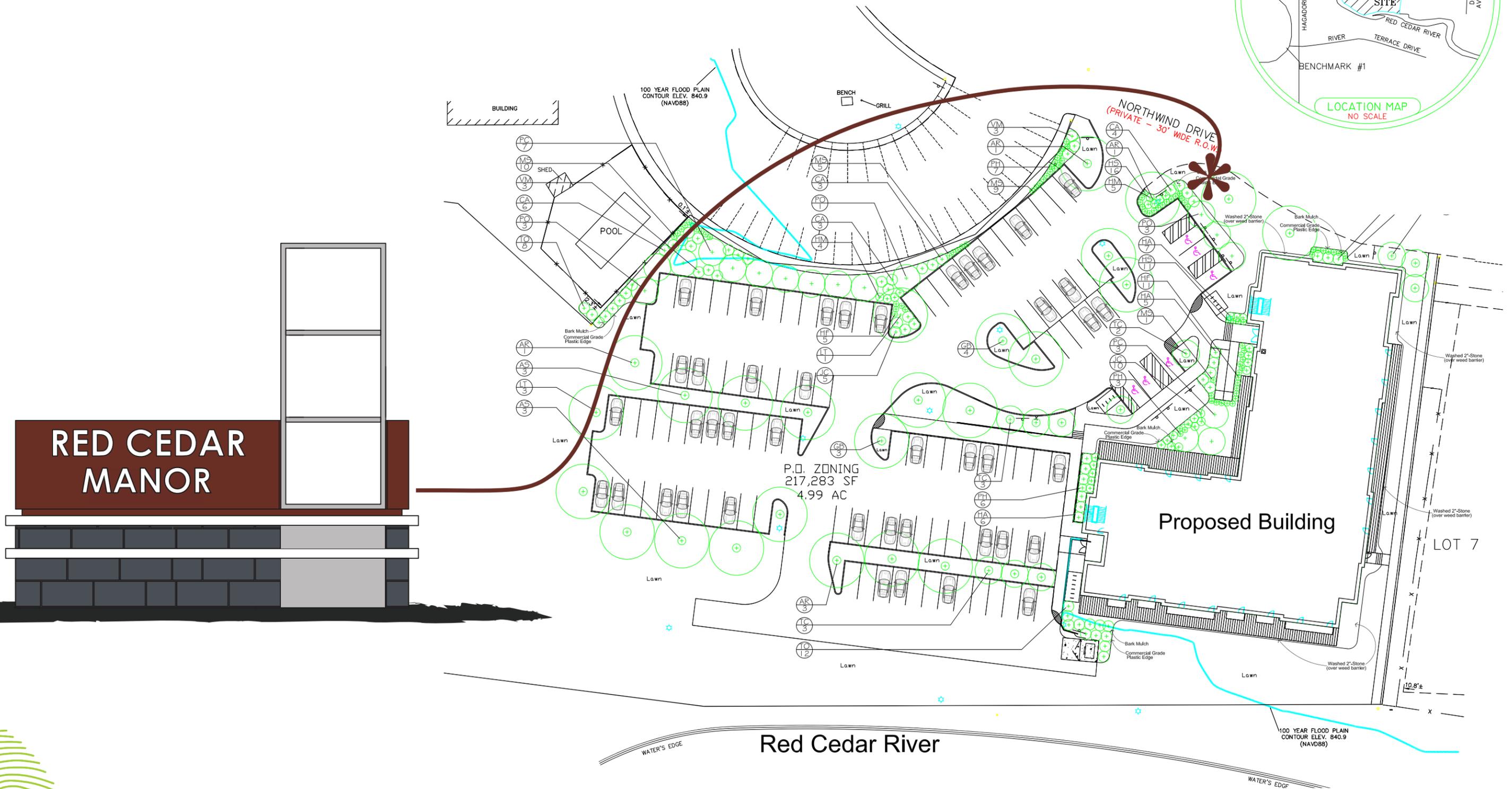
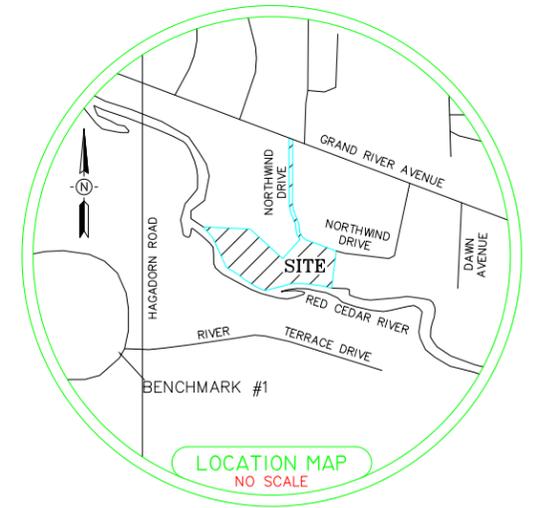
MUPUD-SUP Submission Set 04.25.18

PAGE 13



RED CEDAR MANOR - MONUMENT ENTRY SIGN

Location: Monument sign with tenant panels shall be located at the Northwest corner of the project, at the entry from Northwind Dr.

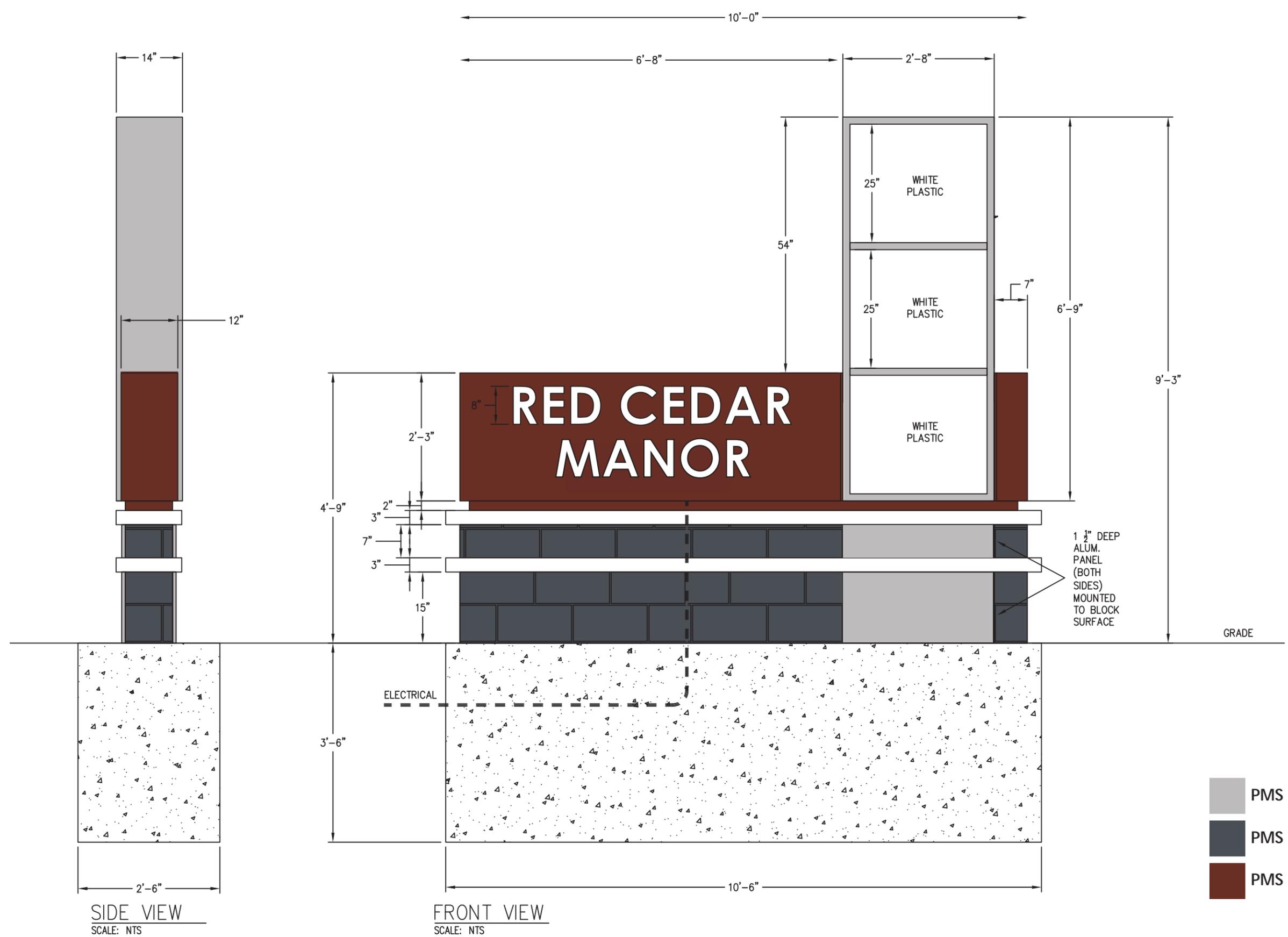


RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 14



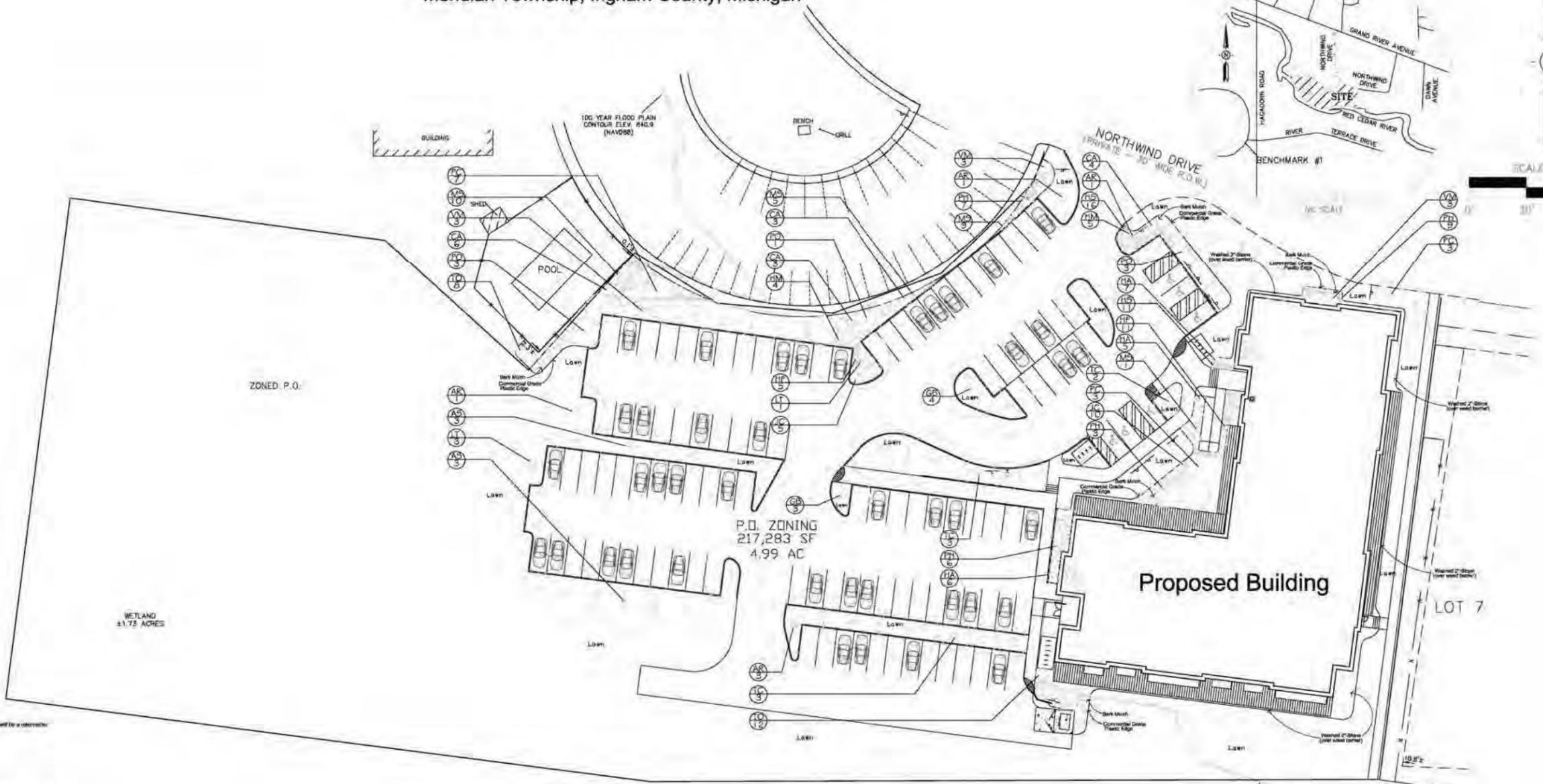
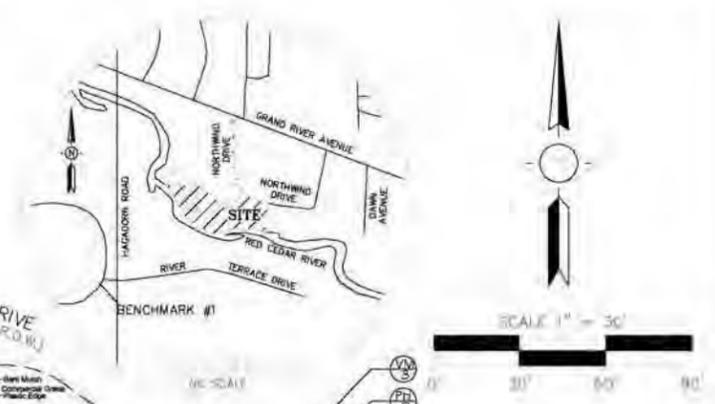
RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 04.25.18

PAGE 15

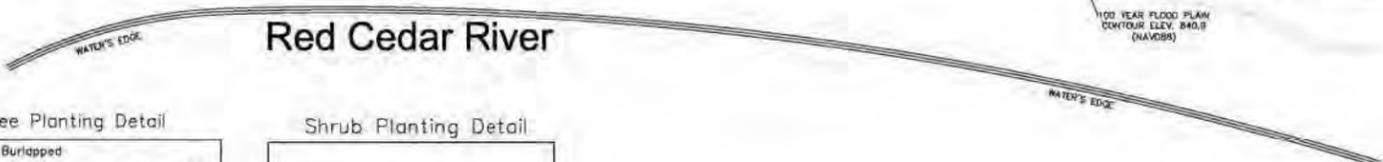
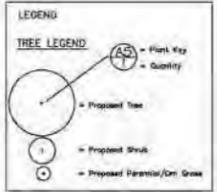
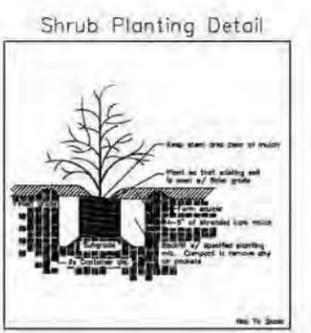
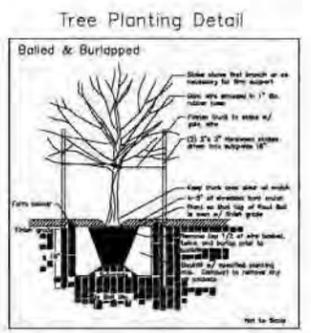
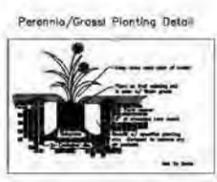
M.U.P.U.D. & S.U.P. Plan For:
Red Cedar Flats PH 3
 Meridian Township, Ingham County, Michigan



- INSTALL 3" x 12 GA EDGING TO SEPARATE LAWN FROM PLANTING BED (Edg King by Dp-Cla or better)
- INSTALL 3" DEEP SHREDDED BARK MULCH TO ALL PLANTING AREAS BEHIND AND TREE SAUCERS (NO POLY-FILM)
- INSTALL A KENTUCKY BLUEGRASS SOO (SUNSHADE) VARIETY THAT IS FREE OF WEEDS
- SEED AREAS WITH THE FOLLOWING:
 25% DORSETT KENTUCKY BLUEGRASS
 25% NASSAM KENTUCKY BLUEGRASS
 20% BRYSTOL KENTUCKY BLUEGRASS
 10% PERENNIAL RYE GRASS
 APPLY AT THE RATE OF 5 TO 6 LBS PER 1,000 SQUARE FOOT
- CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES, AS WELL AS THE LOCATION OF EXISTING TREES AND VEGETATION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COST INCURRED DUE TO DAMAGE/REMOVAL OF SAID ELEMENTS
- ANY DISCREPANCIES BETWEEN PLANS, NOTES, DETAILS AND EXISTING CONDITIONS SHALL BE IMMEDIATELY REPORTED TO THE OWNER'S AUTHORIZED REPRESENTATIVE FOR REVIEW AND DECISION. CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION
- CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING MATERIAL IMPROVEMENTS, DAMAGED DURING CONSTRUCTION
- SITE BOUNDARY, TOPOGRAPHY, UTILITIES AND OTHER BASIC INFORMATION PROVIDED BY OTHERS
- CONTRACTOR SHALL VERIFY QUANTITIES SHOWN ON PLANT SCHEDULES AND THOSE INDICATED ON PLANS. CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF QUANTITIES DRAWN
- CONTRACTOR SHALL MAKE MINOR ADJUSTMENTS TO PLANT MATERIAL LOCATIONS IN FIELD AS NECESSARY. THE LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE
- ALL PLANT MATERIAL SHALL BE OF THE SIZES CALLED FOR IN THE PLANT SCHEDULES. ANY PLANT MATERIAL NOT MEETING THE SIZES AND/OR QUALITY AS CALLED FOR SHALL BE REMOVED FROM SITE. ALL TREES SHALL BE INSPECTED AND APPROVED BY THE OWNER'S AUTHORIZED REPRESENTATIVE. NO SUBSTITUTIONS OF PLANT MATERIAL SHALL BE MADE WITHOUT APPROVAL FROM THE OWNER'S AUTHORIZED REPRESENTATIVE
- ALL PROPOSED TREES OVER 2" CAL. SHALL BE GUYED/STAKED SECURE. SEE EVERGREEN TREE PLANTING/GUYING DETAIL, OR DECIDUOUS TREES PLANTING/GUYING DETAIL, WHERE APPLICABLE
- ALL PLANTING BEDS TO BE TREATED WITH PRE-EMERGENT HERBICIDE. CONTRACTOR SHALL INSURE THAT PROPOSED PLANT MATERIAL IS RESISTANT TO THE HERBICIDE PROPERTIES AND THAT HERBICIDE APPLICATION FOLLOWS THE MANUFACTURER'S SPECIFICATIONS AND IS APPLIED IN ACCORDANCE WITH SOUND HORTICULTURAL PRACTICES
- CONTRACTOR SHALL DETERMINE APPROPRIATE PLANTING BACKFILL MIXTURE (BASED ON SOILS/SUBSURFACE CONDITIONS) AND REVIEW ALTERNATIVES WITH OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION
- Install 2" Weather Resistant Berms, 2" deep (used for maintenance buffer 18" from excavation). Berms will be a minimum 10' long, 6" high and will be installed to complete the dig site.

Plant List

Quantity	Key	Botanical	Common	Size
6	AR	Acer rubrum 'Red Sunset'	Red Sunset Maple	2.5-3'
6	AS	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2.5-3'
7	GB	Ginkgo biloba 'Autumn Gold'	Autumn Gold Maidenhair Tree	2.5-3'
4	LT	Liriodendron tulipifera	Tulip Tree	2.5-3'
13	PC	Pyrus calleryana 'Cleveland Select'	Cleveland Select Pear	2.5-3'
7	PD	Picea omorika	Serbian Spruce	6-7'
8	TC	Tilia cordata 'Greenspire'	Greenspire Linden	2.5-3'
16	CA	Cornus a. 'Variegotta'	Variegated Redtwig Dogwood	3 Gal
18	HA	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	3 Gal
9	HM	Hydrangea macrophylla 'Endless Summer'	Endless Summer Hydrangea	3 Gal
15	JC	Juniperus chinensis 'Old Gold'	Old Gold Juniper	3 Gal
20	TD	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	4-5'
9	VM	Viburnum plicatum maresii	Doublefile Viburnum	4-5'
27	HS	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	2 Gal
16	HF	Hemerocallis flava	Lenox Yellow Daylily	2 Gal
25	MS	Miscanthus s. gracillimus	Maiden Hair Grass	2 Gal
25	PH	Pennisetum 'Haneln'	Dwarf Fountain Grass	2 Gal



Landscape Plan



Outdoor Living, Inc.
 2720 Alpha Access
 Lansing, MI 48910-3608
 Phone: (517) 484-0230

Project: Red Cedar Flats PH 3
Address: 2875 Northwind Dr.
City: East Lansing, MI 48823

Client: ASL Architecture Design
 720 E. Michigan Ave.
 Lansing, MI 48912

Scale: 1"=30'-0"
Date: 2-28-18

Drawn By: Tim Banfield
 LIA #0014 LCA #010004

Revision:
File #: 18989-C

72 HOURS (7 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG 800-487-7171 (TOLL-FREE)



To: Planning Commission

From: Peter Menser, Principal Planner

Date: January 9, 2019

Re: Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC), construct 70,213 square foot mixed use building with 3,115 square feet of commercial space and 88 apartments.

The Planning Commission held the public hearing for MUPUD #18034 at its meeting on June 11, 2018. Shortly after the public hearing the project was put on hold while issues related to the location of the property in the floodway of the Red Cedar River were addressed. The project is now back for consideration by the Planning Commission before moving on to the Township Board for a public hearing and decision. The staff report from the public hearing is attached to provide an overview of the request. This staff report will provide updated information on several items, including the proposed work in the floodway, additional amenities proposed by the applicant, and an updated list of waivers.

Floodplain

The property is located in the floodway of the Red Cedar River. The submitted site plans show the building is located outside of the floodplain but most of the parking lot is located in the floodway. As proposed the lowest finished floor of the new building will be located at least one foot above the floodplain elevation of 840.9. To address grade issues with the existing parking lot the applicant was required to apply for a permit from the Michigan Department of Environmental Quality (MDEQ). In November of 2018 the MDEQ approved the permit allowing the applicant to excavate 1,154 cubic yards of soil from the floodway, which includes the removal of some areas of the existing parking lot and installation of a retention basin to provide storm water pre-treatment.

In addition to the MDEQ permit, the applicant also sought and received a variance from the Zoning Board of Appeals (ZBA) for the excavation in the floodway. The Code of Ordinances does not allow excavation in the floodway for a parking lot ancillary to a commercial development, however Section 86-436(r) of the Code of Ordinances allows for the Zoning Board of Appeals (ZBA) to grant a variance from the strict interpretation of the regulations set forth in in the Conservancy District (CV District) section of the Zoning Ordinance. This provision allows the ZBA to consider floodplain projects not covered by the Township's floodplain regulations. The ZBA reviewed the project and granted approval of the variance request at its meeting on December 12, 2018.

While the public hearing at the June 11, 2018 Planning Commission meeting included a special use permit for work in the floodplain, that special use permit is no longer required as the floodplain work was instead reviewed by the ZBA. The Department of Public Works and Engineering reviewed the plans and concluded that the proposed excavation in the floodway will not result in increased flood levels.

Amenities

One or more amenities are required for every MUPUD project. Residential density is allowed up to 14 du/a for a redevelopment project, but can be increased to 18 du/a with the provision of four or more unique and extraordinary amenities acceptable to the Township. The four amenities required to qualify for the density bonus to 18 du/a must be in addition to the one amenity required for the MUPUD, so a minimum of five amenities are required for the project.

The submitted site plan lists the following amenities: connection to non-motorized pathway and future river trail, easement to be granted to Township for river trail, increased pervious area, and covered bike parking. In a letter dated January 8, 2019 the applicant offered three additional amenities for the project: rehabilitation of a degraded site, installation of an electric car charging station, and innovative lighting, which includes LED lighting to be used through-out the building.

Waiver requests

Based on the submitted site plan the applicant is requesting the following waivers for the Red Cedar Manor project.

Front yard setback

A 25 foot front yard setback from the street right-of-way (ROW) line is required along Northwind Drive. At its closest point the proposed building is located 13.99 feet from the Northwind Drive ROW. A waiver of 11.01 feet is requested for the front yard building setback.

Setback from residential zoning district

In the PO zoning district no structure is permitted within 50 feet of any residential district boundary line. The proposed building is located 19.47 feet from the RC (Multiple Family) property to the east. A waiver of 30.53 feet is requested for the setback from the residential zoning district boundary.

Parking lot setback

Where a parking area with a capacity of 50 or more vehicles adjoins a residential district a landscaped buffer at least 40 feet wide must be provided between the parking area and the adjoining property line. At its closest point the parking lot on the north side of the property is located 2.49 feet from the RCC zoning district line. A waiver of 37.51 feet is requested for the parking lot setback from a residential zoning district.

Parking

213 parking spaces are required for the project based on the number of residential units and commercial space in the building. 116 parking spaces are proposed by the applicant. A waiver of 97 parking spaces is requested.

Freestanding sign

The submitted plans show a 9' 3" monument sign located on the east side of the driveway at Northwind Drive. The MUPUD ordinance notes freestanding signs are generally not permitted in a MUPUD. Exceptions for freestanding signs of the monument type may be permitted when a building is set back a minimum of 15 feet from the right-of-way (ROW) line with the resulting yard set aside for permanent public open space. The building is set back approximately 14 feet from the Northwind Drive ROW. A waiver will be required to install the freestanding sign.

Planning Commission Options

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

Attachments

1. Letter from Ronald A. Calhoun regarding site amenities dated January 8, 2019.
2. MDEQ Notice of Authorization dated November 21, 2018.
3. ZBA approval letter dated December 13, 2018.
4. Revised site plan prepared by Kebs, Inc. dated May 5, 2017 (revision date December 28, 2018) and received by the Township on December 27, 2018.
5. Architectural renderings, floor plans, building elevations, and sign plan prepared by ASL dated January 14, 2019 and received by the Township on December 27, 2018.
6. Landscape plan prepared by Outdoor Living, Inc. dated February 28, 2018 and received by the Township on December 27, 2018.

G:\Community Planning & Development\Planning\MIXED USE PLANNED UNIT DEVELOPMENTS (MUPUD)\2018\MUPUD 18034 (Meridian Investment Group LLC) Red Cedar Manor\MUPUD 18034.pc1.docx

MERIDIAN INVESTMENT GROUP, LLC

Peter Menser
Principal Planner
Meridian Charter Township
5151 Marsh Road
Okemos, MI 48864

January 8, 2019

Re: Red Cedar Manor Amenities

Peter,

In response to your email dated January 3, 2019, I offer the following amenities for our MUPUD Application.

Please note Sheet 6 of 7 "Proposed Amenities" shall be modified as follows:

Delete Notes 1 & 2

Add the following to Notes 3 & 4 respectfully,

Note 3 - Section 86-440 (e) (3) (b) 1

Note 4 - Section 86-440 (e) (3) (c) 3

See attached

Add Notes –

Note 5 - Rehabilitation of Degraded Sites

Section 86-440 (e) (3) (b) 2

Note 6 – Electric Car Charging Station

Section 86-440 (e) (3) (a) 4

Note 7 – Innovative Lighting

LED Lighting to be used thru-out building

Section 86-440 (e) (3) (f) 6

I believe that the above represents five (5) proposed amenities for our project, which are required for the MUPUD application submitted. Please let me know if you have any questions?

Respectfully,
Meridian Investment Group, LLC



Ronald A. Calhoun, P.E., P.S.
Director of Engineering and Development





Description

Versatile Shelter Features Style and Function

- Stylish curved lines provide a contemporary look
- Offer outdoor bike protection from the elements
- Translucent polycarbonate roof and high bike parking capacity
- Small footprint and two-sided accessibility
- 9' x 13' or 9' x 31' sizes accommodate a variety of bike parking needs
- Hidden hardware provides a sleek appearance
- Multi-wall translucent polycarbonate roofing
- Available in Black powder-coated or Galvanized finish steel structural frames
- Surface-mounting anchor plates are made of rust-proof stainless steel
- All fabrication and components meet Buy America Requirements
- Designed to be anchored to a level concrete surface to meet local loading requirements
- Pair with large variety of bike racks to fit your need, bike racks sold separately



NOTICE OF AUTHORIZATION

Permit Number: WRP014400 v. 1
Site Name: 33-2875 North Wind Drive,
East Lansing (Red Cedar Manor)

Date Issued: November 21, 2018
Expiration Date: November 21, 2023

The Michigan Department of Environmental Quality, Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

- Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
- Part 301, Inland Lakes and Streams.
- Part 303, Wetlands Protection.

Authorized activity:

- Remove existing building from uplands (base on existing grades) and part of existing parking within floodplains.
- Construct new building in uplands and above the 100-year flood elevation.
- Replace/regrade walks and parking lot at, or below existing elevations.
- Install sediment basin with perforated riser with 12-inch outlet discharging overland toward regulated wetlands and Red Cedar River.
- At outlet install 0.5 cubic yards of riprap to prevent erosion.
- A net excavation of 1,154 cubic yards results.

To be conducted at property located in: Ingham County, Waterbody: Red Cedar River, Section 20, Town 04N, Range 01W, Meridian Charter Township.

Permittee:
Meridian Investment Group, LLC
Attention: Mr. Scott Chappelle
5000 Northwind Drive, Suite 120
Okemos, MI 48864

A handwritten signature in black ink that reads 'Donna Cervelli'.

Donna Cervelli
Lansing District Office
Water Resources Division

This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.
Please refer to the above permit number with any questions or concerns.

DEQ-WRD
WRP014400 v1.0
Approved
Issued On:11/21/2018
Expires On:11/21/2023

CHARTER TOWNSHIP OF MERIDIAN

Ronald J. Styka
Brett Dreyfus
Julie Brixie
Frank L. Walsh

Supervisor
Clerk
Treasurer
Manager



Phil Deschaine
Patricia Herring Jackson
Dan Opsommer
Kathy Ann Sundland

Trustee
Trustee
Trustee
Trustee

December 13, 2018

Meridian Investment Group, LLC
ATTN: Scott Chappelle
2875 Northwind Drive
East Lansing, MI 48823

**RE: Zoning Board of Appeals #18-12-12-2 (Meridian Investment Group, LLC)
2875 Northwind Drive**

Dear Mr. Chappelle:

The Zoning Board of Appeals, at its regular meeting held on December 12, 2018 voted to **approve** your request for a variance from the following section of the Code of Ordinances:

- Section 86-436(r), standards for variance by the Zoning Board of Appeals from the strict interpretation of the regulations set forth in Section 86-436 CV (Conservancy District).

Approval of the variance permits the excavation of 1,154 cubic yards of material from the floodway, which includes the removal of a portion of the existing parking lot at 2875 Northwind Drive. The remaining parking lot will be milled and re-surfaced for use by the residents of the proposed mixed use planned unit development (MUPUD #18034). A detention basin will be installed in the excavated area to provide storm water pre-treatment.

Any modification that would affect the intent of the variance would require approval by the Zoning Board of Appeals. The effective date of the variance is December 12, 2018, the date the Zoning Board of Appeals approved the variance. The work approved by the variance shall commence within 24 months of the date of the approval of the variance, and the work must be completed within 18 months from the date the work started or the variance shall be void.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "Mark Kieselbach". The signature is written in a cursive style.

Mark Kieselbach
Director of Community Planning and Development

CC: Ron Calhoun
Jeff Kyes, Kebs, Inc.
Building Division

EX. PERVIOUS/IMPERVIOUS PLAN

"2875 NORTHWIND DRIVE AND VACANT GRAND RIVER AVENUE, EAST LANSING, MI 48823"

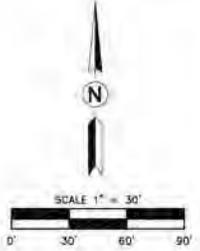
FOR: MERIDIAN INVESTMENT GROUP, LLC

BENCHMARKS

BENCHMARK #1 ELEV = 850.21 (NAVD88)
SOUTH FLANGE BOLT, UNDER "W" IN "MADE IN USA" FIRE HYDRANT,
NORTH OF NORTHWIND DRIVE, ACROSS FROM ENTRANCE DRIVE TO
#2875 NORTHWIND DRIVE.

BENCHMARK #2 ELEV = 852.56 (NAVD88)
NORTH FLANGE BOLT, UNDER "S" IN "1965" FIRE HYDRANT, NORTH OF
NORTHWIND DRIVE, 70' NORTH AND 25' EAST OF NORTHEAST CORNER
OF #2875 NORTHWIND DRIVE.

EXISTING IMPERVIOUS 88,740 S.F. = 40.84%
EXISTING PERVIOUS 128,543 S.F. = 59.16%



SEWER INVENTORIES

CATCH BASIN #100
RM ELEV. = 836.94
12" HOPE N INV. = 832.84
12" HOPE NE INV. = 831.57
12" HOPE SW INV. = 831.52

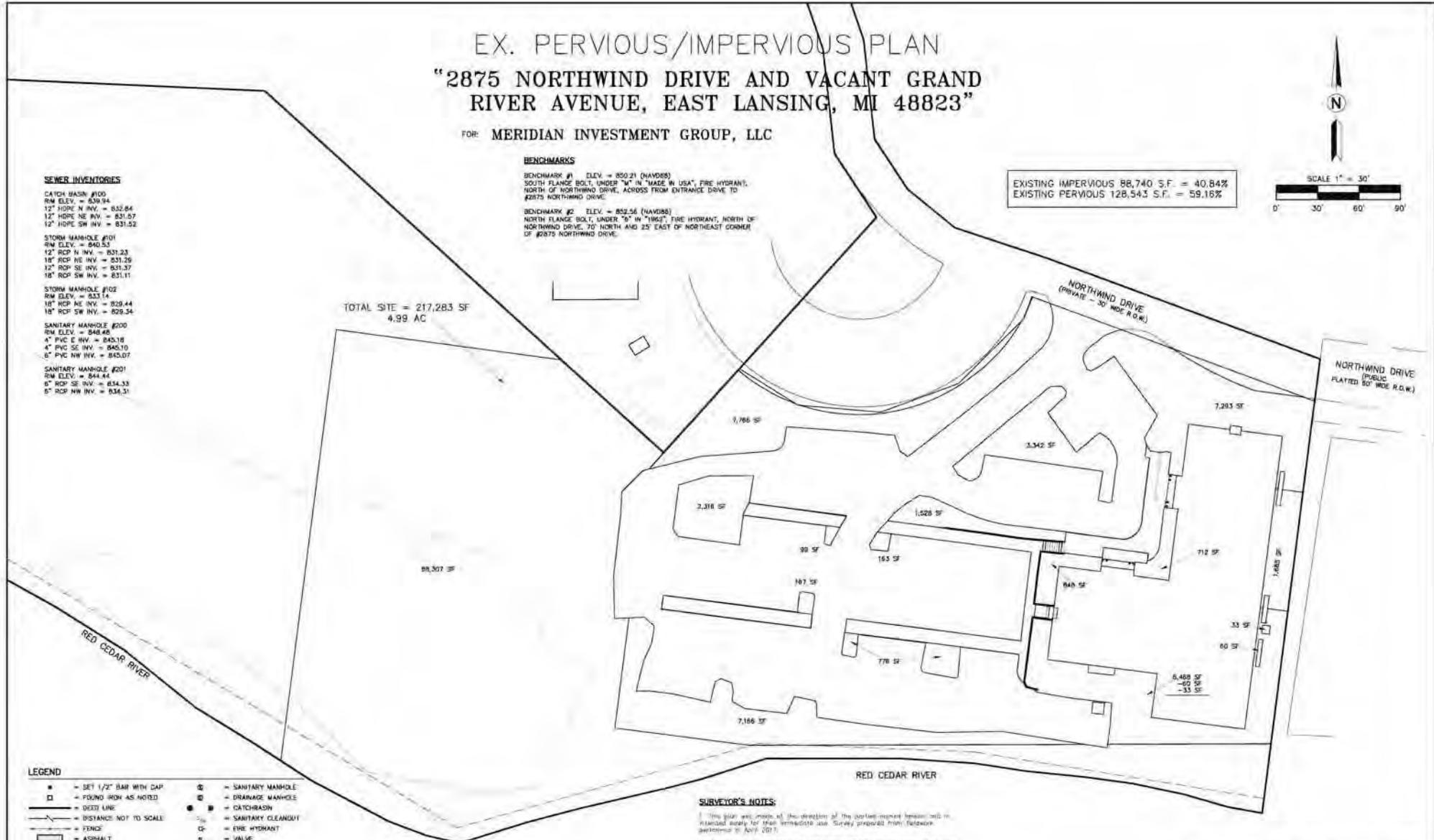
STORM MANHOLE #101
RM ELEV. = 840.53
12" RCP N INV. = 831.23
18" RCP NE INV. = 831.29
12" RCP SE INV. = 831.37
18" RCP SW INV. = 831.11

STORM MANHOLE #102
RM ELEV. = 833.14
18" RCP NE INV. = 829.44
18" RCP SW INV. = 829.34

SANITARY MANHOLE #200
RM ELEV. = 848.48
4" PVC E INV. = 845.18
4" PVC SE INV. = 845.10
6" PVC NW INV. = 845.07

SANITARY MANHOLE #201
RM ELEV. = 844.44
6" RCP SE INV. = 834.33
6" RCP NW INV. = 834.31

TOTAL SITE = 217,283 SF
4.99 AC



LEGEND	
■	SET 1/2" BAR WITH CAP
□	FOUND IRON AS NOTED
—	DEED LINE
—	DISTANCE NOT TO SCALE
—	FENCE
—	ASPHALT
—	CONCRETE
—	BRICK
—	EXISTING CONTOUR ELEVATION
—	SANITARY SEWER
—	STORM SEWER
—	GAS LINE
—	OVERHEAD WIRES
⊗	SANITARY MANHOLE
⊙	DRAINAGE MANHOLE
⊕	CATCHBASIN
⊖	SANITARY CLEAFOUT
⊗	FIRE HYDRANT
⊕	VALVE
⊖	UTILITY POLE
⊗	LIGHT POLE
⊕	GLY WIRE
⊖	UTILITY PEDESTAL
⊗	TRANSFORMER
⊕	SEW
⊖	POST
⊗	AIR CONDITIONING UNIT

SURVEYOR'S NOTES:

- This plan was made in the direction of the particular herein and is intended solely for the immediate use. Survey prepared from fieldwork conducted in April 2017.
- All bearings and distances on this plan are based on magnetic declination otherwise noted. In Lansing, Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing CORS.
- All dimensions are in feet and decimals thereof.
- All elevations are Mean American Vertical Datum of 1988 (NAVD88).
- No building line dimensions are to be used for assessing lot area.
- National grid lines are illustrated by Meridian, LLC, on MPPR 17, 2017.

PRELIMINARY

ERICK R. FAERSTROM
PROFESSIONAL SURVEYOR NO. 53497

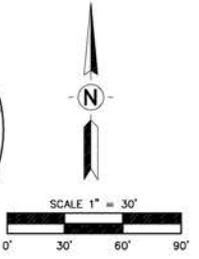
DATE: _____

REVISIONS	COMMENTS	KEBS, INC. ENGINEERING AND LAND SURVEYING	
01/11/2017	PRELIMINARY	218 HAZETT ROAD, HAZETT, MI 48840	
04/18/2017	REVISED	PH 317-338-1234 FAX 317-338-8047	
4-20-18	SCALE & SET INITIALS	WWW.KEBS.COM	
		Meridian Office - Ph. 248-781-8900	
DATE: 03/17	SSP	SECTION: 20, 14N, 17W	
FIELD NO: 647	AH	SUB NUMBER:	
SHEET: 4 OF 7			80403.BHD

EXISTING FEATURES PLAN

"2875 NORTHWIND DRIVE AND VACANT GRAND RIVER AVENUE, EAST LANSING, MI 48823"

FOR: MERIDIAN INVESTMENT GROUP, LLC

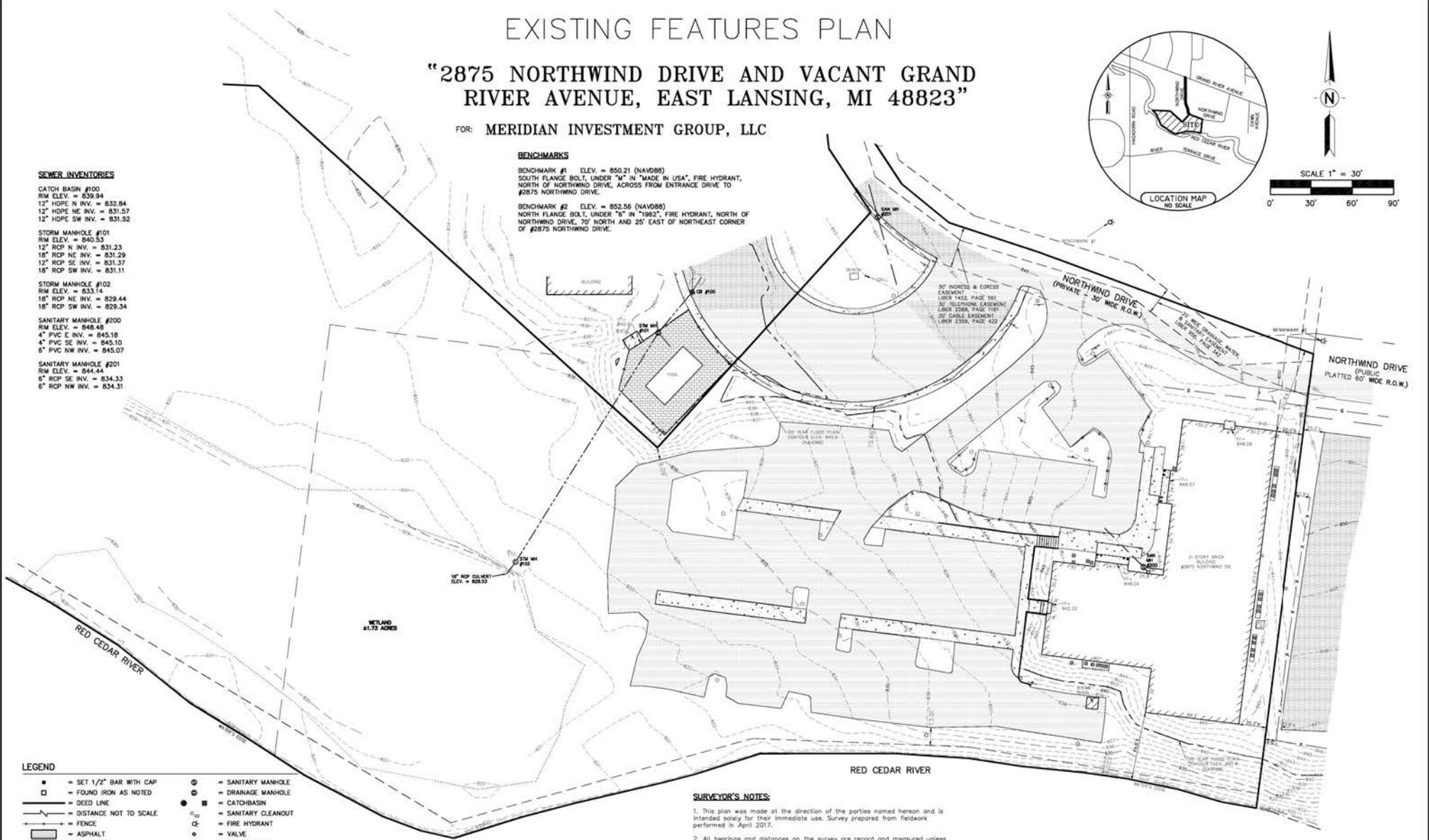


SEWER INVENTORIES

- CATCH BASIN #100**
 RM ELEV. = 839.94
 12" HDPE N INV. = 832.84
 12" HDPE NE INV. = 831.57
 12" HDPE SW INV. = 831.52
- STORM MANHOLE #101**
 RM ELEV. = 840.53
 12" RCP N INV. = 831.23
 18" RCP NE INV. = 831.29
 12" RCP SE INV. = 831.37
 18" RCP SW INV. = 831.11
- STORM MANHOLE #102**
 RM ELEV. = 833.14
 18" RCP NE INV. = 829.44
 18" RCP SW INV. = 829.34
- SANITARY MANHOLE #200**
 RM ELEV. = 848.48
 4" PVC E INV. = 845.18
 4" PVC SE INV. = 845.10
 6" PVC NW INV. = 845.07
- SANITARY MANHOLE #201**
 RM ELEV. = 844.44
 6" RCP SE INV. = 834.33
 6" RCP NW INV. = 834.31

BENCHMARKS

- BENCHMARK #1** ELEV. = 850.21 (NAVD88)
 SOUTH FLANGE BOLT, UNDER "M" IN "MADE IN USA", FIRE HYDRANT,
 NORTH OF NORTHWIND DRIVE, ACROSS FROM ENTRANCE DRIVE TO
 #2875 NORTHWIND DRIVE.
- BENCHMARK #2** ELEV. = 852.56 (NAVD88)
 NORTH FLANGE BOLT, UNDER "S" IN "1962", FIRE HYDRANT, NORTH OF
 NORTHWIND DRIVE, 70' NORTH AND 25' EAST OF NORTHEAST CORNER
 OF #2875 NORTHWIND DRIVE.



LEGEND

- = SET 1/2" BAR WITH CAP
- = FOUND IRON AS NOTED
- = DEED LINE
- = DISTANCE NOT TO SCALE
- = FENCE
- = ASPHALT
- = CONCRETE
- = BRICK
- = EXISTING CONTOUR ELEVATION
- = SANITARY SEWER
- = STORM SEWER
- = GAS LINE
- = OVERHEAD WIRES
- = SANITARY MANHOLE
- = DRAINAGE MANHOLE
- = CATCHBASIN
- = SANITARY CLEANOUT
- = FIRE HYDRANT
- = VALVE
- = UTILITY POLE
- = LIGHT POLE
- = GUY WIRE
- = UTILITY PEDESTAL
- = TRANSFORMER
- = SIGN
- = POST
- = AIR CONDITIONING UNIT

SURVEYOR'S NOTES:

- This plan was made at the direction of the parties named herein and is intended solely for their immediate use. Survey prepared from fieldwork performed in April 2017.
- All bearings and distances on the survey are record and measured unless otherwise noted. All bearings are Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.
- All elevations are in feet and decimals thereof.
- All elevations are North American Vertical Datum of 1988 (NAVD88).
- No building tie dimensions are to be used for establishing the property lines.
- Wetlands shown are as delineated by Mark Wetlands, LLC, on March 17, 2017.

PRELIMINARY

ERICK R. FRIESTROM
 PROFESSIONAL SURVEYOR NO. 53497

DATE
 NO. 53497

REVISIONS	COMMENTS	KEBS, INC. ENGINEERING AND LAND SURVEYING	
03/31/2017	PRELIMINARY	2116 HABLETT ROAD, HABLETT, MI 48840	PH. 517-336-1014 FAX 517-336-9047
04/18/2017	REVISED PRELIMINARY	WWW.KEBS.COM	
4-25-18	REVIS & SUP SUBMITAL	Marshall Office - Ph. 289-781-8800	
		DRAWN BY: SSF	SECTION: 20, TAN, R1W
		FIELD WORK BY: AH	JOB NUMBER:
		SHEET 7 OF 7	90403.BND

RED CEDAR MANOR

MUPUD-SUP Submission Set 01.14.19

TOTAL BUILDING S.F.
70,213 S.F.

TOTAL:UNITS 88 (107 BEDROOMS)



2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 1



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 2



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 3



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 4



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 5



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 6

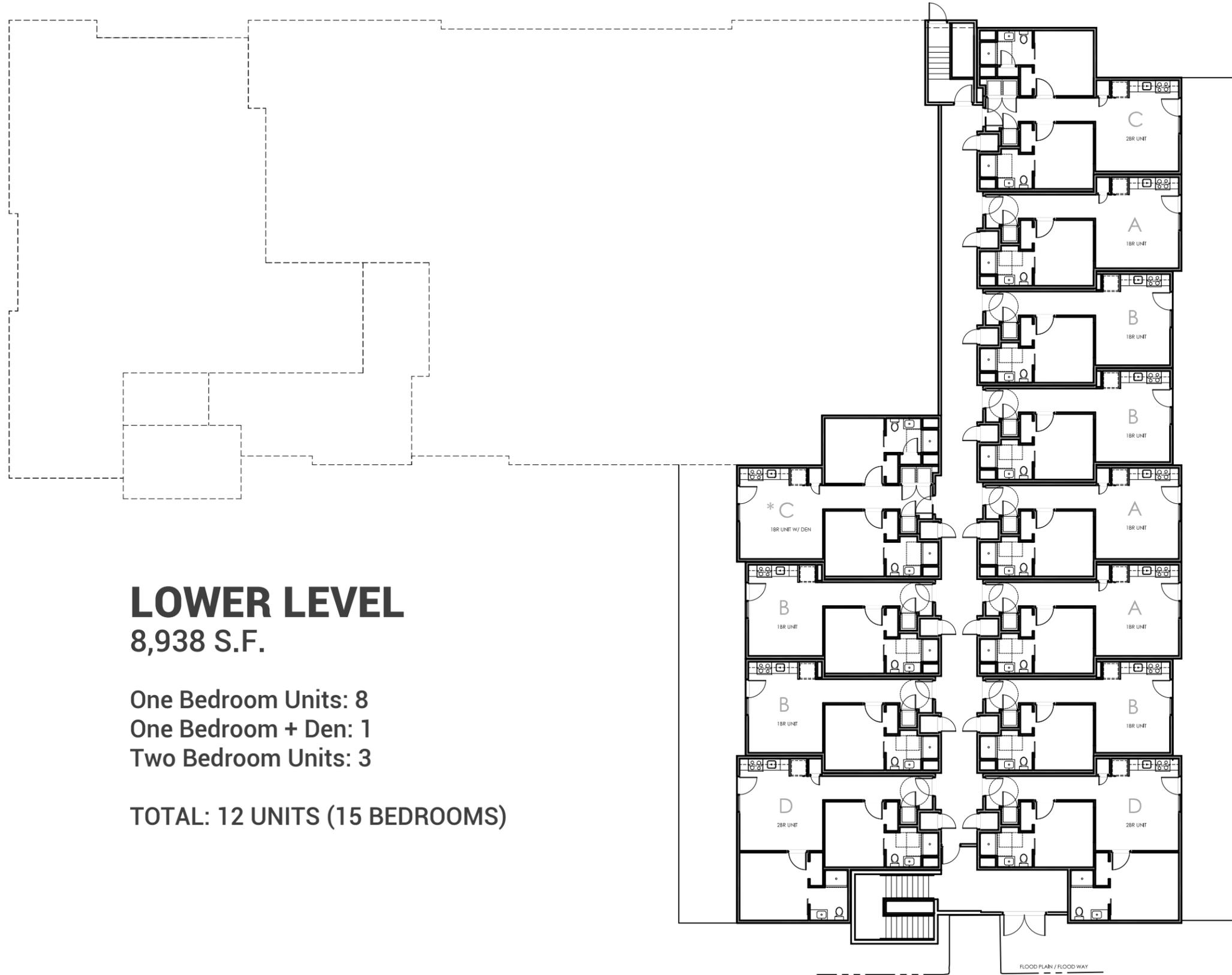


RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 7



LOWER LEVEL
8,938 S.F.

One Bedroom Units: 8
 One Bedroom + Den: 1
 Two Bedroom Units: 3

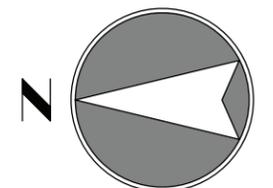
TOTAL: 12 UNITS (15 BEDROOMS)

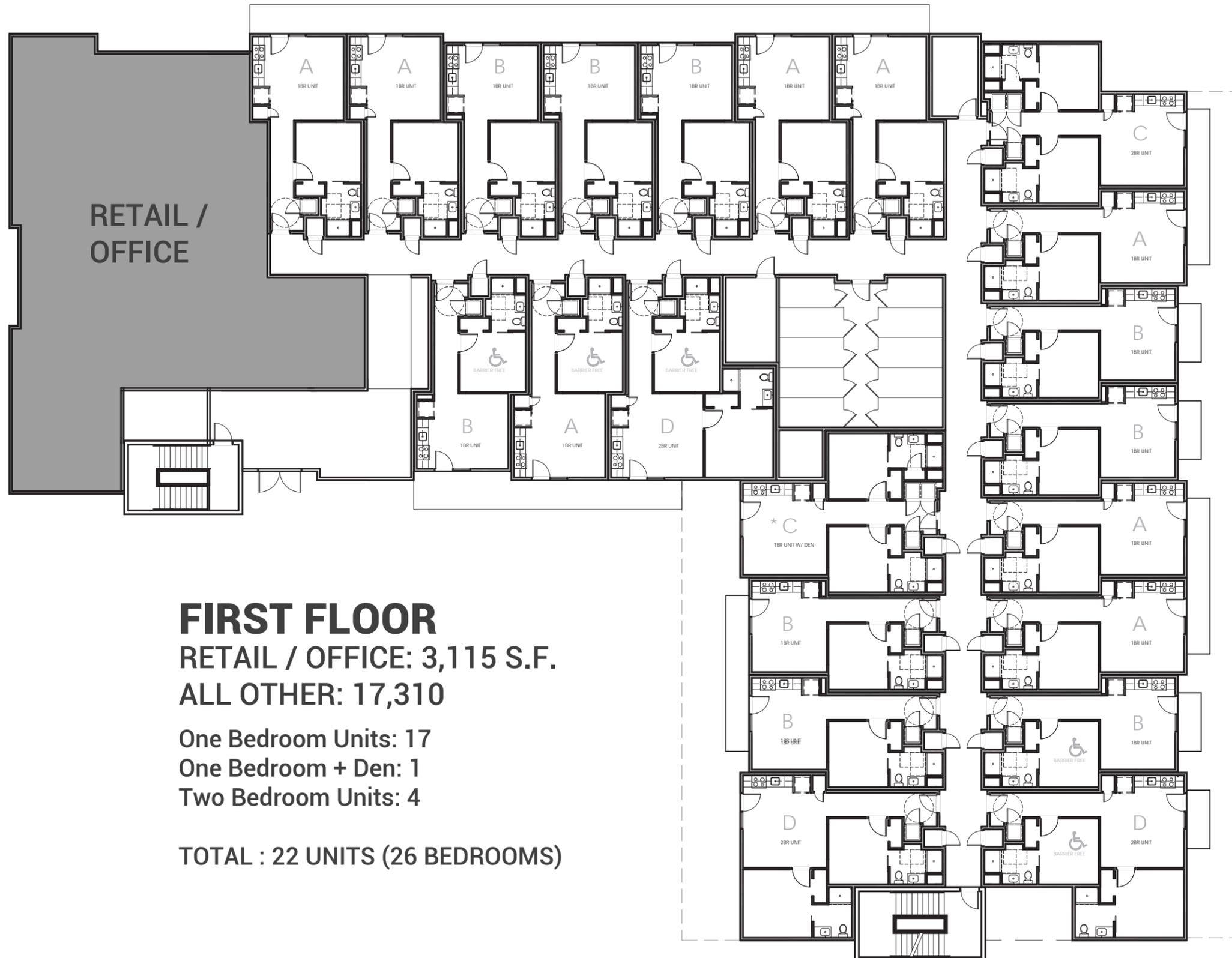
RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 8

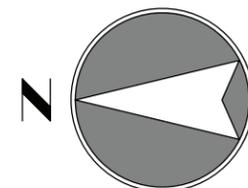




FIRST FLOOR
 RETAIL / OFFICE: 3,115 S.F.
 ALL OTHER: 17,310

One Bedroom Units: 17
 One Bedroom + Den: 1
 Two Bedroom Units: 4

TOTAL : 22 UNITS (26 BEDROOMS)



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 9

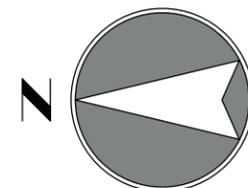




SECOND FLOOR
20,425 S.F.

One Bedroom Units: 20
 One Bedroom + Den: 1
 Two Bedroom Units: 6

TOTAL: 27 UNITS (33 BEDROOMS)



RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 10





THIRD FLOOR
20,425 S.F.

One Bedroom Units: 20
 One Bedroom + Den: 1
 Two Bedroom Units: 6

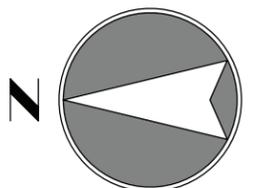
TOTAL: 27 UNITS (33 BEDROOMS)

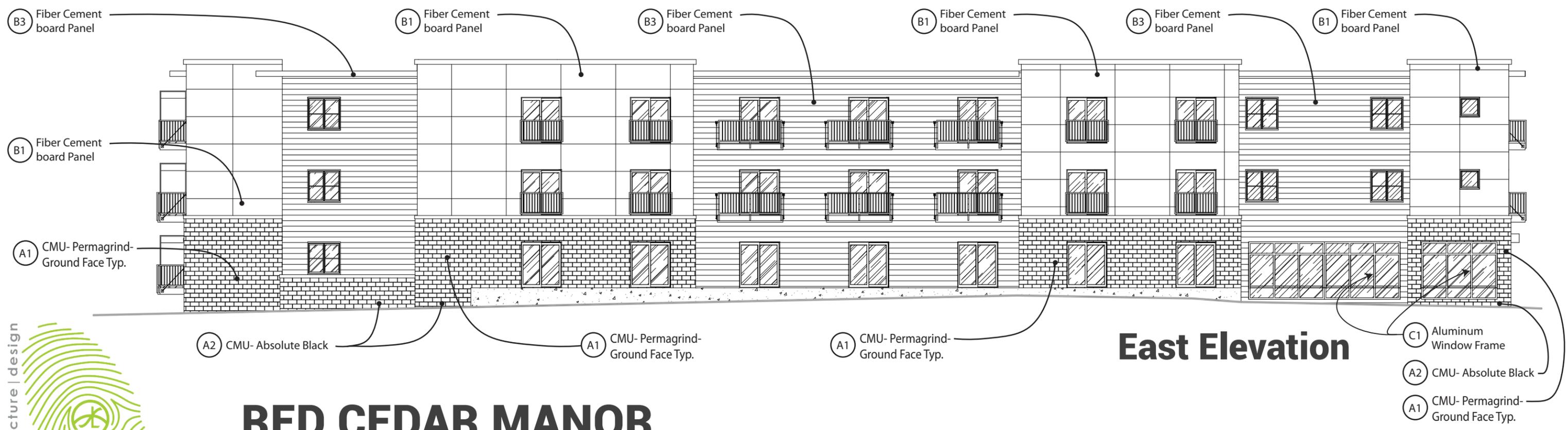
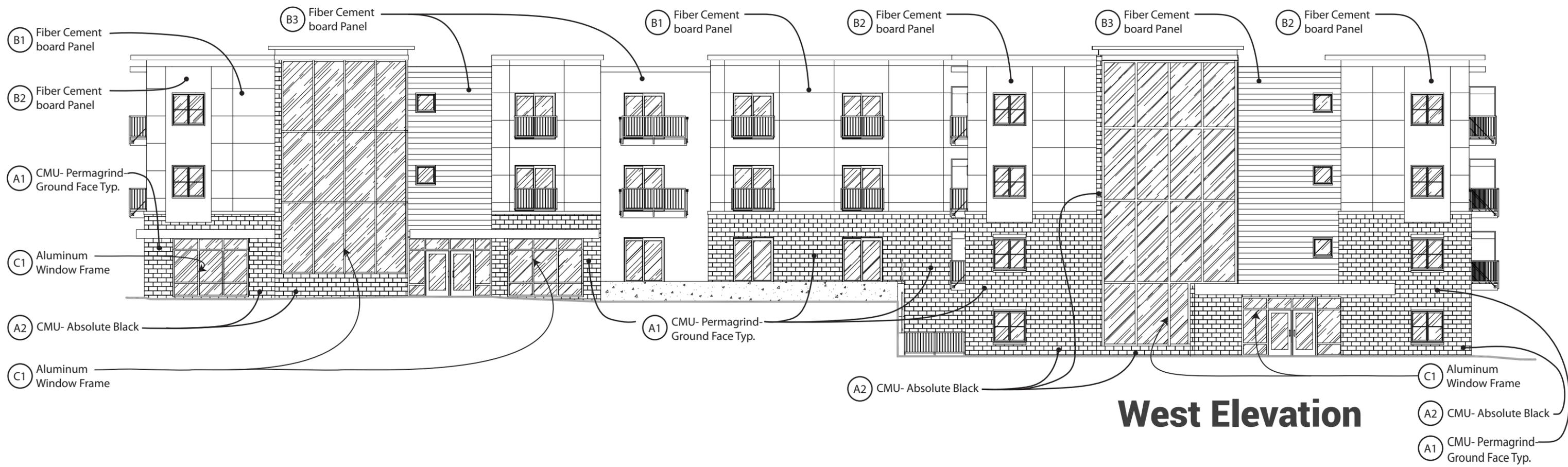
RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 11



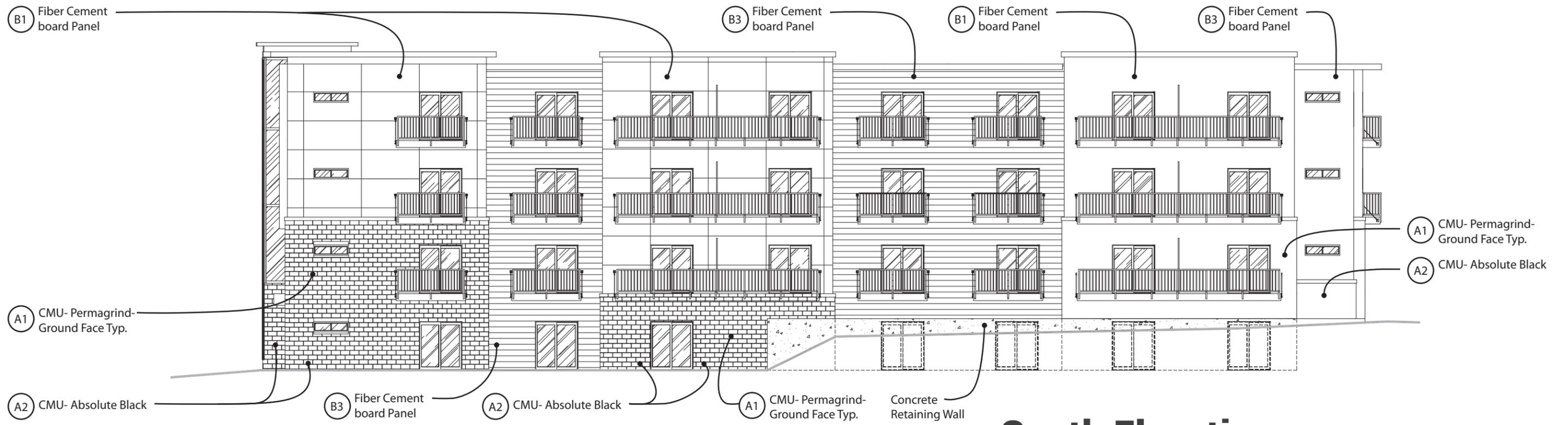


RED CEDAR MANOR

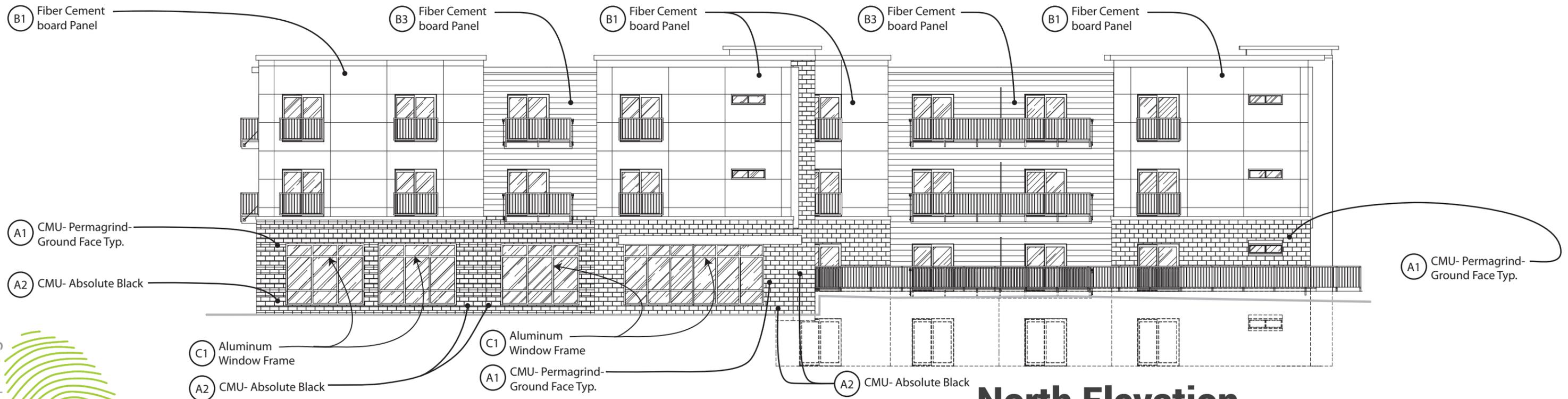
2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 12



South Elevation



North Elevation

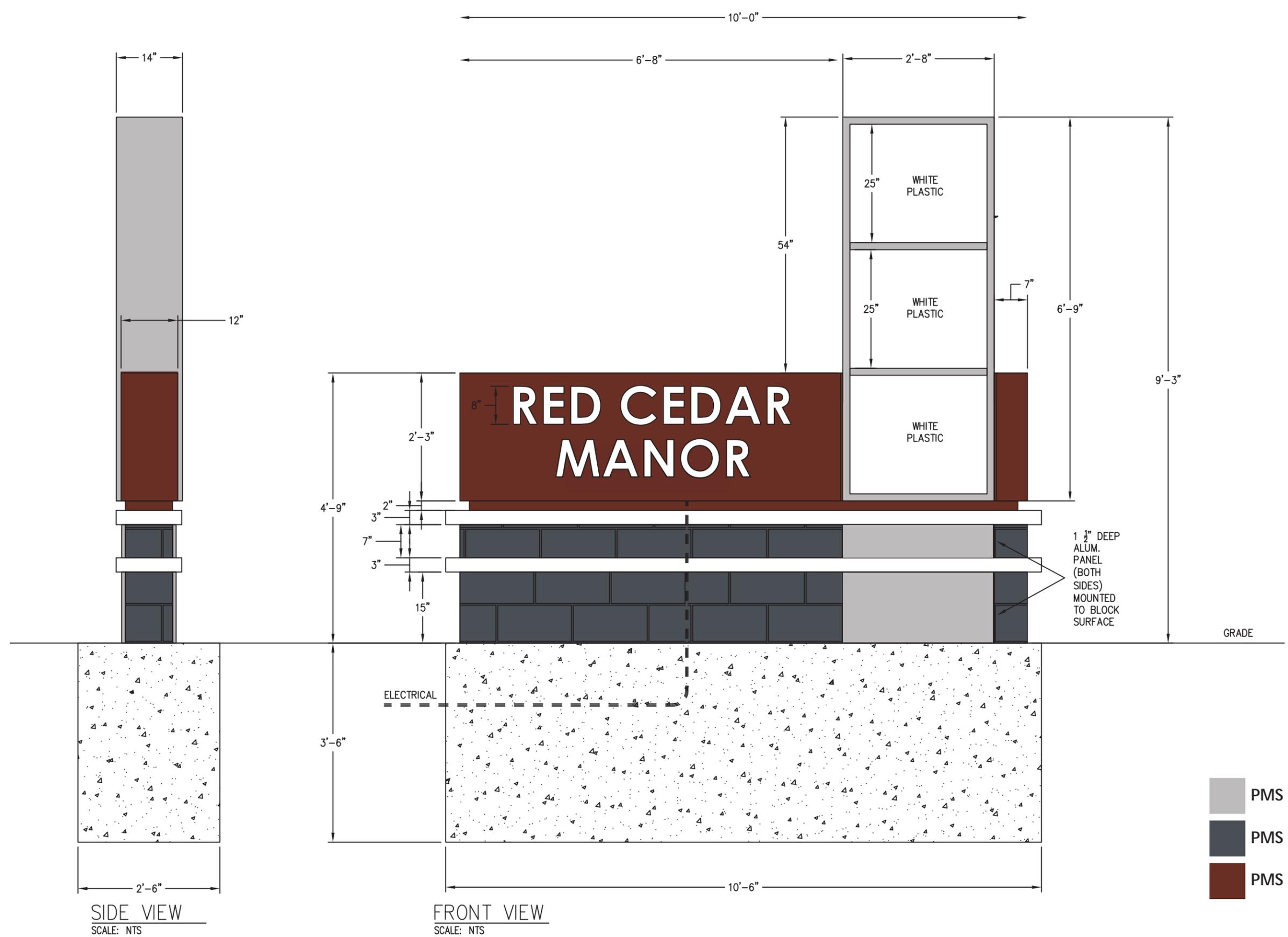
RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 13





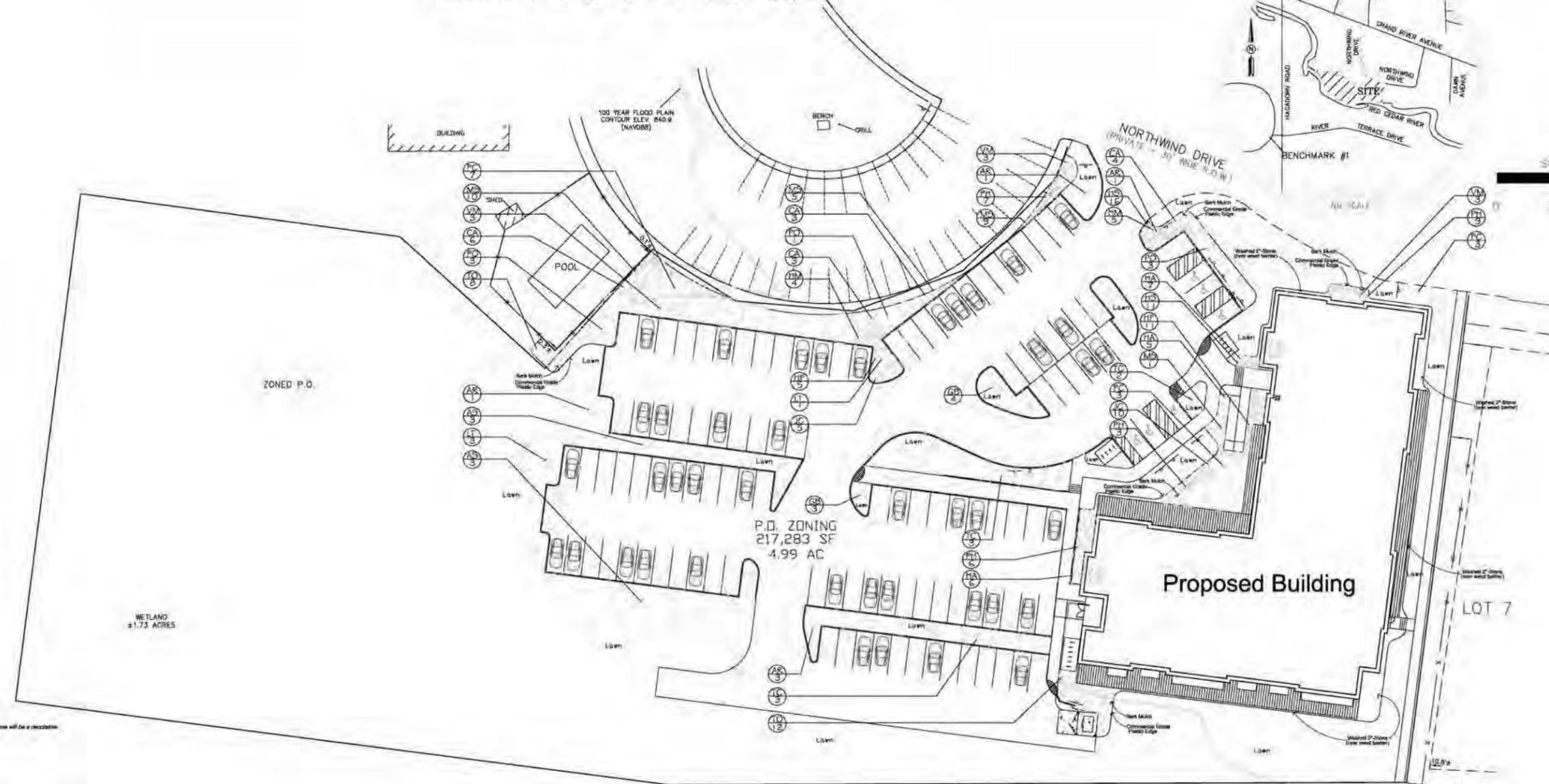
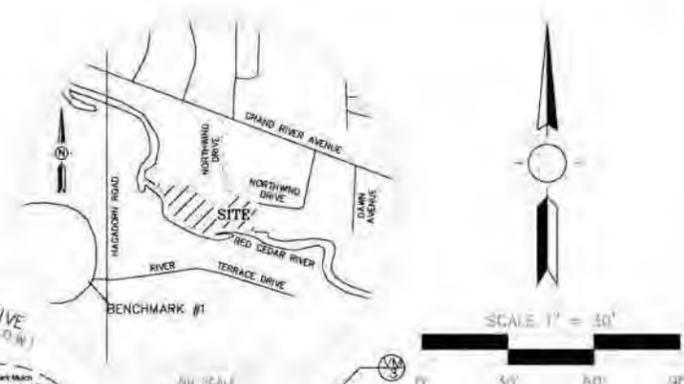
RED CEDAR MANOR

2875 Northwind Dr. East Lansing, MI 48823

MUPUD-SUP Submission Set 01.14.19

PAGE 15

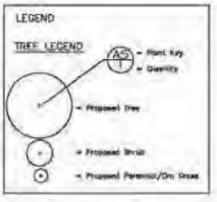
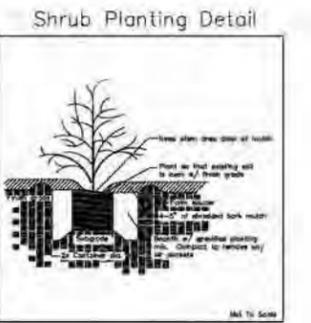
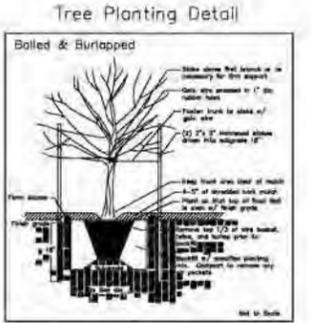
M.U.P.U.D. & S.U.P. Plan For:
Red Cedar Flats PH 3
 Meridian Township, Ingham County, Michigan



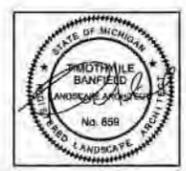
- INSTALL 2" x 4" C/DL EDGING TO SEPARATE LAWN FROM PLANTING BED (5/8" MIN. OF 1/2" OR 3/4" DEEP)
- INSTALL 3" DEEP BRICKED BARK MULCH TO ALL PLANTING AREAS BEHIND AND TREE SAUCERS (NO POLY-FILM)
- INSTALL A KENTUCKY BLUEGRASS SOO (SHADE) VARIETY THAT IS FREE OF WEEDS
- SEED AREAS WITH THE FOLLOWING:
 20% SUPERIOR KENTUCKY BLUEGRASS
 20% HANSAH KENTUCKY BLUEGRASS
 20% BAYSTAR KENTUCKY BLUEGRASS
 10% PERENNIAL RYE GRASS
 APPLY AT THE RATE OF 8 TO 8 LBS PER 1,000 SQUARE FOOT
- CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES, AS WELL AS THE LOCATION OF EXISTING TREES AND VEGETATION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COST INCURRED DUE TO DAMAGE/REMOVAL OF SAID ELEMENTS
- ANY DISCREPANCIES BETWEEN PLANS, NOTES, DETAILS AND EXISTING CONDITIONS SHALL BE IMMEDIATELY REPORTED TO THE OWNER'S AUTHORIZED REPRESENTATIVE FOR REVIEW AND DISCUSSION. CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION
- CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING MATERIALS/IMPROVEMENTS, DAMAGED DURING CONSTRUCTION
- SITE BOUNDARY, TOPOGRAPHY, UTILITIES AND OTHER BASE INFORMATION PROVIDED BY OTHERS
- CONTRACTOR SHALL VERIFY QUANTITIES SHOWN ON PLANT SCHEDULES AND THOSE INDICATED ON PLANS. CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF QUANTITIES SHOWN
- CONTRACTOR SHALL MAKE MINOR ADJUSTMENTS TO PLANT MATERIAL LOCATIONS IN FIELD AS NECESSARY. THE LOCATION OF ALL PLANT MATERIAL SHALL BE SUBJECT TO APPROVAL BY THE OWNER'S AUTHORIZED REPRESENTATIVE
- ALL PLANT MATERIAL SHALL BE OF THE SIZES CALLED FOR IN THE PLANT SCHEDULES. ANY PLANT MATERIAL NOT MEETING THE SIZES AND/OR QUALITY AS CALLED FOR SHALL BE REMOVED FROM SITE. ALL TREES SHALL BE INSPECTED AND APPROVED BY THE OWNER'S AUTHORIZED REPRESENTATIVE. NO SUBSTITUTIONS OF PLANT MATERIAL SHALL BE MADE WITHOUT APPROVAL FROM THE OWNER'S AUTHORIZED REPRESENTATIVE
- ALL PROPOSED TREES OVER 2" CAL. SHALL BE OVERSHOOTED SECURE. SEE EVERGREEN TREE PLANTING DETAIL OR DECIDUOUS TREES PLANTING DETAIL FOR MORE INFORMATION
- ALL PLANTING BEDS TO BE TREATED WITH PRE-EMERGENT HERBICIDE. CONTRACTOR SHALL INSURE THAT PROPOSED PLANT MATERIAL IS RESISTANT TO THE HERBICIDE PROPERTIES AND THAT HERBICIDE APPLICATION FOLLOWS THE MANUFACTURER'S SPECIFICATIONS AND IS APPLIED IN ACCORDANCE WITH SOUND NORTHERN TURAL PRACTICES
- CONTRACTOR SHALL DETERMINE APPROPRIATE PLANTING BACKFILL MIXES (BASED ON SOIL SUBSURFACE CONDITIONS) AND REVIEWAL PERMITS WITH OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION
- Install 2" (Minimum) Stone/Gravel under 3" deep (used for maintenance under 1/2" from foundation). Stone will be a decorative material. Gravel will be placed to complement the site color.

Plant List

Quantity Key	Botanical	Common	Size
6 AR	Acer rubrum 'Red Sunset'	Red Sunset Maple	2.5-3"
6 AS	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2.5-3"
7 GB	Ginkgo biloba 'Autumn Gold'	Autumn Gold Maidenhair Tree	2.5-3"
4 LT	Liriodendron tulipifera	Tulip Tree	2.5-3"
13 PC	Pyrus calleryana 'Cleveland Select'	Cleveland Select Pear	2.5-3"
7 PQ	Picea amarika	Serbian Spruce	6-7'
8 TC	Tilia cordata 'Greenspire'	Greenspire Linden	2.5-3"
16 CA	Cornus a. 'Variegata'	Variegated Redtwig Dogwood	3 Gal
18 HA	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	3 Gal
9 HM	Hydrangea macrophylla 'Endless Summer'	Endless Summer Hydrangea	3 Gal
15 JC	Juniperus chinensis 'Old Gold'	Old Gold Juniper	3 Gal
20 TD	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	4-5'
9 VM	Viburnum plicatum maresii	Doublefile Viburnum	4-5'
27 HS	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	2 Gal
16 HF	Hemerocallis flava	Lemon Yellow Daylily	2 Gal
25 MS	Miscanthus s. gracillimus	Maiden Hair Grass	2 Gal
25 PH	Pennisetum 'Hancei'	Dwarf Fountain Grass	2 Gal



Landscape Plan



Outdoor Living, Inc.
 2720 Alpha Access
 Lansing, MI 48910-3608
 Phone (517) 484-0230

Client: ASL Architecture Design
 720 E. Michigan Ave.
 Lansing, MI 48912

Scale: 1"=30'-0" **Date:** 2-28-18

Project: Red Cedar Flats PH 3
 Address: 2875 Northwind Dr.
 City: East Lansing, MI 48823

Drawn By: Tim Banfield
 License: LA 30000008

File #: 18989-C





To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 7, 2019

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

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

Planning Commission Options

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

Attachment

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

MERIDIAN INVESTMENT GROUP, LLC

By Electronic Mail

January 31, 2019

Peter Menser
Principal Planner
5151 Marsh Road
Okemos, MI 48864

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

Mr. Menser,

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

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

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



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

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

Respectfully,



Ronald A. Calhoun
Director of Engineering and Development

Enclosures



R322.2 Flood hazard areas (including A Zones)

Areas that have been determined to be prone to flooding and that are not subject to high-velocity wave action shall be designated as flood hazard areas. Flood hazard areas that have been delineated as subject to wave heights between 1½ feet (457 mm) and 3 feet (914 mm) or otherwise designated by the ~~local~~ ~~code~~ shall be designated as Coastal A Zones and are subject to the requirements of ~~Section R322.3~~. Buildings and structures constructed in whole or in part in flood hazard areas shall be designed and constructed in accordance with Sections ~~R322.3.1~~ through ~~R322.3.2~~.

R322.2.1 Elevation requirements

- (1) Buildings and structures shall have the lowest floor including ~~basements~~ elevated so the lowest point of the floor's ~~concrete~~ or subfloor surface is 1 foot (305 mm) or more above the design flood elevation. The bottom of the lowest horizontal structural member of the floor system shall not be lower than the design flood elevation. Compliance with this elevation requirement shall be based upon measurement taken from the floor surface without the final floor covering and from the bottom of the lowest horizontal structural member of the floor system.
- (2) Crawl space interior floor grade elevation shall comply with ~~Section R 408.6~~ of the code.
- (3) ~~Basement~~ floors that are below grade on all sides shall be considered lowest floors and shall be elevated so that the lowest point of the floor surface is 1 foot (305 mm) or more above the design flood elevation. Compliance with this elevation requirement shall be based upon measurement taken from the floor surface without the final floor covering.

Exception: Enclosed areas below the design flood elevation, including ~~basements~~ that have floors which are not below grade on all sides shall meet the requirements of ~~Section R322.3.3~~ of the code.

January 30, 2019

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

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

Re: Flooding Frequency Analysis
Red Cedar Manor – Meridian Township

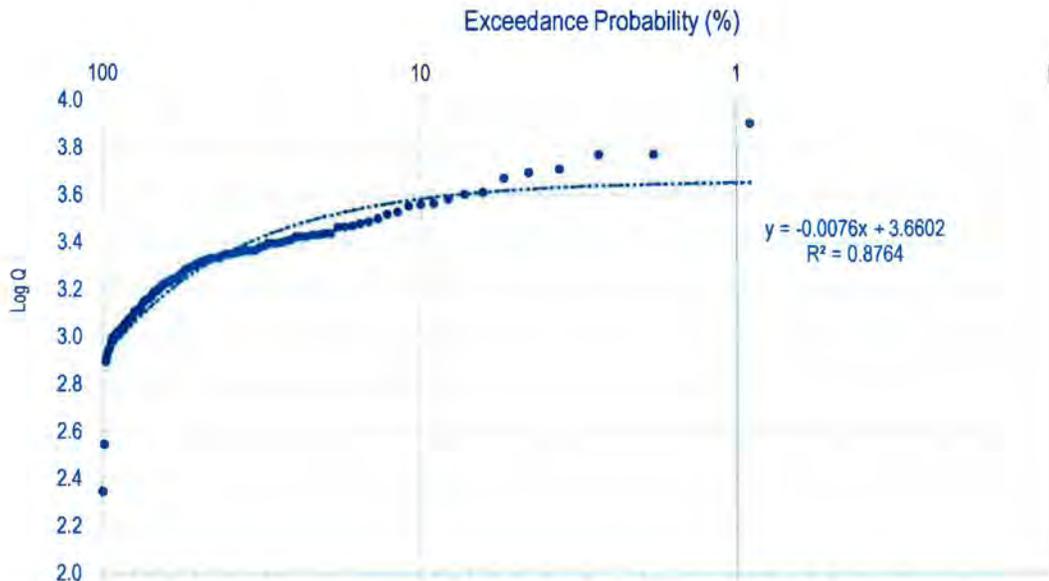
HRC Job No. 20180697

Dear Mr. Calhoun:

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

Findings

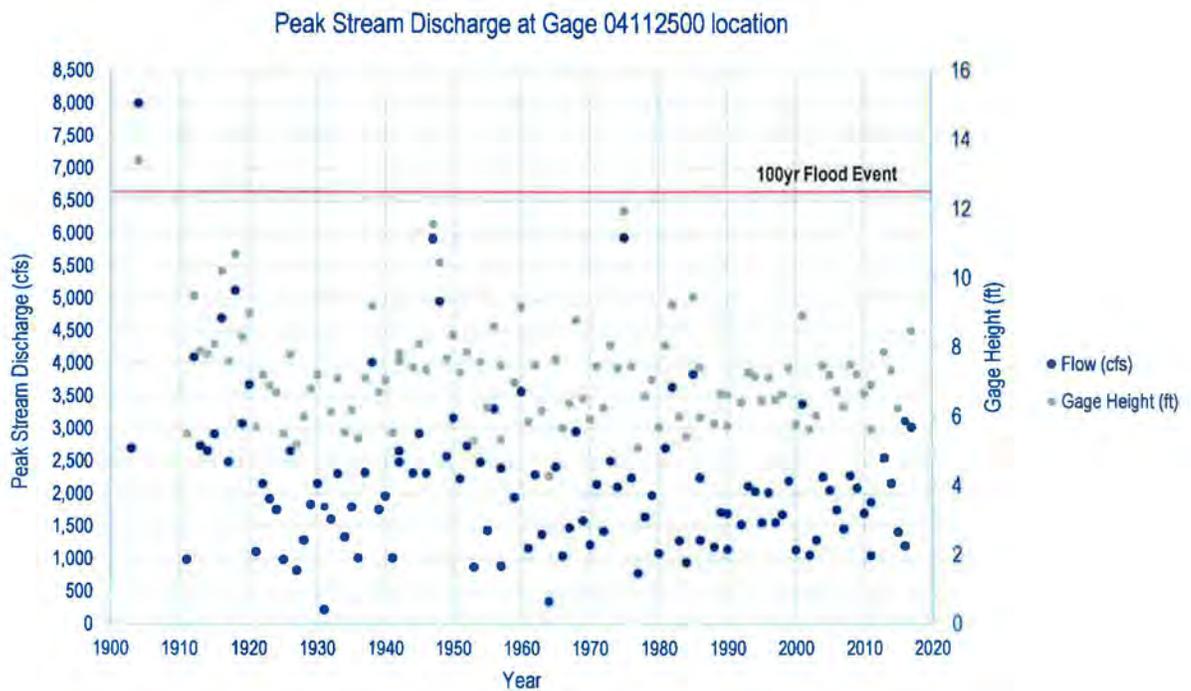
- HRC retrieved the peak stream discharge from Gage 04112500 and ran a log Pearson Type III statistical analysis on the gage record to estimate the flows for various recurrence intervals. The graph and table below show the exceedance probability and correspondent stream discharge at the gage location.



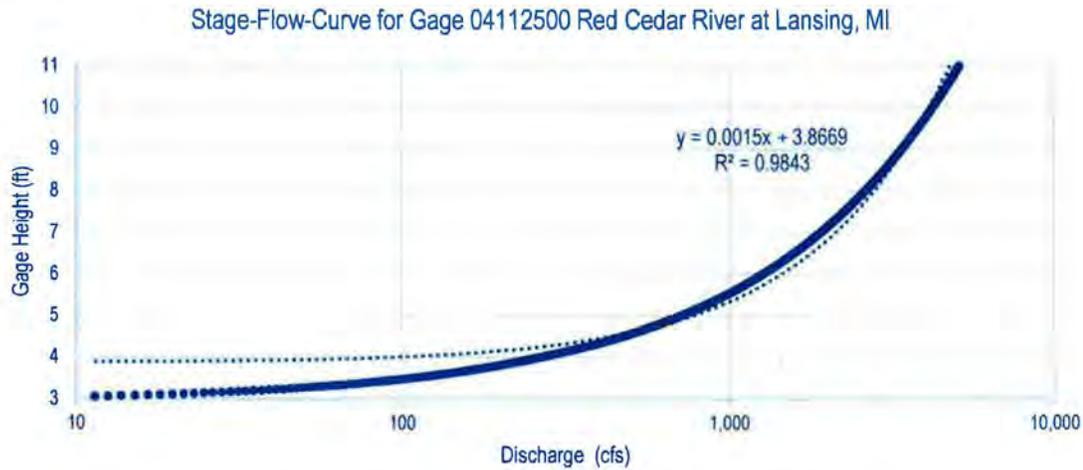
		Log Pearson Type 3									
Drainage Area		mi ² 355									
Flood Events	1.2	1.5	2	5	10	20	25	50	100	200	500
	83%	67%	50%	20%	10%	5%	4%	2%	1%	0.5%	0.2%
Q (cfs)	1,143	1,523	1,915	3,010	3,783	4,606	4,858	5,714	6,614	7,555	8,862

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

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

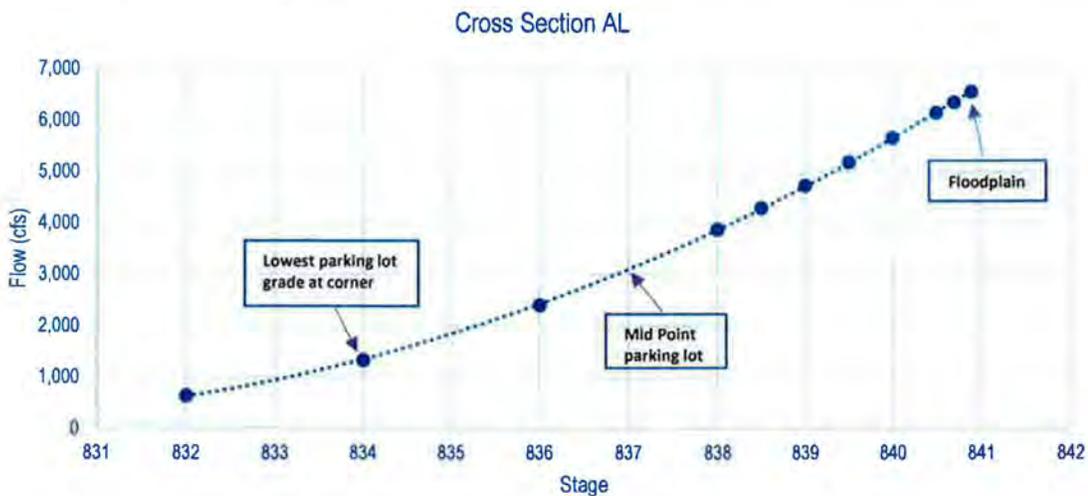


The Stage-Flow-Curve was developed for the Gage 04112500 to relate the peak stream discharge and corresponding gage height. The graph below is the Stage- Flow- Curve for the Gage 04112500.



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

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



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

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

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

*Base flood elevation (BFE)

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

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



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

pc:

HRC; File



To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 21, 2019

Re: Mixed Use Planned Unit Development #18034 and Special Use Permit #18031 (Meridian Investment Group, LLC)

The Planning Commission last discussed MUPUD #18034 and SUP #18031 at its meeting on January 14, 2019. At the meeting a question was asked about what type of parking is allowed in the floodway. The Conservancy District (CV) in the Code of Ordinances allows parking in the floodway by right only when incidental to land uses such as parks, golf courses, and farms, but only if there is no fill or alteration of the preexisting grade. The CV district also allows parking incidental to land uses such as marinas, docks, sand and gravel extraction operations, or pavilions in the floodway by special use permit, but only when the use does not adversely affect or reduce the capacity of the channel or floodway.

Parking in the floodway for the type of development proposed by the applicant is prohibited. The fact that the parking lot is already installed from a previous development is the only reason the project is being considered; if the parking lot was proposed new it would not be allowed at all.

Based on a straw poll taken at its last meeting the Planning Commission agreed to consider a resolution to recommend denial of the MUPUD and SUP to the Township Board.

Planning Commission Options

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

- Motion to adopt the attached resolutions recommending denial of MUPUD #18034 and SUP #18031.

Attachments

1. Resolution to recommend denial of MUPUD #18034.
2. Resolution to recommend denial of SUP #18031.

RESOLUTION TO RECOMMEND DENIAL

**Mixed Use Planned Unit Development #18034
Meridian Investment Group, LLC**

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 25th day of February, 2019, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Meridian Investment Group, LLC has submitted a request to establish a mixed use planned unit development (MUPUD) identified as Red Cedar Manor on 4.99 acres of a 9.13 total acre site located at 2875 Northwind Drive; and

WHEREAS, the proposed mixed use planned unit development includes the demolition of an existing 40,504 square foot office building and construction of a new 70,213 square foot mixed use building with 88 multiple family dwelling units and 3,115 square feet of commercial space; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on June 11, 2018 and discussed the proposal at its regular meetings on January 14, 2019, February 11, 2019, and February 25, 2019 and has reviewed staff material forwarded under cover memorandums dated June 5, 2018, January 9, 2019, February 7, 2019, and February 21, 2019; and

WHEREAS, the submitted site plan for the proposed development depicts a majority of the parking lot to serve the building (83 of the 116 total parking spaces on the property) is located in the floodway of the Red Cedar River; and

WHEREAS, the proposed location of the parking in the floodway will adversely impact the residents of the proposed development by exposing their personal property (motor vehicles) to potential damage from floodwaters; and

WHEREAS, the applicant provided a study from their consultant Hubbell, Roth, & Clark, Inc. noting the parking lot has been impacted by floods 81 times during the last 115 years and 60 of those flood events had 12 inches of water or greater covering the parking lot; and

WHEREAS, the proposed development could be reduced in size to minimize the number of parking spaces subjected to potential flooding.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends denial of Mixed Use Planned Unit Development #18034.

Resolution to Recommend Denial
MUPUD #18034 (Meridian Investment Group, LLC)
Page 2

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Charter Township 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 25th day of February, 2019.

John Scott-Craig
Planning Commission Chair

RESOLUTION TO RECOMMEND DENIAL

**Special Use Permit #18031
Meridian Investment Group, LLC**

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 25th day of February, 2019, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Meridian Investment Group, LLC has submitted a request to construct a project identified as Red Cedar Manor on 4.99 acres of a 9.13 total acre site located at 2875 Northwind Drive; and

WHEREAS, the proposed project includes the demolition of an existing 40,504 square foot office building and construction of a new 70,213 square foot mixed use building with 88 multiple family dwelling units and 3,115 square feet of commercial space; and

WHEREAS, a special use permit is required for constructing a group of buildings totaling more than 25,000 square feet in gross floor area; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on June 11, 2018 and discussed the proposal at its regular meetings on January 14, 2019, February 11, 2019, and February 25, 2019 and has reviewed staff material forwarded under cover memorandums dated June 5, 2018, January 9, 2019, February 7, 2019, and February 21, 2019; and

WHEREAS, the submitted site plan for the proposed development depicts a majority of the parking lot to serve the building (83 of the 116 total parking spaces on the property) are located in the floodway of the Red Cedar River; and

WHEREAS, the proposed location of the parking in the floodway will adversely impact the residents of the proposed development by exposing their personal property (motor vehicles) to potential damage from floodwaters; and

WHEREAS, the applicant provided a study from consultant Hubbell, Roth, & Clark, Inc. noting the parking lot had been impacted by floods 81 times during the last 115 years and 60 of those flood events were of 12 inches of water or greater; and

WHEREAS, the proposed development could be reduced in size or the parking lot could be constructed above the floodplain to minimize the number of parking spaces subjected to potential flooding.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends denial of Special Use Permit #18031.

Resolution to Recommend Denial
SUP #18031 (Meridian Investment Group, LLC)
Page 2

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Charter Township 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 25th day of February, 2019.

John Scott-Craig
Planning Commission Chair

RESOLUTION TO RECOMMEND DENIAL

**Mixed Use Planned Unit Development #18034
Meridian Investment Group, LLC**

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 25th day of February, 2019, at 7:00 p.m., Local Time.

PRESENT: Chair Scott-Craig, Vice-Chair Lane, Secretary Premoe, Commissioners Trezise, Cordill, Shrewsbury and Hendrickson

ABSENT: Commissioner Richards

The following resolution was offered by Vice-Chair Lane and supported by Commissioner Cordill.

WHEREAS, Meridian Investment Group, LLC has submitted a request to establish a mixed use planned unit development (MUPUD) identified as Red Cedar Manor on 4.99 acres of a 9.13 total acre site located at 2875 Northwind Drive; and

WHEREAS, the proposed mixed use planned unit development includes the demolition of an existing 40,504 square foot office building and construction of a new 70,213 square foot mixed use building with 88 multiple family dwelling units and 3,115 square feet of commercial space; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on June 11, 2018 and discussed the proposal at its regular meetings on January 14, 2019, February 11, 2019, and February 25, 2019 and has reviewed staff material forwarded under cover memorandums dated June 5, 2018, January 9, 2019, February 7, 2019, and February 21, 2019; and

WHEREAS, the submitted site plan for the proposed development depicts a majority of the parking lot to serve the building (83 of the 116 total parking spaces on the property) is located in the floodway of the Red Cedar River; and

WHEREAS, the proposed location of the parking in the floodway will adversely impact the residents of the proposed development by exposing their personal property (motor vehicles) to potential damage from floodwaters; and

WHEREAS, the applicant provided a study from their consultant Hubbell, Roth, & Clark, Inc. noting the parking lot has been impacted by floods 81 times during the last 115 years and 60 of those flood events had 12 inches of water or greater covering the parking lot; and

WHEREAS, the proposed development could be reduced in size to minimize the number of parking spaces subjected to potential flooding.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends denial of Mixed Use Planned Unit Development #18034.

applicant's existing site in the Township.

Mr. Brian Barnard, a representative of Panera Bread, stated the square footage was close to the same for the proposed and existing sites.

A straw poll indicated the Planning Commission would be in favor of recommending approval of the proposed C-PUD at the next meeting.

Chair Ianni closed the public hearing at 7:32 p.m.

B. Special Use Permit #18051 (Singh), construct a multiple family housing development with seven dwelling units at 1954 Saginaw Highway.

Chair Ianni opened the public hearing at 7:33 p.m.

Principal Planner Menser outlined Special Use Permit #18051 for discussion.

Mr. Jeff Kyes spoke representing the applicant. He gave details about the development and said the proposal was to build in phases. The existing home would remain and the detached garage would be converted into a dwelling with an attached two car garage. The revenue generated from renting those two units would be used to run water to the property so phase two construction could begin.

There was no public comment.

Commissioner Premoe asked if the existing garage and home were separate buildings.

Mr. Kyes explained the existing garage is separate from the home and is not a living unit at this time but would be converted into a dwelling with an attached garage.

Commissioner Lane asked if there was adequate parking for two dwellings.

Mr. Kyes replied the plan calls for creating two parking spaces for the existing home and the converted garage would have an attached garage for parking.

Vice-Chair Scott-Craig commented he was happy to see the plan called for leaving as many of the mature trees as possible on the lot.

Principal Planner Menser stated a RDD special use permit would be valid for one year and with the possibility of a one year extension if necessary.

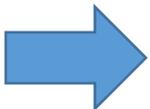
Vice-Chair Scott-Craig asked about the fact that the existing structures are in the setback areas of the lot.

Mr. Kyes explained the footprint of neither structure would change under the proposed plan.

A straw poll indicated the Planning Commission would be in favor of approval of SUP #18051.

Chair Ianni closed the public hearing at 7:55 p.m.

C. Mixed Use Planned Unit Development #18034 (Meridian Investment Group, LLC), construct



70,213 square foot mixed use building with 88 dwelling units at 2875 Northwind Drive.

- D. Special Use Permit #18031 (Meridian Investment Group, LLC), construct building greater than 25,000 square feet in size at 2875 Northwind Drive.
- E. Special Use Permit #18041 (Meridian Investment Group, LLC), placement of fill and grading in the floodplain of the Red Cedar River at 2875 Northwind Drive.

Chair Ianni opened the public hearing combining items C, D, and E at 7:56 p.m.

Principal Planner Menser outlined MUPUD #18034 and SUP #18031 and SUP #18041 for discussion.

Mr. Ron Calhoun spoke representing the applicant. He commented the building currently on the property was built in 1978. The proposed redevelopment would decrease the amount of impervious surface and would result in a net reduction in traffic on the road. He said the proposed building would be primarily residential with some professional offices on the first floor. The number of proposed dwelling units is 88 with a total of 111 bedrooms and would have a façade similar to the Red Cedar Flats project.

Commissioner Lane asked if improvements were planned for the private portion of Northwind Drive.

Mr. Calhoun responded the road is scheduled to have improvements prior to construction starting.

Commissioner Stivers asked if the applicant had an idea of what type of retail tenants would occupy the commercial space.

Mr. Calhoun stated the commercial space would likely be destination related or professional office space due to being removed from Grand River Avenue.

Vice-Chair Scott-Craig asked if the area's demographics supported a project of this size and what type of resident would most likely be living there.

Mr. Calhoun remarked the market has shown a need for larger one to two bedroom apartments which would seem to appeal to young professionals.

Vice-Chair Scott-Craig asked about the trail easement related to the property.

Mr. Calhoun replied the trail easement would provide pedestrian and bicycle access along the Red Cedar River and will require improvements along the river's edge.

Mr. Kyes gave a brief explanation of the grading and fill on the site.

Vice-Chair Scott-Craig stated by his count the residential building would have 116 parking spaces and 36 overflow spaces adjacent to the property, the majority of which would be in the floodplain. He asked what the emergency parking plan was during flooding.

Mr. Calhoun responded during flood events stack parking may need to occur.

Vice-Chair Scott-Craig said flooded parking areas is a major issue and he would like to know exactly

how many spaces would be in the flooding area. He also asked how far above the flood plain the lower level apartments are planned.

Mr. Calhoun replied the lower level apartments would be one foot above the floodplain.

Vice-Chair Scott-Craig asked what building materials are proposed for the exterior of the proposed building.

Mr. Calhoun replied it would be cement block similar to the Red Cedar Flats project.

Vice-Chair Scott-Craig reminded the applicant that the amenities are meant for the public as well as the residents and while the river trail is a great amenity they should keep the public in mind as they select the other amenities.

Commissioner Stivers asked if the detention basin would help with the flooding issue.

Mr. Kyes responded the detention basin is a pre-treatment system for storm water discharge, and is utilized to slow down the flow of storm water but would not be enough to keep the area from flooding.

Commissioner Richards asked if a study was done to determine the number of units that are needed for the area. He asked if the market was already saturated.

Mr. Calhoun responded the development was primarily driven by market demand for an overall blend of housing.

Commissioner Cordill remarked there was too much impervious surface included in the project.

A straw poll indicated five Commissioners would likely recommend approval of the request. Two Commissioners were undecided and two would not recommended approval.

Chair Ianni closed the public hearing at 8:53 p.m.

7. Unfinished Business -None

8. Other Business-None

9. TOWNSHIP BOARD, PLANNING COMMISSION OFFICER, COMMITTEE CHAIR, AND STAFF COMMENTS OR REPORTS

Commissioner Cordill stated a review of the amenities list in the MUPUD ordinance should be done. She stated public Wi-Fi shouldn't count as an amenity, and connecting to the Township pathway system is a requirement and therefore should not be counted as an amenity.

Vice-Chair Scott-Craig gave a brief summary of the most recent Economic Development Corporation meeting.

Principal Planner Menser commented the Township Board may review the MUPUD ordinance, including possible revision of the amenities list. He announced Justin Quagliata has graduated from Michigan State University and is now a full-time Assistant Planner for the Township. Principal Planner Menser also introduced Juliana Boblitz, the new Planning Intern.

7. Unfinished Business

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

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

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

Planning Commission Discussion:

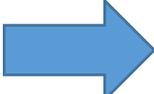
Commissioner Richards expressed appreciation to the developer and residents for coming together to discuss the issues and finding a resolution.

ROLL CALL VOTE:

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

NAYS: NONE

MOTION CARRIED: 7-0

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

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

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

Planning Commission Discussion:

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

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

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

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

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

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

8. Other Business

A. Election of Officers.

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

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

B. ZBA representative and commission liaison assignments.

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

VOICE VOTE: Motion Carried 7-0

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

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

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

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

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

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

A straw poll indicated the Planning Commission would be in favor of recommending approval of Rezoning #19010 to the Township Board and staff was asked to prepare a resolution recommending approval for the next meeting.

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

Principal Planner Menser provided a brief re-cap of the Special Use Permit.

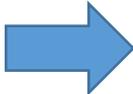
Motion by Commissioner Premoe to approve Special Use Permit #19011.
Supported by Commissioner Richards.

ROLL CALL VOTE:

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

NAYS: None

MOTION CARRIED: 8-0



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

Principal Planner Menser provided an update on both agenda items since the last meeting. The Planning Commission was preparing to recommend denial of Mixed Use Planned Unit Development #18034 and Special Use Permit #18031 but the applicant asked to come back with additional information to present to the Commission. They had a flood plain zone study done by HRC Consultants and wanted to share the results. In addition, the Meridian Township Engineering Department reviewed the study and agreed with the study results. In conclusion, there is a one percent chance of future flooding every year based on FEMA and information gathered.

Principal Planner Menser noted the Engineering Department report was not included in the packet but a copy of the letter was provided to each Commissioner.

Ron Calhoun representing Meridian Investment Group, LLC, 2875 Northwind Drive, reviewed the proposed project for redevelopment including 88 units, 107 beds, on 5 acres and discussed the challenges regarding the parking lot flooding. Mr. Calhoun indicated the HRC study showed there have been 81 flood events over the past 115 years. He further commented signs could be installed in the parking area noting the area is a "flood prone area" and the owner of the property is responsible to provide "habitable housing".

Mr. Calhoun also mentioned the building code required they build one foot above the flood zone and they actually plan to increase that number fifteen inches. There was also another concern with the Southwest entrance of the building and Mr. Calhoun noted it is the lowest level of the building and there is no interior space at that level as previously thought.

Planning Commission Discussion:

Commissioner Richards expressed concerns at the previous meeting and since he has reviewed the report provided he is now in support of the project.

Commissioner Cordill noted her concern in the third paragraph of the report where it was noted during the past 115 year period there were 14 events with water levels 3 feet high. Commissioner Cordill stated water levels this high would ruin vehicles and may even cause them to float away.

Chair Scott-Craig mentioned several reasons he is opposed this project. The scale of the project is too large for the site. The current building is a 40,000 foot two-story building and the proposed redevelopment is a 75,000 foot four-story building. At least 70 percent of the proposed parking would be in the flood plain area. In the past most parking was for office use during the day and the area would be transitioning to primarily student resident parking with both day and night use on a regular basis. This is an unacceptable risk. Traffic issues were also discussed during the July 2018 meeting and problems noted at that time have not been addressed.

Commissioner Hendrickson shared his concerns relating to the parking area and noting 51 of 81 occurrences relating to past flooding had levels of 12 inches of water or more during the past 115 years and it is not acceptable to take future risks. He further noted if a change were to be made by raising the parking structure above the flood plain then he would reconsider his decision.

Commissioner Richards noted the proposed redevelopment is a walkable, bike-able site for students at Michigan State University and this should be considered when discussing the traffic issues in the area. He suggested that the traffic light could also be adjusted at the intersection near Whole Foods to help with traffic flow at Northwind Drive.

Commissioner Cordill reviewed the January 14, 2019 staff packet and suggested reducing the density of the project in order to scale down the waver requests so they don't seem as significant.

A straw poll indicated the Planning Commission would not be in favor of recommending approval for Mixed Use Planned Unit Development #18034 and Special Use Permit #18031 to the Township Board and staff was asked to prepare a resolution to recommend denial for the next meeting.

E. Mixed Use Planned Unit Development (MUPUD) concept plan – Village of Okemos.

This item was removed from the meeting agenda by the developer prior to the meeting. It was instead scheduled for the Planning Commission's next meeting on February 25, 2019.

8. Other Business

A. Commission Review #19013 (Parks Commission), review of location, character, and extent for potential land donation at W. Sleepy Hollow Lane.

Principal Planner Menser provided an overview of the potential land donation. The property is undeveloped land being offered to the Meridian Township Parks Department and is located adjacent to Brattin Woods Park. Principal Planner Menser introduced Kelsey Dillon and expressed appreciation to her for waiting so patiently to speak with the Planning Commission.

Chair Scott-Craig closed the public hearing at 7:41 P.M.

7. Unfinished Business

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

Principal Planner Menser emphasized the fact that the Planning Commission is only addressing the rezoning of the property with conditions offered by the developer at this time.

Chair Scott-Craig recognized the traffic concerns expressed by residents and was told by Principal Planner Menser a detailed traffic assessment will be conducted during the future Special Use Permit application process.

Chair Scott-Craig expressed concerns on behalf of residents regarding the proposed development accommodating student housing and as a resident himself in the area for more than forty years there have been previous attempts to use the property for student housing. The applicant provided information that MSHDA programs do not provide student housing so he asked the applicant to address this concern.

Frank Fugate, 5000 South Front Street, Columbus, Ohio, applicant for the project, introduced himself and confirmed that affordable housing development programs do not allow for student housing.

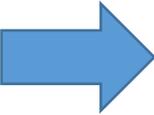
Motion by Commissioner Trezise to approve Rezoning #19010.
Supported by Commissioner Lane.

ROLL CALL VOTE:

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

NAYS: Commissioner Premoe.

MOTION CARRIED: 6-1

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

Principal Planner Menser provided a brief re-cap of the previous Planning Commission meeting.

Motion by Commissioner Lane to adopt the resolution recommending denial of Mixed Use Planned Unit Development #18034 and Special Use Permit #18031 (Meridian Investment Group, LLC).
Supported by Commissioner Cordill.

ROLL CALL VOTE:

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

NAYS: Commissioner Premoe

MOTION CARRIED: 6-1

The Planning Commission took a five minute recess at 8:10 P.M.



To: Board Members
From: Frank L. Walsh, Township Manager
Date: April 5, 2019
Re: Mr. Norkin's Ethics Complaint re: Commissioner Vagnozzi

Mr. Ody Norkin filed the attached ethics complaint concerning Transportation Commissioner Steve Vagnozzi. Mr. Norkin points out that Commissioner Vagnozzi's spouse is employed as a Secretary by the Okemos Schools Transportation Department. Since Commissioner Vagnozzi serves on the Township's Transportation Commission, Mr. Norkin suggests that his spouse's employment causes Commissioner Vagnozzi to be in a conflict of interest with respect to his voting and deliberating on Redi-Ride issues related to school-aged children. Commissioner Vagnozzi did disclose to the Transportation Commission that his spouse is a Secretary for the Okemos Public Schools Transportation Department, but Mr. Norkin believes that the disclosure should have been made earlier on in the process.

In order to properly investigate the complaint, I interviewed Commissioner Vagnozzi and Transportation Chair Chris Hackbarth. During my investigation, I asked several questions relating to potential conflicts, Redi-Ride, students, and the ability to be impartial. I found both Commissioner Vagnozzi and Chair Hackbarth to be objective, transparent, and forthcoming.

I also contacted the Township Attorney, who advises that his spouse's employment is not a matter that presents a conflict of interest for Commissioner Vagnozzi under these circumstances. The Township has adopted an Ethics Statement that is provided to all appointed officials, but the Ethics Statement does not define a conflict of interest as including issues created by a spouse's employment (see attached Ethics Statement). The Michigan statutes defining conflicts of interest, most notably MCL 15.342, do not include interests arising from spousal employment. A number of court cases and Attorney General opinions have also found that a spouse's employment was not a basis for disqualification for conflict of interest. See *US Fid Ins & Guar Co v Michigan Catastrophic Claims Ass'n*, 484 Mich 45, 46 (2009); *Adair v State, Dept of Ed*, 474 Mich 1027, 1034 (2006); OAG 1980, No. 5681, p. 688; OAG 1975, No. 4869, p. 95; OAG 1983, No. 6151, p. 110; and OAG 1992, No. 6736, p. 190.

Commissioner Vagnozzi's public service relates to a multitude of transportation issues on which he is knowledgeable. Neither Commissioner Vagnozzi nor his spouse would financially gain from his volunteer service or from any recommendations he has made as one member of the Transportation Commission. The issue of Redi-Ride service availability in the late afternoon remains an important issue on which there may be a divergence of opinions. Commissioner Vagnozzi's recommendations represent one important input into the process of deciding that issue, and it should be considered along with other opinions and recommendations.

Memo to Township Board

April 5, 2019

Re: Mr. Ody Norkin's Ethics Complaint re: Commissioner Vagnozzi

Page 2

Neither Commissioner Vagnozzi nor the Transportation Commission as a whole will make any final decisions on Redi-Ride, which will be a decision for the Township Board to finally make after all inputs are considered. After a complete review, I find no existing or potential conflict of interest from Commissioner Vagnozzi's service on the Transportation Commission and his spouse's employment.

The following motion has been prepared for Board consideration:

MOVE TO APPROVE TOWNSHIP MANAGER'S RECOMMENDATION THAT THE ETHICS COMPLAINT LODGED BY MR. ODY NORKIN AGAINST COMMISSIONER VAGNOZZI TO BE WITHOUT MERIT.

Attachments:

1. Ethics Statement
2. Letters of Recommendation
3. Mr. Norkin's Ethics Complaint

The Charter Township of Meridian

ETHICS STATEMENT

I, _____, having been appointed to the position of _____
_____ for the Charter Township of Meridian, acknowledge the
duties and responsibilities of my position and commit to perform those duties and
responsibilities as follows:

1. I recognize that my primary role as a public official will be to serve the public interests of Meridian Township.
2. I will continuously strive to achieve and exhibit high standards of integrity and professionalism to promote public respect for the Township's governmental processes.
3. I will avoid participating in any public deliberation and decision- making process whenever it becomes apparent that my continued participation will present a conflict of interest or give rise to the appearance of impropriety.
4. I will not divulge confidential information, which I acquire in the course of my public service to any unauthorized person before the time the release of that information is properly authorized.
5. I will not benefit financially from confidential information which I have obtained, or may obtain by reason of my position or authority.
6. I will not accept employment or render services for a private or public interest if either is incompatible or in conflict with the discharge of my official duties.
7. I will not participate in any governmental deliberation or action that will directly impact a business entity in which I have a financial or personal interest.

8. I will refuse any personal gift, gratuity, favor or other tangible or intangible item if its receipt could be reasonably perceived as influencing my decisions or actions as a public official.
9. I will support and defend the laws of the Charter Township of Meridian, the State of Michigan and the United States of America.
10. I acknowledge that my failure to fulfill any of the foregoing commitments may result in my removal from the authority on which I serve.

Dated: _____

Signed:

Appointed Official

Township Clerk

Catherine J. Ash, Ph.D.
153 Fawn Creek Dr.
Holt, MI 48842
Cell: (517) 256-4035
Catherine.ash62@gmail.com

March 24, 2019

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

Dear Mr. Walsh:

After reading the formal complaint filed against Mr. Vagnozzi for an alleged conflict of interest related to serving in his role as commissioner, I felt compelled to express my observations and thoughts regarding Mr. Vagnozzi's character and approach to public service. I served in the capacity of a central office administrator for Okemos Public Schools and had the opportunity to interact with Mr. Vagnozzi for over 15 years. Mr. Vagnozzi assumed a variety of roles within the district, including parent/guardian, district level committee member and Board of Education treasurer/trustee. Regardless of his role, he approached his responsibilities in the same respectful, objective and productive manner.

Often as a district level committee member, and especially as a member of the Board of Education, you are faced with sharing opinions and insights that will eventually lead to impactful decisions. While there were times as the Deputy Superintendent and/or Superintendent that I may not have agreed with Mr. Vagnozzi's stance on an issue, I never doubted his motivation. Mr. Vagnozzi consistently demonstrated his commitment to making informed decisions for the "good of the whole". He was not persuaded by the isolated impact on his family, his neighborhood, a specific school or a special interest group. Instead, he was driven and informed by data to make a decision that he felt would be in the best interest of the district. When offering his opinion or insights, or making a decision at the Board level, it was grounded in objective, relevant and factual information. Mr. Vagnozzi would always offer a logical, researched rationale for his position on a topic or issue.

Based on Mr. Vagnozzi's "resume", no one can doubt his commitment to public service. He has consistently demonstrated his intent and desire to make a positive difference within his community for the good of the whole! Mr. Vagnozzi seeks relevant and objective information to inform his thinking and ultimately his actions. That is exactly what a high functioning, ethical committee member should do.

As you investigate the conflict of interest complaint, if there is additional information I can share regarding Mr. Vagnozzi's character, please do not hesitate to contact me.

Respectfully,

Catherine J. Ash

Catherine J. Ash, Ph.D.
Retired Superintendent
Okemos Public Schools

Timothy E. Smith

10156 N. Cochran Road
Grand Ledge, MI 48837
(517) 282-5489
Timber113@juno.com

25 March 2019

To whom it may concern

It is with great pleasure that I write this letter of character reference for Steve Vagnozzi. I have known Steve for almost forty three years and am honored to call him a very good friend. Steve and I worked together on the same systems development team early in our careers with the State of Michigan. We worked closely for about ten years before Steve accepted a promotion and moved to another State department. I followed Steve to that department about three years later where we both were first line managers performing systems development. We continued to work fairly closely for the remainder of our careers until we both retired after thirty years of State service. We have remained good friends and know him, his wife and three grown children very well.

I have known Steve to be of high moral and ethical character. While working together, Steve and I did have some occasional disagreements, but I always believed Steve could see all sides of a situation and was effective at developing solutions that benefited everyone involved. I never had a concern that Steve would jeopardize his ethics for personal gain.

Sincerely,

Timothy E. Smith

Michelle Prinz

From: Frank Walsh
Sent: Wednesday, March 27, 2019 7:33 AM
To: Michelle Prinz
Subject: Fwd: Steve Vagnozzi

Sent from my iPhone

Begin forwarded message:

From: "Jim" <j.windsand@comcast.net>
Date: March 26, 2019 at 10:04:40 PM EDT
To: <board@meridian.mi.us>
Subject: Steve Vagnozzi

To the Meridian Township Board:

I have known Steve Vagnozzi for almost forty years and consider him a good friend. I worked with Steve at the State of Michigan until he retired. He was a skilled professional IT person who made numerous decisions that helped a lot of his co-workers. I also worked with Darlene for a number of years. I have the utmost respect for Steve and consider him to be of high ethical character - a person who would make decisions based on facts and on how the decision would be best for the majority of people. Steve is very knowledgeable about many things, and I would trust him with any decision.

Sincerely,

Jim Windsand
5565 Canoga Lane
Haslett, MI 48840
517-230-1839

-----Original Message-----

From: Nancy Newman <nancynewman@yahoo.com>

Sent: Sunday, March 17, 2019 11:38 AM

To: board@meridian.mi.us

Subject: Character Reference Statement-Steve Vagnozzi

To Whom It May Concern

I have known Steve Vagnozzi for over 50 years, went to school with his siblings, and looked up to his family as an excellent example of civic and community leadership.

Steve has reached out to my family in times of crisis. He is a very caring and compassionate person. He is one of the most ethical persons I know. He has demonstrated his ability to be fair and objective on many occasions. He seeks opportunities to improve his community and world by speaking up for our most vulnerable persons. He provides leadership with his excellent problem solving skills and willingness to share those skills. He is passionate about his belief that every member of our society should have equal access to service.

I find it impossible to entertain the notion that he would ever take an action on a governmental body for personal benefit. This is just not in his DNA!

Please feel free to contact me, if necessary at 720-375-4401.

Sincerely,

Reverend Nancy L. Newman

2252 South Worcester CT Unit B

Aurora, CO 80014

To Whom It May Concern:

I am writing this reference letter for Steve Vagnozzi, as a character reference.

I have known Steve Vagnozzi for more than 12 years. He and I met while working at System Automation Corporation where Steve offered his consulting services. I have had the pleasure of working with Steve in several capacities and in all of them he has demonstrated maturity, outstanding leadership, and professionalism. He is a natural problem solver and seeks ways to help others where ever possible. I have been in several high stress and demanding situations with Steve where he has always remained ethical. He is not only job focused, works well with others, but also compassionate and kind.

Sincerely,

Jenelle Jackson

Frank Walsh

From: Ody Norkin <ody.norkin@gmail.com>
Sent: Friday, March 1, 2019 6:38 AM
To: Frank Walsh
Cc: Derek Perry; Karla Hudson; Fred Wurtzel
Subject: Complaint - Conflict of Interests - Meridian Transportation Commission (TC) - Vice Chair S. Vagnozzi

Hello Mr. Walsh

I am writing to file a formal complaint regarding an existing conflict of interest by commissioner Steve Vagnozzi on the TC - as it relates to the Redi Ride program. In this case I and other residents including the late Trustee John Veenstra have brought to your attention (over four years ago now) that the interests of the school districts and the Township may not be aligned. Generally what's best for our schools is indeed best for our township. Redi Ride is a rare exception where school kids and seniors/disabled riders are competing for the same scarce transportation resources. The School Board President in Okemos has cited lack of school district funds to allow more students to ride Okemos School buses.

With regards to the specific case at hand. My research lead me to some outstanding general guidelines to Michigan's Municipalities as stated in the Michigan Municipal League (MML) handbook regarding "conflicts of interest". Here is just one excerpt from the MML handbook.

https://www.mml.org/pdf/ethics_handbook.pdf

The above listed controlling authorities may render written advisory opinions, when deemed appropriate, interpreting the Conflict of Interest and Ethical Code of Conduct as set forth in Section 3 above. Any city official /employee may seek guidance from the controlling authority upon written request on questions directly relating to the propriety of their conduct as officials and employees. Each written request and advisory opinion shall be confidential unless released by the requester. 1. Request for opinions shall be in writing. 2. Advisory opinions may include guidance to any employee on questions as to:

a. Whether an identifiable conflict exists between his/her personal interests or obligations and his/her official duties.

b. Whether his/her participation in his/her official capacity would involve discretionary judgment with significant affect on the disposition of the matter in conflict.

c. What degree his/her personal interest exceeds that of other persons who belong to the same economic group or general class.

d. Whether the result of the potential conflict is substantial or constitutes a real threat to the independence of his/her judgment.

e. Whether he/she possesses certain knowledge or know-how which the city will require to achieve a sound decision.

f. What effect his/her participation under the circumstances would have on the confidence of the people in the impartiality of their city officials and employees.

g. Whether a disclosure of his/ her personal interests would be advisable, and, if so, how such disclosure should be made so as to safeguard the public interest.

h. Whether it would operate in the best interest of the people for him/ her to withdraw or abstain from participation or to direct or pursue a particular course of action in the matter.

I bring your attention to three key questions which you or the board should consider:

Disclosure

impartiality

Abstention from votes / commission comments

First. Disclosure. As you recall the Meridian TC was created as a follow up to the Meridian Redi Ride workgroup - since the workgroup made little progress. Solving the conflicting interests of the school children (residing within walking distance of their campus) versus Seniors / disabled travelers was a key challenge the TC was charged with when it was created. I bring to your attention that at the TC meeting held Feb 21st, 2019, Commissioner Steve Vagnozzi - perhaps for the first time - disclosed that his wife is the Secretary for the public school bus program which has been at the heart of the debate. His disclosure (in his words "by way of transparency, I have all this inside information because..... "). This disclosure by any definition is anything but timely. It comes nearly two years into the Redi Ride work of the TC and literally the final words before a crucial vote regarding the Redi Ride Millage recommendation.

Second is the lack of impartiality. Commissioner Vagnozzi from day 1 has been an outright vocal critique of any suggestion to change the Redi Ride status-quo nor address the inequities that exists within the program. (The exception being doubling the redi-ride bus fare - he was a strong proponent of that action). Let

me just cite three comments Mr. Vagnozzi made on Feb 21st. 2019 before the final vote while the TC was discussing these Redi-Ride issues.

a) On the question of should school bus transportation be accomplished for the "walkers" (children residing close to school) who may reside along arteries that numerous school buses pass by routinely? These students are seeking a ride to the very same destination as the Redi Ride buses. Commissioner Vagnozzi argued against such an idea since in his view it creates an unfair advantage for students that do not reside "close" to the school bus arteries. He used Club Meridian and Chippawa students as an example. He explained that just because (Club Meridian students) have an advantage, school buses are prohibited from picking them up in fairness to kids who reside further from Bennett or Okemos Roads.

b) On the question of should there be a minimum age limit permitting young children to travel alone on public Redi Ride buses? The discussion swirled around liability, and is a para-transit public bus known as Redi Ride appropriate? (IE driver training, safety issues, children behavior etc). Commissioner Vagnozzi shut down that discussion by declaring that rules can not be changed because such a change would amount to "discrimination based on age" - which ended the discussion. (By the way, Mr. Vagnozzi's declaration is outright erroneous. Many transit agencies and bus/train companies have a child minimum age. Amtrak which is Commissioner's Vagnozzi area of expertise enforces a minimum age of 12).

I can cite more examples if needed where Vice Chair Vagnozzi has been anything but impartial on the subject of students v' seniors on Redi Ride.

Third is the question of abstaining from debate / votes.

A few years ago as a Meridian Township Planning Commissioner, I along with other members received training on this very subject - potential conflict of interest. This training was provided by Fahey Schultz Burzych Rhodes PLC. The trainer emphasized that a conflict may exist not only if one receives personal benefits from a family relationship, but rather, does a personal relationship impact impartiality? Based on this premise it is my position that Commissioner Vagnozzi should have disclosed and recused himself from votes that may favor financial interests of this public school bus program. Yet to the contrary, I observed that Commissioner Vagnozzi acted with bias to ensure that the Redi Ride status quo would remain in place for the next 5-10 years. I ask for your review and consideration to find a remedy to this conflict moving forward.

Thank you,

Ody Norkin,



To: Board Members
From: Frank L. Walsh, Township Manager
Date: April 5, 2019
Re: Mr. Norkin's Ethics Complaint re: Trustee Opsommer

Mr. Ody Norkin filed the attached ethics complaint concerning Trustee Opsommer. Mr. Norkin points out that Trustee Opsommer serves on both the Township Board and as a member of the CATA Board, and suggests that this presents an incompatibility of offices prohibited by 1978 PA 566, MCL 15.181, et seq.

To investigate this complaint, I contacted the Township Attorney, who advises that Trustee Opsommer's holding these two positions has been clearly ruled not to be a violation of the cited law in a Michigan Attorney General opinion that looked at this identical issue (OAG, 2000, No. 7054 (May 17, 2000) (see attached).

The official in OAG No. 7054 was both a city council member and a board member for a regional transportation authority (like CATA) to which the city belonged. The Attorney General found no unlawful incompatibility of office there, even though there was a contract between the city and the transportation authority. The Attorney General opined that the following language in Const 1963, art 7, §28, expressly allows an official to hold such dual offices:

“... authorize two or more counties, townships, cities ... or any combination thereof among other things to: enter into contractual undertakings or agreements with one another ... for the joint administration of any of [their] functions or powers ...

“... an officer or employee of ... any such unit of government or subdivision ... may serve on or with any governmental body established for the purposes set forth in this section and shall not be required to relinquish his office or employment by reason of such service.”

As the Attorney General explained:

“Consistent with these constitutional provisions, the Legislature enacted the Public Transportation Authority Act, supra, to provide the statutory mechanism governing the formation and operation of a public transportation authority. The public transportation authority described in your question falls within the class of intergovernmental units encompassed by Const 1963, art 7, § 28.1 The effect of this constitutional provision is to authorize city council members to serve on the board of a regional public transportation authority. See OAG, 1983-1984, No 6260, pp 423, 424-425 (December 5, 1984). Since

Memo to Township Board

April 5, 2019

Re: Mr. Ody Norkin's Ethics Complaint re: Trustee Opsommer

Page 2

Michigan's Constitution expressly permits local elected officials to serve on an intergovernmental body, such dual office holding does not give rise to a prohibited incompatibility. Id. at pp 424-425."

Based on this authority, I recommend that the Board find Mr. Norkin's complaint to be without merit.

The following motion has been prepared for Board consideration:

MOVE TO APPROVE TOWNSHIP MANAGER'S RECOMMENDATION THAT THE ETHICS COMPLAINT LODGED BY MR. ODY NORKIN AGAINST TRUSTEE OPSOMMER TO BE WITHOUT MERIT.

Attachments:

1. AG Opinion
2. Mr. Norkin's Ethics Complaint

The following opinion is presented on-line for informational use only and does not replace the official version. (Mich Dept of Attorney General Web Site - www.ag.state.mi.us)

STATE OF MICHIGAN

JENNIFER M. GRANHOLM, ATTORNEY GENERAL

CITIES:

CONFLICT OF INTEREST:

CONSTITUTIONAL LAW:

INCOMPATIBILITY:

MUNICIPAL CORPORATIONS:

PUBLIC OFFICERS AND OFFICES:

City councilperson serving as member of board of regional transportation authority

Application of Const 1963, art 7, § 28, to Incompatible Public Offices Act

Contract between city and regional transportation authority of which city is a member

The Incompatible Public Offices Act does not prohibit a person from simultaneously serving as a member of a city council and as a member of the board of a public transportation authority of which the city is a member. Const 1963, art 7, § 28, permits such dual office holding.

The Public Servants' Conflict of Interest Act does not prohibit a city from entering into a contract with a public transportation authority to act as employer of persons hired by the authority where a city council member simultaneously serves as a member of the transportation authority of which the city is a member.

Opinion No. 7054

May 17, 2000

Honorable Larry Julian
State Representative
The Capitol
Lansing, Michigan

You have asked two questions concerning a public transportation authority created by an interlocal agreement under the Public Transportation Authority Act. Interlocal agreements are permitted by the Urban Cooperation Act of 1967. 1967 (Ex Sess) PA 7; MCL 124.501 *et seq*; MSA 5.4088(1) *et seq*.

The Public Transportation Authority Act, 1986 PA 196, MCL 124.451 *et seq*; MSA 5.3475(451) *et seq*, authorizes the formation of public transportation authorities. A transportation authority created under the Public Transportation Authority Act may plan, promote, finance, own, construct, operate, and maintain a public transportation system. Section 12. It is administered by a board of directors in accordance with an interlocal agreement. Sections 3 and 13. A public transportation authority is a body corporate and "shall be considered to be an agency and instrumentality of the state." Section 13. A city which has joined a public transportation authority through execution of an interlocal agreement is a member of the public authority. Section 3.

Your first question asks whether the Incompatible Public Offices Act prohibits a person from simultaneously serving as a member of a

city council and as a member of the board of a public transportation authority of which the city is a member.

The Incompatible Public Offices Act, 1978 PA 566, MCL 15.181 *et seq*; MSA 15.1120(121) *et seq* (Act), prohibits the same person from simultaneously holding two or more incompatible public offices. Section 1(b) of the Act defines incompatible public offices as follows:

"Incompatible offices" means public offices held by a public official which, when the official is performing the duties of any of the public offices held by the official, results in any of the following with respect to those offices held:

- (i) The subordination of 1 public office to another.
- (ii) The supervision of 1 public office by another.
- (iii) A breach of duty of public office.

The office of city council member is a public office for purposes of the Act. Section 1(e)(ii). Because a public transportation authority is a public body, members of its governing board are public officials subject to the Act. Thus, a person simultaneously serving as member of the city council and member of the governing board of a public transportation authority holds two public offices at the same time. Under the Act, the question becomes whether these two public offices are incompatible, i.e., does one office supervise the other or is one subordinate to the other.

A subordinate and supervisory relationship exists where one office has the power to appoint members to the other office. OAG, 1995-1996, No 6834, pp 9, 10 (February 3, 1995); OAG, 1979-1980, No 5626, pp 537, 542 (January 16, 1980). The interlocal agreement creating the transportation authority which is the subject of your question provides that each governmental unit joining in its formation may appoint two members to the transportation authority's board of directors and set the length of the terms of their office. See Shiawassee Area Transportation Authority interlocal agreement, paragraph 4. My staff is advised that the city council participates in the process of appointing members to the transportation authority's board. Thus, a city council member's duty to appoint, or to confirm the appointment of transportation authority board members, creates a subordinate and supervisory relationship under subsections 1(b)(i) and (ii) of the Act. Accordingly, city council members and transportation authority board members are involved in a subordinate and supervisory relationship, a situation prohibited by the Incompatible Public Offices Act, unless the relationship falls within a specific constitutional or statutory exception.

Const 1963, art 7, § 24, authorizes the Legislature to empower municipalities to operate transportation and other public service facilities. Const 1963, art 7, § 28, empowers the Legislature to authorize municipalities to enter interlocal agreements to deliver services, and allows dual office holding under specified circumstances.

The legislature by general law shall authorize two or more counties, townships, *cities* . . . or any combination thereof among other things to: enter into contractual undertakings *or agreements with one another* . . . for the joint administration of any of the functions or powers which each would have the power to perform separately

Any other provision of this constitution notwithstanding, an *officer or employee* of the state or any such unit of government or *subdivision* . . . may serve on or with any governmental body established for the purposes set forth in this section and *shall not be required to relinquish his office or employment* by reason of such service.

(Emphasis added.)

The Address to the People discussed the purpose of this section:

This is a new section designed to encourage the solution of metropolitan problems through existing units of government rather than by creating a fourth layer of local government. Local governments are allowed to join in a variety of ways to work out together the solutions to their joint problems.

Because this work is to be carried on by local governments, officials (except members of the legislature) are allowed to serve on the boards. The last sentence provides that such service is not in conflict with other provisions of this constitution.

2 Official Record, Constitutional Convention 1961, p 3394.

Consistent with these constitutional provisions, the Legislature enacted the Public Transportation Authority Act, *supra*, to provide the statutory mechanism governing the formation and operation of a public transportation authority. The public transportation authority described in your question falls within the class of intergovernmental units encompassed by Const 1963, art 7, § 28.¹ The effect of this constitutional provision is to authorize city council members to serve on the board of a regional public transportation authority. See OAG, 1983-1984, No 6260, pp 423, 424-425 (December 5, 1984). Since Michigan's Constitution expressly permits local elected officials to serve on an intergovernmental body, such dual office holding does not give rise to a prohibited incompatibility. *Id.* at pp 424-425. OAG, 1997-1998, No 7003 (December 23, 1998), which concluded that the Incompatible Public Offices Act prohibits a city council member from serving as a member of the *city's* board of public transportation authority, is distinguishable because it did not involve serving on an intergovernmental body established by interlocal agreement.

It is my opinion, therefore, in answer to your first question, that the Incompatible Public Offices Act does not prohibit a person from simultaneously serving as a member of a city council and member of the board of a public transportation authority of which the city is a member. Const 1963, art 7, § 28, permits such dual office holding.

Your second question asks whether the Public Servants' Conflict of Interest Act prohibits a city from entering into a contract with a regional transportation authority to act as employer of persons hired by the authority where a city council member simultaneously serves as a member of the board of transportation authority of which the city is a member.

The Public Servants' Conflict of Interest Act, 1968 PA 317, MCL 15.321 *et seq*; MSA 4.1700(51) *et seq*, generally prohibits a public servant from being a party to a contract between himself or herself and the public entity² of which he or she is an officer or employee. Section 2(1). This act, however, expressly provides that the prohibitions in section 2 shall *not* apply to certain types of contracts, including "[c]ontracts between public entities." Section 4(a). The contract which is the subject of your question is a contract between a city and a public transportation authority, both of which are public entities. Since the act's section 4(a) exception is controlling, the contract between the city and the transportation authority is exempted from the general prohibition in section 2 of the act.³

It is my opinion, therefore, in answer to your second question, that the Public Servants' Conflict of Interest Act does not prohibit a city from entering into a contract with a public transportation authority to act as employer of persons hired by the authority where a city council member simultaneously serves as a member of the transportation authority of which the city is a member.

JENNIFER M. GRANHOLM
Attorney General

¹ Section 3(4)(a) of the Incompatible Public Offices Act also provides an exception which allows dual office holding by public officers and employees of municipalities having a population of less than 25,000. Given the application of Const 1963, art 7, § 28, to your question, however, it is not necessary to apply the under-25,000 exception.

² The act defines "public entity" to include "any public body corporate within the state." Section 1(b).

³ Section 3 of the Public Servants' Conflict of Interest Act also provides an exception which allows certain contracts between public servants and municipalities having a population of less than 25,000. Given the application of section 4(1) of this Act to your question, however, it is not necessary to apply the under-25,000 exception.

From: Ody Norkin [<mailto:ody.norkin@gmail.com>]

Sent: Monday, March 11, 2019 9:19 AM

To: Frank Walsh <walsh@meridian.mi.us>

Subject: Administrative (Ethics) complaint to Meridian Township re. incompatible office act (PA 566 of 1978)

Administrative (Ethics) complaint to Meridian Township re. incompatible office act (PA 566 of 1978)

Mr. Walsh good morning,

I ask that you investigate a violation of Michigan law with respect to Trustee Dan Opsommer. As we all know he serves as an appointed CATA board member representing Meridian as well as an elected official at the Township's highest ranking board. Not only did Mr. Opsommer approve contracts between both boards he actually is **the lead negotiator** on behalf of both agencies on the very same contract. One may argue (and perhaps be true) that he is only negotiating in the "back rooms" of both offices, yet he is still operating in direct violation of this important public act.

I have raised this conflict before with Stephen Schultz regarding Julie Brixie who was approving the same contractual documents both as our Township Treasurer and CATA's board member. Mr. Schultz commented that there is no conflict in his opinion. I even mentioned this issue directly to Mr. Opsommer at the end of a CATA board meeting. Then I pursued an AG opinion in a long eight page submission to the State AG office. A very forthcoming and kind Assistant Attorney General Frank Monticello responded with a two page letter pointing out that a citizen may not seek an AG opinion. The request must come from an elected official and/or an agency with "standing". Mr. Monticello however suggested that I may consider bringing this matter formally to the attention of Meridian township's attorney, or the Ingham County Prosecutor's office, or seek remedies via my personal attorney who can debrief me on my legal options.

To date, I have not taken any action since I had high hopes that the township board will not act according to Mr. Opsommer's directives, but rather, follow the townships own code-of-conduct vis-a-vis the important Redi Ride contract, its mileage and a prudent procurement process. As you well know, this Redi-Ride service was to serve by in large our seniors and people with disabilities who depend on public transpiration (para-transit or otherwise) to get to doctor offices, food stores and other township destinations. Unfortunately, Mr. Opsommer prevailed on Tuesday 3/5/2019 to convince four of the seven Trustees to follow his lead and not allow any changes to the mileage language. Furthermore, Mr Opsommer insisted on a perpetual sole source arrangement with CATA that can not be reversed for years - if not decades to come. This action I feel is to the detriment of my fellow residents and Redi Ride riders. The 4-3 vote on Tuesday dashed any hopes for the township to conduct a common sense clean procurement (or an SOQ process which you skillfully suggested). Therefor I am filing this administrative complaint to exhaust my administrative remedies before proceeding with any other legal action.

So here are the facts:

Trustee Opsommer was elected to Meridian Township board in 2016 with a term expiration of November 2020.

Trustee Opsommer was appointed by Meridian Township Board of trustees as a voting member of the CATA board. I do not have the date of appointment but approximately 2017.

Dan Opsommer should be extremely familiar with PA 566 as career legislative official with the Michigan House of Representatives. Currently legislative director to state Rep. Julie Brixie.

Trustee Opsommer has not recused himself in any way nor has he denied that he is **the lead** Trustee when it comes to the CATA Redi Ride contract matters (grants, expansion or otherwise).

You may also want to confirm with Ingham County, that in the past, the Meridian Township board asked then Ingham County Commissioner, the late John Veenstra, to step down from the township's Parks Commission (which he was elected to) citing this very public act and a small engagement between the two organizations. (John did so because I believe, he was a man of true integrity and never felt he was above the law. Any law).

Since I am not a lawyer, just a lay citizen, I will not cite the case law I read up on, etc. But I did want to bring to your attention an excerpt from one (of four) AG opinions that have been published directly on point regarding PA 566 and analogous situations. I am sure your legal experts will quickly retrieve the rest.

Excerpt from Michigan AG Opinion 6717 – April 7, 1992

<http://www.ag.state.mi.us/opinion/datafiles/1990s/op06717.htm>

Id., at 19.

However, the opinion also rather clearly indicated that the offices in question would become incompatible if contract negotiations or a legal dispute were to arise between the city and the county. That incompatibility, moreover, could not be "cured" or avoided by a decision on the part of the individual to abstain from participation in or voting upon the contract or dispute. Such an abstention would itself constitute a breach of duty: [W]ithin the context of the incompatibility statute, a breach of duty would occur where the simultaneous holder of the offices of city attorney and member of the county board of commissioners failed to protect, advance, and promote the interests of both public offices and that in such situation, only vacation of one office would resolve the public officials dilemma.

Id.

Accord, Contesti v Attorney General, 164 MichApp 271, 281; 416 NW2d 410 (1987), lv den 430 Mich 893 (1988); Wayne County Prosecutor v Kinney, supra, 184 MichApp at 684. Nor is it significant that the officer in question is removed from direct participation in or supervision of the conflicting activity. As the Court of Appeals observed in Wayne County Prosecutor v Kinney, 184 MichApp at 685:

[T]he degree of control is not a dispositive issue; the positioning of the two offices on opposite sides of a contractual relationship is the crucial factor.

I will await your response through COB Monday April 1st, 2019.

Sincerely,

Ody Norkin
3803 Sandlewood Drive
Okemos, MI 48864



12.C

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Peter Menser, Principal Planner

Date: April 4, 2019

Re: Mixed Use Planned Unit Development #18044 (Newton Pointe, LLC) Newton Park

The Township Board held the public hearing on Mixed Use Planned Unit Development #18044 at its last meeting on March 19, 2019. At the meeting the Board agreed to consider a resolution to approve the request at its next meeting.

Since the public hearing the floor plans for the project were updated to incorporate the addition of 3,111 square feet of professional office space on the second floor of the mixed use building. The sign program for the development has also been updated to reduce the size of the proposed two freestanding signs and four wall signs to meet the provisions of the zoning ordinance. The amenities plan was also updated to include two electric car charging stations and establish minimum sizes for street trees (three inch caliper) and evergreen trees (eight feet) proposed for planting in the bermed areas along Saginaw Highway and the south property line.

Township Board Options

The Township Board may approve or deny the proposed mixed use planned unit development. If the Board amends the proposal, the request may be referred back to the Planning Commission for a recommendation. A resolution to approve the project with conditions is provided.

- **Motion to adopt the resolution approving Mixed Use Planned Unit Development #18044 with conditions.**

Attachment

1. Resolution to approve.

G:\Community Planning & Development\Planning\MIXED USE PLANNED UNIT DEVELOPMENT (MUPUD)\2018\MUPUD 18044 (Newton Pointe)\MUPUD 18044.tb2.doc

RESOLUTION TO APPROVE

**Mixed Use Planned Unit Development #18044
(Newton Pointe, LLC)**

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 9th day of April, 2019, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Newton Pointe, LLC has submitted a request to establish a mixed use planned unit development (MUPUD) identified as Newton Park on 23.95 acres located at 6276 Newton Road and a property recognized as Parcel I.D. #04-252-005; and

WHEREAS, the proposed mixed use planned unit development includes the construction of a new 106,898 square foot mixed use building with 91 multiple family dwelling units and 6,081 square feet of commercial space, 3,111 square feet of office space, and 6,257 square feet of clubhouse space, 10, 10-unit multiple family buildings, five, four-unit single family attached buildings, and 14 single family dwellings; and

WHEREAS, 6,081 square feet of commercial space, 3,111 square feet of office space, 316,366 square feet of residential space, and a total of 225 dwelling units are proposed in the project; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on November 5, 2018 and recommend denial of the project on December 17, 2018; and

WHEREAS, the Township Board held a public hearing on the request at its meeting on March 19, 2019 and has reviewed the information forwarded by staff under a cover memorandum dated March 11, 2019; and

WHEREAS, the subject site is appropriately zoned C-2 (Commercial), which allows for a mixed use planned unit development (MUPUD); and

WHEREAS, the mixed use planned unit development meets the conditions established in Rezoning #06050 for site layout, residential density, and land use; and

WHEREAS, the proposed mixed use planned unit development has been designed to be harmonious and appropriate with the existing and potential future uses surrounding the site; and

WHEREAS, the proposed mixed use planned unit development meets the minimum MUPUD design standards as outlined in Section 86-440(f) of the Code of Ordinances; and

WHEREAS, the requested waivers for building setbacks, parking lot setbacks, number of parking spaces, signage, and water feature setbacks are appropriate and necessary to facilitate development of the property consistent with the intent of the MUPUD ordinance; and

**Resolution to Approve
MUPUD #18044 (Newton Pointe, LLC)
Page 2**

WHEREAS, the number and type of amenities provided in the mixed use planned unit development are consistent with the requirements, guidelines, and criteria stated in Section 86-440(e) of the Code of Ordinances; and

WHEREAS, municipal water is available in the vicinity of the project site and sanitary sewer is available for extension to serve the subject site; and

WHEREAS, the proposed mixed use planned unit development is consistent with Objective A of Goal 1 of the 2017 Master Plan to maintain a community of desirable, attractive residential neighborhoods; and

WHEREAS, the proposed mixed use planned unit development is consistent with Objective B of Goal 1 of the 2017 Master Plan to ensure new residential developments meet high standards of visual attractiveness, health and safety, and environmental sensitivity.

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Mixed Use Planned Unit Development #18044, subject to the following conditions:

1. Approval is in accordance with the site plan prepared by Kebs, Inc. dated November 22, 2017 (Revision Date February 18, 2019) and received by the Township on February 19, 2019, subject to revisions as required.
2. Approval is in accordance with the architectural renderings, floor plans, and building elevations for the single family homes, four-unit single family attached buildings, 10-unit buildings, maintenance garage, and pool house prepared by The Peabody Group received by the Township on February 19, 2019.
3. Approval is in accordance with the floor plans for the mixed use building prepared by The Peabody Group received by the Township on March 29, 2019.
4. Approval is in accordance with the building elevations for the mixed use building prepared by The Peabody Group received by the Township on April 4, 2019.
5. Approval is in accordance with the sign program prepared by The Peabody Group received by the Township on April 4, 2019.
6. Approval is in accordance with the landscape plan and amenities plan prepared by Luke Landscape dated March 28, 2019 and received by the Township on April 3, 2019.
7. Approval of the mixed use planned unit development is contingent on the approval of Special Use Permit #18091.
8. Approval of the mixed use planned unit development is contingent on the approval of Wetland Use Permit #18-03, unless the plan is amended to alleviate the need for a wetland use permit.
9. Approval is subject to the conditions established in Rezoning #06050.
10. All street trees in the development shall be installed at three inch caliper or greater.

**Resolution to Approve
MUPUD #18044 (Newton Pointe, LLC)
Page 3**

11. The evergreen trees proposed for planting in the bermed areas along Saginaw Highway and the south property line shall be a minimum of 8 feet in height at the time of installation.
12. The waivers requested for building setbacks, parking lot setbacks, number of parking spaces, freestanding sign, wall signs, and water feature setbacks are recommended for approval as depicted on the submitted site plan prepared by Kebs, Inc. dated November 22, 2017 (Revision Date February 18, 2019) and received by the Township on February 19, 2019.
13. Approval is subject to the applicant obtaining all necessary permits, licenses, and approvals from the Ingham County Road Department, Michigan Department of Transportation, Ingham County Drain Commissioner, Michigan Department of Environmental Quality, and the Township, as applicable. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.
14. The utility, grading, and storm drainage plans for the site are subject to the approval of the Director of Public Works and Engineering and Ingham County Drain Commissioner and shall be completed in accordance with the Township Engineering Design and Construction Standards.
15. No grading or land clearing shall take place on the site until the site plan has been approved by the Director of Community Planning and Development and grading and soil erosion and sedimentation control (SESC) permits have been issued for the project.
16. All utility service distribution lines shall be installed underground.
17. Any future building additions or revisions to the site layout will require amendments to Mixed Use Planned Unit Development #18044 and Special Use Permit #18091.
18. The final design of the trash and recycling facilities and related enclosures shall be subject to the approval of the Director of Community Planning and Development.
19. Site accessories such as railings, benches, exterior lighting fixtures, and bicycle racks shall be of commercial quality and complement the building design. Final design and location shall be subject to the approval of the Director of Community Planning and Development.
20. Landscaping shall comply with the provisions of the Code of Ordinances, including the standards outlined in Section 86-440(f)(4) and other applicable sections of the Ordinance pertaining to landscaping.
21. Site and building lighting shall comply with Article VII of Chapter 38 of the Code of Ordinances and shall be subject to the approval of the Director of Community Planning and Development.
22. The applicant shall combine the two subject parcels into one parcel.
23. The applicant shall construct the required 10 foot wide pathway along the Saginaw Highway frontage and the required seven foot pathway along the Newton Road frontage of the properties included in the development. The pathways shall be designed and constructed in accordance with Township Engineering Design and Construction Standards. The design and location of the pathway shall be subject to the approval of the Director of Public Works and Engineering.



12.D

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Peter Menser, Principal Planner

Date: April 4, 2019

Re: Wetland Use Permit #18-03 (Newton Pointe, LLC) Newton Park

The Township Board held the public hearing on Wetland Use Permit #18-03 at its last meeting on March 19, 2019. At the meeting the Board agreed to consider a resolution to approve the request subject to the conditions recommended by the Township's wetland consultant at its next meeting. The attached resolution includes those conditions and also requires review and approval of the final construction plans by the Director of Community Planning and Development and the Township's wetland consultant prior to work occurring on the site.

Township Board Options

The Township Board may approve or deny the wetland use permit. If the Board amends the proposal, the request may be referred back to the Environmental Commission for a recommendation. A resolution to approve the wetland use permit with conditions is provided.

- **Motion to adopt the resolution approving Wetland Use Permit #18-03 with conditions.**

Attachment

1. Resolution to approve.

RESOLUTION TO APPROVE

**Wetland Use Permit #18-03
(Newton Pointe, LLC)**

RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 9th day of April, 2019, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Newton Pointe, LLC requested a wetland use permit (WUP #18-03) to discharge storm water to regulated wetlands at 6276 Newton Road; and

WHEREAS, the Township Wetland Protection Ordinance, Section 22-151, requires a wetland use permit for the proposed activity impacting regulated wetlands; and

WHEREAS, the Township Board held a public hearing and discussed the wetland use permit at its meeting on March 19, 2019; and

WHEREAS, the Township Board reviewed and discussed the staff material provided under a cover memorandum dated March 11, 2019; and

WHEREAS, the Township’s Environmental Commission and the Environmental Consultant recommended approval of the wetland use permit with conditions; and

WHEREAS, the discharging of storm water to the wetlands on the site will not negatively impact the health or stability of the wetlands; and

WHEREAS, the storm water forebays as designed will provide adequate pre-treatment of storm water before being discharged to the wetlands on the property; and

WHEREAS, the storm water management plan proposed in the wetland use permit will ensure the regulated wetlands will maintain their existing hydrological characteristics; and

WHEREAS, the wetland use permit is necessary to manage storm water for the proposed development; and

WHEREAS, the use of the wetlands on site for storm water detention will provide groundwater recharge, water storage and improvement to water quality prior to discharge to the municipal storm water system.

**Resolution to Approve
Wetland Use Permit #18-03 (Newton Pointe, LLC)
Page 2**

NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Wetland Use Permit #18-03 to discharge storm water to regulated wetlands at 6276 Newton Road, subject to the following conditions:

1. Approval is based on the wetland application prepared by Newton Pointe, LLC received by the Township on October 5, 2018.
2. Approval is based on the existing and proposed drainage plan prepared by Kebs Inc, LLC dated November 22, 2017 (revision date November 19, 2018) and received by the Township on December 12, 2018.
3. Approval is based on the storm water management plan prepared by Kebs Inc, LLC dated November 22, 2017 (revision date February 18, 2019) and received by the Township on February 19, 2019.
4. The applicant shall obtain all necessary permits, licenses and approvals from the Ingham County Drain Commissioner's office, and the Township prior to any work taking place. Copies of all permits, licenses and approvals shall be submitted to the Department of Community Planning & Development.
5. The applicant must submit the final engineering design for storm water forebays, the storm pipe between Wetlands A and B, and the outlet structure to the Director of Community Planning and Development for approval prior to site development to ensure these features are engineered appropriately to ensure no harm to wetlands.
6. Due to increased runoff into the wetlands as a result of the proposed impervious surfaces and increased drainage area to the wetlands the storm water outlet shall be sized for a discharge rate that will dewater the 100-year storm event within 24 hours, with the understanding that the acceptable discharge rate must meet Meridian Township Engineering standards and not cause harmful interference to the downstream receiving waters.
7. Storm water forebays must be constructed outside the 40-foot wetland buffer to the greatest extent possible and must not extend into the wetlands.
8. A minimum 18-inch diameter wetland equalization storm pipe must be installed between Wetlands A and B, not a 12-inch diameter pipe. The pipe should be installed at an elevation of 870 feet.
9. The applicant shall implement appropriate erosion and sedimentation control measures during construction to ensure there are no impacts to the wetland as a result of eroding soil.
10. Prior to construction, erosion control fencing shall be installed to prevent sedimentation from infiltrating into the wetlands. The erosion control fencing shall be maintained throughout the duration of the project and shall be removed after construction is completed and the area is stabilized.
11. The applicant shall periodically inspect the subject site during the first year after construction to identify and correct any erosion issues.



12.E

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Peter Menser, Principal Planner

Date: April 4, 2019

Re: Special Use Permit #18091 (Newton Pointe, LLC) Newton Park

The Township Board discussed Special Use Permit #18091 at its last meeting on March 19, 2019. At the meeting the Board agreed to consider a resolution to approve the request at its next meeting.

Township Board Options

The Township Board may approve or deny the special use permit. If the Board amends the proposal, the request may be referred back to the Planning Commission for a recommendation. A resolution to approve the special use permit with conditions matching those of MUPUD #18044 is provided.

- **Motion to adopt the resolution approving Special Use Permit #18091 with conditions.**

Attachment

1. Resolution to approve.

G:\Community Planning & Development\Planning\SPECIAL USE PERMITS (SUP)\2018\SUP 18091 (Newton Pointe LLC) Newton Park\SUP 18091.tb2

RESOLUTION TO APPROVE

**Special Use Permit #18091
(Newton Pointe, LLC)**

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 9th day of April, 2019, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Newton Pointe, LLC has submitted a request to construct a project identified as Newton Park on 23.95 acres located at 6276 Newton Road and a property recognized as Parcel I.D. #04-252-005; and

WHEREAS, the proposed project includes the construction of a new 106,898 square foot mixed use building with 91 multiple family dwelling units and 6,081 square feet of commercial space, 3,111 square feet of office space, and 6,257 square feet of clubhouse space, 10, 10-unit multiple family buildings, five, four-unit single family attached buildings, and 14 single family dwellings; and

WHEREAS, 6,081 square feet of commercial space, 3,111 square feet of office space, 316,366 square feet of residential space, and a total of 225 dwelling units are proposed in the project; and

WHEREAS, a special use permit is required for constructing a group of buildings totaling more than 25,000 square feet in gross floor area; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on November 5, 2018 and recommend denial on December 17, 2018; and

WHEREAS, the Township Board discussed the request at its meeting on March 19, 2019 and has reviewed the information forwarded by staff under a cover memorandum dated March 11, 2019; and

WHEREAS, the subject site is appropriately zoned C-2 (Commercial), which permits the construction of buildings greater than 25,000 square feet in floor area by special use permit; and

WHEREAS, the proposed project meets the conditions established in Rezoning #06050 for site layout, residential density, and land use; 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; and

WHEREAS, municipal water is available in the vicinity of the project site and sanitary sewer is available for extension to serve the subject site.



12.F

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Mackenzie Dean, Assistant Planner

Date: April 3, 2019

Re: Time Limitations for Vending-Introduction

The Township Board at its March 5, 2019 meeting discussed reducing the allowable times in residential areas where vending is typically door to door. The Board considered reducing the existing hours from 8:00 p.m. to 7:00 p.m. or 6:00 p.m., from April 1 to October 31 and reducing the 6:00 p.m. to 4:00 p.m. or 5:00 p.m., from November 1 to March 31. The Board decided to change the time limitation from 8:00 p.m. to 7:00 p.m. during summer hours (April 1 to October 31) and to keep the winter hours (November 1 to March 31) the same.

A resolution to approve the amendment to the Code of Ordinances for introduction is attached. The following motion has been provided for the Board's consideration.

Move to approve the resolution for the introduction of the amendment to Chapter 38 of the Code of Ordinances to amend Article IV, Vendors.

Attachment

1. Resolution for Introduction.
2. Vending Ordinance.

G:\Community Planning & Development\Planning\ORDINANCES\Vending\TimeLimitationsforVending.tb3.doc



RESOLUTION TO APPROVE

**Amendment to Chapter 38, Article IV—Vendors
Licenses, Permits, and Miscellaneous Regulations
(Township Board)
INTRODUCTION**

RESOLUTION

At the regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 9th day of April, 2019, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the Township Board discussed the proposed amendment at its regular meetings on February 19, 2019 and March 5, 2019; and

WHEREAS, the proposed amendment proposes to reduce the hours (9:00 a.m. to 7:00 p.m.) for vending between April 1 to October 31; and

WHEREAS, the proposed amendment develops more reasonable hours for vending in residential areas; and

WHEREAS, the proposed amendment reduces the impact of vending on residents late in the evening.

NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby **INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION** Ordinance No. _____, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Ingham County, Michigan, Chapter 38, Article IV Vendors, Division 1, Section 38-124.

ADOPTED: YEAS: _____

NAYS: _____

Resolution to Approve (Introduction)

Township Board (April 9, 2019)

Page 2

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk 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 Township Board on the 9th day of April, 2019.

Brett Dreyfus
Township Clerk

ORDINANCE NO. _____

**ORDINANCE AMENDING THE CODE OF THE CHARTER TOWNSHIP OF MERIDIAN,
INGHAM COUNTY, MICHIGAN BY AMENDING CHAPTER 38, ARTICLE IV VENDORS, DIVISION 1,
SECTION 38-124**

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1.

**Chapter 38
LICENSES, PERMITS, AND MISCELLANEOUS REGULATIONS**

**ARTICLE IV
Vendors**

Section 38-121. Conduct defined as vending.

For the purposes of this chapter, the following conduct, except mobile food vending as defined in Division 3 of this article, shall be defined to be vending, and persons engaged in such conduct shall be deemed to be vendors:

- (1) The act of offering goods and/or services for sale from a fixed place not within a building or from a fixed place in a temporary structure or shelter, not including merchants offering goods and/or services for sale upon commercial premises permanently occupied by them.
- (2) The act of offering goods and/or services for immediate sale, or for sale by sample, description, or otherwise for delivery at a future time, by going from door to door, or passing from house to house, or going from person to person, not including the act of offering goods for wholesale to retailers or for resale to manufacturers for use in their processes; also not including regular route delivery persons delivering goods and/or services.

Section 38-122. Cessation upon request by police officer.

No vendor shall continue to engage in vending on any street, alley, sidewalk or other public place in the Township after being requested by a police officer to refrain therefrom because of congested traffic conditions.

Section 38-123. Noise prohibited.

No vendor shall shout or call his/her goods and/or services in a loud, boisterous, or indecent manner, nor to the disturbance of persons dwelling nearby, nor shall any vendor use any bell, public address system, or other noise-making device to call attention to his/her goods and or services or to his/her presence for the purpose of vending.

A. Amendment to Chapter 38, Article IV, Division 1, Section 38-124. Section 38-124 entitled Location and Time Limitations, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby amended to read as follows:

Section 38-124. Location and time limitations.

When any vendor engages in the conduct of vending using a handcart, pushcart, wagon, motor vehicle, railroad car, or other vehicle conveyance, or from a fixed place in a temporary structure or shelter, or from a fixed place not within a building, such vendor shall not occupy any site, or any other location within 1,000 feet of that site, for a period in excess of 14 days, either continuously or intermittently, during the period of a valid license. Except in a Commercial District, vending may only occur between 9:00 a.m. to 7:00 p.m., from April 1 to October 31 and 9:00 a.m. to 6:00 p.m., November 1 to March 31.

Section 38-125. Setback requirements.

When any vendor engages in vending using a handcart, pushcart, wagon, motor vehicle, railroad car, or other vehicle conveyance, or from a fixed place in a temporary structure or shelter, or from a fixed place not within a building, such vendor shall locate and all vending shall be set back a minimum of 20 feet from any right-of-way line and property line.

Section 38-126. Signage.

When any vendor engages in vending using a handcart, pushcart, wagon, motor vehicle, railroad car, or other vehicle conveyance, or from a fixed place in a temporary structure or shelter, or from a fixed place not within a building, such vendor shall use no more than one freestanding sign, which shall not be larger than 25 square feet in surface display area per side and shall be set back a minimum of 20 feet from any right-of-way line and property line. For purposes of this section, the term "sign" shall be defined as in Section 86-2 and the surface display area shall be computed as provided in Section 86-684.

Section 38-127 through Section 38-150. (Reserved)

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

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

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

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days following the date of publication.

Vendors Ordinance
March 5, 2019 Revision
Page 3

Ronald J. Styka, Township Supervisor

Brett Dreyfus, Township Clerk

William K. Fahey, Township Attorney

G:\Community Planning & Development\Planning\ORDINANCES\Vending\Vending ordinance amendment 4-9-19.doc



To: Township Board

From: Mark Kieselbach, Director of Community Development and Planning
Mackenzie Dean, Assistant Planner

Date: April 2, 2019

Re: Fireworks Ordinance – Introduction

The Township Board discussed the proposed amendment to Chapter 26, Fireworks at its March 19, 2019 meeting. The proposed changes to the ordinance include:

- Reduces the number of days and hours a person may ignite, discharge or use consumer fireworks
- Prohibits the use of fireworks on public property, school property, church property, or any other person’s property without permission
- Prohibits the use of fireworks under the influence of alcohol and/or a controlled substance
- Prohibits the possession of fireworks by a minor
- Enables the use of low-impact fireworks and novelty fireworks year-round between the hours of 8:00 a.m. and 11:00 p.m.
- Enables the Township’s Fire Department to determine if dangerous or emergency conditions exist and to prohibit the ignition, discharge or use of any firework
- Enforces a no-burning restriction if environmental concerns based on the Department of Natural Resources (DNR) fire division’s criteria are elevated to “extreme”, or to “very high” for 72 consecutive hours

After speaking with Chief Plaga and Chief Hamel our recommendation would be to leave the proposed wording for civil infraction fines instead of establishing a dollar amount for each type of violation. Setting a specific dollar amount allows no flexibility related to the degree or extent of the violation. In either case, a person has the right to appeal the violation and the fine to court.

A resolution to approve the amendment for introduction is attached. The following motion has been provided for the Board’s consideration:

Move to approve the resolution for the introduction of the amendment to Chapter 26 of the Code of Ordinances to amend Article I, Fireworks.

Attachments

1. Resolution for Introduction.
2. Fire Protection and Prevention Draft Ordinance (redline), dated April 5, 2019.
3. Amended Ordinance.

G:\Community Planning & Development\Planning\ORDINANCES\Fireworks\Fireworks.tb2.doc

RESOLUTION TO APPROVE

**Amendment to Chapter 26, Article I—Fireworks
Fire Protection and Prevention
(Township Board)
INTRODUCTION**

RESOLUTION

At the regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 9th day of April, 2019, at 6:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Public Act 256 of 2011 Michigan Fireworks Safety Act was amended in 2018; and

WHEREAS, the proposed amendment to Chapter 26, Article I, Fireworks of the Code of Ordinances is in compliance with Michigan Fireworks Safety Act as amended; and

WHEREAS, the Township Board wishes to amend its existing fireworks safety ordinance to meet the requirements of the Michigan Fireworks Safety Act; and

WHEREAS, the Township Board discussed the proposed amendment at its regular meeting on March 19, 2019; and

WHEREAS, the Township Board believes that responsible regulation of the ignition, discharge and use of consumer fireworks by decreasing the allowable days and hours to ignite consumer fireworks is necessary for the safety and well-being of Township residents and their property; and

WHEREAS, the Township Board believes that the responsible regulation of the ignition, discharge, and use of consumer fireworks on public property, school property, church property, or the property of another person without permission is necessary for the well-being of Township residents, their property, others property; and

WHEREAS, the proposed ordinance is intended to ensure the safety of individuals using fireworks by prohibiting the use of fireworks by minors and the use of fireworks under the influence of alcohol and/or a controlled substance; and

WHEREAS, the proposed amendment will help protect the health, safety, and welfare of the citizens of Meridian Township by enforcing a no-burning restriction if environmental concerns based on the Department of Natural Resources (DNR) fire division’s criteria are elevated to “extreme” or to “very high” for 72 consecutive hours; and

Resolution to Approve (Introduction)

Township Board (April 9, 2019)

Page 2

NOW THEREFORE BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby **INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION** Ordinance No. _____, entitled "Ordinance Amending the Code of the Charter Township of Meridian, Ingham County, Michigan, Chapter 26, Article I, Fireworks.

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk 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 Township Board on the 9th day of April, 2019.

Brett Dreyfus
Township Clerk

Chapter 26

FIRE PREVENTION AND PROTECTION

ARTICLE I

Fireworks

~~Section 26-1. Ignition, discharge, and use of consumer fireworks.~~

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

An ordinance to amend Chapter 26 of the Meridian Township Code of Ordinances to regulate Fire Prevention and Protection and the use of Fireworks in the Township, pursuant to MCL 42.15 and the Michigan Fireworks Safety Act, Act 256 of 2011, et seq.

Section 26-1. Definitions. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ACT 256—The Michigan Fireworks Safety Act, Public Act 256 of 2011, MCL § 28.451 et seq., as amended.

APA STANDARD 87-1—The 2001 APA Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics, published by the American Pyrotechnics Association of Bethesda, Maryland.

ARTICLES PYROTECHNIC—Articles pyrotechnic means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for Consumer Fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

COMMERCIAL MANUFACTURER—A person engaged in the manufacture of consumer fireworks.

CONSUMER FIREWORKS—Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR Parts 1500 and 1507, and that are listed in APA Standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

DISPLAY FIREWORKS—Large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.

FIREWORK OR FIREWORKS—Any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. **Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, homemade fireworks, and special effects.**

NATIONAL HOLIDAY—The following legal public holidays:

- ~~(1) — New Year's Day, January 1.~~
- ~~(2) — Birthday of Martin Luther King, Jr., the third Monday in January.~~
- ~~(3) — Washington's Birthday, the third Monday in February.~~
- ~~(4) — Memorial Day, the last Monday in May.~~
- ~~(5) — Independence Day, July 4.~~
- ~~(6) — Labor Day, the first Monday in September.~~
- ~~(7) — Columbus Day, the second Monday in October.~~
- ~~(8) — Veteran's Day, November 11.~~
- ~~(9) — Thanksgiving Day, the fourth Thursday in November.~~
- ~~(10) — Christmas Day, December 25.~~
- ~~(11) — Any other holiday specified in 5 U.S.C. § 6103, as amended.~~

HOLIDAYS—For the purposes of this ordinance, “Holidays” mean the following dates, beginning at 11:00 a.m. on each day:

- (1) December 31 until 1 a.m. on January 1.
- (2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- (3) June 29 to July 4 until 11:45 p.m. on each of those days.
- (4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- (5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

HOMEMADE FIREWORKS—Any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation that is not produced by a commercial manufacturer and does not comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507.

LOW-IMPACT FIREWORKS—Ground and handheld sparkling devices as that phrase is defined under APA Standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

MINOR—An individual who is less than 18 years of age.

NOVELTIES—Means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, 3.2.4 and 3.2.5 and all of the following:

- (1) Toy plastic or paper cups for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.
- (2) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (1) are used, that are constructed so that the hand cannot come into contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
- (3) Flitter sparklers in paper tube not exceeding 1/8 inch in diameter.
- (4) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box, and toy smoke devices.

PERSON—An individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

SKY LANTERN— An aerial candle which, when set aloft, is no longer under the control of the operator and uses heated air produced by an open flame, combustible or flammable material, or other heat source to lift, become or remain airborne into the atmosphere, and which is not a firework.

Section 26-2. Ignition, discharge and use of low-impact and novelty fireworks.

~~A person shall not ignite, discharge, or use low-impact fireworks between the hours of 1:00 a.m. and 8:00 a.m.~~

The use of low-impact fireworks and novelty fireworks is permitted year-round between the hours of 8:00 a.m. and 11:00 p.m.

Section 26-3. Sky lantern.

A person shall not ignite, discharge, or use a sky lantern within Township boundaries.

Section ~~26-3.~~ 26-4. General Ignition, discharge and use of consumer fireworks.

- (a) A person shall not ignite, discharge, or use consumer fireworks, except ~~on the day preceding, the day of, or the day after a national holiday~~ as provided for in this Ordinance.
- (b) A person shall not ignite, discharge, or use consumer fireworks ~~on the day preceding, the day of, or the day after a national holiday between the hours of 1:00 a.m. and 8:00 a.m.~~

- (b) A minor shall not ignite, discharge, or use consumer fireworks.
- (c) The ignition, discharge, and use of consumer fireworks is permitted pursuant to a permit issued under this Ordinance.
- (d) The ignition, discharge, and use of consumer fireworks without a permit is permitted on a holiday.

~~Section 26-4. Sky lantern.~~

~~A person shall not ignite, discharge, or use a sky lantern.~~

Section 26-5. Ignition, discharge, or use of consumer fireworks on public property, school property, church property or the property of another person.

- (a) A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises.
- (b) A violation of this subsection is a civil infraction, punishable by a civil fine of not more than \$500.00.

Section 26-6. Ignition, discharge, or use of consumer fireworks while under the influence.

- (a) A person shall not ignite, discharge, or use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance.
- (b) As used in this subsection, "alcoholic liquor" means that term as defined in Section 1d of the Michigan Vehicle Code, 1949 PA 300, MCL 257.1d, as may be amended, and "controlled substance" means that term as defined in Section 8b of the Michigan Vehicle Code, 1949 PA 300, MCL 257.8b, as may be amended.
- (c) A violation of this section is a civil infraction, punishable by a fine of not more than \$1,000.00.

Section 26-7. Regulations governing the use of consumer fireworks.

- (a) The requirements of this section do not apply to the use of consumer fireworks during a holiday.
- (b) Any person wishing to use consumer fireworks to stage a consumer fireworks display shall, at least 60 days prior to the display, submit an application on a form furnished by the Township to ignite, discharge, or use consumer fireworks for only the purposes proscribed by the Township in the permit.
- (c) A site plan of the area where the consumer fireworks display is to be conducted shall be submitted with the application. The site plan shall set forth all structures in the area and the discharge site fallout area, as well as the distance separating the mortars and the spectators viewing the display. All site plans must be approved by the Township Fire Department prior to Township Board approval.

- (d) Every person who ignites, discharges, or uses consumer fireworks shall follow National Fire Protection Association (NFPA) Code 1123 for fireworks display, the requirements of the Act and regulations promulgated thereunder, and/or Township requirements, whichever is the most restrictive.
- (e) Every person who is granted a permit to ignite, discharge, or use consumer fireworks shall maintain personal liability insurance/property damage liability insurance in the amount of \$2,000,000 as a minimum during each event. Additional insurance may be required based upon conditions and/or location of the display. The Township and its employees and/or officers shall be named as additional named insured on the insurance policy. The insurance policy must be submitted with the aforementioned application. The insurance policy shall also include coverage for the cleanup after the event has ended.
- (f) Any person using consumer fireworks shall be responsible for all shells or devices being fired or burned. In the event any shell does not explode, the person shall secure the area until the unexploded shell is found and properly disposed of.
- (g) Smoking in an area where consumer fireworks are being used is prohibited.
- (h) Nothing herein limits the liability of any individual for injury to any person or property as a result of the use of consumer fireworks, including any fire suppression costs incurred as a result of improper, careless or negligent use of consumer fireworks.
- (i) The applicant shall cause the site of the consumer fireworks display to be cleaned up within twenty-four (24) hours after the display has ended.

Section 26-8. Dangerous conditions and no-burning restrictions.

- (a) No person may ignite, discharge, or use consumer fireworks if the State Fire Marshal, the commanding officer of the Township's Fire Department, or a firefighter acting in uniform acting under the orders and directions of the commanding officer of the Township's Fire Department determines that a dangerous or emergency condition exists, except in strict compliance with any restrictions or requirements imposed by such an individual.
- (b) If environmental concerns based on the Department of Natural Resources (DNR) fire division's criteria are elevated to "extreme", or to "very high" for 72 consecutive hours, the commanding officer of the Township's Fire Department, in consultation with the DNR, may enforce a no burning restriction, which would include a ban on the ignition, discharge, and use of consumer fireworks within the Township. The governor, the DNR, or the State Fire Marshal may also enforce such a restriction statewide. If a no burning restriction is implemented by the commanding officer of the Township's Fire Department, the public shall be given adequate notice of that restriction. No later than twenty-four (24) hours after the fire conditions are downgraded from extreme or very high conditions, the commanding officer of the Township's Fire Department shall lift the restriction on the use of consumer fireworks, and shall inform the public in the same manner the restriction was announced if the commanding officer initiated the ban.

~~Section 26-5. Enforcement.~~

~~This article may be enforced by the Township Fire Chief, Fire Marshal, fire inspectors, law enforcement officers, and code enforcement officials.~~

~~Section 26-6. Seizure.~~

~~If an enforcing official has determined that a violation of this article has occurred, the official may seize the fireworks as evidence of such violation.~~

~~Section 26-7. Penalties and costs.~~

~~Except as provided for in Act 256, a violation of this article is a municipal civil infraction as defined in the Meridian Charter Township Code of Ordinances. Any person who is found responsible or admits responsibility for a municipal civil infraction shall be subject to a civil fine of not more than \$75 for the first infraction and increasing penalties for additional infractions as established by the Meridian Township Code of Ordinances.~~

Section 26-9. Enforcement and seizure of fireworks and penalties.

- (a) This ordinance may be enforced by any sworn law enforcement officers, the fire chief, fire inspector, code enforcement officer, or any person authorized to issue appearance tickets or civil infractions.
- (b) A Township law enforcement agency that identifies a firework that is in violation of this Ordinance shall secure the firework and immediately notify the Department of Licensing and Regulatory Affairs if the alleged violation. The law enforcement agency shall investigate the alleged violation for compliance with this ordinance.
- (c) If the law enforcement agency determines through its investigation under subsection (b) that a violation of this ordinance or the act has occurred, the law enforcement agency may seize the fireworks as evidence of such violation. The law enforcement agency must store or cause to be stored, the evidence seized in this section pending disposition of any enforcement proceedings. Upon a finding of guilt, responsibility, or liability, the person so adjudged shall be required to pay all associated storage and disposal expenses for the evidence seized.
- (d) Unless otherwise provided herein, any person who violates this ordinance is guilty of a municipal civil infraction which shall be punishable upon a finding of responsibility thereof by a fine not exceeding \$1000.00. Upon a finding of responsibility, \$500.00 of that fine shall be remitted to the local law enforcement agency responsible for enforcing the ordinance, if any.
- (e) Upon conviction, or finding of responsibility, for a violation of this ordinance, law enforcement officials may surrender any fireworks retained as evidence for prosecution of the violation to the Department of Licensing and Regulatory Affairs for destruction as provided by Public Act 5939 of 2018, Section 15(2).

ORDINANCE NO. _____

ORDINANCE AMENDING THE CODE OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY,
MICHIGAN CHAPTER 26, ARTICLE I, FIREWORKS

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1.

A. Amendment to Chapter 26, Article I, Section 26-1. Section 26-1 entitled Ignition, discharge and use of consumer fireworks, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby amended to change the title to Definitions and to read as follows:

ARTICLE I
Fireworks

Section 26-1. Definitions.

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

The following definitions shall remain as written:

ACT 256 — The Michigan Fireworks Safety Act, Public Act 256 of 2011, MCL § 28.451 et seq., as amended.

APA STANDARD 87-1 — The 2001 APA Standard 87-1, Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics, published by the American Pyrotechnics Association of Bethesda, Maryland.

CONSUMER FIREWORKS — Fireworks that are designed to produce visible or audible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR Parts 1500 and 1507, and that are listed in APA Standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

LOW-IMPACT FIREWORKS — Ground and handheld sparkling devices, as that phrase is defined under APA Standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

SKY LANTERN — A balloon-type device which is uncontrollable after launch and uses combustible or flammable material to provide heat for lift or buoyancy into the atmosphere, and which is not a consumer firework.

The following new definitions shall be added in the appropriate order:

ARTICLES PYROTECHNIC — Articles pyrotechnic means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for Consumer Fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

Fireworks Ordinance
April 9, 2019 Revision
Page 2

COMMERCIAL MANUFACTURER — A person engaged in the manufacture of consumer fireworks.

DISPLAY FIREWORKS — Large fireworks devices and explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.

FIREWORK OR FIREWORKS — Any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, homemade fireworks, and special effects.

HOLIDAYS — For the purposes of this ordinance means the following dates, beginning at 11:00 a.m. on each day:

- (1) December 31 until 1 a.m. on January 1.
- (2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- (3) June 29 to July 4 until 11:45 p.m. on each of those days.
- (4) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- (5) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

HOMEMADE FIREWORKS — Any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation that is not produced by a commercial manufacturer and does not comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507.

MINOR — An individual who is less than 18 years of age.

NOVELTIES — Means that term as defined under APA standard 87-1, 3.2.2, 3.2.3, 3.2.4, 3.2.4 and 3.2.5 and all of the following:

- (1) Toy plastic or paper cups for toy pistols in sheet, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cap.
- (2) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (1) are used, that are constructed so that the hand cannot come into contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
- (3) Flitter sparklers in paper tube not exceeding 1/8 inch in diameter.

Fireworks Ordinance
April 9, 2019 Revision
Page 3

- (4) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box, and toy smoke devices.

PERSON — An individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

B. Amendment to Chapter 26, Article I, Section 26-2. Section 26-2 entitled Ignition, discharge and use of low impact fireworks, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby amended to read as follows:

Section 26-2. Ignition, discharge and use of low-impact and novelty fireworks.

The use of low-impact fireworks and novelty fireworks is permitted year-round between the hours of 8:00 a.m. and 11:00 p.m.

C. Amendment to Chapter 26, Article I, Section 26-3. Section 26-3 entitled Ignition, discharge and use of consumer fireworks, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby amended to read as follows:

Section 26-3. Ignition, discharge and use of consumer fireworks.

- (a) A person shall not ignite, discharge, or use consumer fireworks, except as provided for in this ordinance.
- (b) A minor shall not possess consumer fireworks.

Section 26-4. Sky lantern. (Remains as written)

A person shall not ignite, discharge, or use a sky lantern.

D. Chapter 26, Article I, Section 26-5, Section 26-6 and Section 26-7. Section 26-5 entitled Enforcement, Section 26-6 entitled Seizure, and Section 26-7 entitled Penalties and costs, of the Code of the Charter Township of Meridian, Ingham County, Michigan, are hereby deleted.

E. Amendment to Chapter 26, Article I. Section 26-5 entitled Ignition, discharge, or use of consumer fireworks on public property, church property or the property of another person, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby added to read as follows:

Section 26-5. Ignition, discharge, or use of consumer fireworks on public property, school property, church property or the property of another person.

- (a) A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises.
- (b) A violation of this section is a civil infraction, punishable by a fine of not more than \$500.00.

F. Amendment to Chapter 26, Article I. Section 26-6 entitled Ignition, discharge, or use of consumer fireworks while under the influence, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby added to read as follows:

Section 26-6. Ignition, discharge, or use of consumer fireworks while under the influence.

- (a) A person shall not ignite, discharge, or use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination of alcoholic liquor and a controlled substance.
- (b) As used in this section, “alcoholic liquor” means that term as defined in Section 1d of the Michigan Vehicle Code, MCL 257.1d, as may be amended, and “controlled substance” mean that term as defined in Section 8b of the Michigan Vehicle Code, MCL 257.8b, as may be amended.
- (c) A violation of this section is a civil infraction, punishable by a fine of not more than \$1,000.00.

G. Amendment to Chapter 26, Article I. Section 26-7 entitled Regulations governing the use of consumer fireworks, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby added to read as follows:

Section 26-7. Regulations governing the use of consumer fireworks.

- (a) The requirements of this section do not apply to the use of consumer fireworks during a holiday.
- (b) Any person wishing to stage a consumer fireworks display shall, at least 60 days prior to the display, submit an application on a form furnished by the Township and secure permission to stage that display from the Township Board.
- (c) A site plan of the area where the fireworks display is to be conducted shall be submitted with the application. The site plan shall set forth all structures in the area and the discharge site fallout area, as well as the distance separating the mortars and the spectators viewing the display. All site plans must be approved by the Township Fire Department prior to Township Board approval.
- (d) Every person who ignites, discharges, or uses consumer fireworks shall follow National Fire Protection Association (NFPA) Code 1123 for fireworks display, the requirements of the Act and regulations promulgated thereunder, and/or Township requirements, whichever is the most restrictive.
- (e) Every person who is granted a permit to ignite, discharge, or use consumer fireworks shall maintain personal liability insurance/property damage liability insurance in the amount of \$2,000,000 as a minimum during each event. Additional insurance may be required based upon conditions and/or location of the display. The Township and its employees and/or officers shall be named as additional named insured on the insurance policy. The insurance policy must be submitted with the aforementioned application. The insurance policy shall also include coverage for the cleanup after the event has ended.

- (f) Any person using fireworks shall be responsible for all shells or devices being fired or burned. In the event any shell does not explode, the person shall secure the area until the unexploded shell is found and properly disposed of.
- (g) Smoking in an area where fireworks are being used is prohibited.
- (h) Nothing herein limits the liability of any individual for injury to any person or property as a result of the use of fireworks, including any fire suppression costs incurred as a result of improper, careless or negligent use of fireworks.
- (i) The applicant shall cause the site of the fireworks display to be cleaned up within 24 hours after the display has ended.

H. Amendment to Chapter 26, Article I. Section 26-8 entitled Dangerous conditions and no-burning restrictions, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby added to read as follows:

Section 26-8. Dangerous conditions and no-burning restrictions.

- (a) No person may ignite, discharge, or use any firework if the State Fire Marshal, the commanding officer of the Township's Fire Department, or a firefighter acting in uniform acting under the orders and directions of the commanding officer of the Township's Fire Department determines that a dangerous or emergency condition exists, except in strict compliance with any restrictions or requirements imposed by such an individual.
- (b) If environmental concerns based on the Department of Natural Resources (DNR) fire division's criteria are elevated to "extreme", or to "very high" for 72 consecutive hours, the commanding officer of the Township's Fire Department, in consultation with the DNR, may enforce a no burning restriction, including a ban on the ignition, discharge, and use of consumer fireworks within the Township. The governor, the DNR, or the State Fire Marshal may also enforce such a restriction statewide. If a no burning restriction is implemented by the commanding officer of the Township's Fire Department, the public shall be given adequate notice of that restriction. No later than 24 hours after the fire conditions are downgraded from extreme or very high conditions, the commanding officer of the Township's Fire Department shall lift the restriction on the use of consumer fireworks, and shall inform the public in the same manner the restriction was announced if the commanding officer initiated the ban.

I. Amendment to Chapter 26, Article I. Section 26-9 entitled Enforcement and seizure of fireworks and penalties, of the Code of the Charter Township of Meridian, Ingham County, Michigan, is hereby added to read as follows:

Section 26-9. Enforcement and seizure of fireworks and penalties.

- (a) This ordinance may be enforced by any sworn law enforcement officers, the fire chief, fire inspector, code enforcement officer, or any person authorized to issue appearance tickets or civil infractions.

Fireworks Ordinance
April 9, 2019 Revision
Page 6

- (b) If an enforcing official determines that a violation of this ordinance or the act has occurred, the official may seize the fireworks as evidence of such violation and store or cause those fireworks to be stored pending disposition of enforcement proceedings. Upon a finding of guilt, responsibility, or liability, the person so adjudged shall be required to pay all associated storage expenses.
- (c) Unless otherwise provided herein, any person who violates this ordinance is guilty of a municipal civil infraction which shall be punishable upon a finding of responsibility thereof by a fine not exceeding \$1000.00. Upon a finding of responsibility, \$500.00 of that fine shall be remitted to the local law enforcement agency responsible for enforcing the ordinance, if any.
- (d) Upon conviction, or finding of responsibility, for a violation of this ordinance, law enforcement officials may surrender any fireworks retained as evidence for prosecution of the violation to the Department of Licensing and Regulatory Affairs for destruction as provided by Public Act 5939 of 2018, Section 15(2).

Section 26-10 through Section 26-27. (Reserved)

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

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

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

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days following the date of publication.

Ronald J. Styka, Township Supervisor

Brett Dreyfus, Township Clerk

William K. Fahey, Township Attorney



12. H.

To: Township Board Members

**From: Derek N. Perry, Assistant Township Manager
Director of Public Works & Engineering**

Younes Ishraidi, P.E., Chief Engineer

Date: April 9, 2019

**Re: Grand River Avenue Public Water Main Improvements
Special Assessment District #49 - Resolution #5**

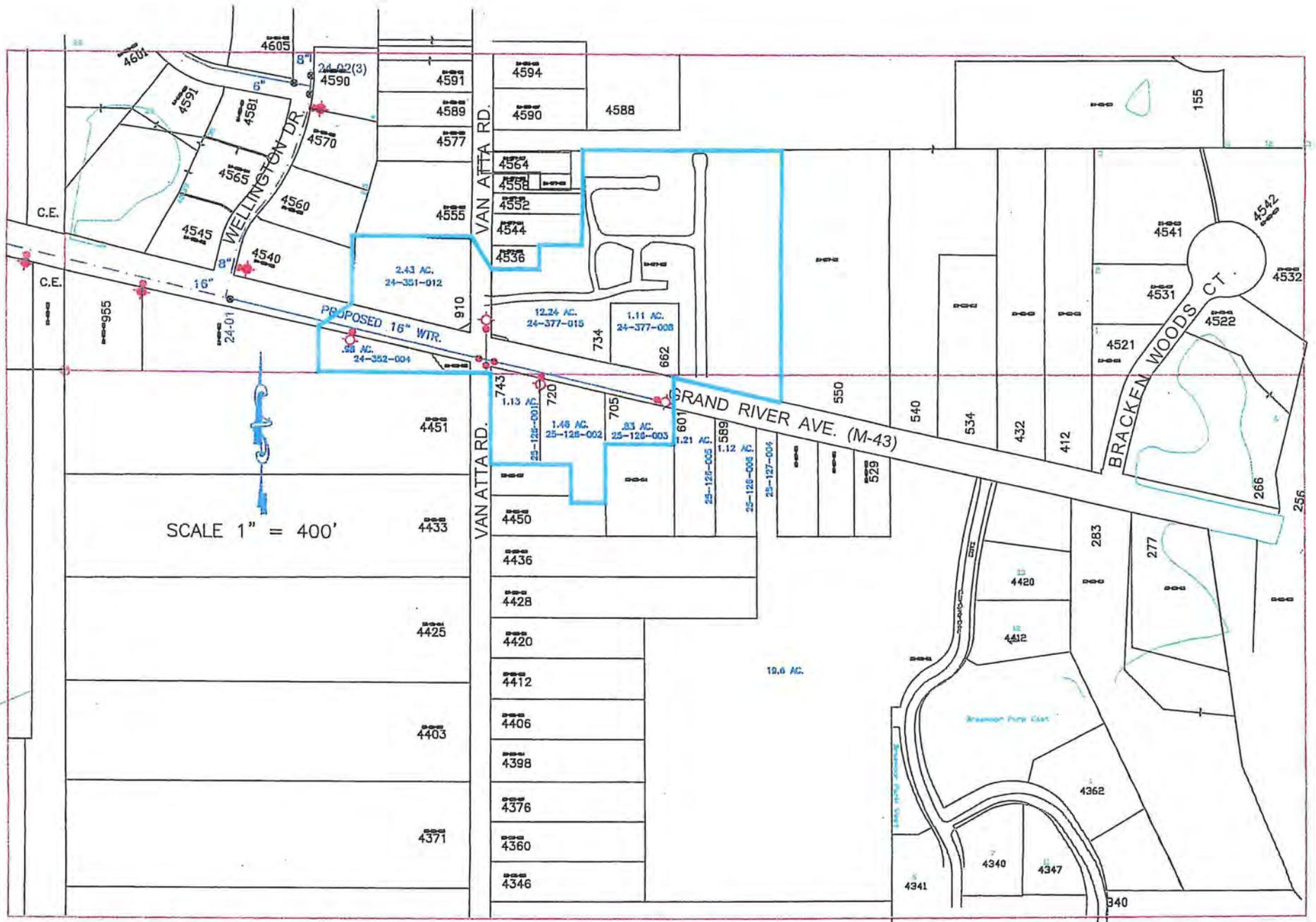
Resolution #5 for Grand River Avenue Public Water Main Improvements Special Assessment District #49 is attached for your approval. Resolution #5 approves the special assessment roll and orders the amount to be paid and collected. The public hearing was held on March 19, 2019. One owner spoke at the hearing.

The project was completed at a cost of \$311,498.30. There are seven parcels in the district. The special assessment will be payable over ten years. See attached map and assessment roll.

Proposed Motion:

“Move to approve Grand River Avenue Public Water Main Improvement Special Assessment District #49 Resolution #5, which approves the special assessment roll; designates the project as “Grand River Avenue Public Water Main Improvement Special Assessment District #49; the assessment roll as the “Grand River Avenue Water Main Special Assessment District #49 Special Assessment Roll ”; and the district as the “Grand River Avenue Public Water Main Improvement Special Assessment District #49”; adopts the amount of \$311,498.30 as the final amount for the assessment roll; and orders and directs the assessment roll to be paid and collected.”

Attachment



GRAND RIVER AVE. (M-43) WATER MAIN EXTENSION

**GRAND RIVER AVENUE PUBLIC WATER MAIN IMPROVEMENTS
SPECIAL ASSESSMENT DISTRICT #49**

RESOLUTION NO. 5

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held in the Meridian Municipal Building, 5151 Marsh Road, Okemos, Michigan 48864-1198, (517) 853-4000, on Tuesday, April 9, 2019 at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, pursuant to due notice to all record owners or parties in interest in, this Board did meet on March 19, 2019, at 6:00 p.m. at the Meridian Municipal Building, in the Township of Meridian for the purpose of reviewing the special assessment roll and hearing any objections thereto for the Grand River Avenue Public Water Main Improvements Special Assessment District No. 49, and

WHEREAS, at the time and place designated for said meeting, the meeting was duly called to order and the Supervisor announced the opening of the hearing for objections to the special assessment roll prepared by the Township Supervisor and on file with the Township Clerk, said roll assessing the cost of the Grand River Avenue Public Water Main Improvements Special Assessment District No. 49 against benefiting properties; and

WHEREAS, the Township Board desires to confirm the special assessment roll;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of Meridian, Ingham County, Michigan, as follows:

1. The Township Board does hereby determine that said special assessments are in proportion to the benefits to be derived from said project.
2. The Township Board does hereby designate the special assessment project as "Grand River Avenue Public Water Main Improvements Special Assessment District No. 49".
3. Said special assessment roll shall be designated as "Grand River Avenue Public Water Main Improvements Special Assessment District No. 49 Special Assessment Roll", and the district against which it is assessed shall be designated "Grand River Avenue Public Water Main Improvements Special Assessment District No. 49". The Grand River Avenue Public Water Main Improvements Special Assessment District No. 49 Special Assessment Roll in the final amount of \$311,498.30 as prepared and reported to the Township Board by the Supervisor, a copy of which is attached hereto, is hereby adopted and confirmed and the Township Clerk is hereby directed to endorse thereon this date of confirmation.

4. That the special assessment roll shall be divided into ten annual installments, the first such installment to be due on July 1, 2019, and the following installments to be due on July 1 of the nine succeeding years thereafter. Said special assessments may be paid in full on or before July 1, 2019, without interest; thereafter, said installments of the special assessment roll shall bear interest at the rate of 5.0% per annum, commencing on July 1, 2019 payable annually on the due date of each installment after the first installment. If any installment is not paid when due then the same shall be deemed delinquent and there shall be collected thereon in addition to the interest above provided, a penalty at the rate of 1% for each month or fraction thereof that the same remains unpaid before being reported for reassessment upon the Township roll. In the event the Township Board determines it in the best interest of the district and the Township at large to issue bonds pledging the receipts of said special assessment roll and the full faith and credit of the Township, then and in that event, the interest on the unpaid installments shall be adjusted to not more than 1% greater than the average interest rate at which the bonds were sold. Said interest shall be payable annually on each installment due date.
5. Any of the unpaid balance due on the special assessment roll may be paid in full at any time, together with interest due to said payment date.
6. The assessments made in said special assessment roll are hereby ordered and directed to be collected. The Township Clerk shall deliver said special assessment roll to the Township Treasurer with the proper warrant attached, commanding the Treasurer to collect the assessments therein in accordance with the direction of the Township Board with respect thereto, and the Treasurer is authorized and directed to collect the amounts assessed as they become due pursuant to the terms of this resolution and the provisions of the applicable statutes of the State of Michigan.

YEAS: _____

NAYS: _____

Resolution declared adopted.

STATE OF MICHIGAN)

)ss.

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Meridian, Ingham County, **DO HEREBY CERTIFY** that the foregoing is a true and complete copy of the proceedings taken by the Township Board at a regular meeting held on Tuesday, April 9, 2019.

Brett Dreyfus Township Clerk

WARRANT

STATE OF MICHIGAN)

)ss.

COUNTY OF INGHAM)

TO THE TOWNSHIP TREASURER
OF THE CHARTER TOWNSHIP
OF MERIDIAN,
INGHAM COUNTY, MICHIGAN

Attached hereto is the Grand River Avenue Public Water Main Improvements Special Assessment District No. 49 Special Assessment Roll, and you are hereby commanded in accordance with Act No. 188 of the Michigan Public Acts of 1954, as amended, and in accordance with the directions of the Township Board in respect thereto, to collect the assessments in said roll, and on the first day of September following the date when any such assessments or any part thereof have become due to submit to the Township Board a sworn statement setting forth the names of the persons delinquent, if known, a description of the parcels of lands upon which there are delinquent assessments and the amount of such delinquency, including accrued interest and penalties computed to September 1 of such year.

Brett Dreyfus, Township Clerk

DATED: _____

					Mailing Address					Final Assessment
	Parcel #	Acreage	Signed Petition	Address	Primary Name	Street Address	City	ST	Zip	
1	33-02-02-24-351-012	2.43	YES	810 Grand River Avenue	D Venture LLC/ Winslow	850 Merlin Way	Dexter	MI	48130	\$37,509.46
2	33-02-02-24-352-004	0.98	NO		Horrocks	7420 W Saginaw HWY	Lansing	MI	48917	\$15,127.27
3	33-02-02-24-377-008	1.11	NO	662 Grand River Avenue	Spagnola Silvana	1260 Trotters Lane	Williamston	MI	48895	\$17,133.95
4	33-02-02-24-377-015	12.24	YES	734 Grand River Avenue	D Venture LLC/ Winslow	850 Merlin Way	Dexter	MI	48130	\$188,936.53
5	33-02-02-25-126-001	1.13	YES	743 Grand River Avenue	Pike Enterprises Inc.	850 Merlin Way	Dexter	MI	48130	\$17,442.67
6	33-02-02-25-126-002	1.46	YES		Pike Enterprises Inc.	850 Merlin Way	Dexter	MI	48130	\$22,536.55
7	33-02-02-25-126-003	0.83	YES	693 Grand River Avenue	Minor Creations Inc.	693 Grand River Avenue	Okemos	MI	48864	\$12,811.87
		20.18								\$311,498.30



To: Township Board Members

From: Derek N. Perry, Assistant Township Manager
Director of Public Works & Engineering
Younes Ishraidi, P.E., Chief Engineer

Date: April 4, 2019

Re: Kansas Road Sanitary Sewer Main
Special Assessment District #52 - Re-apportionment

The final roll for the Kansas Road Sanitary Sewer Main Special Assessment District (SAD) #52 was approved by the Township Board on April 18, 2017. However, the assessments will need to be re-apportioned due to parcel splits in 2018 within the approved SAD. The parcel splits increased the number of parcels within the SAD from the original seventeen (17) to nineteen (19).

This re-apportionment will require formal action from the Township Board and will include notices and a public hearing as required by Public Act 188 of 1954.

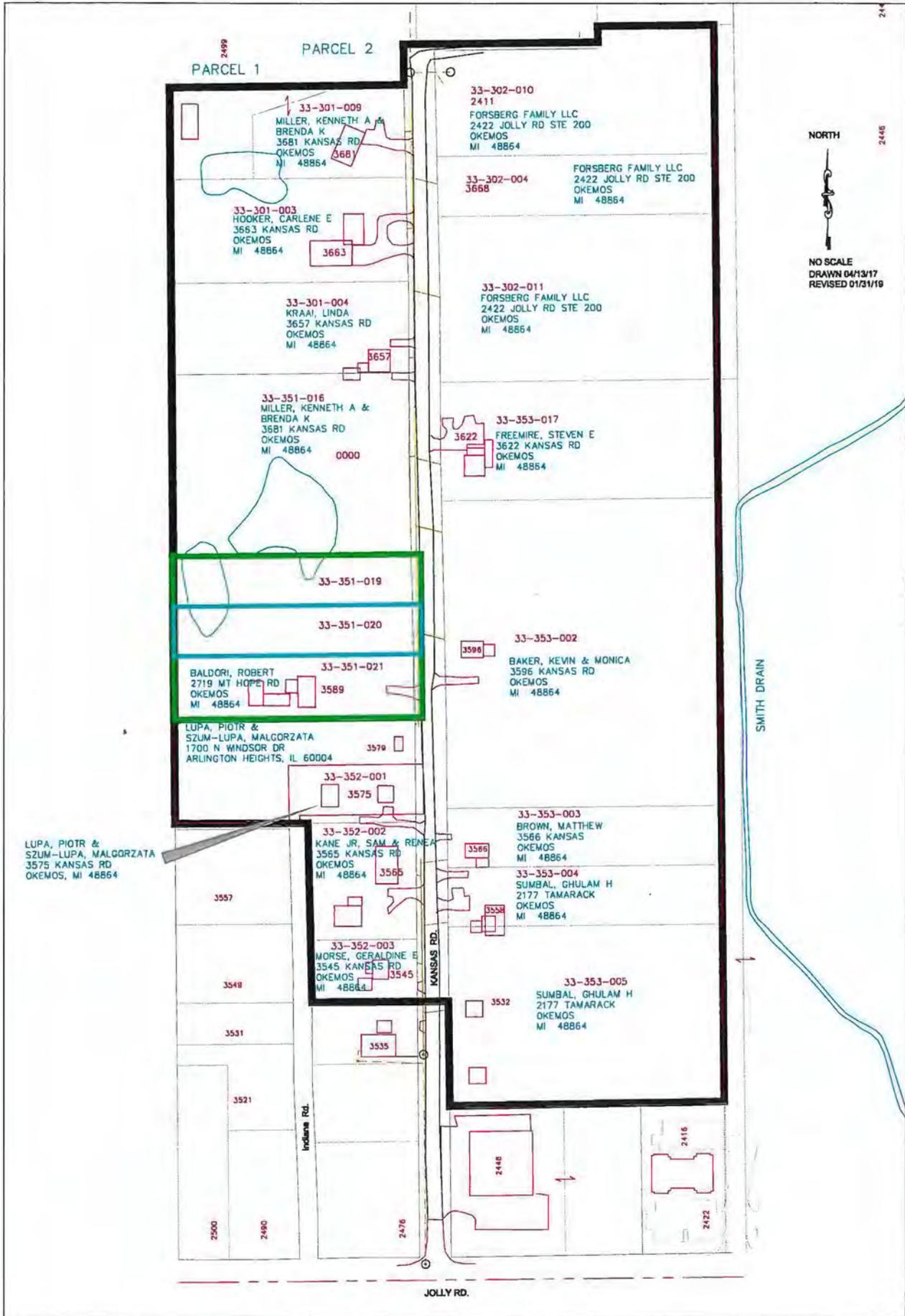
The original assessments will need to be re-apportioned to reflect the new number of benefitting parcels. All original parcels will be credited approximately \$673 on their original assessments of \$6,893.60. As such, the new re-apportioned assessment per parcel will be approximately \$6,221. Original assessments that have been paid in full, will receive a refund. Remaining balances on original assessments that have not been paid yet, will be lowered accordingly. The two additional parcels will each be assessed approximately \$5,721. This amount is based on the fact that unlike the other seventeen parcels, these two new parcels do not have sanitary sewer laterals and the owners will need to install them at their own cost, when the parcels are developed.

The attached Resolution for Kansas Road Public Sanitary Sewer Improvement Special Assessment District #52 files the proposed Re-apportionment of the final special assessment roll with the Township Clerk and sets the date for a public hearing on April 23, 2019.

Proposed Motion:

“Move to approve Kansas Road Sanitary Sewer Main Special Assessment District #49 Re-apportionment Resolution, which files the proposed re-apportionment of the final special assessment roll with the Township Clerk and sets the date for a public hearing on April 23, 2019.”

KANSAS ROAD SANITARY SEWER ASSESSMENT DISTRICT #52



**KANSAS ROAD PUBLIC SANITARY SEWER IMPROVEMENT
SPECIAL ASSESSMENT DISTRICT NO. 52**

RE-APPORTIONMENT RESOLUTION

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, Michigan 48864-1198, (517) 853-4000 on Tuesday, April 9, 2019 at 6:00 p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____

and supported by _____.

WHEREAS, by resolution adopted April 18, 2017, the Township Board of the Charter Township of Meridian, approved the final roll for the Kansas Road Sanitary Sewer Main Improvement Special Assessment District #52; and

WHEREAS, parcel splits in 2018 increased the number of benefiting parcels within the district from seventeen to nineteen parcels; and the assessments within the district will need to be re-apportioned to reflect the total number of benefiting parcels, in accordance with Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Supervisor has prepared and reported to the Township Board a re-apportioned final special assessment roll assessing the cost to the property benefitted thereby with the proper certificate attached thereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said re-apportioned final special assessment roll shall be filed with the Office of the Township Clerk and shall be available for public examination during regular working hours on regular working days.
2. The Township Board shall meet at 6:00 p.m. on Tuesday, April 23, 2019, at the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, Michigan, in the Charter Township of Meridian, for the purpose of reviewing and hearing objections to the re-apportioned final special assessment roll.
3. The Township Clerk shall cause notice of such hearing and the filing of the re-apportioned final assessment roll to be published twice in a newspaper of general circulation in the Township, prior to the date of the hearing. The first publication shall be at least ten (10) days before the hearing pursuant to Act 188, Public Acts of 1954. The Clerk shall also cause notice of such hearing to be mailed by first class mail to all property owners in the special assessment district shown on the current assessment rolls of the Township, at least ten (10) full days before the date of said hearing. Said notice as published and mailed shall be in substantially the following form: (SEE ATTACHED)

MERIDIAN TOWNSHIP RESIDENTS

**NOTICE OF REVIEW OF SPECIAL ASSESSMENT ROLL RE-APPORTIONMENT FOR
KANSAS ROAD PUBLIC SANITARY SEWER IMPROVEMENT
SPECIAL ASSESSMENT DISTRICT NO. 52**

By Charter Township of Meridian
Ingham County, Michigan

**TO THE RECORD OWNERS OF, OR PARTIES IN INTEREST IN, THE FOLLOWING PROPERTY
CONSTITUTING THE PROPOSED SPECIAL ASSESSMENT DISTRICT:**

LOCATED IN THE SW ¼ OF SECTION 33, MERIDIAN TOWNSHIP, T4N, R1W, INGHAM COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SECTION 33, THENCE NORTH ALONG THE WEST SECTION LINE 880 FT TO THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE WEST SECTION LINE 1025 FT., THENCE EAST 371 FT. TO THE WEST R.O.W. LINE OF KANSAS ROAD, THENCE NORTH 75 ALONG R.O.W., THENCE EAST 289 FT., THENCE NORTH 25 FT., THENCE EAST 198 FT., THENCE SOUTH 1732.4 FT., THENCE WEST 437 FT. TO THE EAST R.O.W. LINE OF KANSAS ROAD, THENCE NORTH ALONG R.O.W. LINE 161 FT., THENCE WEST 198 FT., THENCE NORTH 451 FT. THENCE WEST 225 FT. TO POINT OF BEGINNING.

and excluding road right of way and other lands deemed not benefitted and excluding all streets and other land deemed not benefitted.

PLEASE TAKE NOTICE that a re-apportioned special assessment roll has been prepared and is on file in the Office of the Township Clerk for public examination. Said re-apportioned special assessment roll has been prepared for the purpose of assessing the cost of the following described sanitary sewer improvements to the property benefitted therefrom: Construction of approximately 1350 feet of 8" gravity sanitary sewer, beginning approximately 360 feet north of the centerline of Jolly Road, north approximately 310 feet and beginning at existing sanitary sewer at the north end of Kansas Road, south approximately 1040 feet; including installation of lateral lines from the main to the road right of way to service all parcels in the proposed special assessment district, Section 33, Meridian Township, Ingham County, Michigan, T4N, R1W.

TAKE FURTHER NOTICE that the Township Board will meet on Tuesday, April 23, 2019, at 6:00 p.m., at the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, MI 48864-1198, (517) 853-4000, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

Appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the state tax tribunal. You or your agent may appear in person at the hearing and protest the special assessment; or you may file your appearance and protest by letter with the Township Clerk before the close of this hearing, and your personal appearance is not required. The owner or any person having an interest in the real property may file a written appeal of the special assessment with the state tax tribunal within 30 days after the confirmation of the special assessment roll if that person protested the special assessment at this hearing.

Your re-apportioned special assessment is proposed to be \$_____.

DATED: _____

Brett Dreyfus, Township Clerk
CHARTER TOWNSHIP OF MERIDIAN

**Kansas Road Public Sanitary Sewer Improvement
Special Assessment District No. 52
Re-Apportionment Resolution
Page 2**

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

ADOPTED:

YEAS: _____

NAYS: _____

Resolution declared adopted.

**STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)**

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Meridian, Ingham County, Michigan, **DO HEREBY CERTIFY** that the foregoing is a true and complete copy of proceedings taken by the Township Board at a regular meeting held on Tuesday, April 9, 2019.

Brett Dreyfus, Township Clerk

KANSAS ROAD PUBLIC SANITARY SEWER IMPROVEMENT
SPECIAL ASSESSMENT DISTRICT NO. 52
RE-APPORTIONMENT RESOLUTION

-- CERTIFICATE OF SUPERVISOR --

STATE OF MICHIGAN)

) ss.

COUNTY OF INGHAM)

I, Ronald J. Styka, Supervisor of the Charter Township of Meridian, Ingham County, Michigan, hereby certify that the attached Kansas Road Public Sanitary Sewer Improvement Re-Appportioned Final Special Assessment District No. 52 Special Assessment Roll was made by me pursuant to the resolution of the Township Board of said Charter Township of Meridian heretofore adopted on April 9, 2019, and that in making such assessment roll, to the best of my judgment, I conformed in all respects to the directions contained in such resolution and in the Statutes of the State of Michigan.

Ronald J. Styka
Supervisor

DATED:

Subscribed and sworn to before me this _____ day of _____, 2019.

Notary Public, Ingham County, MI
My Commission expires:_____

I, Brett Dreyfus, the duly qualified and acting Township Clerk of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the notice of hearings on the re-apportionment of the Kansas Road Public Sanitary Sewer Improvement Special Assessment Roll were personally mailed by me to all of the landowners listed hereon on the dates indicated in my affidavit of mailing.

Brett Dreyfus, Township Clerk

FINAL ASSESSMENT ROLL
(Proposed for 2019 Re-apportionments)

	Parcel #	Address	Mailing Address					Assessment
			Primary Name	Street Address	City	ST	Zip	
1	3302-02-33-301-003	3663 Kansas Road	Carlene E. Hooker	3663 Kansas Road	Okemos	MI	48864	\$6,220.59
2	3302-02-33-301-004	3657 Kansas Road	Linda Kraai	3657 Kansas Road	Okemos	MI	48864	\$6,220.59
3	3302-02-33-301-009	3681 Kansas Road	Kenneth & Brenda Miller	3681 Kansas Road	Okemos	MI	48864	\$6,220.59
4	3302-02-33-302-010	2411 Kansas Road	Forsberg Family LLC	2422 Jolly Road, Suite 200	Okemos	MI	48864	\$6,220.59
5	3302-02-33-302-004	3668 Kansas Road	Forsberg Family LLC	2422 Jolly Road, Suite 200	Okemos	MI	48864	\$6,220.59
6	3302-02-33-302-011	0 Kansas Road	Forsberg Family LLC	2422 Jolly Road, Suite 200	Okemos	MI	48864	\$6,220.59
7	3302-02-33-351-016	0 Kansas Road	Kenneth & Brenda Miller	3681 Kansas Road	Okemos	MI	48864	\$6,220.59
8	3302-02-33-351-019	0 Kansas Road	Robert Baldori	2719 Mt. Hope Road	Okemos	MI	48864	\$5,720.59
9	3302-02-33-351-020	0 Kansas Road	Robert Baldori	2719 Mt. Hope Road	Okemos	MI	48864	\$5,720.59
10	3302-02-33-351-021	3589 Kansas Road	Robert Baldori	2719 Mt. Hope Road	Okemos	MI	48864	\$6,220.59
11	3302-02-33-351-018	3579 Indiana Road	Piotr Lupa & Malgorzata Szum-Lupa	3575 Kansas Road	Okemos	IL	60004	\$6,220.59
12	3302-02-33-352-008	3575 Kansas Road	Piotr Lupa & Malgorzata Szum-Lupa	3575 Kansas Road	Okemos	MI	48864	\$6,220.59
13	3302-02-33-352-010	3565 Kansas Road	Sam & Renea Kane Jr.	3565 Kansas Road	Okemos	MI	48864	\$6,220.59
14	3302-02-33-352-003	3545 Kansas Road	Geraldine E. Morse	3545 Kansas Road	Okemos	MI	48864	\$6,220.59
15	3302-02-33-353-002	3596 Kansas Road	Kevin & Monica Baker	3596 Kansas Road	Okemos	MI	48864	\$6,220.59
16	3302-02-33-353-003	3566 Kansas Road	Matthew Brown	3566 Kansas Road	Okemos	MI	48864	\$6,220.59
17	3302-02-33-353-004	3558 Kansas Road	Ghulam H. Sumbal	1998 Jolly Road	Okemos	MI	48864	\$6,220.59
18	3302-02-33-353-005	3532 Kansas Road	Ghulam H. Sumbal	1998 Jolly Road	Okemos	MI	48864	\$6,220.59
19	3302-02-33-353-017	3622 Kansas Road	Steven E. Freemire	3622 Kansas Road	Okemos	MI	48864	\$6,220.59

\$117,191.21

New parcels split from original 33-351-017
Assessments for two of these parcels is \$500 less as they have no laterals

3302-02-33-302-010	Old parcel #3302-02-33-302-003
3302-02-33-302-011	Old parcel #3302-02-33-302-005
3302-02-33-352-010	Old parcel #3302-02-33-352-002



13.B

To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Mackenzie Dean, Assistant Planner

Date: April 3, 2019

Re: Special Use Permit #18031 (Meridian Investment Group, LLC) Red Cedar Manor

Meridian Investment Group, LLC has submitted a mixed use planned unit development (MUPUD) proposal for a project identified as Red Cedar Manor. The proposal includes the demolition of an existing two-story, 40,504 square foot office building at 2875 Northwind Drive and construction of a new three-story, 70,213 square foot mixed use building with 88 apartments and 3,115 square feet of commercial space in approximately the same footprint. The 9.13 acre parcel is located in both the RCC (Multiple Family) and PO (Professional and Office) zoning districts. Of the total 9.13 acre site, 4.99 acres is located in the PO zoning district, which is the portion of the property proposed for development as a MUPUD.

In addition to the MUPUD, a special use permit (SUP) is required for constructing a building totaling more than 25,000 square feet in gross floor area (SUP #18031). The special use permit is being processed concurrently with MUPUD #18034. The staff reports for MUPUD #18034 should be referenced for a more complete overview of the project.

The Planning Commission held the public hearing for SUP #18031 at its meeting on June 11, 2018. Shortly after the public hearing the project was put on hold while issues related to the location of the property in the floodway of the Red Cedar River were addressed. The project came back for consideration and discussion by the Planning Commission at its January 14, 2019 and February 11, 2019 meetings. At its February 25, 2019 meeting, the Planning Commission voted to recommend denial of SUP #18031, citing the following reasons for their decision:

- The submitted site plan for the proposed development depicts a majority of the parking lot to serve the building (83 of the 116 total parking spaces on the property) is located in the floodway of the Red Cedar River.
- The proposed location of the parking in the floodway will adversely impact the residents of the proposed development by exposing their personal property (motor vehicles) to potential damage from floodwaters.
- The applicant provided a study from their consultant Hubbell, Roth, & Clark, Inc., noting the parking lot has been impacted by floods 81 times during the last 115 years and 60 of those flood events had 12 inches of water or greater covering the parking lot.

**Special Use Permit #18031 (Meridian Investment Group, LLC)
Township Board (April 9, 2019)
Page 2**

- The proposed development could be reduced in size to minimize the number of parking spaces subjected to potential flooding.

Staff memorandums outlining the special use permit request are attached for the Board's review. Minutes from the Planning Commission meetings at which the special use permit was discussed were included in the memorandum for Mixed Use Planned Unit Development #18034.

Township Board Options

The Township Board may approve or deny the special use permit. If the Board amends the proposal, the request may be referred back to the Planning Commission for a recommendation. A resolution will be provided at a future meeting.

Attachments

1. Staff memorandums dated June 7, 2018 and January 10, 2019 with attachments.
2. Resolution recommending denial of SUP #18031 dated February 25, 2019.

G:\Community Planning & Development\Planning\SPECIAL USE PERMIT (SUP)\2018\SUP 18031 (Meridian Investment Group, LLC)
Red Cedar Manor\SUP 18031.tb1.doc



To: Planning Commission

From: Peter Menser, Principal Planner

Date: June 7, 2018

Re: Special Use Permit #18031 (Meridian Investment Group, LLC), construct building greater than 25,000 square feet in size at 2875 Northwind Drive.

Meridian Investment Group, LLC has submitted a mixed use planned unit development (MUPUD #18034) proposal for a project identified as Red Cedar Manor. The proposal includes the demolition of an existing two-story, 40,504 square foot office building at 2875 Northwind Drive and construction of a new three-story, 70,213 square foot mixed use building in approximately the same footprint. The new building will have a total of 88 apartments and 3,115 square feet of commercial space.

In addition to the MUPUD, special use permits (SUP) are required for constructing a building totaling more than 25,000 square feet in gross floor area (SUP #18031) and for grading and fill activities in the floodplain of the Red Cedar River (SUP #18041). The special use permits are being processed concurrently with the MUPUD request. This staff report focuses on the special use permit for construction of a building greater than 25,000 square feet in size. The staff report for MUPUD #18034 should be referenced for a more complete overview of the project.

The construction of any building or group of buildings with a combined gross floor area greater than 25,000 square feet requires a special use permit due to the significant impact such development may have upon adjacent property owners, neighborhoods, and public infrastructure. The Code of Ordinances requires the special use permit to ensure that public utilities, roads, and other infrastructure systems are or will be adequate to support the proposed development.

Staff Analysis

The special use permit review criteria found in Section 86-126 of the Code of Ordinances should be used when evaluating the proposed special use permit. The Planning Commission makes a recommendation on the SUP request and the Township Board has final approval.

Planning Commission Options

The Planning Commission may recommend approval, approval with conditions, or denial of the proposed special use permit. A resolution will be provided at a future meeting.

Attachment

1. Application and attachments.

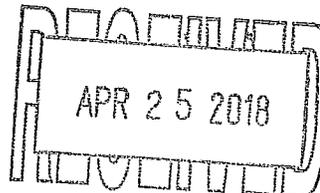
**CHARTER TOWNSHIP OF MERIDIAN
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
5151 MARSH ROAD, OKEMOS, MI 48864
PLANNING DIVISION PHONE: (517) 853-4560, FAX: (517) 853-4095**

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 MERIDIAN INVESTMENT GROUP, LLC - % ECKHARDT & ASSOCIATES
 Address of Applicant 2875 NORTHWIND DR, STE 235, EAST LANSING, MI 48823
 Telephone - Work 517-664-4114 Home _____ Fax 517-664-4144 Email TOWNSHIP-DEV@G.COM
 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 2875 NORTHWIND DR / 33-02-02-20-128-003
 Legal description (please attach if necessary) SEE ATTACHED
 Current zoning PO
 Use for which permit is requested / project name BUILDING OVER 25,000 S.F. / RED CEDAR MANOR
 Corresponding ordinance number _____
- 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 KEBS INC - JEFF KYES
 Address 2116 HASLETT RD, HASLETT, MI 48840
 Telephone - Work 517-339-1014 Home _____ Fax 517-339-8047
- E. Acreage of all parcels in the project: Gross 4.891 Net 4.891
- F. Explain the project and development phases: REDEVELOPMENT - SINGLE PHASE
- G. Total number of:
 Existing: structures 1 bedrooms _____ offices X parking spaces _____ carports _____ garages _____
 Proposed: structures 1 bedrooms 107 offices _____ parking spaces _____ carports _____ garages _____
- H. Square footage: existing buildings 40,504 proposed buildings 70,213
 Usable Floor area: existing buildings SAME proposed buildings SAME
- 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 NONE Acreage 0
 Proposed Recreation: Type SEE ATTACHED PLANS Acreage _____
 Existing Open Space: Type LAWN Acreage 2.75 AC
 Proposed Open Space: Type LAWN Acreage 3.10 AC



4/14/18

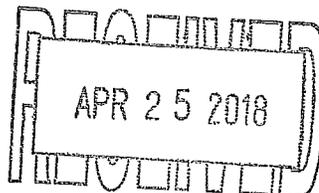
K. If Multiple Housing:

Total acres of property 4.871
Acres in floodplain _____ Percent of total _____
Acres in wetland (not in floodplain) _____ Percent of total _____
Total dwelling units 88
Dwelling unit mix: Number of single family detached: for Rent _____ Condo _____
Number of duplexes: for Rent _____ Condo _____
Number of townhouses: for Rent _____ Condo _____
Number of garden style apartments: for Rent _____ Condo _____
Number of other dwellings: for Rent 88 Condo _____
(APARTMENTS)

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

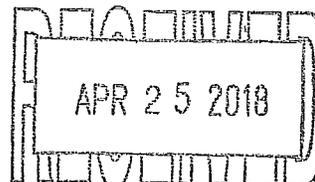
1. Nonrefundable Fee.
2. Legal Description of the property.
3. Evidence of fee or other ownership of the property.
4. Site Plan containing the information listed in the attachment to this application.
5. Architectural sketches showing all sides and elevations of the proposed buildings or structures, including the project entrance, as they will appear upon completion. The sketches should be accompanied by material samples or a display board of the proposed exterior materials and colors.
6. A Traffic Study, prepared by a qualified traffic engineer, based on the most current edition of *Evaluating Traffic Impact Studies: A Recommended Practice for Michigan Communities*, published by the State Department of Transportation.
 - a. A traffic assessment will be required for the following:
 - 1) New special uses which could, or expansion or change of an existing special use where increase in intensity would, generate between 50 to 99 directional trips during a peak hour of traffic.
 - 2) All other special uses requiring a traffic assessment as specified in the Township Code of Ordinances, Chapter 86, Article IV, Division 2.
 - b. A traffic impact study will be required for the following:
 - 1) New special uses which would, or expansion or change of an existing special use where increase in intensity would, generate over 100 directional trips or more during a peak hour of traffic, or over 750 trips on an average day.
 - 2) All other special uses requiring a traffic assessment as specified in the Township Code of Ordinances, Chapter 86, Article IV, Division 2.
7. Natural features assessment which includes a written description of the anticipated impacts on the natural features at each phase and at project completion that contains the following:
 - a. An inventory of natural features proposed to be retained, removed, or modified. Natural features shall include, but are not limited to, wetlands, significant stands of trees or individual trees greater than 12 inches dbh, floodways, floodplains, waterbodies, identified groundwater vulnerable areas, slopes greater than 20 percent, ravines, and vegetative cover types with potential to sustain significant or endangered wildlife.
 - b. Description of the impacts on natural features.
 - c. Description of any proposed efforts to mitigate any negative impacts.

The natural features assessment may be waived by the Director of Community Planning and Development in certain circumstances.



4/16/18

- M. Any other information specified by the Director of Community Planning and Development which is deemed necessary to evaluate the application.
- N. In addition to the above requirements, for zoning districts, **RD, RC, RCC, RN, and CV** and **Group Housing Residential Developments** the following is required:
1. Existing and proposed contours of the property at two foot intervals based on United States Geological Survey (USGS) data.
 2. Preliminary engineering reports in accordance with the adopted Township water and sewer standards, together with a letter of review from the Township Engineer.
 3. Ten copies of a report on the intent and scope of the project including, but not limited to: Number, size, volume, and dimensions of buildings; number and size of living units; basis of calculations of floor area and density and required parking; number, size, and type of parking spaces; architectural sketches of proposed buildings.
 4. Seven copies of the project plans which the Township shall submit to local agencies for review and comments.
- O. In addition to the above requirements, a special use application in zoning district **RP** requires the following material as part of the site plan:
1. A description of the operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, fire hazards or safety hazards or the emission of any potentially harmful or obnoxious matter or radiation.
 2. Engineering and architectural plans for the treatment and disposal of sewerage and industrial waste tailings, or unusable by-products.
 3. Engineering and architectural plans for the handling of any excessive traffic congestion, noise, glare, air pollution, or the emission of any potentially harmful or obnoxious matter or radiation.
- P. In addition to the above requirements, a special use application for a use in the Floodway Fringe of zoning district **CV** requires the following:
1. A letter of approval from the State Department of Environmental Quality.
 2. A location map including existing topographic data at two-foot interval contours at a scale of one inch representing 100 feet.
 3. A map showing proposed grading and drainage plans including the location of all public drainage easements, the limits, extent, and elevations of the proposed fill, excavation, and occupation.
 4. A statement from the County Drain Commissioner, County Health Department, and Director of Public Works and Engineering indicating that they have reviewed and approved the proposal.
- Q. In addition to the above requirements, a special use application for a use in the Groundwater Recharge area or zoning district **CV** requires the following:
1. A location map including existing topographic data at two-foot interval contours.
 2. A map showing proposed grading and drainage plans including the location of all public drainage easements, the limits and extent of the proposed fill, excavation, and occupation.
 3. A statement from the County Drain Commissioner, County Health Department, and Director of Public Works and Engineering indicating that they have reviewed and approved the proposal.
- R. In addition to the above requirements, the Township Code of Ordinances, Article VI, should be reviewed for the following special uses: group housing residential developments, mobile home parks, nonresidential structures and uses in residential districts, planned community and regional shopping center developments, sand or gravel pits and quarries, sod farms, junk yards, sewage treatment and disposal installations, camps and clubs for outdoor sports and buildings greater than 25,000 square feet in gross floor area.



4/14/18

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 Master 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

Signature of Applicant: MERIDIAN INVESTMENT GROUP, LLC

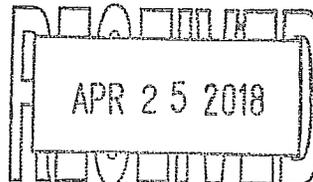
April 23, 2018

Date

BY: SCOTT A CHAPPELL, ITS: AUTHORIZED SIGNATORY
Type/Print Name

Fee: \$700

Received by/Date: Steve Menow 5.25.18



4/16/18

ECKHARDT & ASSOCIATES, P.C.

ATTORNEYS AT LAW

April 25, 2018

Mr. Mark Kieselbach
Director
Community Planning and Development
Meridian Charter Township
5151 Marsh Road
Okemos, Michigan 48864

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

Mr. Kieselbach:

This office represents Meridian Investment Group LLC. I have enclosed completed applications and related fees requesting approval of a Mixed Use Planned Unit Development and a Special Use Permit for the above-referenced property. This proposed "redevelopment" contains 4.891 acres and will have 88 dwelling units and approximately 3,100 square feet of office/retail space.

In addition, the following documents are enclosed: Legal Description, Warranty Deed, Trip generation comparison, Wetlands Verification, Environmental Permits Checklist, Health Impact Assessment, 21 sets of full-size scalable civil drawings and 21 sets of color 11" x 17" architectural drawings, along with a material sample board. A "Natural Features" assessment was not performed as this is a "redevelopment" of an existing developed site. A MDEQ permit application has been filed, for work being performed within the 100 year floodplain.

We understand that a Planning Commission, public hearing will be scheduled for Monday, May 21 at 7:00 p.m. concerning the requested applications.

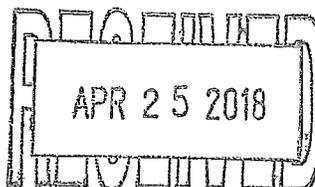
Sincerely,

Eckhardt & Associates, PC

Thomas R. Eckhardt

Enclosures

2875 Northwind Drive, Suite 235
East Lansing, MI 48823



TELEPHONE:
(517) 336-6736
FACSIMILE:
(517) 336-4400



To: Planning Commission

From: Peter Menser, Principal Planner

Date: January 10, 2019

Re: Special Use Permit #18031 (Meridian Investment Group, LLC), construct building greater than 25,000 square feet in size at 2875 Northwind Drive.

The Planning Commission held the public hearing for SUP #18031 at its meeting on June 11, 2018. The SUP is running concurrently with MUPUD #18034. This staff report focuses on the special use permit for construction of a building greater than 25,000 square feet in size. The staff report for MUPUD #18034 should be referenced for a more complete overview of the project.

The proposal includes the demolition of an existing two-story, 40,504 square foot office building at 2875 Northwind Drive and construction of a new three-story, 70,213 square foot mixed use building in approximately the same footprint. The new building will have a total of 88 apartments and 3,115 square feet of commercial space.

The construction of any building or group of buildings with a combined gross floor area greater than 25,000 square feet requires a special use permit due to the significant impact such development may have upon adjacent property owners, neighborhoods, and public infrastructure. The Code of Ordinances requires the special use permit to ensure that public utilities, roads, and other infrastructure systems are or will be adequate to support the proposed development.

The special use permit review criteria found in Section 86-126 of the Code of Ordinances should be used when evaluating the proposed special use permit. The Planning Commission makes a recommendation on the SUP request and the Township Board has final approval.

Planning Commission Options

The Planning Commission may recommend approval, approval with conditions, or denial of the proposed special use permit. A resolution will be provided at a future meeting.

RESOLUTION TO RECOMMEND DENIAL

**Special Use Permit #18031
Meridian Investment Group, LLC**

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 25th day of February, 2019, at 7:00 p.m., Local Time.

PRESENT: Chair Scott-Craig, Vice-Chair Lane, Secretary Premoe, Commissioners Trezise, Cordill, Shrewsbury and Hendrickson

ABSENT: Commissioner Richards

The following resolution was offered by Vice-Chair Lane and supported by Commissioner Cordill.

WHEREAS, Meridian Investment Group, LLC has submitted a request to construct a project identified as Red Cedar Manor on 4.99 acres of a 9.13 total acre site located at 2875 Northwind Drive; and

WHEREAS, the proposed project includes the demolition of an existing 40,504 square foot office building and construction of a new 70,213 square foot mixed use building with 88 multiple family dwelling units and 3,115 square feet of commercial space; and

WHEREAS, a special use permit is required for constructing a group of buildings totaling more than 25,000 square feet in gross floor area; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on June 11, 2018 and discussed the proposal at its regular meetings on January 14, 2019, February 11, 2019, and February 25, 2019 and has reviewed staff material forwarded under cover memorandums dated June 5, 2018, January 9, 2019, February 7, 2019, and February 21, 2019; and

WHEREAS, the submitted site plan for the proposed development depicts a majority of the parking lot to serve the building (83 of the 116 total parking spaces on the property) are located in the floodway of the Red Cedar River; and

WHEREAS, the proposed location of the parking in the floodway will adversely impact the residents of the proposed development by exposing their personal property (motor vehicles) to potential damage from floodwaters; and

WHEREAS, the applicant provided a study from consultant Hubbell, Roth, & Clark, Inc. noting the parking lot had been impacted by floods 81 times during the last 115 years and 60 of those flood events were of 12 inches of water or greater; and

WHEREAS, the proposed development could be reduced in size or the parking lot could be constructed above the floodplain to minimize the number of parking spaces subjected to potential flooding.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends denial of Special Use Permit #18031.



To: Township Board

From: Mark Kieselbach, Director of Community Planning and Development
Justin Quagliata, Assistant Planner

Date: April 4, 2019

Re: Zoning Amendment #19040 (Township Board), Senior Living Communities

The Township Board initiated the zoning amendment to allow Senior Living Communities to locate in residential zoning districts subject to approval of a special use permit at its meeting on December 11, 2018. The draft ordinance would allow age restricted (persons 55 years of age or older) independent living only in conjunction with the provision of licensed professional care units for residents, such as assisted living or memory care. A maximum 2:1 ratio of independent living units to required licensed professional care units is proposed.

The Planning Commission held a public hearing on the proposed zoning amendment on February 11, 2019 and at its meeting on March 11, 2019 voted to recommend approval. The Planning Commission cited the following reasons for its decision to recommend approval:

- The proposed zoning amendment is consistent with Goal J of the 2019 Township Board Action Plan to explore housing options and alternatives to encourage diverse populations and targeted groups to live in the Township.
- The proposed zoning amendment is consistent with Goal 1, Objective B of the 2017 Master Plan to ensure new residential developments meet high standards of visual attractiveness, health and safety, and environmental sensitivity.

The draft ordinance includes standards for site development, such as, but not limited to, minimum yard setbacks, minimum lot area and lot width, and maximum lot coverage. Maximum density, maximum building height, and Senior Living Community accessory uses are also outlined for consideration in the draft ordinance. Examples of the proposed accessory uses include places of worship, indoor and outdoor recreation, dining facilities, and pharmacies.

The draft ordinance adds Senior Living Communities under the institutions for human care category in Section 86-654(c), permitted by special use permit as a nonresidential use in residential zoning districts. Under the proposed ordinance independent senior living developments not offering licensed professional care would continue to be considered as a multiple family land use and be limited to locating only in multiple family zoning districts. Age restricted independent living units in conjunction with licensed professional care units, referred to as a Senior Living Community in the draft ordinance, could locate in residential zoning districts subject to special use permit approval. The following table outlines the proposed standards for Senior Living Communities.

Zoning Amendment #19040 (Township Board)

Township Board (April 9, 2019)

Page 2

Proposed Senior Living Communities Ordinance	
Building Height:	Four stories up to 60 feet
Minimum Lot Area:	10 acres (435,600 square feet)
Minimum Lot Width:	100 feet
Maximum Density:	25 units/acre
Maximum Lot Coverage (for all buildings, including accessory buildings)	35%
Maximum Impervious Surface:	75 % (the standard for all nonresidential uses in residential districts)
Minimum distance between buildings:	50 feet
Setback when adjacent to another single family residential district boundary:	50 feet for buildings up to two stories in height, with an additional 50 feet required for each additional story of the building over two stories in height
Side/rear yard setback when adjacent to a nonresidential zoning district:	25 feet

Staff memorandums outlining the zoning amendment and minutes from the Planning Commission meetings at which the amendment was discussed are attached for the Board’s review. The draft ordinance language as it was recommended for approval by the Planning Commission at its March 11, 2019 meeting is also attached.

Township Board Options

The Township Board may approve, deny, or amend the proposed zoning ordinance amendment. If the Board amends the proposed ordinance language it may refer the amendment back to the Planning Commission for a recommendation. A resolution will be provided for consideration at a future meeting.

Attachments

1. Draft ordinance language as recommended by the Planning Commission dated March 11, 2019.
2. Staff memorandums dated February 7, 2019, February 21, 2019, and March 7, 2019 with attachments.
3. Planning Commission minutes dated February 11, 2019 (public hearing), February 25, 2019 (discussion), and March 11, 2019 (decision).
4. Resolution recommending approval dated March 11, 2019.
5. Communication from Michael Samuels dated February 22, 2019.

G:\Community Planning & Development\Planning\ZONING AMENDMENTS (ZA)\2019\ZA 19040 (Township Board)\ZA 19040.tb1.doc

Section 86-2 **Definitions.**

ASSISTED LIVING – PROVIDING BASIC SERVICES AS WELL AS LIMITED NURSING CARE, LIMITED SUPERVISION, MEDICATION MANAGEMENT, SUPPORTIVE SERVICES, AND OTHER ACTIVITIES OF DAILY LIVING TO PATIENTS OR RESIDENTS.

INDEPENDENT LIVING – PROVISION OF SOME BASIC SERVICES SUCH AS MEALS, HOUSEKEEPING, GROUNDS MAINTENANCE, SECURITY, AND COMMON AREAS AND COMMON FACILITIES FOR EVENTS AND ACTIVITIES FOR PATIENTS OR RESIDENTS.

MEMORY CARE – SPECIALIZED SKILLED NURSING AND SETTINGS OFFERING STEPPED-UP SERVICES FOR PATIENTS OR RESIDENTS WITH ALZHEIMER'S DISEASE OR OTHER TYPES OF DEMENTIA.

SENIOR LIVING COMMUNITY – A FACILITY COMPRISED OF A BUILDING OR GROUP OF BUILDINGS PROVIDING A CONTINUITY OF RESIDENTIAL OCCUPANCY AND HEALTH CARE FOR ELDERLY PERSONS. THIS TYPE OF FACILITY INCLUDES DWELLING UNITS FOR INDEPENDENT LIVING, ASSISTED LIVING, AND MEMORY CARE OR OTHER LICENSED PROFESSIONAL CARE FOR RESIDENTS; IT MAY INCLUDE ANCILLARY FACILITIES FOR THE FURTHER SERVICE OR CARE OF THE RESIDENTS. THE FACILITY IS RESTRICTED TO PERSONS 55 YEARS OF AGE OR OLDER OR MARRIED COUPLES OR DOMESTIC PARTNERS WHERE EITHER SPOUSE OR PARTNER IS 55 YEARS OF AGE OR OLDER.

LICENSED PROFESSIONAL CARE – SPECIALIZED HEALTH CARE AVAILABLE 24 HOURS PER DAY GIVEN UNDER THE SUPERVISION OF PROFESSIONALS OR TECHNICAL PERSONNEL INCLUDING BUT NOT LIMITED TO MEMORY CARE, REHABILITATION, PHYSICAL THERAPY, OCCUPATIONAL THERAPY, SOCIAL SERVICES, TUBE FEEDINGS, COMPLEX WOUND DRESSINGS, OR RAPIDLY CHANGING HEALTH STATUS.

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

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

Zoning Amendment #19040

March 11, 2019 revision

Page 2

- (1) Institutions for human care:
 - Clinics
 - Homes for the aged
 - Hospitals
 - Nursing or convalescent homes
 - Philanthropic and eleemosynary institutions
 - Sanitariums for the treatment of human ailments

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

Zoning Amendment #19040

March 11, 2019 revision

Page 3

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

Zoning Amendment #19040

March 11, 2019 revision

Page 4

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

- b. No structure built for residential use shall be converted to a child care center if it is located closer than 500 feet to an existing residence.
 - c. The maximum number of children permitted in child care centers in residential structures which have been converted to that use shall be 30.
- (4) For public buildings and public service installations, greater than 50 square feet in area, including publicly owned and operated buildings, public utility buildings and structures, telephone exchange buildings, transformer stations and substations, gas regulator stations.
- a. Location. Public buildings and public service installations greater than 50 square feet in area shall be located on a lot on which the utility installation shall be considered the principal use, and no additional principal uses shall exist or be established on the lot.
 - b. Area requirements. Lot area and width shall not be less than that specified for the district in which the proposed use would be located.
 - c. Maximum building height. No building or structure shall be erected to a height greater than that permitted in the district in which the proposed use is to be located.
 - d. Appearance. All buildings shall be harmonious in appearance with the surrounding residential area and shall be similar in design and appearance to any other buildings on the same lot. Exposed equipment shall be screened.
 - e. Off-street parking. Parking spaces shall be provided in accordance with the requirements of Article VIII of this chapter.
- (5) **FOR SENIOR LIVING COMMUNITIES.**
- A. SENIOR LIVING COMMUNITIES SHALL BE FOR PERSONS FIFTY-FIVE (55) YEARS OF AGE OR OLDER OR MARRIED COUPLES OR DOMESTIC PARTNERS WHERE EITHER SPOUSE OR PARTNER IS FIFTY-FIVE (55) YEARS OF AGE OR OLDER.**
 - B. LOCATIONS. SENIOR LIVING COMMUNITIES SHALL BE PERMITTED WHERE PUBLIC WATER AND SEWER ARE AVAILABLE.**
 - C. MINIMUM LOT AREA. 10 ACRES.**
 - D. MINIMUM LOT WIDTH. 100 FEET.**

- E. MAXIMUM DENSITY. 25 UNITS PER ACRE. FOR THE PURPOSES OF CALCULATING MAXIMUM DENSITY THE TOTAL OF INDEPENDENT LIVING UNITS AND LICENSED PROFESSIONAL CARE UNITS ON THE PROPERTY SHALL BE COUNTED.**
- F. MAXIMUM LOT COVERAGE. ALL BUILDINGS INCLUDING ACCESSORY BUILDINGS SHALL NOT OCCUPY MORE THAN 35% OF THE NET AREA OF LAND INCLUDED WITHIN THE LIMITS OF THE PROPOSED PROJECT OR ANY STAGE IN THE DEVELOPMENT OF THE PROPOSED PROJECT WHICH MAY RECEIVE APPROVAL UNDER THIS CHAPTER.**
- G. MINIMUM YARD DIMENSIONS.**

 - 1. FRONT YARD. IN ACCORDANCE WITH THE SETBACK REQUIREMENTS OF SECTION 86-367 FOR THE TYPE OF STREET UPON WHICH THE LOT FRONTS.**
 - 2. SIDE AND REAR YARD SETBACK ADJACENT TO A NONRESIDENTIAL ZONING DISTRICT. NO BUILDING, PARKING, ACCESS DRIVE, OR OTHER STRUCTURE SHALL BE LESS THAN 25 FEET FROM A NONRESIDENTIAL ZONING DISTRICT LINE.**
 - 3. DISTANCE FROM A RESIDENTIAL ZONING DISTRICT BOUNDARY. FOR BUILDINGS UP TO TWO STORIES IN HEIGHT THE MINIMUM DISTANCE FROM A RESIDENTIAL ZONING DISTRICT BOUNDARY SHALL BE 50 FEET, WITH AN ADDITIONAL 50 FEET REQUIRED FOR EACH ADDITIONAL STORY OF THE BUILDING OVER TWO STORIES IN HEIGHT. BALCONIES, DECKS, PATIOS, AND PORCHES SHALL NOT ENCROACH INTO THE SETBACK FROM A RESIDENTIAL ZONING DISTRICT BOUNDARY.**
- H. ACCESSORY BUILDING SETBACK. NO ACCESSORY BUILDING SHALL BE LOCATED CLOSER THAN 100 FEET TO ANY RESIDENTIAL ZONING DISTRICT BOUNDARY, EXCEPT A 60 FOOT SETBACK SHALL BE REQUIRED IF SCREENING THAT INCORPORATES A DOUBLE ROW OF INTERLOCKING TREES, PRIMARILY EVERGREENS, OR THE EQUIVALENT IS PROVIDED IN ADDITION TO GENERAL SCREENING STANDARDS.**
- I. MAXIMUM BUILDING HEIGHT. MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED FOUR STORIES UP TO 60 FEET ABOVE THE FINISHED GRADE.**
- J. MAXIMUM INDEPENDENT LIVING UNIT TO LICENSED PROFESSIONAL CARE UNIT RATIO. A MAXIMUM OF TWO INDEPENDENT LIVING UNITS MAY BE PROVIDED PER ONE LICENSED PROFESSIONAL CARE UNIT.**

- K. OFF-STREET PARKING. ONE (1) SPACE FOR EACH DWELLING UNIT OF INDEPENDENT LIVING PLUS ONE (1) SPACE FOR EVERY FOUR (4) UNITS OF LICENSED PROFESSIONAL CARE PLUS ONE (1) SPACE FOR EACH EMPLOYEE WORKING ON THE LARGEST SHIFT.**
- L. MINIMUM DISTANCE BETWEEN BUILDINGS. IN NO CASE SHALL ANY BUILDING BE LOCATED CLOSER THAN 50 FEET TO ANY OTHER BUILDING.**
- M. SENIOR LIVING COMMUNITY ACCESSORY USES. ANY ANCILLARY USE NECESSARY FOR THE OPERATION OF THE FACILITY OR FOR THE BENEFIT OR CONVENIENCE OF THE RESIDENTS AND THEIR GUESTS, INCLUDING, BUT NOT LIMITED TO, PLACES OF WORSHIP, INDOOR AND OUTDOOR RECREATION, RETAIL AND BANKING FACILITIES, DINING FACILITIES, BEAUTY SALONS AND BARBERSHOPS, GIFT SHOPS, SECURITY FACILITIES, COMMON AREAS, MEDICAL OFFICES, POSTAL CENTER, AND PHARMACIES, PROVIDED THAT THE ACCESSORY USE IS ANCILLARY TO THE PRIMARY USE OF THE PROPERTY AS A SENIOR LIVING COMMUNITY AND NOT ADVERTISED FOR PUBLIC USE.**

(56) For all nonresidential uses in residential districts, the maximum percentage of impervious surface permitted on a site shall be 75%. Impervious surfaces shall include all land covered with paving, buildings, and other nonporous surfaces. The impervious surface ratio is calculated by dividing the total impervious surface by the gross area of the site. The following shall be counted as pervious surfaces:

- a. Required perimeter landscaped buffers.
- b. Fifty percent of on-site storm water detention or retention basins, if designed as an integral part of the site landscaping.
- c. Parking lot islands and medians that are 20 feet or greater in each dimension.



To: Planning Commission

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

Date: February 7, 2019

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

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

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

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

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

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

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

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

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

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

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

Staff Analysis

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

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

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

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

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

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

Planning Commission Options

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

Attachment

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

Section 86-2 **Definitions.**

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

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

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

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

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

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

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

- (1) Institutions for human care:
 - Clinics
 - Homes for the aged
 - Hospitals
 - Nursing or convalescent homes
 - Philanthropic and eleemosynary institutions
 - Sanitariums for the treatment of human ailments
 - Senior Living Communities**

- (2) Religious institutions:
 - Churches or similar places of worship
 - Convents
 - Other housing for clergy
 - Parsonages and parish houses

- (3) Educational and social institutions:
 - Adult care centers, provided structures and sites meet all current building, residential, fire and maintenance codes as adopted by the Township.
 - Auditoriums and other places of public assembly
 - Centers for social activities
 - Child care centers
 - Fraternity and sorority
 - Public and private elementary schools, high schools, and institutions of higher education

- (4) Special open-space uses:
 - Private resorts and recreational camps
 - Public beaches, bath houses, and boat liveries operated for profit

- (5) Public buildings and public service installations:
 - Gas regulator stations
 - Publicly owned and operated buildings
 - Public utility buildings and structures
 - Telephone exchange buildings
 - Transformer stations and substations

- (6) Other:
 - Group adult care homes, provided structures and sites meet all current building, residential, fire and property maintenance codes as adopted by the Township
 - Group child care homes
 - Offices used exclusively by philanthropic, eleemosynary, religious, fraternal, or educational institutions which are accessory to any of the enumerated uses of Subsection (c) of this section

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

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

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

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

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



To: Planning Commission

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

Date: February 21, 2019

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

The public hearing for Zoning Amendment #19040 was held at the February 11, 2019 Planning Commission meeting. At the meeting several elements of the draft ordinance were discussed including revisions to the ordinance language.

Licensed professional care

The term “skilled nursing care” used in the initial version of the draft ordinance has been replaced with “licensed professional care.” Skilled nursing care seems to indicate services provided by a registered nurse (RN) or licensed practical nurse (LPN). Not all care in Senior Living Communities would be provided by RNs or LPNs. Licensed professional care represents a broad range of types of caregivers who may provide services in Senior Living Communities.

Building height

The maximum building height standard in the first version of ordinance language read “maximum building height shall not exceed four stories or 60 feet above the finished grade.” The draft ordinance language has been clarified to state maximum building height cannot exceed four stories up to 60 feet above the finished grade. The Planning Commission may recommend a different maximum building height standard.

Setback from residential zoning districts

The draft ordinance was revised to require buildings in Senior Living Communities be setback a minimum of 50 feet from residential zoning districts, both single family and multiple family. As previously proposed the 50 foot setback was applicable only when adjacent to single family. The ordinance language was also revised to establish a 25 foot side and rear yard setback for Senior Living Communities adjacent to nonresidential zoning districts.

Commissioners stated desire to increase the 50 foot setback for buildings adjacent to another residential zoning district boundary, with different proposals offered of how to increase the setback. Two alternative options are outlined for consideration.

Zoning Amendment #19040 (Township Board)
Planning Commission (February 25, 2019)
Page 2

Option 1

For buildings up to two stories in height the minimum distance from a residential zoning district boundary is 50 feet, with an additional 25 feet required for each additional story of the building over two stories. Using this approach, a three story building would be required to meet a 75 foot setback from adjacent residential, with four story buildings being subject to a 100 foot setback from another residential zoning district boundary.

Option 2

For buildings up to two stories in height the minimum distance from a residential zoning district boundary is 50 feet, with an additional 50 feet required for each additional story of the building over two stories. Using this approach, a three story building would be required to meet a 100 foot setback from adjacent residential, with four story buildings being subject to a 150 foot setback from another residential zoning district boundary.

The Planning Commission may choose to revise the draft ordinance to utilize one of the options above, choose to retain the currently proposed setback from residential district boundaries, or recommend a different option.

Minimum lot area

The minimum lot area standard proposed in the draft ordinance is 10 acres. Commissioners discussed 10 acres may be restrictive and a smaller minimum lot size would allow for less intensive Senior Living Communities. Other Commissioners noted the minimum 10 acre standard was reasonable, as Senior Living Communities may not be appropriate on smaller sites. The Planning Commission may recommend a different minimum lot area standard.

The following table provides lot area information for existing senior apartments and institutions for human care in the Township.

**Zoning Amendment #19040 (Township Board)
 Planning Commission (February 25, 2019)
 Page 3**

Facility	Number of Units	Location	Lot Area (approximate)
Marsh Pointe (senior apartments)	260	5895 Marsh Road	13 acres
The Marquette (home for the aged)	115	5968 Park Lake Road	15 acres
Stratford Place (senior apartments)	60	2790 Sirhal Drive	5 acres
The Willows (assisted living)	91	4830 Central Park Drive	9 acres
Medilodge of Okemos (skilled nursing care)	100	5211 Marsh Road	7 acres
Brookdale (assisted living and skilled nursing care)	72	5346 Marsh Road	6 acres
Bickford of Okemos (assisted living)	46	3830 Okemos Road	3 acres
Burcham Hills (assisted living, independent living, and skilled nursing care)	377	East Lansing	38 acres

Commissioners stated requiring a minimum lot area of 10 acres may result in Senior Living Communities locating in the eastern third of the Township. A provision has been added to the draft ordinance requiring public utilities be available to serve Senior Living Communities.

Age restriction

As proposed Senior Living Communities would be restricted to persons 55 years of age or older or married couples or domestic partners where either spouse or partner is 55 years of age or older. Commissioners discussed potentially raising the minimum age to 60 or 65. This matter is under review by the Township Attorney.

Balconies, decks, patios, and porches

The current ordinance allows balconies and decks attached to multiple family buildings to encroach into the 50 foot setback from a single family residential district boundary. If the Planning Commission chooses to prohibit balconies and decks attached to a building within a Senior Living Community from encroaching into the setback from an adjacent residential zoning district, a provision needs to be included in the ordinance. The distance from a residential zoning district boundary section of the draft ordinance has been revised to prohibit encroachment into the setback by balconies, decks, patios, and porches.

Minimum distance between buildings

The draft ordinance requires a minimum of 50 feet of separation between all buildings within a Senior Living Community. Commissioners discussed 50 feet of separation between buildings as providing excess separation, with separation between buildings not necessarily desirable. The Planning Commission may choose to modify the setback between buildings or remove it from the draft ordinance.

Zoning Amendment #19040 (Township Board)
Planning Commission (February 25, 2019)
Page 4

The revised draft ordinance language is attached. Proposed changes are noted in bold uppercase letters. Revisions based on Planning Commission discussion at the last meeting are shown in red underlined text.

Planning Commission Options

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

Attachment

1. Draft ordinance language, dated February 11, 2019.

Section 86-2 **Definitions.**

ASSISTED LIVING – PROVIDING BASIC SERVICES AS WELL AS LIMITED NURSING CARE, LIMITED SUPERVISION, MEDICATION MANAGEMENT, SUPPORTIVE SERVICES, AND OTHER ACTIVITIES OF DAILY LIVING TO PATIENTS OR RESIDENTS.

INDEPENDENT LIVING – PROVISION OF SOME BASIC SERVICES SUCH AS MEALS, HOUSEKEEPING, GROUNDS MAINTENANCE, SECURITY, AND COMMON AREAS AND COMMON FACILITIES FOR EVENTS AND ACTIVITIES FOR PATIENTS OR RESIDENTS.

MEMORY CARE – SPECIALIZED SKILLED NURSING AND SETTINGS OFFERING STEPPED-UP SERVICES FOR PATIENTS OR RESIDENTS WITH ALZHEIMER'S DISEASE OR OTHER TYPES OF DEMENTIA.

SENIOR LIVING COMMUNITY – A FACILITY COMPRISED OF A BUILDING OR GROUP OF BUILDINGS PROVIDING A CONTINUITY OF RESIDENTIAL OCCUPANCY AND HEALTH CARE FOR ELDERLY PERSONS. THIS TYPE OF FACILITY INCLUDES DWELLING UNITS FOR INDEPENDENT LIVING, ASSISTED LIVING, AND MEMORY CARE OR OTHER SKILLED-NURSING CARE LICENSED PROFESSIONAL CARE FOR RESIDENTS; IT MAY INCLUDE ANCILLARY FACILITIES FOR THE FURTHER SERVICE OR CARE OF THE RESIDENTS. THE FACILITY IS RESTRICTED TO PERSONS 55 YEARS OF AGE OR OLDER OR MARRIED COUPLES OR DOMESTIC PARTNERS WHERE EITHER SPOUSE OR PARTNER IS 55 YEARS OF AGE OR OLDER.

~~SKILLED NURSING CARE~~ LICENSED PROFESSIONAL CARE – SPECIALIZED HEALTH CARE AVAILABLE 24 HOURS PER DAY GIVEN UNDER THE SUPERVISION OF PROFESSIONALS OR TECHNICAL PERSONNEL INCLUDING BUT NOT LIMITED TO MEMORY CARE, REHABILITATION, PHYSICAL THERAPY, OCCUPATIONAL THERAPY, SOCIAL SERVICES, TUBE FEEDINGS, COMPLEX WOUND DRESSINGS, OR RAPIDLY CHANGING HEALTH STATUS.

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

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

- (1) Institutions for human care:
 - Clinics
 - Homes for the aged
 - Hospitals
 - Nursing or convalescent homes
 - Philanthropic and eleemosynary institutions
 - Sanitariums for the treatment of human ailments**SENIOR LIVING COMMUNITIES**

- (2) Religious institutions:
 - Churches or similar places of worship
 - Convents
 - Other housing for clergy
 - Parsonages and parish houses

- (3) Educational and social institutions:
 - Adult care centers, provided structures and sites meet all current building, residential, fire and maintenance codes as adopted by the Township.
 - Auditoriums and other places of public assembly
 - Centers for social activities
 - Child care centers
 - Fraternity and sorority
 - Public and private elementary schools, high schools, and institutions of higher education

- (4) Special open-space uses:
 - Private resorts and recreational camps
 - Public beaches, bath houses, and boat liveries operated for profit

- (5) Public buildings and public service installations:
 - Gas regulator stations
 - Publicly owned and operated buildings
 - Public utility buildings and structures
 - Telephone exchange buildings
 - Transformer stations and substations

- (6) Other:
 - Group adult care homes, provided structures and sites meet all current building, residential, fire and property maintenance codes as adopted by the Township
 - Group child care homes
 - Offices used exclusively by philanthropic, eleemosynary, religious, fraternal, or educational institutions which are accessory to any of the enumerated uses of Subsection (c) of this section

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

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

- b. No structure built for residential use shall be converted to a child care center if it is located closer than 500 feet to an existing residence.
 - c. The maximum number of children permitted in child care centers in residential structures which have been converted to that use shall be 30.
- (4) For public buildings and public service installations, greater than 50 square feet in area, including publicly owned and operated buildings, public utility buildings and structures, telephone exchange buildings, transformer stations and substations, gas regulator stations.
- a. Location. Public buildings and public service installations greater than 50 square feet in area shall be located on a lot on which the utility installation shall be considered the principal use, and no additional principal uses shall exist or be established on the lot.
 - b. Area requirements. Lot area and width shall not be less than that specified for the district in which the proposed use would be located.
 - c. Maximum building height. No building or structure shall be erected to a height greater than that permitted in the district in which the proposed use is to be located.
 - d. Appearance. All buildings shall be harmonious in appearance with the surrounding residential area and shall be similar in design and appearance to any other buildings on the same lot. Exposed equipment shall be screened.
 - e. Off-street parking. Parking spaces shall be provided in accordance with the requirements of Article VIII of this chapter.
- (5) **FOR SENIOR LIVING COMMUNITIES.**
- A. SENIOR LIVING COMMUNITIES SHALL BE FOR PERSONS FIFTY-FIVE (55) YEARS OF AGE OR OLDER OR MARRIED COUPLES OR DOMESTIC PARTNERS WHERE EITHER SPOUSE OR PARTNER IS FIFTY-FIVE (55) YEARS OF AGE OR OLDER.**
 - B. LOCATIONS. SENIOR LIVING COMMUNITIES SHALL BE PERMITTED WHERE PUBLIC WATER AND SEWER ARE AVAILABLE.**
 - BC. MINIMUM LOT AREA. 10 ACRES.**
 - CD. MINIMUM LOT WIDTH. 100 FEET.**
 - DE. MAXIMUM DENSITY. 25 UNITS PER ACRE (BOTH INDEPENDENT LIVING UNITS AND SKILLED NURSING CARE LICENSED PROFESSIONAL CARE UNITS SHALL BE FACTORED IN TO DENSITY CALCULATIONS).**

- EF.** MAXIMUM LOT COVERAGE. ALL BUILDINGS INCLUDING ACCESSORY BUILDINGS SHALL NOT OCCUPY MORE THAN 35% OF THE NET AREA OF LAND INCLUDED WITHIN THE LIMITS OF THE PROPOSED PROJECT OR ANY STAGE IN THE DEVELOPMENT OF THE PROPOSED PROJECT WHICH MAY RECEIVE APPROVAL UNDER THIS CHAPTER.
- FG.** MINIMUM YARD DIMENSIONS.
1. FRONT YARD. IN ACCORDANCE WITH THE SETBACK REQUIREMENTS OF SECTION 86-367 FOR THE TYPE OF STREET UPON WHICH THE LOT FRONTS.
 - ~~2. SIDE YARDS. NOT LESS THAN 25 FEET FROM THE PROPERTY LINE FOR ONE OR TWO-STORY BUILDINGS WITH AN ADDITIONAL FOOT REQUIRED FOR EACH ADDITIONAL FOOT OF HEIGHT OF THE BUILDING OVER 35 FEET.~~
 - ~~3. REAR YARD. BUILDINGS SHALL NOT BE LESS THAN 40 FEET FROM THE PROPERTY LINE FOR ONE OR TWO STORY BUILDINGS WITH AN ADDITIONAL FOOT REQUIRED FOR EACH ADDITIONAL FOOT OF HEIGHT OF THE BUILDING OVER 35 FEET.~~
 - 2. SIDE AND REAR YARD SETBACK ADJACENT TO A NONRESIDENTIAL ZONING DISTRICT. NO BUILDING, PARKING, ACCESS DRIVE, OR OTHER STRUCTURE SHALL BE LESS THAN 25 FEET FROM A NONRESIDENTIAL ZONING DISTRICT LINE.**
 - G3. DISTANCE FROM A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT BOUNDARY. NO BUILDING, INCLUDING BALCONIES, DECKS, PATIOS, AND PORCHES, SHALL BE LOCATED CLOSER THAN 50 FEET TO ANY SINGLE-FAMILY RESIDENTIAL ZONE LINE NOR SHALL ANY ACCESSORY BUILDING BE LOCATED CLOSER THAN 50 FEET TO ANY SINGLE-FAMILY RESIDENTIAL ZONE LINE.**
- H.** MAXIMUM BUILDING HEIGHT. MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED FOUR STORIES OR **UP TO** 60 FEET ABOVE THE FINISHED GRADE.
- I.** MAXIMUM INDEPENDENT LIVING UNIT TO ~~SKILLED NURSING CARE~~ **LICENSED PROFESSIONAL CARE** UNIT RATIO. A MAXIMUM OF TWO INDEPENDENT LIVING UNITS MAY BE PROVIDED PER ONE ~~SKILLED NURSING CARE~~ **LICENSED PROFESSIONAL CARE** UNIT (SUCH AS ASSISTED LIVING OR MEMORY CARE).

- J. **OFF-STREET PARKING. ONE (1) SPACE FOR EACH DWELLING UNIT OF INDEPENDENT LIVING PLUS ONE (1) SPACE FOR EVERY FOUR (4) UNITS OF ~~SKILLED NURSING CARE~~ LICENSED PROFESSIONAL CARE PLUS ONE (1) SPACE FOR EACH EMPLOYEE WORKING ON THE LARGEST SHIFT.**
- K. **MINIMUM DISTANCE BETWEEN BUILDINGS. IN NO CASE SHALL ANY BUILDING BE LOCATED CLOSER THAN 50 FEET TO ANY OTHER BUILDING.**
- L. **SENIOR LIVING COMMUNITY ACCESSORY USES. ANY ANCILLARY USE NECESSARY FOR THE OPERATION OF THE FACILITY OR FOR THE BENEFIT OR CONVENIENCE OF THE RESIDENTS AND THEIR GUESTS, INCLUDING, BUT NOT LIMITED TO, PLACES OF WORSHIP, INDOOR AND OUTDOOR RECREATION, RETAIL AND BANKING FACILITIES, DINING FACILITIES, BEAUTY SALONS AND BARBERSHOPS, GIFT SHOPS, SECURITY FACILITIES, COMMON AREAS, MEDICAL OFFICES, POSTAL CENTER, AND PHARMACIES, PROVIDED THAT THE ACCESSORY USE IS ANCILLARY TO THE PRIMARY USE OF THE PROPERTY AS A SENIOR LIVING COMMUNITY AND NOT ADVERTISED FOR PUBLIC USE.**

(56) For all nonresidential uses in residential districts, the maximum percentage of impervious surface permitted on a site shall be 75%. Impervious surfaces shall include all land covered with paving, buildings, and other nonporous surfaces. The impervious surface ratio is calculated by dividing the total impervious surface by the gross area of the site. The following shall be counted as pervious surfaces:

- a. Required perimeter landscaped buffers.
- b. Fifty percent of on-site storm water detention or retention basins, if designed as an integral part of the site landscaping.
- c. Parking lot islands and medians that are 20 feet or greater in each dimension.



To: Planning Commission

From: Peter Menser, Principal Planner

Justin Quagliata, Assistant Planner

Date: March 7, 2019

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

The Planning Commission discussed Zoning Amendment #19040 at its last meeting on February 25, 2019. After discussing the proposed amendment the Planning Commission decided to revise the draft ordinance language to increase the setback from residential zoning districts. As revised, buildings in Senior Living Communities up to two stories in height must be setback 50 feet from a residential zoning district boundary, with an additional 50 feet required for each additional story of the building over two stories in height.

Accessory building setback

The draft ordinance language reviewed by the Planning Commission at the last meeting included a provision requiring accessory buildings to adhere to the same 50 foot setback from residential zoning districts as principal structures. With updating the ordinance language to increase the setback from residential zoning districts for three and four story buildings, the Planning Commission may wish to re-consider setbacks for accessory buildings in Senior Living Communities.

Currently the ordinance requires five foot side and rear yard setbacks for accessory buildings and prohibits accessory buildings from projecting into a front yard. Additionally, accessory buildings must be set back at least 10 feet from any other structure on the same property and cannot exceed 15 feet in height. Two options are outlined for accessory building setbacks in Senior Living Communities:

Option 1

Require accessory buildings to meet the same setbacks as principal structures. For example, if a four story building in a Senior Living Community is adjacent to a residential zoning district, an accessory building would be subject to the same 150 foot setback as the principal structure. If the Senior Living Community is abutting nonresidential property, the 25 foot setback from a nonresidential zoning district boundary would apply to an accessory structure.

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

Option 2

Establish a separate setback for accessory buildings. The Planning Commission may establish a separate setback for accessory buildings when located adjacent to residential zoning districts. For example, a 50 foot setback may be required for accessory buildings when adjacent to a residential zoning district. In this case, regardless of building height and the associated setback for a principal structure, an accessory building would be subject to a 50 foot setback when adjacent to a residential zoning district. When accessory buildings adjoin nonresidential property, the 25 foot side and rear yard setback would apply. As the draft ordinance is currently written, the 25 foot setback applies to buildings (principal and accessory), parking areas, and access drives.

The Planning Commission may choose to revise the draft ordinance to utilize one of the options previously listed, recommend different setbacks than proposed by staff, or choose to utilize the current standards in the ordinance for accessory buildings.

Planning Commission Options

The Planning Commission may recommend approval as written, recommend approval of a revised version, or recommend denial of the proposed zoning amendment. A resolution to recommend approval of the proposed zoning amendment is attached.

- **Motion to adopt the attached resolution recommending approval of Zoning Amendment #19040 in accordance with the revised draft ordinance language dated March 11, 2019.**

Attachments

1. Resolution to recommend approval.
2. Revised draft ordinance language dated March 11, 2019.

G:\Community Planning & Development\Planning\ZONING AMENDMENTS (ZA)\2019\ZA 19040 (Township Board)\ZA 19040.pc3.doc



RESOLUTION TO APPROVE

**Zoning Amendment #19040
Township Board**

RESOLUTION

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

PRESENT: _____

ABSENT: _____

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

WHEREAS, the Township Board, at its meeting on December 11, 2018 initiated the zoning amendment to amend Section 86-2 (Definitions) and Section 86-654 (Nonresidential Structures and Uses in Residential Districts) of the Code of Ordinances; and

WHEREAS, the proposed zoning amendment would add Senior Living Communities to the list of uses permitted as nonresidential uses in residential zoning districts, subject to approval of a special use permit; and

WHEREAS, the proposed zoning amendment establishes performance criteria by which to evaluate Senior Living Community projects; and

WHEREAS, the Planning Commission held a public hearing on the proposed zoning amendment at its regular meeting on February 11, 2019 and reviewed staff material forwarded under cover memorandums dated February 7, 2019 and February 21, 2019; and

WHEREAS, the proposed zoning amendment is consistent with Goal J of the 2019 Township Board Action Plan to explore housing options and alternatives to encourage diverse populations and targeted groups to live in the Township; and

WHEREAS, the proposed zoning amendment is consistent with Goal 1, Objective B of the 2017 Master Plan to ensure new residential developments meet high standards of visual attractiveness, health and safety, and environmental sensitivity.

NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #19040, to amend Sections 86-2 and 86-654 of the Code of Ordinances to add Senior Living Communities to the list of uses permitted as nonresidential uses in residential zoning districts, subject to approval of a special use permit. The recommendation is in accordance with the revised draft ordinance language dated March 11, 2019.

Zoning Amendment #19040 (Township Board)

March 11, 2019

Page 2

ADOPTED: YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chair 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 11th day of March, 2019.

John Scott-Craig
Planning Commission Chair

Section 86-2 **Definitions.**

ASSISTED LIVING – PROVIDING BASIC SERVICES AS WELL AS LIMITED NURSING CARE, LIMITED SUPERVISION, MEDICATION MANAGEMENT, SUPPORTIVE SERVICES, AND OTHER ACTIVITIES OF DAILY LIVING TO PATIENTS OR RESIDENTS.

INDEPENDENT LIVING – PROVISION OF SOME BASIC SERVICES SUCH AS MEALS, HOUSEKEEPING, GROUNDS MAINTENANCE, SECURITY, AND COMMON AREAS AND COMMON FACILITIES FOR EVENTS AND ACTIVITIES FOR PATIENTS OR RESIDENTS.

MEMORY CARE – SPECIALIZED SKILLED NURSING AND SETTINGS OFFERING STEPPED-UP SERVICES FOR PATIENTS OR RESIDENTS WITH ALZHEIMER'S DISEASE OR OTHER TYPES OF DEMENTIA.

SENIOR LIVING COMMUNITY – A FACILITY COMPRISED OF A BUILDING OR GROUP OF BUILDINGS PROVIDING A CONTINUITY OF RESIDENTIAL OCCUPANCY AND HEALTH CARE FOR ELDERLY PERSONS. THIS TYPE OF FACILITY INCLUDES DWELLING UNITS FOR INDEPENDENT LIVING, ASSISTED LIVING, AND MEMORY CARE OR OTHER LICENSED PROFESSIONAL CARE FOR RESIDENTS; IT MAY INCLUDE ANCILLARY FACILITIES FOR THE FURTHER SERVICE OR CARE OF THE RESIDENTS. THE FACILITY IS RESTRICTED TO PERSONS 55 YEARS OF AGE OR OLDER OR MARRIED COUPLES OR DOMESTIC PARTNERS WHERE EITHER SPOUSE OR PARTNER IS 55 YEARS OF AGE OR OLDER.

LICENSED PROFESSIONAL CARE – SPECIALIZED HEALTH CARE AVAILABLE 24 HOURS PER DAY GIVEN UNDER THE SUPERVISION OF PROFESSIONALS OR TECHNICAL PERSONNEL INCLUDING BUT NOT LIMITED TO MEMORY CARE, REHABILITATION, PHYSICAL THERAPY, OCCUPATIONAL THERAPY, SOCIAL SERVICES, TUBE FEEDINGS, COMPLEX WOUND DRESSINGS, OR RAPIDLY CHANGING HEALTH STATUS.

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

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

Zoning Amendment #19040

March 11, 2019 revision

Page 2

- (1) Institutions for human care:
 - Clinics
 - Homes for the aged
 - Hospitals
 - Nursing or convalescent homes
 - Philanthropic and eleemosynary institutions
 - Sanitariums for the treatment of human ailments**SENIOR LIVING COMMUNITIES**

- (2) Religious institutions:
 - Churches or similar places of worship
 - Convents
 - Other housing for clergy
 - Parsonages and parish houses

- (3) Educational and social institutions:
 - Adult care centers, provided structures and sites meet all current building, residential, fire and maintenance codes as adopted by the Township.
 - Auditoriums and other places of public assembly
 - Centers for social activities
 - Child care centers
 - Fraternity and sorority
 - Public and private elementary schools, high schools, and institutions of higher education

- (4) Special open-space uses:
 - Private resorts and recreational camps
 - Public beaches, bath houses, and boat liveries operated for profit

- (5) Public buildings and public service installations:
 - Gas regulator stations
 - Publicly owned and operated buildings
 - Public utility buildings and structures
 - Telephone exchange buildings
 - Transformer stations and substations

- (6) Other:
 - Group adult care homes, provided structures and sites meet all current building, residential, fire and property maintenance codes as adopted by the Township
 - Group child care homes
 - Offices used exclusively by philanthropic, eleemosynary, religious, fraternal, or educational institutions which are accessory to any of the enumerated uses of Subsection (c) of this section

Zoning Amendment #19040

March 11, 2019 revision

Page 3

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

Zoning Amendment #19040

March 11, 2019 revision

Page 4

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

- b. No structure built for residential use shall be converted to a child care center if it is located closer than 500 feet to an existing residence.
 - c. The maximum number of children permitted in child care centers in residential structures which have been converted to that use shall be 30.
- (4) For public buildings and public service installations, greater than 50 square feet in area, including publicly owned and operated buildings, public utility buildings and structures, telephone exchange buildings, transformer stations and substations, gas regulator stations.
- a. Location. Public buildings and public service installations greater than 50 square feet in area shall be located on a lot on which the utility installation shall be considered the principal use, and no additional principal uses shall exist or be established on the lot.
 - b. Area requirements. Lot area and width shall not be less than that specified for the district in which the proposed use would be located.
 - c. Maximum building height. No building or structure shall be erected to a height greater than that permitted in the district in which the proposed use is to be located.
 - d. Appearance. All buildings shall be harmonious in appearance with the surrounding residential area and shall be similar in design and appearance to any other buildings on the same lot. Exposed equipment shall be screened.
 - e. Off-street parking. Parking spaces shall be provided in accordance with the requirements of Article VIII of this chapter.
- (5) **FOR SENIOR LIVING COMMUNITIES.**
- A. SENIOR LIVING COMMUNITIES SHALL BE FOR PERSONS FIFTY-FIVE (55) YEARS OF AGE OR OLDER OR MARRIED COUPLES OR DOMESTIC PARTNERS WHERE EITHER SPOUSE OR PARTNER IS FIFTY-FIVE (55) YEARS OF AGE OR OLDER.**
 - B. LOCATIONS. SENIOR LIVING COMMUNITIES SHALL BE PERMITTED WHERE PUBLIC WATER AND SEWER ARE AVAILABLE.**
 - C. MINIMUM LOT AREA. 10 ACRES.**
 - D. MINIMUM LOT WIDTH. 100 FEET.**

- E. MAXIMUM DENSITY. 25 UNITS PER ACRE. FOR THE PURPOSES OF CALCULATING MAXIMUM DENSITY THE TOTAL OF INDEPENDENT LIVING UNITS AND LICENSED PROFESSIONAL CARE UNITS ON THE PROPERTY SHALL BE COUNTED.**
- F. MAXIMUM LOT COVERAGE. ALL BUILDINGS INCLUDING ACCESSORY BUILDINGS SHALL NOT OCCUPY MORE THAN 35% OF THE NET AREA OF LAND INCLUDED WITHIN THE LIMITS OF THE PROPOSED PROJECT OR ANY STAGE IN THE DEVELOPMENT OF THE PROPOSED PROJECT WHICH MAY RECEIVE APPROVAL UNDER THIS CHAPTER.**
- G. MINIMUM YARD DIMENSIONS.**

 - 1. FRONT YARD. IN ACCORDANCE WITH THE SETBACK REQUIREMENTS OF SECTION 86-367 FOR THE TYPE OF STREET UPON WHICH THE LOT FRONTS.**
 - 2. SIDE AND REAR YARD SETBACK ADJACENT TO A NONRESIDENTIAL ZONING DISTRICT. NO BUILDING, PARKING, ACCESS DRIVE, OR OTHER STRUCTURE SHALL BE LESS THAN 25 FEET FROM A NONRESIDENTIAL ZONING DISTRICT LINE.**
 - 3. DISTANCE FROM A RESIDENTIAL ZONING DISTRICT BOUNDARY. FOR BUILDINGS UP TO TWO STORIES IN HEIGHT THE MINIMUM DISTANCE FROM A RESIDENTIAL ZONING DISTRICT BOUNDARY SHALL BE 50 FEET, WITH AN ADDITIONAL 50 FEET REQUIRED FOR EACH ADDITIONAL STORY OF THE BUILDING OVER TWO STORIES IN HEIGHT. BALCONIES, DECKS, PATIOS, AND PORCHES SHALL NOT ENCROACH INTO THE SETBACK FROM A RESIDENTIAL ZONING DISTRICT BOUNDARY.**
- H. ACCESSORY BUILDING SETBACK. NO ACCESSORY BUILDING SHALL BE LOCATED CLOSER THAN X FEET TO ANY RESIDENTIAL ZONING DISTRICT BOUNDARY.**
- I. MAXIMUM BUILDING HEIGHT. MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED FOUR STORIES UP TO 60 FEET ABOVE THE FINISHED GRADE.**
- J. MAXIMUM INDEPENDENT LIVING UNIT TO LICENSED PROFESSIONAL CARE UNIT RATIO. A MAXIMUM OF TWO INDEPENDENT LIVING UNITS MAY BE PROVIDED PER ONE LICENSED PROFESSIONAL CARE UNIT.**
- K. OFF-STREET PARKING. ONE (1) SPACE FOR EACH DWELLING UNIT OF INDEPENDENT LIVING PLUS ONE (1) SPACE FOR EVERY FOUR (4) UNITS OF LICENSED PROFESSIONAL CARE PLUS ONE (1) SPACE FOR EACH EMPLOYEE WORKING ON THE LARGEST SHIFT.**

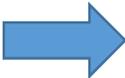
L. MINIMUM DISTANCE BETWEEN BUILDINGS. IN NO CASE SHALL ANY BUILDING BE LOCATED CLOSER THAN 50 FEET TO ANY OTHER BUILDING.

M. SENIOR LIVING COMMUNITY ACCESSORY USES. ANY ANCILLARY USE NECESSARY FOR THE OPERATION OF THE FACILITY OR FOR THE BENEFIT OR CONVENIENCE OF THE RESIDENTS AND THEIR GUESTS, INCLUDING, BUT NOT LIMITED TO, PLACES OF WORSHIP, INDOOR AND OUTDOOR RECREATION, RETAIL AND BANKING FACILITIES, DINING FACILITIES, BEAUTY SALONS AND BARBERSHOPS, GIFT SHOPS, SECURITY FACILITIES, COMMON AREAS, MEDICAL OFFICES, POSTAL CENTER, AND PHARMACIES, PROVIDED THAT THE ACCESSORY USE IS ANCILLARY TO THE PRIMARY USE OF THE PROPERTY AS A SENIOR LIVING COMMUNITY AND NOT ADVERTISED FOR PUBLIC USE.

(56) For all nonresidential uses in residential districts, the maximum percentage of impervious surface permitted on a site shall be 75%. Impervious surfaces shall include all land covered with paving, buildings, and other nonporous surfaces. The impervious surface ratio is calculated by dividing the total impervious surface by the gross area of the site. The following shall be counted as pervious surfaces:

- a. Required perimeter landscaped buffers.
- b. Fifty percent of on-site storm water detention or retention basins, if designed as an integral part of the site landscaping.
- c. Parking lot islands and medians that are 20 feet or greater in each dimension.

Chair Scott-Craig closed the public hearing at 8:02 P.M.

- 
- B. Zoning Amendment #19040 (Meridian Township), amend Section 86-2 and Section 86-654 of the Code of Ordinances to add continuing care communities to the list of uses permitted as non-residential uses in residential zoning districts.

Chair Scott-Craig opened the public hearing at 8:03 P.M.

Principal Planner Menser provided a summary of the request. In December 2018 a concept plan was presented to the Township Board for a mix of senior independent living and skilled nursing care housing. The developer requested the Board amend the zoning ordinance to accommodate the proposed development and the Township Board voted to initiate a zoning amendment allowing senior living communities.

Senior living communities with cooking facilities (stove and oven) are considered under the multi-family residential zoning and if there are no cooking facilities the senior living communities are considered as a single-family non-residential use in a residential district.

Public Comments:

- A. Lynne Page, 3912 Raleigh Drive, spoke in opposition to Zoning Amendment #19040.
- B. David Pierson, 1305 South Washington Avenue, attorney representing The Eyde Company spoke in support of Zoning Amendment #19040.
- C. Shawn O'Brien, 16948 Pine Hollow Drive, spoke in support of Zoning Amendment #19040.

Planning Commission Discussion:

Commissioner Richards stated the concept makes sense but he has concerns with the impact to the single family residents to the east of the above mentioned site on Hannah Boulevard. Commissioner Richards also suggested imposing greater setbacks and restricting balconies on three and four story buildings, if the buildings are located adjacent to single family zoning. He also noted the minimum age of 55 seems too young for the senior living communities and should be perhaps more in the range of 70-80 years old.

Commissioner Cordill expressed concern with the proposed building height and stated a sixty foot/four story building should be located more than fifty feet from a neighboring single family home. Commissioner Cordill also commented on the proposed minimum lot size (10 acres) and wanted to know how many people might live in the proposed senior living community of this size. Principal Planner Menser replied there could be 25 units per acre based on the draft ordinance.

Commissioner Hendrickson asked if a comparison of the three independent senior living communities (Marsh Pointe, The Marquette and Meridian Stratford Place) listed in the staff report has been done regarding parcel size and standards. Principal Planner Menser replied that a comparison has not been done.

Chair Scott-Craig reminded everyone the ordinance is what is being considered and not the project in the concept plan seen by the Township Board. Additional projects will be limited if the proposed ten acre minimum lot size is kept in the ordinance.

Commissioner Premoe shared an experience with a family member who was in Independence Village in East Lansing. When a senior moved into the complex they stayed in the same living quarters even as the skilled care levels changed from independent living thru hospice care. He also noted if the density is 25 units per acre with a ratio of 2:1 (independent living units versus assisted and skilled care units typically being one room) one has to wonder what the area would look like.

Chair Scott-Craig mentioned some independent living does require moving into different size living accommodations based on the level of care needed. He also talked about a senior living community in New Hampshire that has buildings which are connected with walkways so residents do not have to walk outside. This is an example of why provisions of minimum space between buildings could impact future building plans.

Commissioner Trezise suggested taking each proposal on a case by case basis because the details may vary and this would allow more flexibility.

Commissioner Richards suggested a minimum setback from other residential zones should be more than fifty feet and the higher the building, the greater the setbacks should be. He also suggested putting smaller buildings closer to the neighboring residential area.

Commissioner Premoe agreed there is a need in our community for independent senior living and we don't want to make restrictions so difficult that we discourage future development.

Chair Scott-Craig closed the public hearing at 8:48P.M.

The Planning Commission took a five minute recess.

7. Unfinished Business

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

Principal Planner Menser explained the revised concept plan and reviewed the four conditions of the rezoning.

Frank Fugate, 5000 South Front Street, Columbus, Ohio, applicant for the project re-introduced himself and said he was available for questions.

Commissioner Premoe expressed appreciation to Mr. Fugate for listening to the Planning Commission concerns and also the concerns of local residents. Commissioner Premoe is very comfortable with the updated proposal.

Commissioner Richards asked if the property would pay taxes and he was told by Mr. Fugate yes. The applicant will also request payment in lieu of taxes (P.I.L.O.T.).

Commissioner Cordill asked about the building height and was told by Mr. Fugate this would be a two story building with a pitched roof with a final height of twenty-five feet.

Commissioner Lane stated provisioning centers should be limited to C-1, C-2 and C-3. They are not a good fit for a research park area due to potential traffic increases.

Commissioner Lane suggested using the restrictions that Commissioner Trezise suggested when reviewing the six proposed overlay districts and what types of facilities would be allowed in each area.

Commissioner Premoe suggested requesting a meeting with the Township Board to discuss this topic further and the other Commissioners agreed this would be beneficial.

 E. Zoning Amendment #19040 (Meridian Township), amend Section 86-2 and Section 86-654 of the Code of Ordinances to add continuing care communities to the list of uses permitted as non-residential uses in residential zoning districts.

Principal Planner Menser provided an overview of the zoning amendment.

Planning Commission Discussion:

Commissioner Trezise expressed concern with allowing a four story Senior Living Facility in a residential neighborhood because it would be an intrusion.

Commissioner Premoe suggested further setbacks for higher buildings.

Chair Scott-Craig shared his frustration regarding how to figure out how to write an ordinance for a facility the Planning Commission is not familiar with and suggested seeking expert advice.

Commissioner Shrewsbury noted the lot size requirement is an important factor to consider and we can minimize concerns by keeping restrictions in place.

A straw poll indicated the Planning Commission would be in favor of recommending Zoning Amendment #19040 (Meridian Township) to the Township Board and staff was asked to prepare a resolution recommending approval for the next meeting.

F. Mixed Use Planned Unit Development (MUPUD) concept plan – Village of Okemos

Principal Planner Menser provided an overview and explained the concept plan is being brought before the Planning Commission for feedback before a formal plan is submitted.

Will Randall, 4409 Dobie Road, Chief Operating Officer with True North Development introduced the Village Of Okemos MUPUD Concept Plan and the other consultants working with him on the project. Mr. Randall noted he would be available for questions after the presentation being provided by Dave Magnum, a planner representing Gibbs Planning from Birmingham, Michigan.

Greg Presley with Presley Architecture of Northville, Michigan introduced himself as one of the six Architects working on the project and provided more information about the concept plan.

Commissioner Hendrickson stated the list created by Chair Scott-Craig reflects the discussions from past Planning Commission meetings and that the Planning Commission may not all agree on number of licenses.

- 
- B. Zoning Amendment #19040 (Meridian Township), amend Section 86-2 and Section 86-654 of the Code of Ordinances to add Senior Living Facilities to the list of uses permitted as non-residential uses in residential zoning districts.

Principal Planner Menser provided a summary of the staff report and the changes to the draft ordinance since it was last discussed.

Planning Commission Discussion:

Commissioner Premoe stated he would like to see a 100 foot setback for accessory buildings.

Commissioner Richards supports the 100 foot setbacks suggested by Commissioner Premoe but for a buffer regarding noise potential more so than for aesthetic reasons. Commissioner Richards suggested offering an additional requirement for accessory buildings to either have a 100 foot setback or a 60 foot setback with a double row of interlocking trees.

Motion by Commissioner Richards to recommend approval of Zoning Amendment #19040 with the additional requirement that accessory buildings meet either a 100 foot setback from a residential zoning district boundary or a 60 foot setback with a double row of interlocking trees.

Supported by Commissioner Premoe.

ROLL CALL VOTE:

YEAS: Commissioners Richards, Premoe, Trezise, Lane, Hendrickson and Scott-Craig.

NAYS: None

MOTIONED CARRIED: 6-0

- C. Rezoning #19020 (Meridian Township), rezone 1.52 acres (10 parcels) from C-1 (Commercial) to RB (Single Family-High Density) located west of Marsh Road, north of Lake Lansing Road, and east of Martinus Street.

Motion by Commissioner Hendrickson to approve Rezoning #19020.

Supported by Commissioner Trezise.

ROLL CALL VOTE:

YEAS: Commissioners Hendrickson, Trezise, Premoe, Lane, Richards and Scott-Craig.

NAYS: None

MOTIONED CARRIED: 6-0

8. Other Business

- A. 2019 PC Goals.

Chair Scott-Craig moved this item to the March 25, 2019 meeting.

RESOLUTION TO APPROVE

**Zoning Amendment #19040
Township Board**

RESOLUTION

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

PRESENT: Chair Scott-Craig, Vice-Chair Lane, Commissioners Trezise, Premoe, Hendrickson, Richards

ABSENT: Commissioners Cordill and Shrewsbury

The following resolution was offered by Commissioner Richards and supported by Commissioner Premoe.

WHEREAS, the Township Board, at its meeting on December 11, 2018 initiated the zoning amendment to amend Section 86-2 (Definitions) and Section 86-654 (Nonresidential Structures and Uses in Residential Districts) of the Code of Ordinances; and

WHEREAS, the proposed zoning amendment would add Senior Living Communities to the list of uses permitted as nonresidential uses in residential zoning districts, subject to approval of a special use permit; and

WHEREAS, the proposed zoning amendment establishes performance criteria by which to evaluate Senior Living Community projects; and

WHEREAS, the Planning Commission held a public hearing on the proposed zoning amendment at its regular meeting on February 11, 2019 and reviewed staff material forwarded under cover memorandums dated February 7, 2019 and February 21, 2019; and

WHEREAS, the proposed zoning amendment is consistent with Goal J of the 2019 Township Board Action Plan to explore housing options and alternatives to encourage diverse populations and targeted groups to live in the Township; and

WHEREAS, the proposed zoning amendment is consistent with Goal 1, Objective B of the 2017 Master Plan to ensure new residential developments meet high standards of visual attractiveness, health and safety, and environmental sensitivity.

NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #19040, to amend Sections 86-2 and 86-654 of the Code of Ordinances to add Senior Living Communities to the list of uses permitted as nonresidential uses in residential zoning districts, subject to approval of a special use permit. The recommendation is in accordance with the revised draft ordinance language dated March 11, 2019.



February 22, 2019

Mr. John Scott-Craig, Chairman

Members of the Meridian Township Plan Commission

c/o Mr. Mark Kieselbach, Community Planning and Development Director Kieselbach@meridian.mi.us

Ladies and Gentlemen,

Andev Group, LLC is the contract purchaser of the approximately 10-acre parcel located at the western end of Hannah Blvd. We have been in communication with both the staff and Township Board regarding the factors that govern our potential to construct a multi-million dollar campus for senior independent and assisted living residents on that site.

We are aware that the township is considering amending its ordinances and we wish to offer and confirm our support for the current proposed ordinance under review that would establish a new conditional use for facilities such as our proposed one. While not able to attend in person, we did watch the last plan commission meeting in which the proposed ordinance was presented and discussed.

We would like to offer some guidance to the commission regarding some of the questions that were raised in the February 11 meeting. We noted concerns about the following:

1. Minimum lot size of 10 acres with age restriction to 55 and older.
2. Allowable building height four stories with a maximum 60 feet measurement.
3. Determining appropriate setback requirements from adjacent residential developments.
4. Whether or not balconies should be permitted on buildings within this special use category.

I will address each briefly.

1. Insofar as the minimum lot size is concerned, we suggested the 10-acre minimum because we were made aware that there are other existing and/or potential developments that have been restricted from having full kitchens within the independent living building because of concerns that such buildings would be convertible to non-senior uses such as student housing or unrestricted housing that would otherwise result in too dense zoning. Our suggestion was that the combination of the lot size requirement and the age restriction would serve to ensure that no such repurposing would be possible. The selection of age 55 as the cutoff point stems from the Federal Fair Housing Act's granting an exception to the law against discrimination in housing to enable senior-only communities to exist. Neither of these conditions is something Andev Group would require for its proposed development, but we acknowledge that they are reasonable provisions. If the commission believes that a lesser area requirement should be established or that there be no need for age restriction, that is certainly not objectionable.

2. Regarding building height, we agree with the four-story and 60-foot height limitation. Because these provisions are part of a special use, we believe that each potential development contemplated under the ordinance would need to establish the reasonableness of their respective development plans. In our particular situation, when we submit our request for approval of a special use, we will take care that the tallest building on the site is set back the furthest from the adjacent residential properties.

The breakdown of the height requirement is explained as follows. The first floor in a building of this type will contain many public spaces. The ceiling height for an upscale building of this sort needs to be at least 12 feet and possibly taller. The second through fourth-floor ceiling heights would be nine feet. Two feet of interstitial space is required above each floor. Therefore, we have $12+2+9+2+9+2+9+2=47$ feet to the start of the roof.

3. In designing and constructing such a building, we prefer to make the overall architecture have a residential appearance. As such, it is highly desirable to enable it to have a pitched roof, rather than the flat roofs that typify commercial or institutional buildings. The roof itself, in order to have a viable gabled or hip roof, requires another 20 feet of height to the apex. Since the ordinance measures to the mid-point of a pitched roof, our building would have a height of 57 feet. We, therefore, believe that the suggested height allowance is reasonable and serves an important purpose for the aesthetics of an upscale development.

The linkage of building height to setback requirements is common and consistent with other aspects of the ordinance, and we believe they are reasonable.

4. While we have not finished the design of the building in question, again, because of market conditions, we believe that the option to include balconies in the independent living building is important to maintain. We would suggest that since this and any other project built under the proposed special use would have to establish the reasonableness of their inclusion in any given proposal, the ordinance should not exclude them *a priori*.

I am available to answer questions or provide further clarification if necessary,

Very truly yours,



Michael D. Samuels, authorized agent for
Andev Group, LLC and AFE Bellevue, LLC



13.D

To: Planning Commission

From: Mark Kieselbach, Director of Community Planning and Development
Peter Menser, Principal Planner

Date: April 3, 2019

Re: Rezoning #19010 (Woda Cooper Companies)

Woda Cooper Companies has requested to rezone approximately 4.6 acres of Parcel I.D. #17-377-031 from RX (One and Two Family Residential) to RC (Multiple Family-maximum 14 dwelling units per acre). The site is located at the east end of Sirhal Drive, north of the Whole Foods store at 2750 Grand River Avenue, and west of Greencliff Drive. Only 4.6 acres of the 5.9 acre parcel is proposed for rezoning to RC. The remainder of the property, approximately 1.3 acres, would remain in the RX zoning district. The applicant has offered the following conditions on the rezoning:

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

The Planning Commission held the public hearing on the rezoning request at its January 14, 2019 meeting and voted to recommend approval at its February 25, 2019 meeting, citing the following reasons for its decision:

- The 4.6 acre portion of the property proposed for rezoning to RC (Multiple Family) meets the 11,000 square foot minimum standard for lot area for the proposed PO (Professional and Office) zoning district.
- The subject site is located adjacent to property zoned RC (Multiple Family, 14 dwelling units per acre) to the west.
- Public water and sanitary sewer services are available to serve the subject site.

While the proposed rezoning did not meet the threshold to require a traffic impact assessment, the applicant has provided an updated trip generation study from engineering firm Bergmann comparing the number of trips expected from the rezoning of the property to trips generated by land uses allowed under the current zoning and additional details.

Rezoning #19010 (Woda Cooper Companies)
Township Board (April 9, 2019)
Page 2

Staff memorandums outlining the rezoning request and minutes from the Planning Commission meetings at which the request was discussed are attached for the Board's review.

Township Board Options

The Township Board may approve or deny the proposed rezoning from RX (One and Two Family Residential) to RC (Multiple Family-maximum dwelling 14 units per acre). If the Board amends the proposal the request may be referred back to the Planning Commission for a recommendation. A resolution will be provided at a future meeting.

Attachments

1. Staff memorandums dated January 9, 2019, February 7, 2019, and February 21, 2019 with attachments.
2. Resolution recommending approval dated February 25, 2019.
3. Planning Commission minutes dated January 14, 2019 (public hearing), February 11, 2019 (discussion), and February 25, 2019 (decision).
4. Conceptual site plan prepared by PCI Design Group, Inc. dated March 5, 2019 and received by the Township on March 20, 2019.
5. Updated Trip Generation Study prepared by Bergmann dated April 1, 2019.

G:\Community Planning & Development\Planning\REZONINGS (REZ)\2019\REZ 19010 (Woda Cooper)\REZ 19010.tb1



To: Planning Commission

From: Peter Menser, Principal Planner

Justin Quagliata, Assistant Planner

Date: January 9, 2019

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

Woda Cooper Companies has requested the rezoning of approximately 4.6 acres of Parcel I.D. #17-377-031 from RX (One and Two Family Residential) to RC (Multiple Family-maximum 14 units per acre). The site is located on the northern end of a 5.9 acre parcel on the east end of Sirhol Drive, north of Whole Foods (C-PUD #13044), and west of Greencliff Drive. Only the 4.6 acre portion of the property is proposed for rezoning to RC. The remainder of the property, approximately 1.3 acres, would remain in the RX zoning district. No conditions on the rezoning have been offered by the applicant.

The applicant submitted a site plan which depicts a group housing development on the property. The site plan is not under consideration at this time. Review of the current request should focus only on whether the proposed RC zoning is appropriate for the site. If the property is rezoned a separate review of any development proposal will be required. Note all multiple family housing projects with more than two units must receive special use permit approval from the Planning Commission. Additionally, a special use permit from the Township Board is required for constructing a building or group of buildings totaling more than 25,000 square feet in gross floor area. Both of the aforementioned special use permits would require separate public hearings. Furthermore, if a special land use is approved for a development, the applicant would be required to submit for Site Plan Review before work on the project could begin.

LOCATION MAP



Master Plan

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

2017 FUTURE LAND USE MAP



Zoning

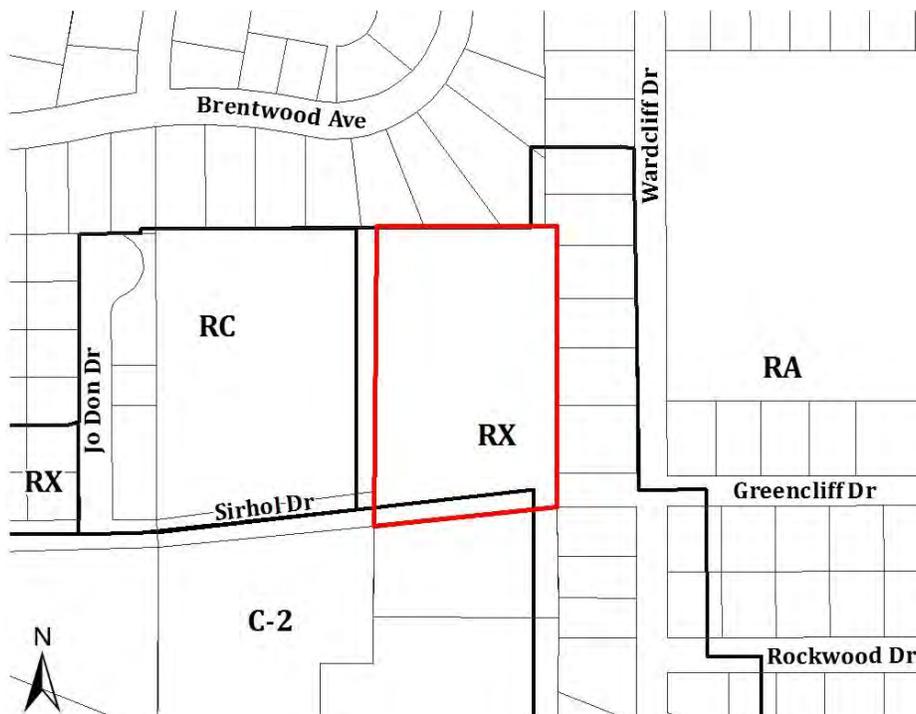
The subject site is located in the RX (Duplex) zoning district, which requires a minimum of 65 feet of lot width for single family or 100 feet of lot width for multiple family, and 8,000 square feet of lot area for single family and no minimum lot area requirement for multiple family. The requested RC zoning district requires a minimum 100 feet of lot width and 11,000 square feet of lot area.

With 66 feet of lot width on Sirhal Drive and 66 feet of lot width on Greencliff Drive unimproved right-of-way, the site meets the minimum lot width requirement for single family in the current RX zoning district but does not meet the minimum 100 foot lot width standard of the proposed RC zoning district. With 4.6 acres (200,376 square feet) of lot area, the site meets the minimum standard for lot area of the existing RX and the proposed RC zoning districts. The following table illustrates the lot width and lot area standards for the existing RX and proposed RC zoning districts:

ZONING DISTRICT	LOT WIDTH (FEET)	LOT AREA (SQUARE FEET)
RX	65 for single family, 100 for multiple family	8,000 for single family, no minimum for multiple family
RC	100	11,000

A land division would be required to separate the portion of the property that is proposed for rezoning. However, as the subject site does not meet the minimum standard for lot width of the proposed RC zoning district, a variance from the Zoning Board of Appeals would be required to divide the property and qualify for development. Additionally, if the portion of the property proposed for rezoning is separated from the parent parcel, the remainder parcel would be landlocked. The Land Division Act prohibits approving a land division which would create an inaccessible parcel. The property owner will be required to combine the remainder parcel created by a land division with an adjacent parcel.

ZONING MAP



Physical Features

The site is currently undeveloped and is generally level, with elevations ranging from 842 feet above mean sea level near the northeastern corner of the property and gradually rising to 846 feet above mean sea level near the southwestern corner of the site. Vegetation mainly consists of overgrown brush.

The Township Wetland Map and the Flood Insurance Rate Map indicate neither wetlands nor floodplain are present on or near the site. The site has no special designation on the Township Greenspace Plan.

Streets & Traffic

The site fronts on Sirhal Drive and stubbed Greencliff Drive unimproved right-of-way; both streets are two-lane roads designated as Local Streets on the Street Setbacks and Service Drives Map in the zoning ordinance. Sirhal Drive has curb and gutter east of Jo Don Drive. Greencliff Drive was platted as part of the Eastwood Acres subdivision (1954). The Ingham County Road Department (ICRD) does not have traffic count information for Sirhal Drive or Greencliff Drive.

The applicant submitted a trip generation analysis which estimates future vehicle trips using data from the highest potential traffic generator allowed in the proposed RC zoning district, which allows a maximum of 14 dwelling units per acre. With 4.6 acres of lot area, the maximum number of units which would be allowed on the subject site if the property were rezoned is 64 multiple family residential units. The Institute of Transportation Engineers (ITE) trip generation rates for Multi-Family Housing-Mid Rise (Land Use Code 221) were selected to represent a future development under the proposed RC zoning. The following table summarizes findings from the submitted trip generation analysis.

Description	Size	AM Peak Hour			PM Peak Hour			Weekday
		In	Out	Total	In	Out	Total	
Multi-family Housing (Mid-Rise), Code 221	64 Units	6	16	22	18	11	29	347

A traffic study is required for rezonings when the proposed district would permit uses that could generate more than 100 additional directional trips during the peak hour than the principal uses permitted under the current zoning. A peak hour of traffic is the hour of highest volume of traffic entering and exiting the site during the a.m. or p.m. hours. Based on the projected traffic volumes a traffic study is not required.

Utilities

Municipal water and sanitary sewer are available in the vicinity of the subject site. The location and capacity of utilities for any proposed development will be reviewed in detail by the Department of Public Works and Engineering at the time of a development submittal.

Staff Analysis

The applicant has requested the rezoning of approximately 4.6 acres of a 5.9 acre parcel from RX to RC. When evaluating a rezoning request, the Planning Commission should consider all uses permitted by right and by special use permit in the current and proposed zoning districts, as well as the reasons for rezoning listed on page two of the rezoning application.



There are provisions of the RC zoning district that may impact future development of the site:

- The RC zoning district requires a 50 foot setback from an adjacent single family residential zoning district boundary for multiple family buildings containing three or more families. The property, if rezoned, would border the RA (Single Family-Medium Density) district to the north and the east.
- The 25 front yard setback from the street right-of-way line of Sirhal Drive and Greycliff Drive.
- All buildings including accessory buildings cannot occupy more than 35% of the net area of land on the property.
- A minimum of 35% of the total land area exclusive of drives and parking areas must be set aside as open space.
- Distance between buildings: in no case can any building be located closer than 25 feet to any other building. The following setbacks also apply to separation of buildings.
 - Abutting widest dimension buildings: 50 feet for one-story buildings. The setback increases by five feet for every story added to either building.
 - Abutting narrowest dimension buildings: 25 feet for one-story or two-story buildings. The setback increases by five feet for every story added to either building over two stories.
 - Abutting narrowest dimension building to widest dimension building: 30 feet if one or both of such buildings are one-story in height. The setback increases by five feet for every additional story added to either or both buildings.

Planning Commission Options

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

Attachments

1. Rezoning application, dated November 30, 2018 and received by the Township on January 7, 2019.
2. Trip generation analysis prepared by Bergmann Associates, dated August 23, 2018 and received by the Township on November 28, 2018.
3. Site plan prepared by PCI Design Group, Inc., dated October 10, 2018 and received by the Township on November 28, 2018.
4. Building elevations prepared by PCI Design Group, Inc., dated November 10, 2018 and received by the Township on November 28, 2018.
5. Supplemental application materials provided by the applicant, received by the Township on November 28, 2018.



RECEIVED
NOV 28 2018

Part I-

A. Applicant: Woda Cooper Companies, Inc.

Address of applicant: 500 S. Front Street, 10th Floor, Columbus, OH 43215

Telephone - Work: 614-396-3204

Cell: 614-406-2931

Fax:

Email: ffugate@wodagroup.com

B. Applicant's Representative, Architect, Engineer or Planner responsible for request

Name/Contact Person: Frank Fugate

Address: 500 S. Front Street, Floor 10, Columbus, OH 43215

Telephone - Work: 614-396-3204

Home: 614-406-2931

Fax:

Email: ffugate@wodagroup.com

C. Site address/location: 2756 E. Grand River Avenue, East Lansing, MI 48823

Legal description: South ½ Section 17, T4N, R1W, Meridian Township, Ingham County part of lots 64 thru 67 of Eastwood Acres subdivision being further described...

(legal description attached)

Parcel number: 33-02-02-17-377-032

Site acreage: 4.6 +/- acres

D. Current zoning: RX, Duplex

Requested zoning: RC (14 units/acre)

Part II-

A. Reasons why the present zoning is unreasonable:

5. The Township did not have a reasonable basis to support the current zoning classification at the time it was adopted; and the zoning has exempted the following legitimate uses from the area:

The current zoning (RX District) does not allow anything larger than duplexes, which prevents multi-family apartments from being built. There is multi-family adjacent to the property, so it is a legitimate use. The intention of the townhome design is to allow a transition from higher density residential (Meridian Stratford) and commercial (Whole Foods) to townhome design to existing single family homes. Current duplex zoning allows 4.4 units per acre.

B. Reasons why the requested zoning is appropriate:

1. Requested rezoning is consistent with the Township's Master Plan, explain:

The requested rezoning is consistent with the Township's Master Plan because the current plan calls for multi-family at a lower density, and we are requesting the zoning be changed to still include multi-family, but at a higher density. The adjacent property is zoned RC (14 units per acre) – the zoning designation we are seeking. Being such a small site, 4.6 acres, the increased density of the RC zoning from 4 units to 14 units will be minimal to the area. Moreover, the Master Plan incentives new energy efficient building, and Woda Cooper Companies has an excellent history of developing energy efficient buildings. The energy efficient features we plan to use for this property include Energy Star rated appliances, high-efficiency light bulbs, daylight sensors and motion sensors for exterior lighting, energy efficient heating and cooling equipment, and Energy Star rated water heaters.

2. Requested rezoning is compatible with other existing and proposed uses surrounding the site, specifically:

The property is ideally situated to be a higher density multi-family development. The property is located adjacent to a 60 unit, 3-story senior apartment complex that is situated on 4.9 acres. Woda Cooper Development Inc. is proposing a 53 unit, 2-story general occupancy townhomes on 4.6 acres, so the two developments will have the same zoning however we are designing for 53 townhome units, RC zoning will allow us to build up to 64 units. The Woodward design will be 2 story townhomes allowing greenspace along the north property line and the required buffers along all property lines RC zoning requires. The property is ideally suited for a townhome development adjacent to a multifamily and commercial on two sides transitioning to single family. The Woodward will not be visible from the Grand River Blvd, however close enough to be walkable to commercial amenities.

3. Requested rezoning would not result in significant adverse impacts on the natural environment, explain:

The site is currently an abandoned former trailer park. There are no wetlands on the property, and the site is not in a natural floodplain. A new development here would not adversely impact the natural environment, and Woda Cooper Development plans to enhance the natural environment by implementing the proper draining, if necessary, and providing the city with an acceptable landscaping plan utilizing native plants. During the public meeting a few residents recognized some wildlife are utilizing the natural state of

the property, however they also agreed the site would be developed. They liked we maintained the buffer area and didn't build to the rear of the property and this could be maintained in natural habitat. It was also mention we should take strong consideration planting native species, which we do. As stated in an answer above, we plan to build an energy efficient building that contains several energy efficient features. Moreover, we plan to implement a recycling program at the property, and we pledge to use low/no volatile organic compound interior paints, primers, adhesives, and sealants.

4. Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation, or other public services, explain:

It is not expected that the requested rezoning, allowing for high density multifamily, would have an adverse impact on local traffic. Woda Cooper has provided Trip Generation Study in August. In a lengthy discussion with T.J Likens, Transportation Engineer, it was explained The Woodward is a low generator of traffic and will have minimal impact on traffic. The engineer felt traffic will go towards Greencliff and the signal on Park Lake and Grand River. We discussed traffic calming on both Greencliff and Sawhill. The engineer said we need to discuss with the Township. The water and sewer systems will not be difficult to extend to the property, as its prior use before becoming vacant was as a motor home park that had access to these resources. We plan to reach out to the local school system to consult with them with regards to the effect that additional families would have on the local schools. From the public meeting some residents asked about the number of children, who might benefit in reopening Wardcliff school.

5. Requested rezoning addresses a proven community need, specifically:

The requested rezoning would allow for multifamily apartments to be built, which would be affordable to residents earning a maximum of 30-80% of the Area Median Income. Provided in the package is a project narrative along with the income levels and likely positions that fall into the income guidelines

6. Requested rezoning results in logical and orderly development in the Township, explain:

The land we are seeking to develop is currently vacant, and the rezone would allow a multifamily development to be built. This is the ideal use for the land, as it is tucked behind commercial developments along a major thoroughfare and would fulfill the Township's need for affordable multifamily housing. The adjacent property is zoned RC and is a senior development. Our proposal to do family will not compete with the tenant base at the adjacent property. Our proposed development is almost identical with a lower unit-count and similar land size as the adjacent property. The higher density we are requesting will provide more affordable housing to families currently working in the community. Moreover, the property is only a tenth of a mile away from the public transit system, an ideally located in a strong service orientated area for the development.

7. Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services, explain:

The requested zoning will result in several advantages for the Township. Currently the land is vacant, and by allowing a higher density multi-family development, the Township will collect more revenue from a higher density property than having rather blighted vacant trailer park. In addition, the proposed multi-family development will be providing needed affordable housing, which helps fulfill an initiative of the Township. Furthermore, the proposed development is within 1/10 mile of the nearest bus stop, so residents utilizing it will make more efficient use of an existing amenity.

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

Yes No (Please check one)

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



Signature of Applicant

11-30-2018
Date

FRANK FUSARE

Type/Print Name

Fee: _____

Received by/Date:  1-7-19

To: Ms. Anne Little
 Woda Cooper Companies, Inc.

Re: The Woodward Multi-Family-Meridian Twp, MI
 Trip Generation Study

From: Timothy J. Likens, PE, PTOE
 Transportation Engineer

Date: August 23, 2018

This memorandum presents an evaluation of traffic generation for the proposed Woodward multi-family residential development in Meridian Township, Ingham County, Michigan. The project site is located on the north side of Grand River Avenue, directly north of Whole Foods and was previously occupied by the Mobile Home Manor trailer park. The proposed development plans include construction of a new four-story, 64-unit multi-family residential development with site access provided via connection to Sirhal Drive and potential connection to Greycliff Drive.

Bergmann received input from the Township Planning Department regarding the scope of this traffic evaluation. Based on their input, a forecast of traffic generation with the proposed change in land use is required for this project. The number of peak hour and daily vehicle trips generated by the proposed development were forecast based on the rates and equations published by the Institute of Transportation Engineers in *Trip Generation, 10th Edition*. ITE publishes average trip generation rates for a wide variety of land uses, as well as regression equations for some. For Multi-Family Housing – Mid Rise (Land Use #221), both rates and equations are available, and selection of the appropriate method was based on the guidelines outlined in the ITE *Trip Generation Manual*. The site trip generation forecast is summarized in **Table 1**.

Table 1: Site Trip Generation

Land Use	ITE			Average Daily	AM Peak Hour			PM Peak Hour		
	Code	Amount	Units		In	Out	Total	In	Out	Total
Multi-Family Housing - Mid Rise	221	64	Dwellings	347	6	16	22	18	11	29

According to Township Ordinance and *Evaluating Traffic Impact Studies, A Recommended Practice for Michigan Communities*, the forecast number of site-generated vehicle trips does not meet the thresholds to require traffic impact analysis or further study. Furthermore, this project would result in an approximate 1% increase in traffic volume on Grand River Avenue (M-43), which carries approximately 28,000 vehicles per day in the site vicinity. Therefore, the proposed project would have no significant traffic impact and the change in traffic volume on the adjacent road network would not be discernable.

Please direct any questions regarding this memorandum to Bergmann.

RECEIVED
 NOV 28 2018



THE WOODWARD

MERIDAN TWP., MI

SITE DEVELOPMENT DATA

BLDG. TYPE	NO.	1 BR	1 BR HC	2 BR	2 BR HC	3 BR	3 BR HC	TOTAL	REMARKS
A	1	6/6	2/2	5/5	3/3	0	0	16	2 STORY BLDG.
B	2	0	0	10/20	0	2/4	0	24	1&2 STORY BLDG.
C	1	0	0	11/11	0	1/1	1/1	13	1&2 STORY BLDG.
COMM BLDG	1	0	0	0	0	0	0	0	1 STORY BLDG.
TOTAL	8	6	2	36	3	5	1	53	

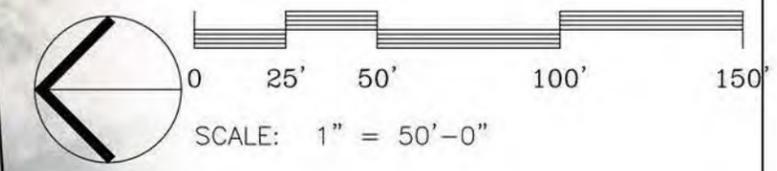
TOTAL UNITS = 53

LAND AREA: 184,565.97+/- S.F. 4.24+/- ACRES
 DENSITY: 3,482.38 S.F./UNIT 12.5 U/A
 PARKING: 113 SPACES 2.13 SPACES/UNIT

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

SITE AMENITIES KEY

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



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

PROJECT TYPE:

SHEET NAME:
**SITE PLAN
 (RENDERED)**

DATE:
 10-10-18

PROJECT NAME:
THE WOODWARD
 SIRHAL & GREENCLIFF DRIVES
 MERIDAN TWP., MI

SUBMITTAL:

SHEET:
S2

RECEIVED
NOV 28 2018



FRONT ELEVATION

SCALE $\frac{3}{32}'' = 1'-0$

ARCHITECT OF RECORD:

PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

PROJECT TYPE:

BUILDING B
EXTERIOR ELEVATION
(RENDERED)

SHEET NAME:

DATE:

11-10-18

PROJECT NAME:

THE WOODWARD
SIRHAL & GREENCLIFF DRIVES
MERIDAN TWP., MI

SUBMITTAL:

SHEET:

A4.3

RECEIVED

NOV 29 2018



FRONT ELEVATION

SCALE $\frac{3}{32}'' = 1'-0$

ARCHITECT OF RECORD:

PCI DESIGN GROUP, INC.
500 SOUTH FRONT STREET SUITE 975
COLUMBUS, OHIO 43215

PROJECT TYPE:

BUILDING C
EXTERIOR ELEVATION
(RENDERED)

DATE:

11-10-18

PROJECT NAME:

THE WOODWARD
SIRHAL & GREENCLIFF DRIVES
MERIDAN TWP., MI

SUBMITTAL:

SHEET:

A4.5



WODA COOPER COMPANIES

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

RECEIVED

NOV 28 2018

Woda Cooper Companies

Woda Cooper Companies, Inc. is a fully integrated development, architecture, construction and property management company which over the past 27 years has created a strong portfolio of over 12,000 housing units in rural, suburban, and urban settings over 300 housing properties across 13 states. Woda Cooper Companies, headquartered in Columbus, Ohio, also has offices in Georgia, Indiana, Kentucky, Maryland, Michigan, and Virginia. Woda Cooper developments are financed through tax credit programs as well as numerous and varied other private and public sources. Again Woda Cooper Companies, Inc. portfolio varies from rural new construction to large scale urban historic redevelopments.

Woda Cooper Companies, Inc. has a solid financial background and its fiscal management is conservative. The company is consistently courted by all the national lenders and equity syndicators seeking to finance its development projects. Woda Cooper Companies, Inc. personnel are highly experienced and expert in development, contracting and property management.

The principals of Woda Cooper Companies, Inc., Jeffrey J. Woda and David Cooper, Jr. are committed to the project, affordable housing communities and are ready to engage the needed company resources. Woda Cooper Companies, Inc. has assembled a strong development team to design, construct and manage the project process to the highest possible professional standards. Woda Cooper Companies, Inc. believes that it is important that there is a constant contact among design, development, construction and management personnel on a daily basis. Woda Cooper Companies, Inc. employees are trained to understand that they are all part of one organization whose reputation is on the line with every development, management and construction project. The Woda philosophy is to take the long-term view and place quality and consistency over short term profit. Underlying Woda Cooper Companies, Inc.'s success is its uncommon ability to develop strong partnerships with private financial institutions and public funding sources, social service agencies, local government authorities and community organizations. On the property level, sensitivity to the specific housing needs of each tenant is a key Woda strength. The team believes that a successful housing development is more than buildings or a site, but rather, it is a community-wide project, involving input and cooperation from neighborhood residents, community officials, local and state agencies, financial stakeholders, and the entire design team. This multifaceted approach ensures that the project will be successfully woven into the fabric of the existing community and will in turn help to strengthen and reinvigorate the community.

The Woodward

New legislation was enacted that will allow for higher incomes at The Woodward. We can have up to 14 of our 53 townhome units at this higher income bracket. The below charts demonstrate this change.

LIHTC Income Limits for 2018 (Based on 2018 MTSP Income Limits)						
	Charts	60.00%	30.00%	50.00%	70.00%	80.00%
1 Person		31,080	15,540	25,900	36,260	41,440
2 Person		35,520	17,760	29,600	41,440	47,360
3 Person		39,960	19,980	33,300	46,620	53,280
4 Person		44,340	22,170	36,950	51,730	59,120
5 Person		47,940	23,970	39,950	55,930	63,920
6 Person		51,480	25,740	42,900	60,060	68,640
7 Person		55,020	27,510	45,850	64,190	73,360
8 Person		58,560	29,280	48,800	68,320	78,080
9 Person		62,100	31,050	51,750	72,450	82,800
10 Person		65,640	32,820	54,700	76,580	87,520
11 Person		69,180	34,590	57,650	80,710	92,240
12 Person		72,720	36,360	60,600	84,840	96,960

LIHTC Rent Limits for 2018 (Based on 2018 MTSP/VLI Income Limits)							
Bedrooms (People)	Charts	60.00%	30.00%	50.00%	70.00%	80.00%	FMR
Efficiency (1.0)		777	388	647	906	1,036	583
1 Bedroom (1.5)		832	416	693	971	1,110	600
2 Bedrooms (3.0)		999	499	832	1,165	1,332	658
3 Bedrooms (4.5)		1,153	576	961	1,345	1,538	1,143
4 Bedrooms (6.0)		1,287	643	1,072	1,501	1,716	1,313
5 Bedrooms (7.5)		1,419	709	1,183	1,656	1,892	

As part of the program, developers were capped at renting to singles and families that made 60% of the Area Median Income (AMI). The new legislation allows developers to rent to people that make up to 80% AMI. The new legislation now allows us to charge more for rent at the 80% limit.

The state of Michigan publishes Occupational Employment Statistics and wage estimates by job. Below are a few jobs and the average salary that worker makes in Michigan:

https://www.bls.gov/oes/2016/may/oes_mi.htm#00-0000

- 1.) Hosts & Hostesses - \$19,890
- 2.) Dishwashers - \$20,280
- 3.) Cooks, Fast food - \$20,350
- 4.) Ambulance Drivers and Attendants - \$24,660
- 5.) Retail Salespersons - \$26,070
- 6.) Bank Teller - \$27,440
- 7.) Preschool Teachers - \$31,010
- 8.) Pharmacy Technician - \$29,900
- 9.) Construction and related Worker - \$40,300
- 10.) Judicial Law Clerks - \$43,590
- 11.) Health Technologists and Technicians - \$43,990
- 12.) Firefighters - \$44,590
- 13.) Legal Secretaries - \$44,820
- 14.) Medical Appliance Technicians - \$46,490
- 15.) Flight Attendants - \$47,390
- 16.) Correctional Officers and Jailers - \$49,050
- 17.) Licensed Practical and Licensed Vocational Nurses - \$46, 660
- 18.) Mental Health and Substance Abuse Social Workers - \$49,420
- 19.) Paralegals and Legal Assistants - \$51,570



LIHTC vs Section 8 Student Rules

TAX CREDIT STUDENT RULE

Are ALL household members full time students?

Applies to FULL TIME only

No age requirement

LIHTC EXCEPTIONS:

1. Single parent household
2. Receiving Title VI benefits
3. Job training program
4. Married filing joint tax return
5. Foster Care

SECTION 8 STUDENT RULE

Institute of Higher Education

Applies to FULL TIME or PART TIME

Applies to ALL students

SECTION 8 EXCEPTIONS:

1. 24 years of age or older
 2. Veteran
 3. Married
 4. Dependent child living with you
 5. Person with disabilities receiving Section 8 as of 11/30/05.
- And, if any of these are no, then:
1. You and your parents eligible to receive Section 8 assistance
 2. Independent from your parents

RECEIVED
NOV 28 2018



RECEIVED
NOV 28 2018

Remember: Student Eligibility before Student Income

At this time of year, a lot of us think about students – especially if we have school-aged children, or we follow college football. I actually think (and write and talk) about students year-round, but from an affordable housing regulatory perspective.

Most affordable housing programs now have student eligibility restrictions; most have regulatory guidance that deals with student income; and there are a lot of housing practitioners who often confuse the two. If you fall into this category, then this article is for you.

The Low Income Housing Tax Credit program has always had student restrictions as part of its eligibility criteria. The basic premise is that a household consisting entirely of full-time students will be ineligible for occupancy at a tax credit property unless it meets one or more of the five exceptions to the rule, which generally make allowances for non-traditional student households. HUD project-based programs, along with the HOME program and Rural Development programs, also have student eligibility restrictions that differ from those applicable to LIHTC. If you have subsidy-layering, or blending of these programs at a single property, then you will need to make sure that all applicable student eligibility requirements are met before student income is even considered. Keeping this in mind should help keep the requirements for the two separated in your thoughts about them. Think: Student eligibility comes first!

On the income side of things, there are two issues addressed in HUD Handbook 4350.3 REV-1 that we have to be mindful of relating to student income. The first is where HUD directs that only the first \$480 of employment income for dependent full-time students age 18 or older be counted. This is really an issue that has more relevance for HUD programs where a dependent allowance, or deduction, of \$480 would then be taken to reduce the family's Annual Household Income by the same amount counted for the student. Since the tax credit and HOME regulations do not include allowances for adjusted income calculations like the HUD programs and RD do, then we simply count \$480 for those programs and leave it at that.

The other income issue for students that causes even more confusion is whether or not to count student financial assistance as income. In Paragraph 5-6E, *Educational Scholarships or Grants*, on page 5-11 in the 4350.3, owners/agents are directed to subtract tuition from financial aid and count whatever is remaining as income for the Section 8 program (with two exceptions). For all other HUD programs covered by the Handbook, no student financial assistance is counted. The IRS has clarified that at LIHTC properties, the only time you would use the Section 8 formula for student aid is when the tenants are also receiving Section 8 assistance. Otherwise, student financial aid should

be excluded from income. (Neither HOME or RD specifically address this issue in their guidance, so my advice would be to check with your Participating Jurisdiction (PJ) for HOME or your state or local field office for RD to get their advice on how you should handle it for those programs.)

The bottom line is, again, that *student eligibility comes before* student income issues are addressed. I certainly hope this helps clarify the matter and enables you to keep all of your ducks on the same page!

Student Restrictions: HUD vs. LIHTC vs. HOME

US Housing Consultants receives numerous inquiries regarding student status and proper documentation of applicant/tenant files to ensure compliance. This article applies to properties with HUD Section 8, Low-Income Housing Tax Credit (LIHTC) and/or HOME funding. Confirming student status requirements are met is a critical piece in determining eligibility. Applying student rules based on funding can be challenging, especially when properties have multiple funding sources in which an applicant/tenant may need to meet separate student-related rules in order to qualify. Here are some guidelines that we hope will be helpful when determining eligibility for a household with a student(s).

Why are there student restrictions in affordable housing?

For LIHTC... The LIHTC student restrictions were primarily implemented to prevent dormitory and/or transient housing.

For HUD... The HUD student restrictions were primarily implemented for two reasons:

- To address incidents of children of wealthy parents receiving federal housing assistance; and
- To address incidents of college students obtaining federal housing assistance without their educational financial assistance counted as income for purposes of income eligibility for federal housing assistance.

For HOME... In 2013, HUD revised regulations governing the HOME program and decided that HOME funded properties should follow HUD's student restrictions.

What are the student restrictions?

For LIHTC... A household cannot be comprised of all full-time students (Kindergarten through 12th grade and institutions of higher education) unless they meet one of the following exceptions:

- A student receiving assistance under Title IV of the Social Security Act (TANF); or
- A student who was previously in the foster care program; or
- A student enrolled in a job training program receiving assistance under the Job Training Partnership Act or under other Federal, State or local laws; or
- The household is comprised of single parents and their children and such parents are not dependents of another individual and such children are not dependents of another individual other than a parent of such children. In the case of a single parent with children, the legislative

history explains that none of the tenants (parent or children) can be a dependent of a third party or

- The household contains a married couple entitled to file joint tax returns.

Note that for the LIHTC program, a student who is a full-time student for any portion of 5 months out of the current calendar year is considered a full-time student for the entire calendar year. The months do not need to be consecutive.

For HUD/HOME programs... A household is not eligible for occupancy if the household contains a full- or part-time student at an institution of higher education and all of the following statements are true for the student:

- Is under the age of 24;
- Is not a veteran of the United States military;
- Is unmarried (if married, the couple cannot live apart from each other);
- Does not have a dependent child who resides with the household member at least 50% of the time;
- Is not a person with disabilities receiving Section 8 assistance as of November 30, 2005;
- Is not otherwise individually eligible or has parents who (individually or jointly) are not income eligible to receive Section 8 assistance, unless the student can demonstrate his or her independence from his/her parents*.
- Is not residing with parents who are receiving or applying for Section 8 assistance.

To determine a student's independence from his or her parents, the owner/manager should use the following criteria:

- The individual must be of legal contract age under state law.
- The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or the individual must meet the U.S. Department of Education's definition of an independent student. Per definition, an independent student is:
 - At least 24;
 - Married;
 - A graduate or professional student;
 - A veteran;
 - A member of the armed forces;
 - An orphan;
 - A ward of the court;
 - Someone with legal dependents other than a spouse;
 - An emancipated minor; or
 - Someone who is homeless or at risk of being homeless.
- The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
- The individual must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

Note that for HUD/HOME, current student status is determined; the 5-month rule does not apply (LIHTC only).

Since there are substantial differences in the student restrictions, it is important that property owners/managers are asking the right questions of applicants/tenants when there is layered funding to ensure proper eligibility guidelines are met.

If...	Is the HUD/HOME student rule triggered?	Is the LIHTC student rule triggered?
The household is comprised of all full-time students	Yes	Yes
The household is comprised of all part-time students	Yes	No
The household consists of all full time high school students	No	Yes
The household consists of all recent high school graduates	No	Maybe (if full-time students for 5 months of the current calendar year)
The household consists of all recent college graduates	No	Maybe (if full-time students for 5 months of the current calendar year)

For properties with layered funding (both LIHTC and HUD Section 8 or HOME), both sets of student restrictions must be met.

Is Financial Assistance in Excess of Tuition and Required Fees considered income?

For LIHTC... If an applicant/tenant does not receive Section 8 assistance, all forms of student financial assistance are excluded from annual income. Financial assistance includes grants,

scholarships, educational entitlements, work study programs, and financial aid packages. It doesn't matter whether the assistance is paid to the student or directly to the educational institution.

For HUD/HOME and for an LIHTC household who receives Section 8 assistance... Financial assistance in excess of tuition and other required fees and charges is included as income, except for students who are living with their parents who are applying for or receiving Section 8 assistance or if the student is over the age of 23 with dependent children.

Has your verification form been updated to include fees? In December 2015, HUD updated the definition of "tuition" to include "required fees and charges". Required fees include all fixed sum charges that are required for a large proportion of all students. Examples of required fees and charges include lab fees, athletic fees, student center fees, technology fees and fees specific to the student's major or program (i.e., nursing program).

Expenses associated with room and board, books, supplies, meal plans, transportation, parking and other non-fixed sum charges are **not** included in tuition.

At Annual Recertification...

- **For LIHTC**, if the entire household is comprised of full-time students and does not meet an exception to the student rule, the tenant household no longer qualifies for the unit and may be required to vacate the unit.
- **For HUD**, if the student rule is triggered and the household does not meet an exception to the student requirements, the household is no longer eligible to receive a subsidy. Therefore, termination of assistance is warranted.
- **For HOME**, if the student rule is triggered and the household does not meet an exception to the student requirements, please check with your HOME-monitoring participating jurisdiction. It is unclear how these situations should be handled since tenants in HOME units do not pay rent based on income; therefore, termination of assistance would not be applicable.

What about unborn children?

For LIHTC... An unborn child **IS** considered a household member when determining eligibility based on student status. Therefore, if a self-certification is provided that a household member is pregnant, the unborn child is not a student and the student rule is not triggered.

For HUD/HOME... An unborn child **IS NOT** considered a household member for the HUD/HOME programs when determining eligibility based on student status.

Examples:

For LIHTC

- Sally applies to XYZ Apartments, which is a Tax Credit property. She is applying for herself and is 18 years old. She indicates on her application that she is expecting a child, is a full-time student, and is not a dependent of someone else. Is Sally eligible for this property?
- **YES** - According to the IRS, an unborn child is a member of the household for both determining whether the household is income qualified and applying the student exception rules. Sally can be considered eligible for an apartment based on meeting one of the exceptions to the student rule.

Q: Am I ineligible for others if I earn too much income for a tax credit property?

A: Not necessarily. Although every tax credit property must follow the same rules to determine income eligibility, you may earn too much for one tax credit property but still be considered eligible for others. This can happen if, for example, you earn 55% of the income limit. A property that must rent to tenants earning no more than 50% of the income limits would reject you, but properties using the 60% figure would find you eligible. Also, income limits vary by county, so if you earn slightly too much income for one property, you may have success at another property that uses different limits.

Q: Can I get evicted if my income goes way up after I move in?

A: You shouldn't have to worry about getting evicted for going over income. If your income rises to as high as 140% of area median gross income (AMGI), there's no problem. If your income rises above that level, it may require the landlord to take steps to make sure the building stays qualified for all its tax credits.

In the worst case, your landlord may (with proper notice) switch your apartment to market-rate, and you would lose the benefit of your restricted rent. However, if your income is that high, you're not low-income and you should be able to afford the market-rate rent. Landlords at tax credit properties can only [evict tenants for "good cause"](#) as defined by state or local laws. This also means your landlord can't decide not to renew your lease without good cause.

Q: Each time my income changes, do I need to get recertified?

A: Fortunately, no. The tax credit program doesn't have "interim recertifications," which means if you switch jobs, get a raise, or buy or sell an asset, you don't need to get your income calculated and verified again. You should expect to meet with management to recertify your income just once a year, usually around the anniversary of your lease signing.

Q: As a student, can I live at a tax credit property?

A: The general rule is that if everyone in your household is a full-time student, then you can't rent at a tax credit property. So if you're a full-time student with a roommate who goes to school part-time, then you're fine. If everyone in your household goes to school on a full-time basis, ask management whether you fall into an exception.

Q: Must tax credit properties comply with discrimination laws?

A: Yes. Tax credit properties are subject to the same fair housing laws as conventional properties. Plus, thanks to an agreement between HUD, the Treasury Department, and the Justice Department (DOJ), the IRS can easily learn about a landlord's fair housing violation and use it as grounds for tax credit noncompliance. This means landlords at tax credit properties have even more reason not to discriminate against you.

Q: How can tenants and prospects get more information about program requirements?

A: Tenants and prospects often have questions about the income and rules for tax credit properties. In addition to the answers to frequently asked questions answered here, you can get state-specific questions answered by the state housing finance agency that administers the tax credit program where you live

Full-Time Student Household Does Not Qualify for LIHTC Assistance

According to the IRS, low-income housing tax credit (LIHTC) units comprised of full-time students (no one of whom can file a joint return) do not qualify as low-income units. If a property manager learns that one of his residents just became a full-time student, and every member in that household is also a full-time student, he can send the resident a letter of termination and ask the household to vacate the LIHTC unit.

That is what happened in a recent court case in which a LIHTC resident claimed that a site's owners and management company discriminated against her right to housing because of her alleged disability, even though she did not specify what her disability was. The threats, she said, including threatening to evict her several times, failing to take action against another resident who allegedly assaulted her, and failing to take action against other residents whose children allegedly vandalized her car.

Although the assault took place in 2006, the resident failed to notify the property manager until a year and a half later, when she spoke to someone at the management firm about the incident. After the resident reported the neighbors' children vandalized her car, the property manager requested her to provide a copy of the police report and arranged a meeting between the children's parents and the resident, which the resident did not attend.

Regarding the eviction notices, the first was for failure to pay rent. The second occurred after the property management firm learned that the resident became a full-time student, which made all of the members of her household full-time students and ineligible to reside in the unit. The resident was sent a letter explaining that under LIHTC regulations:

... if a single applicant (or present tenant) or all applicants (or present tenants in a unit) are full-time students and not married, then that household is usually not eligible to resident in an LIHTC unit, unless it meets one or more of the student exemptions.

The resident did not qualify for any of the exemptions, but since she was more than 24 years old, she could qualify for Section 8 assistance. The manager met with the resident to discuss the termination notice, several options that would allow her to remain eligible for housing assistance, and set a deadline date by when she had to find a non-student roommate. After the resident failed to meet the deadline, she was sent a second notice to quit. In response, the resident filed another complaint with HUD.

The court ruled in favor of the owner and property manager because the resident could not prove that she suffered from a disability and the property manager had no knowledge of her alleged disability. In addition, the court concluded that the property management company did not interfere with the resident's tenancy rights, even though she was served with notices to quit. The court concluded that there was no proof to support the resident's claim of disability discrimination under the FHA, and granted a motion for summary judgment for the defendant [*Herlandos McCree v. Lexington Village Apartments* (3/11/2010)].

PRACTICAL POINT: There are several exemptions to the full-time student rule: at least one member of the household must receive assistance under Title IV of the Social Security Act; at least one member must be enrolled in a job training program receiving assistance under the Work Force Investment Act or another similar federal, state, or local program; the household must include at least one single parent with minor children; all members of the household are married and can file joint tax returns; or at least one member of the household has exited the foster care system.

Generally tax credits are not available for all-student housing. Strict rules apply to units comprised entirely of full-time students, especially when the student is full time during five or more months out of a calendar year. It is the educational institution that determines whether or not a student is considered full-time.

Full Time Student Definition

IRC §151(c)(4) defines, in part, a student as an individual, who during each of 5 calendar months during the calendar year in which the taxable year of the taxpayer begins, is a full-time student at an educational organization described in IRC §170(b)(1)(A)(ii). Treas. Reg. §1.151-3(b) further provides that the five calendar months need not be consecutive. *KHRC*

interprets IRC §151(c)(4) as meaning five full months during a calendar year. Therefore, students who have been in school since January of the current year and will be graduating in May are NOT considered full-time by this definition.

An educational organization, as defined by IRC §170(b)(1)(A)(ii), is one that normally maintains a regular faculty and curriculum, and normally has an enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on. The term educational organization includes elementary schools, junior and senior high schools, colleges, universities, and technical, trade and mechanical schools. It does not include on-the-job training classes.

4.2 Student Exceptions

A household comprised entirely of full-time students is not eligible to reside in a low-income housing tax credit unit; however, they may reside in market rate units within a qualified low income housing tax credit project. There are five exceptions to the full-time student rule as outlined in IRC §42(i)(3)(D). The five exceptions that would allow a household comprised entirely of full-time students to qualify a low income housing tax credit unit are:

A. All members of the household are married and eligible to file a joint income tax return. Members of the household do not need to be married to each other.

A copy of a marriage certificate/license is appropriate for verification to demonstrate the household meets this exception, or a copy of the federal income tax return that illustrates the couple filed jointly. Common law marriages are also acceptable if evidence is available to support the claim. The household does not need to file a joint income tax return, only be eligible to do so.

B. All members of the household are single parent(s) and their minor child(ren), and such parents are not dependents of another individual and such children are not dependents of another individual (other than a parent of such children). This regulation began effective in 2007 under HR 3648-4.

A copy of the signed federal income tax return must be obtained to prove that all tenants in the unit are not dependents of a third party. The student may also sign a notarized statement attesting to the fact that a federal income tax return will be filed for the current year that documents his/her dependents are not dependents of another individual and that a signed copy will be provided after filing. The manager should ensure this copy is retrieved. Single parents not earning enough income to file a tax return may sign a notarized statement indicating such.

The benefit of HR3658-4 is that in cases of divorce where one parent claims one child and the other parent claims the other child (but both children are living with one parent in a tax credit unit), or when parents trade off annually on who is eligible to claim a child(ren) on the tax return, this is no longer an issue for qualification with the IRC §42's Student Rule.

C. AT LEAST ONE member of the household receives assistance under Title IV of the Social Security Act (i.e., AFDC). Temporary Aide for Families (TAFF) is acceptable in Kansas.

Documentation must be obtained to prove the student is receiving this type of assistance. TAFF is currently being administered in Kansas by the Department of Social & Rehabilitation Services.

D. AT LEAST ONE member of the household is enrolled in a job-training program receiving assistance under the Job Training Partnership Act, or similar federal, state, or local laws.

Documentation must be obtained to prove the student is receiving this type of assistance and that the program's mission and/or purpose is similar to that of the JTPA.

Definition: JTPA is a program of the Department of Labor Employment and Training Administration. The JTPA's mission and/or purpose is "...to establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased education and occupational skills, and decreased welfare dependency, thereby improving the quality of work force and enhancing the productivity and

competitiveness of the Nation." The programs cover everything from summer youth programs, job corps, adult welfare to work, migrant and seasonal farmer workers, etc.

A. AT LEAST ONE member of the household was previously in Foster Care.

Documentation must be obtained from the State to prove the student was in Foster Care at some point during their life.



To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 7, 2019

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

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

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

Planning Commission Options

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

Attachments

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

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

THE WOODWARD MERIDIAN TWP., MI

SITE DEVELOPMENT DATA

BLDG. TYPE	NO.	1 BR	1 BR HC	2 BR	2 BR HC	3 BR	3 BR HC	TOTAL	REMARKS
A	1	6/6	2/2	5/5	3/3	0	0	14	2 STORY BLDG.
B	2	0	0	10/20	0	2/4	0	24	1&2 STORY BLDG.
C	1	0	0	11/11	0	1/1	1/1	13	1&2 STORY BLDG.
COMM BLDG	1	0	0	0	0	0	0	1	1 STORY BLDG.
TOTAL	8	6	2	36	3	5	1	53	

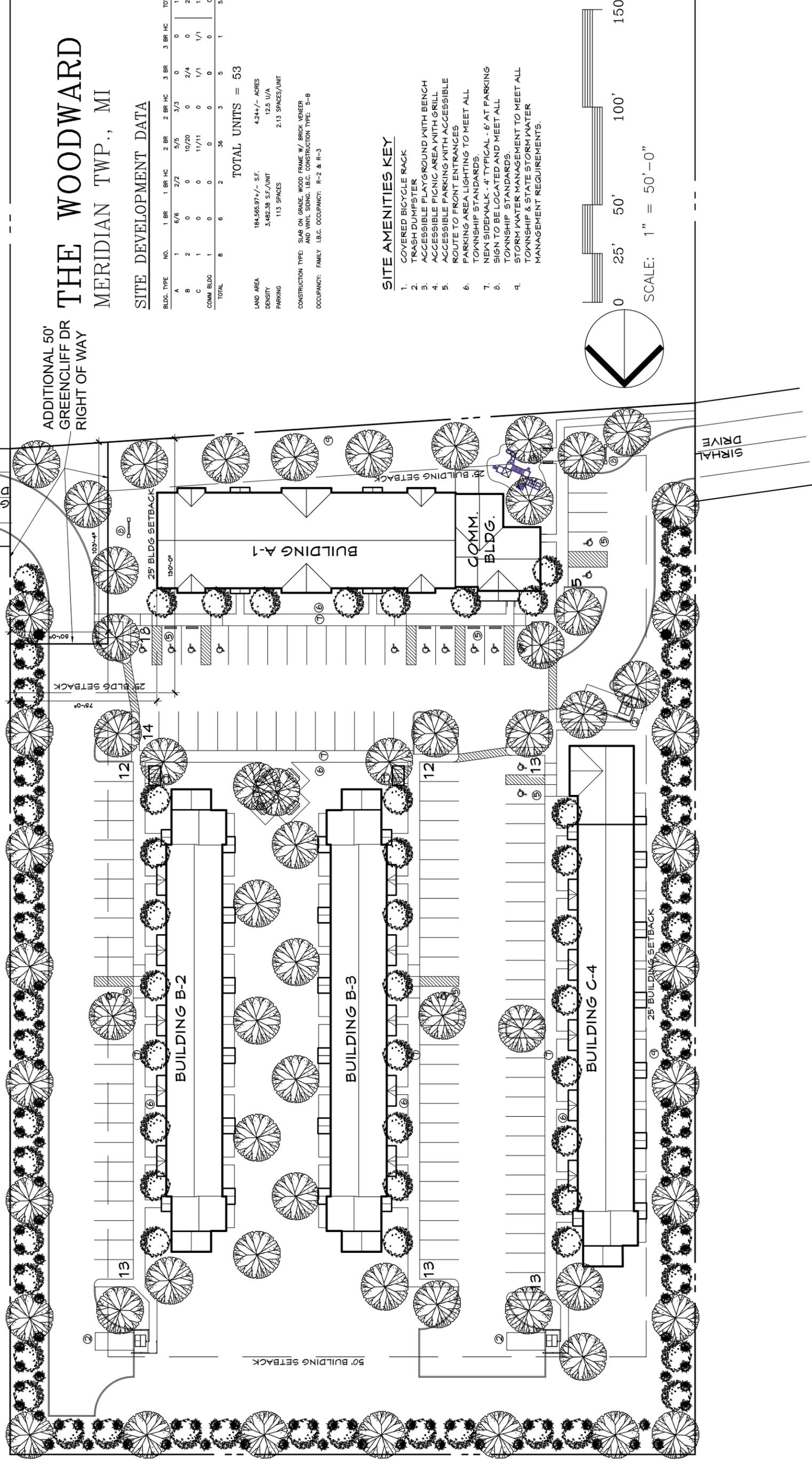
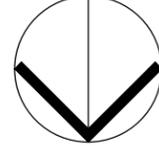
TOTAL UNITS = 53

LAND AREA 184,565.97 +/- S.F. 4.24 +/- ACRES
 DENSITY 3,482.38 S.F./UNIT 12.5 U/A
 PARKING 113 SPACES 2.13 SPACES/UNIT

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

SITE AMENITIES KEY

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



ARCHITECT OF RECORD:

PCI DESIGN GROUP, INC.
 500 SOUTH FRONT STREET SUITE 975
 COLUMBUS, OHIO 43215

PROJECT TYPE:

SITE PLAN

DATE:

01-23-19

PROJECT NAME:

THE WOODWARD
 SIRHAL & GREENCLIFF DRIVES
 MERIDIAN TWP., MI

SUBMITTAL:

SHEET:

S1



WODA COOPER COMPANIES

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

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

Dear Mr. Menser,

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

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

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

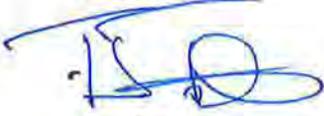
The Woodward proposal will include income restrictions that are defined in the Low-Income Housing Tax Credit Program (LIHTC). Under this program, rent and income will be limited to an average of 60% AMI. Under the LIHTC program, Full time students are typically not eligible to live in affordable housing.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

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

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

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

Best Regards,



Frank Fugate

Acquisition Manager





To: Planning Commission

From: Peter Menser, Principal Planner

Date: February 21, 2019

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

The Planning Commission discussed Rezoning #19010 at its last meeting on February 11, 2019. At the meeting the Planning Commission agreed to consider a resolution to recommend approval of the rezoning to the Township Board, subject to the conditions offered by the applicant.

Planning Commission Options

The Planning Commission may recommend approval or denial of the request, or it may recommend a different zoning designation than proposed by the applicant to the Township Board. A resolution to recommend approval of the rezoning subject to the conditions offered by the applicant is provided.

- **Motion to adopt the resolution recommending approval of Rezoning #19010 with conditions.**

Attachment

1. Resolution to recommend approval.

G:\Community Planning & Development\Planning\REZONINGS (REZ)\2019\REZ 19010 (Woda Cooper)\REZ 19010.pc3.docx

RESOLUTION TO RECOMMEND APPROVAL

**Rezoning #19010
Parcel #17-37-031**

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 25th day of February, 2019, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Woda Cooper Companies, Inc. requested the rezoning of 4.6 acres of a 5.9 acre parcel identified as Parcel #17-37-031 located at the east end of Sirhal Drive, west of Greycliff Drive, from RX (Duplex) to RC (Multiple Family, 14 dwelling units per acre); and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on January 14, 2019 and discussed the rezoning at its meetings on February 11, 2019 and February 25, 2019; and

WHEREAS, the Planning Commission reviewed and discussed the staff material provided under cover memorandums dated January 9, 2019, January 25, 2019, and February 7, 2019; and

WHEREAS, the 4.6 acre portion of the property proposed for rezoning to RC (Multiple Family) meets the 11,000 square foot minimum standard for lot area for the proposed PO (Professional and Office) zoning district; and

WHEREAS, the subject site is located adjacent to property zoned RC (Multiple Family, 14 dwelling units per acre) to the west; and

WHEREAS, in a letter dated February 7, 2019 the applicant offered voluntary conditions on the rezoning, including:

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

RESOLUTION TO RECOMMEND APPROVAL

**Rezoning #19010
Parcel #17-37-031**

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 25th day of February, 2019, at 7:00 p.m., Local Time.

PRESENT: Chair Scott-Craig, Vice-Chair Lane, Secretary Premoe, Commissioners Trezise, Cordill, Shrewsbury and Hendrickson

ABSENT: Commissioner Richards

The following resolution was offered by Commissioner Trezise and supported by Vice-Chair Lane.

WHEREAS, Woda Cooper Companies, Inc. requested the rezoning of 4.6 acres of a 5.9 acre parcel identified as Parcel #17-37-031 located at the east end of Sirhal Drive, west of Greycliff Drive, from RX (Duplex) to RC (Multiple Family, 14 dwelling units per acre); and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on January 14, 2019 and discussed the rezoning at its meetings on February 11, 2019 and February 25, 2019; and

WHEREAS, the Planning Commission reviewed and discussed the staff material provided under cover memorandums dated January 9, 2019, January 25, 2019, and February 7, 2019; and

WHEREAS, the 4.6 acre portion of the property proposed for rezoning to RC (Multiple Family) meets the 11,000 square foot minimum standard for lot area for the proposed PO (Professional and Office) zoning district; and

WHEREAS, the subject site is located adjacent to property zoned RC (Multiple Family, 14 dwelling units per acre) to the west; and

WHEREAS, in a letter dated February 7, 2019 the applicant offered voluntary conditions on the rezoning, including:

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

**Resolution to Recommend Approval
Rezoning #19010 (Woda Cooper Companies, Inc.)
Page 2**

WHEREAS, public water and sanitary sewer services are available to serve the subject site.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #19010 to rezone approximately 4.6 acres from RX (Duplex) to RC (Multiple Family, 14 dwelling units per acre) subject to the following conditions voluntarily offered by the applicant.

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

ADOPTED: YEAS: Chair Scott-Craig, Vice-Chair Lane, Commissioners Trezise, Cordill, Hendrickson, and Shrewsbury

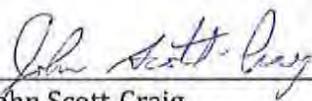
NAYS: Secretary Premoe

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

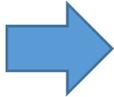
I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 25th day of February, 2019.



John Scott-Craig
Planning Commission Chair

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

6. Public Hearings



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

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

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

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

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

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

Public Comments:

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

Planning Commission Discussion:

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Comments: None

Planning Commission Discussion:

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

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

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

Commissioner Premoe shared an experience with a family member who was in Independence Village in East Lansing. When a senior moved into the complex they stayed in the same living quarters even as the skilled care levels changed from independent living thru hospice care. He also noted if the density is 25 units per acre with a ratio of 2:1 (independent living units versus assisted and skilled care units typically being one room) one has to wonder what the area would look like.

Chair Scott-Craig mentioned some independent living does require moving into different size living accommodations based on the level of care needed. He also talked about a senior living community in New Hampshire that has buildings which are connected with walkways so residents do not have to walk outside. This is an example of why provisions of minimum space between buildings could impact future building plans.

Commissioner Trezise suggested taking each proposal on a case by case basis because the details may vary and this would allow more flexibility.

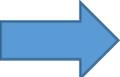
Commissioner Richards suggested a minimum setback from other residential zones should be more than fifty feet and the higher the building, the greater the setbacks should be. He also suggested putting smaller buildings closer to the neighboring residential area.

Commissioner Premoe agreed there is a need in our community for independent senior living and we don't want to make restrictions so difficult that we discourage future development.

Chair Scott-Craig closed the public hearing at 8:48P.M.

The Planning Commission took a five minute recess.

7. Unfinished Business

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

Principal Planner Menser explained the revised concept plan and reviewed the four conditions of the rezoning.

Frank Fugate, 5000 South Front Street, Columbus, Ohio, applicant for the project re-introduced himself and said he was available for questions.

Commissioner Premoe expressed appreciation to Mr. Fugate for listening to the Planning Commission concerns and also the concerns of local residents. Commissioner Premoe is very comfortable with the updated proposal.

Commissioner Richards asked if the property would pay taxes and he was told by Mr. Fugate yes. The applicant will also request payment in lieu of taxes (P.I.L.O.T.).

Commissioner Cordill asked about the building height and was told by Mr. Fugate this would be a two story building with a pitched roof with a final height of twenty-five feet.

A straw poll indicated the Planning Commission would be in favor of recommending approval of Rezoning #19010 to the Township Board and staff was asked to prepare a resolution recommending approval for the next meeting.

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

Principal Planner Menser provided a brief re-cap of the Special Use Permit.

Motion by Commissioner Premoe to approve Special Use Permit #19011.
Supported by Commissioner Richards.

ROLL CALL VOTE:

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

NAYS: None

MOTION CARRIED: 8-0

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

Principal Planner Menser provided an update on both agenda items since the last meeting. The Planning Commission was preparing to recommend denial of Mixed Use Planned Unit Development #18034 and Special Use Permit #18031 but the applicant asked to come back with additional information to present to the Commission. They had a flood plain zone study done by HRC Consultants and wanted to share the results. In addition, the Meridian Township Engineering Department reviewed the study and agreed with the study results. In conclusion, there is a one percent chance of future flooding every year based on FEMA and information gathered.

Principal Planner Menser noted the Engineering Department report was not included in the packet but a copy of the letter was provided to each Commissioner.

Ron Calhoun representing Meridian Investment Group, LLC, 2875 Northwind Drive, reviewed the proposed project for redevelopment including 88 units, 107 beds, on 5 acres and discussed the challenges regarding the parking lot flooding. Mr. Calhoun indicated the HRC study showed there have been 81 flood events over the past 115 years. He further commented signs could be installed in the parking area noting the area is a "flood prone area" and the owner of the property is responsible to provide "habitable housing".

Mr. Calhoun also mentioned the building code required they build one foot above the flood zone and they actually plan to increase that number fifteen inches. There was also another concern with the Southwest entrance of the building and Mr. Calhoun noted it is the lowest level of the building and there is no interior space at that level as previously thought.

Chair Scott-Craig closed the public hearing at 7:41 P.M.

7. Unfinished Business



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

Principal Planner Menser emphasized the fact that the Planning Commission is only addressing the rezoning of the property with conditions offered by the developer at this time.

Chair Scott-Craig recognized the traffic concerns expressed by residents and was told by Principal Planner Menser a detailed traffic assessment will be conducted during the future Special Use Permit application process.

Chair Scott-Craig expressed concerns on behalf of residents regarding the proposed development accommodating student housing and as a resident himself in the area for more than forty years there have been previous attempts to use the property for student housing. The applicant provided information that MSHDA programs do not provide student housing so he asked the applicant to address this concern.

Frank Fugate, 5000 South Front Street, Columbus, Ohio, applicant for the project, introduced himself and confirmed that affordable housing development programs do not allow for student housing.

Motion by Commissioner Trezise to approve Rezoning #19010.
Supported by Commissioner Lane.

ROLL CALL VOTE:

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

NAYS: Commissioner Premoe.

MOTION CARRIED: 6-1

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

Principal Planner Menser provided a brief re-cap of the previous Planning Commission meeting.

Motion by Commissioner Lane to adopt the resolution recommending denial of Mixed Use Planned Unit Development #18034 and Special Use Permit #18031 (Meridian Investment Group, LLC).
Supported by Commissioner Cordill.

ROLL CALL VOTE:

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

NAYS: Commissioner Premoe

MOTION CARRIED: 6-1

THE WOODWARD MERIDIAN TWP., MI

SITE DEVELOPMENT DATA

BLDG. TYPE	NO.	1 BR	1 BR HC	2 BR	2 BR HC	3 BR	3 BR HC	TOTAL	REMARKS
A	1	6/6	2/2	5/5	3/3	0	0	14	2 STORY BLDG.
B	2	0	0	10/20	0	2/4	0	24	1&2 STORY BLDG.
C	1	0	0	11/11	0	1/1	1/1	13	1&2 STORY BLDG.
COMM BLDG	1	0	0	0	0	0	0	1	1 STORY BLDG.
TOTAL	4	6	2	36	3	5	1	53	

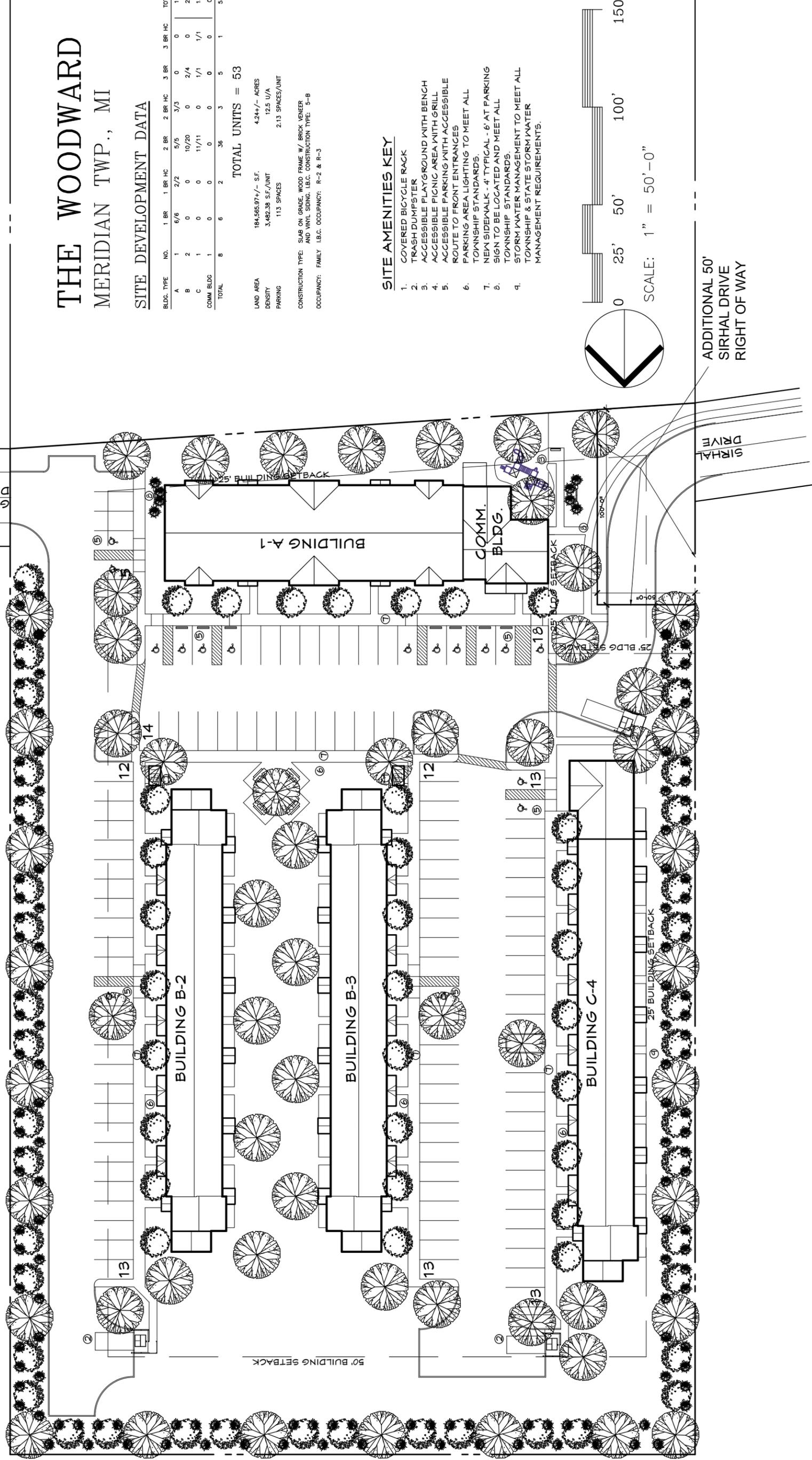
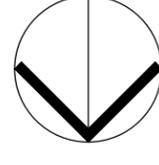
TOTAL UNITS = 53

LAND AREA: 184,565.97 +/- S.F. 4.24 +/- ACRES
 DENSITY: 3,482.38 S.F./UNIT 12.5 U/A
 PARKING: 113 SPACES 2.13 SPACES/UNIT

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

SITE AMENITIES KEY

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



ADDITIONAL 50'
SIRHAL DRIVE
RIGHT OF WAY



To: Mr. Frank Fugate
Woda Cooper Companies, Inc.

Re: The Woodward Multi-Family-Meridian Twp, MI
Trip Generation Study

From: Timothy J. Likens, PE, PTOE
Transportation Engineer

Date: April 1, 2019

In August, 2018 Bergmann provided a memorandum to outline the traffic generation potential for the proposed Woodward multi-family residential development in Meridian Township, Ingham County, Michigan. The project site is located on the north side of Grand River Avenue, directly north of Whole Foods and was previously occupied by the Mobile Home Manor trailer park. The proposed development plans currently include construction of a new two-story, 53-unit multi-family residential development with site access provided via connection to Sirhal Drive and emergency only connection to Greencliff Drive.

Bergmann received input from the Township Planning Department regarding the scope of the original traffic evaluation. Subsequently, the Township requested additional information as outlined in a March 7, 2019 email from the Planning Department to Woda Cooper. The current requirements principally include the following, which are addressed in this memorandum:

- Comparison of trip generation for the existing versus proposed zoning maximum densities; and
- Potential impacts on the adjacent residential streets, specifically considering cut-thru traffic to/from Park Lake Road.

The subject site is approximately 4.6 acres, and is currently zoned RX (Duplex). Under existing zoning, maximum density allowed is 2 units per lot, with a minimum lot size of 11,000 SF, resulting in a maximum density of 36 units for this site. The proposed zoning is RC, allowing for up to 14 units per acre, or a maximum density of 64 units for this site. The site was also formerly occupied by a mobile home park. Aerial imagery from 2005 shows that the density included approximately 50 lots and mobile home trailers on this site.

The potential number of peak hour and daily vehicle trips generated by this site were forecast based on the rates and equations published by the Institute of Transportation Engineers in *Trip Generation, 10th Edition*. The Planning Department has noted some discrepancy in their review of previous trip generation calculations. Although these discrepancies are presumed to be minor based on the size and potential density on the subject parcel, Bergmann cautions against reference to previous versions of *Trip Generation*. According to the current *10th Edition*, "In prior editions [of the manual] multifamily housing sites were further divided into rental and condominium categories. An investigation of vehicle trip data found no clear differences in trip making patterns within the ITE database." Accordingly, the data have been reorganized and should not be compared directly between editions.

ITE publishes average trip generation rates for a wide variety of land uses, as well as regression equations for some. For all of the residential land uses evaluated for this study, the regression equation was determined to be most appropriate based on ITE methodologies outlined in the ITE *Trip Generation Manual*. For Multi-Family Housing, "Low-Rise" (Land Use #220) and "Mid-Rise" (Land Use #221) are most appropriate to the proposed development and relative RC zoning. For the existing RX zoning, there is not an ITE land use that exactly fits two-unit duplexes; whereas the Single Family (Land Use #210) and



multi-family land use categories both have similarities and differences to duplexes. Therefore, both were referenced. The former site use is described by Mobile Home Park (Land Use #240).

The site trip generation forecast is summarized in **Table 1**. As shown in the upper section, the original study referenced 4-story development (mid-rise); whereas the current proposal is for 2-story development (low-rise). Examination of the trip generation data indicate that low-rise uses are actually forecast to generate slightly conservative forecasts; therefore, the low-rise use was referenced for the comparison of existing versus proposed zoning.

Typically, traffic studies are completed based on the peak hour of adjacent street traffic, when the potential interaction between development ingress / egress and existing adjacent street traffic is greatest. In some instances, the peak hour of the generator is of particular interest, where the use would generate more intense volumes during a time period when adjacent street traffic is below peak. Examples include schools and industrial facilities with shift changes. For residential uses, the peak hour of the generator is typically consistent with the peak hour of adjacent street traffic, associated with normal commuting patterns to/from home and work. For this study, the Township has indicated that the most conservative estimates should be referenced. In this case, the calculated forecasts show no significant difference between the peak hour of the generator and the peak hour of adjacent street traffic.

Table 1: Site Trip Generation

Condition	Land Use	ITE			Average Daily	AM Peak Hour			PM Peak Hour		
		Code	Amount	Units		In	Out	Total	In	Out	Total
Original Study (4-story)	Multi-Family Housing - Mid Rise	221	64	Dwellings	347	6	16	22	18	11	29
Compare (2-story)	Multi-Family Housing - Low Rise	220	64	Dwellings	443	7	24	31	25	15	40

Zoning	Land Use	ITE			Average Daily	AM Peak Hour			PM Peak Hour		
		Code	Amount	Units		In	Out	Total	In	Out	Total
Existing RX Zoning (Max Density)	Duplex	220	36	Dwellings	231	4	14	18	15	9	24
Existing RX Zoning (Max Density)	Single Family	210	36	Dwellings	406	8	22	30	24	14	38
Existing RX Zoning (Former Use)	Mobile Home Park	240	50	Dwellings	434	6	26	32	19	12	31
Proposed RC (Development)	Multi-Family Housing - Low Rise	220	53	Dwellings	360	6	20	26	21	13	34
Proposed RC (Max Density)	Multi-Family Housing - Low Rise	220	64	Dwellings	443	7	24	31	25	15	40
Peak Hour of Generator	Multi-Family Housing - Low Rise	220	64	Dwellings	443	10	27	37	26	18	44

According to Township Ordinance and *Evaluating Traffic Impact Studies, A Recommended Practice for Michigan Communities*, the forecast number of site-generated vehicle trips does not meet the thresholds to require traffic impact analysis or further study, under any of the above scenarios. Site trip generation potential of the site under the existing and proposed zoning classifications is similar. Furthermore, the former occupancy of this site exhibits a slightly higher trip daily generation potential than the maximum allowable density under the proposed zoning and respective development. These results indicate that the proposed project would not fundamentally increase the trip generation characteristics of this site.

Regarding potential increases in adjacent street and neighborhood traffic, the forecast volume of traffic for this site on a daily and peak hour basis is consistent with the trip generation characteristics of the surrounding neighborhoods and land uses. Peak hour directional traffic volumes with this development would be relative to approximately 1 vehicle every 3 minutes, and less during off-peak hours. There is no



compelling evidence from this study that would indicate discernable difference in the volume of traffic on the local road network would materialize as a result of this project.

Although the trip generation potential of this site is not significant, concern has been raised regarding the potential impacts of traffic cutting through the adjacent neighborhoods, particularly to the east. A direct connection of Sirhal Drive and Greencliff Drive would provide an alternate route between Grand River Avenue and Park Lake Road. This route is circuitous and professional experience indicates that vehicle delays and queues on the arterial system would have to be significant to cause cut-through overflow into the local road network. Notwithstanding, a direct connection is not proposed; whereas the connection will pass around a building and through a parking lot within the site. Furthermore, the fire department is amenable to emergency access only to Greencliff Drive. Therefore, traffic will not be able to pass through these neighborhoods between Grand River Avenue and Park Lake Road. There will be no changes to the connectivity with the adjacent road network as compared to existing conditions.

Please direct any questions regarding this memorandum to Bergmann.

Attached: Zoning Map / Density Calculations
 2005 Aerial Imagery

Legend

Woodward Site

2005 Aerial Image
Mobile Home Park



600 ft

Peter Menser

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

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

Sent from my iPhone

Peter Menser

From: Roberta McCall <mccallr6246@att.net>
Sent: Saturday, February 23, 2019 1:58 PM
To: Peter Menser
Subject: Comment for Woda Cooper zoning for PC meeting 2-25-19

Dear Mr. Menser:

I am writing regarding the rezoning application from Woda Cooper being considered at the Monday February 25, 2019 meeting of the Meridian Township Planning Commission.

I live on Rockwood Drive which is a block over from Greencliff Drive where the new development would likely exit to the east from the private property being considered for rezoning.

Here are my comments:

--The owner of the property has every right to develop his property. It is not owned by the Township, and therefore, the Township does not have the opportunity to keep it as green space or park land. Many of us in the neighborhood would prefer this to having the property developed.

--I appreciate that the Planning Commission is able to consider a conditional rezoning so that the property is more likely to be developed with a project very similar to what Woda Cooper has proposed. I believe they represent an approach to development that takes more than the bottom line into consideration.

--I am concerned about what the development will do to the traffic patterns in my neighborhood including increasing the number of car trips making the area more congested and making it less attractive to neighbors to walk since the roads are narrow and there are not sidewalks. In order to avoid conflicts with cars, I currently have to step off the pavement while cars are passing. I believe this will only get worse.

--If this property is going to be developed, I would like to see Woda Cooper or a project similar to theirs with the same considerations for long-term investment and maintenance during the development.

--I am not happy about the possibility of losing my quiet, walkable, pedestrian-friendly neighborhood, but, again, the property owner can choose how he/she wants to develop, and I'm glad Mr. Tesseris has chosen Woda Cooper as the developer.

--I DO NOT want to see us lose the green space, but I believe this project serves the development of Meridian Township in a positive way.

Thank you for your time.

Sincerely,

Roberta McCall

2628 Rockwood Drive

Peter Menser

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

Dear Planning Commission:

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

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

Thank you

Michael Martin

2790 Sirhal Drive, Apt 109

East Lansing, MI

Peter Menser

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

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

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

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

Peter Menser

From: Sarah Reboloso <sarah.rebol@gmail.com>
Sent: Thursday, January 03, 2019 2:18 PM
To: Peter Menser
Subject: Rezoning 19010 (Woda Cooper)

Dear Mr. Menser,

I am writing this email to express my concerns over the proposed rezoning 19010 for the addition of multi family housing north of Whole Foods. Specifically, the extension of Greycliff Dr. to allow a cut through into my neighborhood. I apologize for not being able to attend the hearing in person.

I am a resident of the Wardcliff neighborhood. I live at 5243 Park Lake Rd (at the corner of Heather) with my 2 young children. I have serious concerns about their safety as the traffic would undoubtedly increase near our home if this proposal were to take place. As you know, we do not have sidewalks and are forced to ride our bikes and pull our wagon in the streets.

Just a few weeks ago, while walking with my 2 year old to meet my kindergartner at her bus stop, we were nearly run down by a pickup truck speeding through the neighborhood. When I motioned for the driver to slow down, he squealed his tires and sped off even faster. This type of behavior is expected to increase when even more drivers are using our streets as a short cut to avoid the main roads.

The in-home daycare where my children and several more from the neighborhood attend is located on Roseland Ave. There is already a steady stream of traffic rushing down that section making pick up and drop off treacherous. I am terrified of how dangerous it will become when we are fighting rush hour traffic in our own neighborhood. People often don't feel the loyalty of driving safely in neighborhoods they use as a cut through as opposed to the streets of their own homes.

While I understand that new developments bring in revenue for the township, please consider the health and safety of those of us who live here. My children and I are depending on you.

Sincerely,
Sarah Reboloso

5243 Park Lake Rd
East Lansing, MI 48823
517-643-0141

Peter Menser

From: Barney Fenn <bjfenn11@gmail.com>
Sent: Saturday, January 05, 2019 5:14 PM
To: Peter Menser
Subject: Rezoning #19010 (Woda Cooper)

I can't be at the meeting on Monday January 14, 2019. My name is Barney Fenn, live at 2767 Brentwood E. Lansing, Mi. In Meridian Township for the last 37 years. I am 100% Against this rezoning for these apartments. Traffic, will increase so much on Brookfield, Greenfield, Cahill, Roseland, and the list goes on. All those streets weren't built to handle that kind of traffic SAFELY.

Sent from my iPad

Peter Menser

From: Deborah Keyworth <debsarmy@aol.com>
Sent: Thursday, February 14, 2019 5:38 PM
To: Peter Menser
Subject: Re: Woda Cooper

Well I hear the board is gonna approve the rezoning . It doesn't matter that our whole neighborhood is against it . Meridian township is owned by businesses and corporations . I was born here and I put every single dollar I made into my home ... I still do. I suppose the cut thru will go in also . How do you look at yourself in the mirror each day ?

Sent from my iPhone

> On Jan 8, 2019, at 12:34 PM, Deborah Keyworth <debsarmy@aol.com> wrote:

>

> I live at 2684 Mansfield Dr. My whole family moved to Wardcliff Dr in 1990. I bought my home on Mansfield in 1993 . I moved right around the corner. My Mom , sister , and 11 family members raised their kids on Wardcliff . I am now almost 60 and disabled . I love my neighborhood . I run my dog on my scooter twice a day . I see my neighbors walking their dogs and their kids. We are good hard working people . We have fought to keep Greencliff from being a cut thru for many years . If you allow this it will ruin the lives of the people that live here . Traffic will increase and kids , pets and the elderly will be in peril as they walk and play . I recently put an addition on my home . I moved my laundry upstairs so I could continue to live here as I age . I will sell my home if this goes thru. Please do not allow these developers to use their money and clout to run over good people you have to know it will hurt our property values also. Will you or Woda Cooper buy me out ? My home is all I have and I've worked hard to keep it . My neighbors have also . We aren't the ultra rich of Okemos (even tho I was born in Tacoma Hills) ... we are working hard to make this area a nice place to live . This development will ruin it . Please do all you can to stop this from going thru. There will be other better developments to choose from . It's funny but when I look at all the beautiful parks in Okemos (those ultra wealthy places) I think .. why not make it a beautiful park ? Doesn't Whole Foods have enough money ... and the township too for that matter ? When is enough , enough ? Again , please oppose this as I do .

>

>

Peter Menser

From: csummersunshine <csummersunshine@yahoo.com>
Sent: Tuesday, January 08, 2019 1:21 PM
To: Peter Menser
Subject: Against - Proposed Apartment Complex #17-377-033 Woda

Planning Commission
Meridian Township

Re: Proposed apartment complex by Woda Cooper Companies on parcel #17-377-031 (Wardcliff Road – Greencliff - Whole Foods, etc.)

January 8, 2019

It was brought to my attention by a member of my neighborhood that this proposal is going to be addressed at a meeting Monday, January 14, 2019.

If this proposal is allowed to go through, it will be the total destruction of the Wardcliff community. Our area has already been devastated by the enormous increase of truck and car traffic on Park Lake from the Costco project – store and gas station of all things – accessible from Park Lake – with a roundabout (which cost hundreds of thousands of tax payer dollars instead of a \$10,000 stop light – has to have so many signs otherwise people don't know what to do – people come to a full stop as much at the round-a-bout as they would a stop light – destroying the argument that the 'terrible hill' would make a stop light a bad idea) at Burcham and Park Lake making Park Lake the road of choice for all 43,000 MSU students to go to Costco as well as every box truck and big over the road rigs. What used to be a pleasant road to live on with nicely kept, pretty homes, is now a nightmare, making it impossible to sit in my yard in the summer and getting more difficult every day to get out of the side roads. I live on the corner of Park Lake and Rockwood and cars are backed up almost to Wardcliff from Grand River on Saturdays – and I assume they are all coming from Costco going back to the university.

Now you want to make it worse!!!! By allowing a cut through at Greencliff from the proposed apartments which will mean Greencliff will be a main street for everybody that will be coming and going – not only from the apartments but I assume from Whole Foods and anybody else coming through the Whole Foods parking lot as well and a shortcut to every back road between Park Lake and Hagadorn.

Did anyone do an analysis regarding how much traffic would be increased on Park Lake between Haslett Road and Grand River BEFORE Costco was built? Has anyone done an analysis on this proposal? Does anyone care about communities anymore? Or is everyone so concerned about making money that communities don't matter? Does anyone care whether it will chase homeowners out of this area or is that what is wanted?

What if Wardcliff opens again? How will this proposal affect that? How will this proposal affect the many children who already live in this area – walk to bus stops along the side roads – homeowners who walk their pets? There are no sidewalks – no curbs – just lawns right up to the road. Ant that has been fine. We could always take long walks on these side roads with very few cars to worry about.

The increased traffic generated by Costco and the GAS STATION accessible from Park Lake has probably already made the possibility of an accident involving the many school buses that stop and start on Park Lake much more likely, as well as with the children that have to cross the road after they are let off the bus. How much more of a possibility of an accident will there be if the proposal goes through – increasing traffic by ??????

Does anyone think of the ‘what if’s’ before making these decisions or again – is the bottom line always money? Isn’t there a point where someone has to say ‘stop’. Enough already. There are not enough resources for the increased population. People are already taxed enough – they don’t need higher taxes for more resources. Let’s think about neighborhoods and communities and the people that live there. Let’s think about the pressure more apartments and condos create for our police and firemen and roads. Let’s think about better land planning than just how many people we can put in as small a space as possible. Let’s think about our children and grandchildren and what our area will be like in the future. Let’s think about stability and values and pride of owning a home and belonging to a community – something that lasts forever.

Cynthia Summers
2607 Rockwood Drive
East Lansing, MI 48823
517-332-2872

Peter Menser

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

Dear Peter Menser (planner for Merdian Township)

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

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

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

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

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

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

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

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

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

Peter Menser

From: meganlong <longneedle@aol.com>
Sent: Friday, February 15, 2019 10:40 AM
To: Peter Menser
Subject: Rezoning of property behind Whole Foods

Dear Mr. Menser,

I just received a notification that you are planning to rezone the property behind Whole Foods.

Can you please tell me why?

At the very least, can you assure me and all of my neighbors on Greencliff and the surrounding streets, that you are NOT going to approve a cut through onto Greencliff? Otherwise, this is disastrous news with real impact on the value of our homes and property. It will also impact the quality of our lives.

Please don't change the zoning.

Sincerely,
Megan Long

Peter Menser

From: Deborah Keyworth <debsarmy@aol.com>
Sent: Tuesday, January 08, 2019 12:34 PM
To: Peter Menser
Subject: Woda Cooper

I live at 2684 Mansfield Dr. My whole family moved to Wardcliff Dr in 1990. I bought my home on Mansfield in 1993 . I moved right around the corner. My Mom , sister , and 11 family members raised their kids on Wardcliff . I am now almost 60 and disabled . I love my neighborhood . I run my dog on my scooter twice a day . I see my neighbors walking their dogs and their kids. We are good hard working people . We have fought to keep Greencliff from being a cut thru for many years . If you allow this it will ruin the lives of the people that live here . Traffic will increase and kids , pets and the elderly will be in peril as they walk and play . I recently put an addition on my home . I moved my laundry upstairs so I could continue to live here as I age . I will sell my home if this goes thru. Please do not allow these developers to use their money and clout to run over good people you have to know it will hurt our property values also. Will you or Woda Cooper buy me out ? My home is all I have and I've worked hard to keep it . My neighbors have also . We aren't the ultra rich of Okemos (even tho I was born in Tacoma Hills) ... we are working hard to make this area a nice place to live . This development will ruin it . Please do all you can to stop this from going thru. There will be other better developments to choose from . It's funny but when I look at all the beautiful parks in Okemos (those ultra wealthy places) I think .. why not make it a beautiful park ? Doesn't Whole Foods have enough money ... and the township too for that matter ? When is enough , enough ? Again , please oppose this as I do .

Peter Menser

From: Mandie <mandielstevens@gmail.com>
Sent: Friday, February 15, 2019 12:44 PM
To: Peter Menser
Subject: WODA Development

Hello Mr Menser

I'm writing in opposition to the WODA development that is proposed in the Wardcliff neighborhood. This development brings various concerns to the neighborhood. The most concerning is the increase in traffic.

I live at the north end of the sub at the corner of Park Lake and Burcham. The traffic increase from Costco has been beyond imagine. They are also doing more development at Burcham. This residential area can not handle the additional traffics this will bring.

Mandie Roberts
2612 Raphael Rd
East Lansing

Sent from my iPhone

Peter Menser

From: Jesse Green <email.jesse.green@gmail.com>
Sent: Friday, February 15, 2019 12:58 PM
To: Peter Menser
Cc: Wifer; Barbara Curtis; BETSY MONTGOMERY; Bets Calwell; Todd Houser; Kay L; Ginny and Ron; Mike Kieliszewski; Elizabeth Blair; Edie Sekmistrz easekmis@cs. com; Jesse Green
Subject: Rezoning #19010

Mr. Menser,

I am writing to express my adamant opposition to rezoning proposal #19010, the Woda proposal.

I can't say that 100% of my neighbors oppose the rezoning and development. I've not talked to 100% of the people in this area. But after talking to many neighbors I've not found any who support it. Not one. I'll go out on a limb and posit 99% oppose. Go with 98% to be safe. I feel pretty good about that guess. It seems anything above 50% should get your attention.

What I have found is that the majority of people in the Wardcliff neighborhood are not aware of this proposal. Woda made a woefully inadequate effort to notify neighbors. It seems no one beyond the Wardcliff/Roseland cross street was informed at all. And the residents of the Meridian Stratford Place Senior apartments told the first Woda meeting there had been one (1) flyer left at the building, for all of their residents. One.

Nonetheless--despite this passive effort to all-but-hide the issue--the entire room was filled with residents who strongly opposed the development. "Standing room only" is the appropriate description.

It's not far fetched to posit the halls would have been filled as well if a reasonable effort had been made to inform the entire neighborhood. Most people I speak with still have no idea this is going on. None of them are in favor of this rezoning and development. None. Zero.

I'll not quibble about what is "legally sufficient" notice or what Woda was mandated to do. I'd rather talk about this huge and destructive proposed change to our quiet little neighborhood and the bad-faith effort to pretend residents were notified.

Our neighborhood chat room is full of comments predicting the Planning Commission has "already made up its (collective) mind" to approve this proposal. I worked downtown in Lansing for 15 years on legislative issues and I am familiar with how such decisions are made beforehand. "Counting votes" is the correct phrase.

I have no doubt the Planning Commission has "counted its votes" already. I'll not ask you to deny this. Let's just say it's my informed opinion. Forgive me if I'm wrong and I've offended you. We'll consider that a side issue--sad, but not critical to my opposition.

The Woda proposal will render our very quiet little neighborhood unsafe. Families pushing stroller, joggers, people walking dogs and number of residents in wheelchairs daily pass through the area where Woda proposes to dump the exit from their new higher density development.

Neighbors have been working for almost a year to persuade the school board to reopen our local elementary school. Woda proposes to dump its traffic on the adjoining street.

A cross street between the very high traffic Brookfield/Sirhal intersection will turn Greencliff (and the other streets) into handy, high-speed cut throughs for those intent on avoiding the traffic on Grand River. It's an open secret that the planning commission has declared an unofficial moratorium on new outlets to Grand River, so that prediction should not surprise you.

Woda's grudging and insufficient attempts to address this concern (They are going to insert a turn into their exit? How will this affect all of the above, and other, concerns about traffic? It won't.) are nothing more than an insult.

I'm not the only one who feels this entire project has been railroaded through to this upcoming meeting (aka: approval).

This proposal will be very destructive to our quiet little neighborhood. The process so far to notify and involve local residents has been sadly lacking. There is absolutely no support for this proposal in the neighborhood (I'm sure you could find two people (possibly landlords) if you looked. Doesn't change the point at all.

Given all that and the other problems with this proposal, a vote to approve this proposal can not be made in good faith.

I hope that a bad faith one won't take place on February 25th.

Count me and my family as opposed, angry, frustrated and disappointed.

Please defeat this proposal, or postpone a decision until Woda has agreed to make more of an effort not to destroy one of the quietest covers of our neighborhood,

Regards,

Jesse Green
5244 Blue Haven,
East Lansing, MI. 48823
517-204-4671

--

Peter Menser

From: meganlong <longneedle@aol.com>
Sent: Thursday, January 03, 2019 9:03 PM
To: Peter Menser
Subject: Opposing Woda Cooper Company proposal

Dear Peter Menser,

I am writing to let you know that I OPPOSE the Woda Cooper proposal. Specifically, I oppose the cut through on Greencliff Drive.

As a homeowner on Greencliff Drive, I feel the development would severely negatively impact me and my family. I believe the value of our home would dramatically decrease. The increased traffic would be terrible for our little neighborhood and street. I have a seven year old whose safety I am also concerned about.

I love our neighborhood. It has gone through some rough times these past several years. The school closing and the uncertainty of that has been very stressful to all of the homeowners. (I am still hopeful that you will renovate and reopen the school as it seems the most economical and best use of our resources. Plus, my seven year old could walk to school like we dreamed when we bought the house- but I digress). We have also already had to fight to keep high density low income housing from going in the space currently being discussed. It feels like we are in a constant battle to keep our neighborhood from being ruined.

The Woda Cooper proposal would significantly increase traffic on our street while significantly decreasing our property value. It would be noisy. We don't have sidewalks so pedestrians and cars would be in the same space. It is my understanding that putting in sidewalks is an expense passed on to the homeowners. I am sad that I just do not have money to put towards sidewalks or additional funds for the road that will break down much more rapidly with the increased traffic. It would be a terrible burden to place upon the homeowners while decreasing the value of said homes. Maybe I am wrong on this point and the township or developer puts in and pays for the sidewalks- which would be better- but I still don't want the cut through.

I work late on Mondays so am unlikely to be able to attend the public hearing on January 14th. Please consider this my objection to the cut through proposal. I am hoping you will deny this rezoning request.

Thank you for your time, consideration, and attention to this matter.

Sincerely,
Megan Long

Peter Menser

From: Barney Fenn <bjfenn11@gmail.com>
Sent: Friday, February 15, 2019 3:43 PM
To: Peter Menser
Subject: Woda Cooper Rezoning vote.

I live 2767 Brentwood ave. In Meridian Township since 1981. I want the board to know I am 100% against this rezoning. If this board approves this, it tells me no one went to the job site, if you had you see the major traffic problems this will create to the wardcliff neighborhood. Thank-you and read my email into the minute s.

Sent from my iPad

Peter Menser

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

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

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

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

Peter Menser

From: STEPHEN BOYD <stephenaboyd@comcast.net>
Sent: Saturday, February 16, 2019 12:56 PM
To: Peter Menser
Subject: Oppose rezoning #19010

I want to express my opposition to the WODA-Cooper proposal for the Wardcliff neighborhood. This rezoning will negatively impact the neighborhoods in the Wardcliff area. The proposed road cut into the existing neighborhood from the Brookfield & Sirhal corner would route about an additional 200 cars a day into that area which is comprised of single family residences particularly attractive to first time home owners and retirees. The Costco project has already substantially increased traffic in this area and especially on Park Lake Road. I am also aware of plans to expand the Burcham Hills retirement center, which further increases traffic on Park Lake and in the Wardcliff neighborhood. The Wardcliff area has already suffered the closing of Wardcliff elementary school. Please allow us to maintain our neighborhood in its present form and not keep packing more high density housing and development into this area. Sincerely,

Stephen Boyd

2567 Heather Circle

East Lansing, MI 48823

Stephen Boyd, Ph.D.
University Distinguished Professor
Environmental Chemistry
Michigan State University
517 881 0579

Peter Menser

From: Jesse Green <email.jesse.green@gmail.com>
Sent: Tuesday, February 19, 2019 2:22 PM
To: Peter Menser
Subject: Rezoning #19010

Mr. Menser,

After speaking with some neighbors about the first meeting with Woda back in November I was reminded that the Woda representatives had promised Woda would conduct a traffic study prior to submitting a proposal to the planning commission.

1). As you know, traffic into our quiet little neighborhood is our strongest opposition to the rezoning and redevelopment.

The Meridian Township Rezoning Application requires that Woda conduct such a study.

1. A rezoning traffic study prepared by a qualified traffic engineer based on the most current edition of the handbook entitled Evaluating Traffic Impact Studies: A Recommended Practice for Michigan Communities, published by the State Department of Transportation, is required for the following requests:
 1. Rezoning when the proposed district would permit uses that could generate more than 100 additional directional trips during the peak hour than the principal uses permitted under the current zoning.
 2. Rezoning having direct access to a principal or minor arterial street, unless the uses in the proposed zoning district would generate fewer peak hour trips than uses in the existing zoning district.
(Information pertaining to the contents of the rezoning traffic study will be available in the Department of Community Planning and Development.)

The Meridian Township copy of the local National Functional Classification of our roads designates Park Lake Road as a minor arterial road. The Woda development would use our neighborhood as a driveway leading onto this Minor Arterial road, but Woda has not shared a traffic study or offered proof it has conducted one. It appears Woda has failed to comply with 1(b)

The Woda comments at the November meeting and as reflected minutes do not show Woda has considered new traffic flow from the heavily congested Sirhal/Brookfield corner (home to many student housing units, a gas station, an outdoor supply store, two massage/yoga studios and an entire office complex (Gables) through the Woda development into our neighborhood to reach Park Lake. The Woda development would provide a shortcut through our neighborhood (current on a dead-end residential street). onto Park Lake where such extra traffic could travel South to Principal Artery Grand River or North to Principle artery M43. This would mean Woda has failed to meet requirements 1(a) and 1(b).

This extra traffic flow could likely meet the "100 cars per hour") requirement of 1 (a). Yet Woda has failed to comply with this requirement nor shown any evidence that do not have to comply.

In addition, of course, the Woda representatives told a community meeting which they themselves organized that such a study would be conducted.

2) I've also noticed (I believe) that the Meridian Township Future Land Use map doesn't indicate plans to rezone this parcel for higher density rental housing units like Woda proposes to build. So there is no way, for example, current owners could have predicted the proposed use of the property Woda wants to rezone.

3) The Meridian Township Master plan lists the township's "goals, objectives and strategies" and the number one listed objective is to "preserve and strengthen residential neighborhoods."

An overwhelming number (approaching 100%) of residents of this neighborhood are opposed to the Woda rezoning and redevelopment. Yet there have been no significant changes to the redevelopment plan to reflect the damage it would cause to this quiet, middle class neighborhood.

Beyond strident opposition, (which seems to have been ignored) there can be no doubt using any credible, objective, criteria that the Woda rezoning and redevelopment will harm our thriving little neighborhood. It will change the very nature of the neighborhood.

The Woda proposal will dump traffic into the quietest and most remote corner of our neighborhood. As I mention earlier, the area is now used by joggers, dog-walkers, families with stroller and young children and bicyclists as well as by at least two nearby residents who use motorized wheelchairs on those very streets.

Woda's proposal will render pedestrian travel in the entire area south of the Wardcliff school dangerous and all-but impossible. The Wardcliff school playground is sued by families from all parts of the neighborhood and even by families from the adjoining area of East Lansing. These children and families can currently walk to the school grounds due to the very low level of traffic flow. The Woda redevelopment would no longer allow that.

The area Woda proposes to use for an exit is not only quiet, not only a series of dead end roads, not only next to a school ground/playground, not only populated by a very high percentage of families with children, but it is also currently a tree-lined green space.

In fact, the property Woda wishes to redevelop is itself a green space. Woda described this land as "blighted" and "in the city" during their general cluelessness about the area, during the November meeting. They are entitled to their collective corporate option, but residents adamantly disagree. That property may contain the remnants of the former trailer park (because they were apparently not required to clean it up?) but it is still a quiet, wooded, fenced green space that enhances the living experiences of those whose properties adjoin.

4). My understanding of property law is that new property owners are required to conform to the existing uses of new buyers. I cannot buy a parcel of land next to your home and expect you to change or halt your previous legal use of the land to accommodate me. The current use of existing land controls.

Woda's proposal (specifically their desire to create a heavily traveled exit onto a quiet dead end residential street with no sidewalks or other allowances for off-road pedestrian access) would override the existing neighborhood residential use and render it impossible. Why should we detrimentally change our neighborhood for Woda?

In short, there exists no reasonable, credible, argument to support the Woda rezoning and redevelopment other than they want it and the Planning Commission seems set on giving it to them.

There are a number of mechanisms that would allow Woda to route traffic on to Grand River. The only difficulty seems to be that the Planning Commission has already created dangerous and overcrowded main artery on Grand River. That is entirely the fault of the Planning Commission, not residents living near the proposed Woda property.

Creating another dangerous, over crowded situation in our quiet family neighborhood is not a solution.

Woda can exit to Grand River or they (and the Planning Commission) can recognize the proposal is not a suitable use for this property, or they can change it, or take it elsewhere.

Thank you for your time and attention to these issues.

Jesse. Green
5244 Blue Haven
East Lansing, MI 48823

Preserve open space and natural areas. strategies and goal number one reads as such: "

Peter Menser

From: Pat Hammerschmidt <hammersp@sbcglobal.net>
Sent: Tuesday, February 19, 2019 7:19 PM
To: Peter Menser
Cc: Ray Hammerschmidt
Subject: Regarding Rezoning #19010

Dear Principal Planner Menser and Planning Commission Members,

We have lived in the Wardcliff neighborhood since 1981 and have been following the Woda Cooper development plan with interest (Rezoning #19010). We feel that the type of housing proposed is a needed addition to Township, however, we have significant concerns regarding the probable increased traffic in our neighborhood that would result from the project as currently designed. We would appreciate the Planning Commission's thoughtful consideration of our concerns and questions detailed below.

We joined many other neighbors in attending the November 13, 2018 informational meeting held by Woda Cooper staff. From our perspective, two major concerns were expressed by a majority of neighbors at the meeting:

1. One concern was the undesirable possibility of the housing becoming college-student housing. Woda Cooper appears to have this under control with the type of housing and funding source they are proposing. We would appreciate the Planning Commission checking that this is true. We are opposed to housing in this location that would primarily accommodate college students.
2. The second major concern was the probable increased traffic flow through our neighborhood. We are strongly opposed to the current plan to have exits at both Sirhal Dr. and Greycliff Dr. At the November 13th meeting Woda Cooper representatives indicated the potential for 106 cars to be housed within the complex. This large number, along with drivers who would use Sirhal to Greycliff as a cut-through to avoid Grand River Ave., is highly undesirable and would make our now-quiet neighborhood dangerous to the many walkers, bikers, and families with children who regularly use the neighborhood streets. We do not have sidewalks. Woda Cooper staff at the meeting said they would do a traffic study. The Minutes of the January 14, 2019 Planning Commission meeting state "Commissioner Cordill asked the staff if the two local streets could support the additional traffic generated by the development and Principal Planner Menser stated the Ingham County Road Commission could address this issue in a future meeting." Has this traffic issue been addressed? It makes much more sense to us to have traffic from the development exit past Whole Foods to the traffic light at Grand River. Is this a possibility? If we are remembering correctly the trailer park that formerly was on this property exited to Grand River without benefit of a traffic light.

In addition, we would like the Planning Commission to address these two additional points:

- The letter from Frank Fugate found in the Planning Commission packet for the January 28, 2019 meeting mentions Woda Cooper's "quality communications with ..township residents." However it does not appear that Woda Cooper made any adjustments related to the traffic concerns expressed by residents at the meeting. The project design in the Planning Commission packet appears almost identical to the one distributed at the November residents meeting, in particular as related to the entrance/exits. Please question the developer on why adjustments were not made on this major issue.
- Lastly, we are confused by the statement in the minutes of the January 14, 2019 Planning Commission meeting that "Principal Planner Menser provided a brief summary of the staff report and reminded everyone to focus on the rezoning and determine if the proposed zoning district is appropriate for this property. The plan and proposal submitted by the applicant are not the focus of discussion at this meeting." Does the Planning

Commission not have authority on the issue of increased (unwanted) traffic on Greencliff and Sirhal as part of the rezoning? If not who will consider this issue?

Thank you.

Ray and Pat Hammerschmidt
5225 Blue Haven Drive

Peter Menser

From: Mike Kieliszewski <killerjetski@gmail.com>
Sent: Thursday, February 21, 2019 5:46 PM
To: Peter Menser
Subject: Opposition to Woda proposal

Hello,

My name is Mike Kieliszewski and I have been a resident of the Wardcliff neighborhood for 40 years. I am writing you to express my opposition to the development in the Wardcliff neighborhood that has been proposed by Woda Cooper (Rezoning #19010).

I have concerns that the development will be targeted at MSU students and occupied primarily by MSU student renters, rather than families. I do not believe that Section 42 requirements are sufficient to encourage single families in favor of student renters.

Thanks for your consideration,

-Mike

Peter Menser

From: Sherry Fent <sherfent@comcast.net>
Sent: Thursday, February 21, 2019 6:13 PM
To: Peter Menser
Subject: Re: Woda-Cooper Proposed Development by Whole Foods

Hello:

My name is Sherry Fent and my husband and I, James Fent, have lived on Teri Terrace near Wardcliff School for over 30 Years. We are not against development in the area, but would like to see sensible and thoughtful development that takes into consideration the surrounding neighborhoods and the people who already live there. We do not believe that high-rise (and high density) development is desirable, especially in that location and on fairly small acreage. The Woda-Cooper development as it stands now only brings in a great deal of traffic through our neighborhood streets, many of which have no curbs or sidewalks. We have already seen a great increase in Park Lake Road traffic from the Costco store and in our neighborhoods as people try to figure out a way to get to either Hagadorn Road or Grand River quickly. It continually gets worse.

It seems that the only people who will profit from this development are the builders and the development company. We believe there is a way to develop intelligent housing, supported by a sound infrastructure that takes into account the land itself, the people who are in the neighboring community, the safety of the people who live here now and those who will live in the future development. We have the talent, the technology and the education to come up with a better plan for development that takes quality into account for now and that will last into the future. Thank you for thinking of us.

Sincerely,

Sherry and James Fent
2679 Teri Terrace
East Lansing, MI 48823
Phone: 517-351-5088

Peter Menser

From: Meridian Township, MI <meridian-mi@enotify.visioninternet.com>
Sent: Thursday, February 21, 2019 7:13 PM
To: Peter Menser
Subject: Rezoning Proposal 19010

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

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

I've submitted 2 previous emails to you stating my reasons for opposing the proposed rezoning request #19010 of Woda-Cooper. My wife and I walk and bike in our neighborhood, including on Greencliff Drive. We have no sidewalks in our neighborhood. Greencliff Drive must not be extended to allow more traffic into our neighborhood. Many people from our neighborhood have sent emails and/or spoke to the planning commission in opposition to the rezoning. We urge the planning commission to deny the rezoning request, as it would be a great disservice to us and our neighbors.

Jim and Karen Carlson, 2672 Rockwood Drive, East Lansing

Peter Menser

From: Sarah Reboloso <sarah.rebol@gmail.com>
Sent: Thursday, February 21, 2019 10:40 PM
To: Peter Menser; Board
Subject: Rezoning 19010 (Woda Cooper)

I am writing this email to express my concerns over the proposed rezoning 19010 for the addition of multi family housing north of Whole Foods. Specifically, the extension of Greycliff Dr. to allow a cut through into my neighborhood.

I strongly urge you to oppose this development. While I welcome the idea of economic diversity and the access to affordable housing in the township, I feel it is being done at the cost of my family's safety. I live at 5243 Park Lake Rd (at the corner of Heather). Since the addition of Costco there has been a huge influx of traffic near my home. My children are very young (3 and 5 years old). We do not have sidewalks to use in the neighborhood. The inevitable traffic increase with this proposal is going to put us in greater danger when we try to go out for walks and bike rides.

Please consider the safety of the current residents in our township before we continue to plan for more. We are counting on you.

Sincerely,
Sarah Reboloso



To: Township Board Members
**From: Derek N. Perry, Assistant Township Manager
Director of Public Works & Engineering**
Date: April 9, 2019
Re: East Lansing Meridian Water & Sewer Authority Contract Amendment

The East Lansing Meridian Water Sewer Authority (ELMWSA) Board has identified over 17.7 million dollars of needed capital projects to maintain the existing water treatment plant. The treatment plant is our primary supplier of safe drinking water for our public water utility customers. Our other source is a water purchase contract with the Lansing Board of Water and Light (LBWL) and serves our residents in the southern portion of our Township.

The project list includes HVAC upgrades to protect the plant piping from corrosion, various new paint applications, repairs to the backwash reclaim system, upgrades to the filter controls, the addition of reservoir storage, replacement of several raw water mains and the purchase of 3 new wells for reliability and capacity.

All of the projects will be financed using revenue bonds, which are funded through water rates charged by the member communities to its customers. ELMWSA will utilize the State of Michigan Drinking Water Revolving Loan program with construction occurring over a 5-year period.

Under the current ELMWSA Authority agreement with the Township and City of East Lansing, both communities will need to authorize the capital projects. This is accomplished by approving a capital project contract with ELMWSA that does not require the municipalities to pledge their full faith and credit. The capital projects contract will amend the existing 2000 contact that was entered into when the parties began purchasing water from LBWL. The amendment will utilize the same terms and conditions by which ELMWSA provides treated water and related services to both Meridian Township and the City of East Lansing.

Recommended motion once approved for ACTION:

“Move to approve the Resolution to Approve a Capital Projects Contract with the East Lansing-Meridian Water and Sewer Authority and its associated Capital Projects Contract”.

M E M O R A N D U M

To: East Lansing-Meridian Water Sewer Authority
From: Roger A. Swets
Date: March 19, 2019
Re: Capital Projects Contract

Attached please find the Capital Projects Contract and resolutions for the constituent municipalities to approve the contract. It is necessary for this contract to be approved and signed by the end of April so that the Authority can issue its bonds and finance its upcoming HVAC project with revenue bonds through the DWRP program.

The contract is necessary to allow the Authority to use revenue bonds for this financing. In the past, the Authority has used a full faith and credit contract with the constituent municipalities to finance capital improvements. Such a contract pledges the full faith and credit of the municipalities. With this project the Authority had decided it wanted to use revenue bonds to finance the projects. These bonds will use rates and charges paid by the constituent municipalities to pay debt service, but will not require a full faith and credit pledge.

As mentioned, in the past a full faith and credit contract was used for each financing. In addition, the Authority and constituent municipalities entered into a contract in 2000 which approved the purchase of water from the Lansing Board of Water and Light. That contract established an obligation of the constituent municipalities purchase water and to pay rates and charges for the operation and maintenance of the Authority's water system and established their rates of contribution for these costs. The reason for this contract is to extend the obligation to pay rates and charges to capital improvements (and debt service for capital improvements) as well as operation and maintenance, since a full faith and credit contract is not being used for the financing. The obligations and percentages established in earlier contracts are not being altered by this contract. The contract is simply adding the obligations to pay rates and charges for capital improvements to the system.

The capital improvements authorized are those contained in the Project Plan for Capital Improvements of the Authority and is limited to these projects. It authorizes rates and charges for the full cost of these projects, but only these projects. It is currently estimated that these projects will be undertaken over a number of years with several financings.

Please let me know if you have questions on these materials.

TOWNSHIP BOARD
CHARTER TOWNSHIP OF MERIDIAN
County of Ingham, Michigan

RESOLUTION NO. _____

RESOLUTION TO APPROVE A CAPITAL PROJECTS CONTRACT
WITH THE EAST LANSING-MERIDIAN WATER AND SEWER AUTHORITY

Minutes of a regular meeting of the Township Board (the "Board") of the Charter Township of Meridian, Ingham County, Michigan, held in the Township Hall, 5151 Marsh Road, Okemos, Michigan, on _____, 2019, at 6:00 p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Member _____ and supported by Member _____:

WHEREAS, Charter Township of Meridian (the "Township") along with the City of East Lansing (the "City") (collectively the "Constituent Municipalities") have established the East Lansing-Meridian Waste Water and Sewer Authority (the "Authority") pursuant to the Joint Sewage and Water Authority Act, Act 233, Public Acts of Michigan, 1955, as amended ("Act 233"); and

WHEREAS, the Authority operates a water system (the "System") for the purpose of supplying water to the Constituent Municipalities; and

WHEREAS, the Authority's Project Plan for Capital Improvements has identified capital projects that are necessary for the improvement and maintenance of the System (the "Improvements"); and

WHEREAS, Act 233 allows the Authority to finance Improvements with revenue bonds of the Authority if a contract is entered into by the Authority and the Constituent Municipalities providing for the payment of rates and charges for the use of the Improvements and the System; and

WHEREAS, to enable the Authority to issue revenue bonds for the Improvements, the Authority and the Constituent Municipalities must enter into a Capital Projects Contract whereby the Constituent Municipalities will pay the Authority rates and charges for the use of the Improvements and the System and any revenue bonds issued to finance the Improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. The Capital Projects Contract by and between the Authority and the Constituent Municipalities (the "Contract") is approved in substantially the form attached as Exhibit A, with such changes as are approved by the officers of the Township authorized to sign the Contract, such approval being evidenced by their signature thereon, and the Supervisor and the Clerk are authorized and directed to sign the Contract for and on behalf of the Township.

2. The Supervisor, the Clerk, and the Treasurer of the Township, or any one or more of them (the "Authorized Officer"), are hereby authorized to execute any documents and certificates on behalf of the Township necessary for the issuance of any revenue bonds of the Authority, including but not limited to, any applications, security reports, receipts, orders, agreements, instruments or allocations or designations pursuant to the Internal Revenue Code of 1986, as amended.

YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Dated: _____, 2019

Brett Dreyfus, Clerk

CERTIFICATION

I, the undersigned duly qualified and acting Clerk of the Township of Meridian (the "Township"), do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township at a regular meeting held on _____, 2019, the original of which is on file in my office, and that public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.

Dated: _____, 2019

Brett Dreyfus, Clerk

EXHIBIT A

CAPITAL PROJECTS CONTRACT

(See attached)

CAPITAL PROJECTS CONTRACT

**EAST LANSING-MERIDIAN WATER AND SEWER AUTHORITY
(Ingham County, Michigan)**

THIS CONTRACT, made and entered into as of the ____ day of _____, 2019, by and among the EAST LANSING-MERIDIAN WATER AND SEWER AUTHORITY, a public body corporate organized pursuant to Act 233, Public Acts of Michigan, 1955, as amended (“Act 233”) (the "Authority"), and the CHARTER TOWNSHIP OF MERIDIAN, a Michigan charter township (the “Township”), and the CITY OF EAST LANSING, a Michigan home rule city (the “City”), all located in the County of Ingham, State of Michigan (the City and the Township may be referred to collectively as the "Municipalities" or individually, a "Municipality").

W I T N E S S E T H:

WHEREAS, the Municipalities have incorporated the Authority pursuant to Act 233 for the purpose of acquiring, owning, improving, enlarging, extending, and operating a water supply system and/or a sewage disposal system; and

WHEREAS, pursuant to Act 233 and the Articles of Incorporation of the Authority, the Authority and the Municipalities have entered into contracts for the acquisition of a system of water supply, treatment, storage, transmission and related facilities to serve the Municipalities (the “System”) and other matters relating thereto and for the financing of the costs thereof by the issuance of bonds by the Authority secured by the pledges of full faith and credit of the City and/or the Township for their respective shares of such costs; and

WHEREAS, the Authority and the Municipalities have entered into the Amendment to the East Lansing-Meridian Water and Sewer Authority Water Supply System Contract of October 6, 1992, dated January 18, 2000 (the “2000 Contract,” which together with the contracts referred to above may be referred to as the “Prior Contracts”) for the purpose of describing the terms and conditions by which the Authority will provide treated water and related services to and for the Municipalities, providing that the Authority may acquire water from the Lansing Board of Water and Light, establishing capacity rights in the System and requiring the

Municipalities to make payments to the Authority for the operation, maintenance, and repair of the System; and

WHEREAS, pursuant to section 10 of Act 233, the Authority and the Municipalities are authorized to enter into contracts for the furnishing of water services by the Authority to the Municipalities and the Authority may finance the acquisition, construction, improvement, enlargement, or extension of the System by the issuance of revenue bonds by the Authority pursuant to section 12 of Act 233 and the provisions of Act 94, Public Acts of Michigan, 1933, as amended (“Act 94”), payable and secured by the revenues of the System, including payments made by the Municipalities pursuant to the contract if the charges and rates payable by the Municipalities under contract are sufficient to satisfy the provisions of Act 94; and

WHEREAS, there is a need to make improvements to the system identified on Exhibit A (the “Projects”) in order to promote the health and welfare of the residents of the Municipalities and the parties hereto have concluded that such improvements can be provided and financed most economically and efficiently by the Authority through the exercise of the powers conferred by sections 10 and 12 of Act 233 and Act 94; and

WHEREAS, it is proposed that the cost of the Projects be financed in whole or in part by the issuance of multiple series of bonds; and

WHEREAS, in order to provide for the acquisition and construction of the Projects by the Authority and the financing of all or part of the cost thereof by the issuance of Authority bonds, and for other related matters, it is necessary for the parties hereto to enter into this Contract.

THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE COVENANTS OF EACH OTHER, THE PARTIES HERETO AGREE as follows:

1. The parties hereto approve and agree to the acquisition, construction and financing of the Projects as part of the System as herein provided, under and pursuant to Act 233 and Act 94. The Municipalities by way of compliance with Section 29, Article VII, Michigan Constitution of 1963, consent and agree to the establishment and location of the System within their corporate boundaries and to the use by the Authority of their streets, highways, alleys,

lands, rights-of-way, or other public places for the purpose and facilities of the System and any necessary improvements, enlargements, or extensions thereof.

2. The Projects shall consist of the water supply system improvements as described in Exhibit A. The Projects shall be acquired and constructed in accordance with plans and specifications to be developed as determined necessary by the Authority in conjunction with its consulting engineers. The cost of the Projects shall include, but not be limited to, the cost of all land, labor, equipment, materials, all engineering, legal, financial, administrative, and other fees and expenses that are necessary or incidental to the Projects and capitalized interest. Exhibit A refers to current estimates of cost for the Project, but the final costs for the Projects shall include all actual costs of the Projects as designed and built.

3. The Authority shall take or cause to be taken all actions required or necessary, in accordance with Act 233 and Act 94, to issue its bonds, in multiple series, in the aggregate principal amount necessary to finance the cost of the Projects not paid from other sources. Such bonds shall be issued pursuant to sections 10 and 12 of Act 233 and Act 94 in anticipation of, and be payable primarily from, revenues of the System including the payments, charges, and rates to be made by the Municipalities to the Authority as provided in the Prior Contracts and this Contract. Each series of bonds shall be payable in annual maturities, the last of which shall be not more than forty years from the date of issuance of such series.

4. The Authority shall proceed to take construction bids for each Project at such time as the Authority determines and, subject to the sale and delivery of bonds, enter into construction contracts for the Projects; procure from the contractors all necessary and proper bonds; cause each Project to be constructed within a reasonable time; and do all other things required by this Contract and the laws of the State of Michigan.

5. In addition, the obligations contained in paragraph 9 of the 2000 Contract, the Municipalities shall pay to the Authority their respective shares for the services provided by the Projects and the System, including the costs of designing, constructing, and financing of the Projects (as evidenced by the principal of and interest on all bonds issued for the costs of the Projects) and for the maintenance of the Projects and the System, from funds collected as rates, charges, or assessments from the users and beneficiaries of the Projects and the System, or from any other funds available that may be validly used for such purposes. The provisions of

paragraph 9 of the 2000 Contract, which are incorporated herein and shall continue, unless modified by the parties, as long as this Contract remains in effect.

In particular, the Municipalities shall pay rates and charges for the use of the Projects and the System ("Project Rates and Charges") in such amount as are sufficient to pay the principal of and interest, and service charges due on or with respect to all bonds issued to pay costs of the Projects as and when due together with amounts needed to satisfy any covenants relating to such bonds (the "Project Debt Service"). The Project Rates and Charges to be paid by the City shall be equal to 50.3% of the Project Debt Service. The Project Rates and Charges to be paid by the Township shall be equal to 49.7% of the Project Debt Service as it becomes due. The Municipalities shall pay their Project Rates and Charges to the Authority in semiannual installments equal to their share of Project Debt Service at least ten business days prior to the date such Project Debt Service Payments are due and payable by the Authority. A Municipality may raise the amounts required to be paid by the Prior Contracts and this Contract by collecting connection charges, and rates, charges, or assessments from the users and beneficiaries of the Projects and the System, or by levy upon its taxable property in accordance with the same procedure as provided under the general laws of the State of Michigan. The Project Rates and Charges are subject to change by the Authority, if necessary, to meet its obligations. The obligations of the Municipalities under this Contract are general obligations of the Municipalities as provided in section 10 of Act 233. The obligation of the City and the Township to pay their respective project Rates and Charges shall continue until such time as all Project Debt Service has been paid by the City and the Township pursuant to the payment of their Project Rates and Charges, regardless of their actual use of the System.

6. The Authority is hereby authorized, but not required, to utilize Authority personnel for the administration of the Projects. The Municipalities agree that the costs of contract administration, auditing, and financial services shall be part of the cost of the Projects for purposes of paragraph 5 hereof, whether such services are provided by Authority personnel or third parties. In the case of Authority personnel, the costs attributed to the Projects shall include the allocable share of such personnel's salary and fringe benefits to the Projects based upon the Authority personnel's actual hours of service.

7. After completion of the Projects, the operation and maintenance of the Projects shall be in accordance with the provisions of the Prior Contracts.

8. It is understood and agreed by the parties hereto that the System is to serve the Municipalities and not the individual property owners and users thereof. The responsibility of requiring connection to and use of the System and/or providing such additional facilities as may be needed shall be that of the Municipality wherein such property is located and such Municipality shall cause to be constructed and maintained, directly or through the Authority, any such necessary additional facilities. The Authority shall not be obligated to acquire or construct any facilities other than those designated in paragraph 2 hereof.

9. The Authority shall have no obligation or responsibility for providing facilities except as herein expressly provided with respect to the acquisition and construction of the Projects or as otherwise provided by the Prior Contracts. The Municipalities shall have the authority and the responsibility to provide such other facilities and shall have the right to expand the facilities of the System only as set forth in the Prior Contracts.

10. The parties hereto agree that the costs and expenses of any lawsuits or claims arising directly or indirectly out of the construction or financing of the Project, to the extent that such costs and expenses are chargeable against the Authority or the Municipalities, shall be deemed to constitute a part of the cost of the Projects. This paragraph shall not apply to a lawsuit instituted by either of the Municipalities to enforce their respective rights under this Contract or the Prior Contracts.

11. It is anticipated that the bonds will be sold in multiple series, and therefore each series of the bonds shall bear an original issue date; be payable in the amounts and on the dates and at such place, bear interest at the rates; be subject to redemption and otherwise have such terms and provisions as shall be determined by the Authority; and all Authority and Municipality officials, agents, and employees are hereby directed to take all actions necessary or desirable to implement such a method of sale. The parties hereto hereby authorize their respective chief executive officers, clerks, treasurers, finance directors, other officers, employees and/or agents to execute any documents necessary to implement this Contract, including, but not limited to, Michigan Finance Authority or Michigan Department of Environmental Quality documents or other required documents.

12. In the event that any one or more of the provisions of this Contract for any reason shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions hereof, but this Contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

13. This Contract shall become effective after its execution by each party hereto. This Contract shall terminate forty (40) years from its date or on such earlier date when the Municipalities are not in default hereunder and the principal, interest, and bond service charges on the bonds issued as hereinabove described and all other amounts owed by the Municipalities to the Authority hereunder are fully paid and discharged. This Contract shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Nothing herein contained, however, shall require the Authority to finance the Projects if it is unable to sell the bonds to finance the same. This Contract may be executed in any number of counterparts.

[Signature Page Follows.]

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed and delivered by the undersigned, being duly authorized by their respective governing bodies.

EAST LANSING-MERIDIAN WATER AND SEWER AUTHORITY

By: _____

Its: Chairperson

And: _____

Its: Secretary

Executed on: _____, 2019

CHARTER TOWNSHIP OF MERIDIAN

By: _____

Its: Supervisor

And: _____

Its: Clerk

Executed on: _____, 2019

CITY OF EAST LANSING

By: _____

Its: Mayor

And: _____

Its: Clerk

Executed on: _____, 2019

EXHIBIT A

The Projects shall include all projects contained in Section 5 of the Project Plan for Capital Improvement Project for the East Lansing-Meridian Water and Sewer Authority dated March 16, 2017.

Table 5-1 - Proposed DWRf Project Schedule

<u>Task</u>	<u>Complete On or Before</u>
Public Hearing Notice	March 16, 2018
Place Draft Project Plan on Public Record	March 16, 2018
Formal Public Hearing	April 16, 2018
ELMWSA Board Resolution of Project Plan Adoption	April 19, 2018
Submit Final Project Plan to MDEQ for DWRf Consideration	April 30, 2018

G. Cost Estimate

Table 5-2 outlines the expected timeline and expenditures for design and construction of each phase. The 5-year timeline is an estimate based on preliminary design.

Table 5-2 – Estimated Construction Project Schedule

Project Name	Project Tier	Design Year	Construction Year	Period	Estimated Cost
HVAC & Heating Upgrades Phase 2	Year 1	2018	2019	fy 2019	\$745,000
HVAC & Heating Upgrades Phase 3	Year 1	2019	2020	fy 2020	\$923,000
Piping Evaluation & Painting	Year 3	2020	2021	fy 2020	\$210,000
Filter Control Panel Replacement	Year 3	2020	2021	fy 2021	\$400,000
Additional Filter Installation	Year 3	2020	2021	fy 2021	\$2,500,000
Okemos Rd. Raw Water Main	Year 3	2021	2022	fy 2022	\$3,500,000
Park Lake Rd. Raw Water Main	Year 3	2021	2022	fy 2022	\$3,500,000
Covered Filter Backwash Reclaim & Lagoon Disposal	Year 3	2021	2022	fy 2022	\$2,100,000
Ground Storage Addition	Year 5	2023	2024	fy 2023	\$3,500,000
Well purchase	Year 5	2023	2024	fy 2023	\$360,000
				Total	\$17,738,000