



**ZONING BOARD OF APPEALS
Special Meeting
November 15, 2016
6:00p.m.**

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

- Appointment of Chair

4. APPROVAL OF MINUTES SEPTEMBER 7, 2016

5. CORRESPONDENCE / BOARD REPORTS

6. APPROVAL OF AGENDA

7. BOARD AGENDA

A. Public Hearing Variance #2016-02

A1. VARIANCE 2016-02: Woodland Investments LLC
Location: 2260 E. Remus Rd.

B. Public Hearing Appeal #2016-1

B1. Appeal #2016-01 - Approved Site Plan 2016-12 New Grass LLC

8. PUBLIC COMMENT: Restricted to (3) minutes regarding issues not on this agenda

9. EXISTING BUISINESS

10. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue

11. ADJOURNMENT

CHARTER TOWNSHIP OF UNION
Zoning Board of Appeals
Regular Meeting

A regular meeting of the Charter Township of Zoning Board of Appeals was held on September 7, 2016 at 7:00 p.m. at Union Township Hall.

Meeting was called to order at 7:00 p.m.

Warner moved **Woerle** supported to name Darin as Secretary Pro Tem in the absence of Secretary McCracken for the September 7, 2016 Zoning Board of Appeals Meeting. **Vote: Ayes: 5 Nays: 0. Motion carried.**

Roll Call

Present: Mike Darin, Bill Hauck, Jake Hunter, Tim Warner, and Norm Woerle
Excused: Bill McCracken

Others Present

Peter Gallinat, Mark Stuhldreher, Jennifer Loveberry, and alternate ZBA member Paul Gross

Approval of Minutes

B. Hauck moved **Hunter** supported the approval of the June 1, 2016 minutes as presented. **Vote: Ayes: 5 Nays 0. Motion carried.**

Correspondence / Board Reports

Woerle gave updates from the Planning Commission.

Approval of Agenda

Darin moved **B. Hauck** supported to approve the agenda adding public hearing before Item A. **Vote: Ayes: 5 Nays 0. Motion carried.**

Board Agenda

- A. Variance 2016-01 Lockey USA
Location: 4245 S. Lincoln Rd.

Public Notice was read by Township Planner, Gallinat as well as a brief history of the property.

Tim Beebe, CMS&D on behalf of the applicant presented the request for the variance: 1) to correct change of use and 2) to allow for improvements to the existing structure (allow new office space to be added, giving the street site of the building a face lift, and converting existing interior office space into needed warehouse space. Option 2 was presented to the Zoning Board of Appeals, see attached exhibit A.

Public Hearing open 7:22 p.m.

Joe Fleming, Konwinski Construction, explained structural changes.

Scott Wojcik, Director of Sales at Lockey USA, explained the business of Lockey USA, explained need for space in the building.

Gallinat reported that he did not receive any comments from the public.

Public Hearing closed 7:25 p.m.

Discussion was held by the board. Their objective is first to determine if the new non-conforming use (Corporate office distribution warehouse) would markedly decrease the degree of nonconformance and would enhance the desirability of adjacent conforming uses. Secondly, would be to determine if the building improvements would not increase or enlarge the degree or manner of nonconformance.

Woerle moved **Hunter** supported to approve the continued non conforming use as it is decreasing the degree and manner of non conformance. Vote: Ayes: 5 Nays 0. **Motion carried.**

Hunter moved **B. Hauck** supported to approve variance 2016-01 Lockey USA, option 2, as the expansion does not increase the degree and manner of non conformance in the area. Vote: Ayes: 3 Nays 2. **Motion carried.**

Chair Warner stated that there would be a 21 day appeal period before the decision is final.

Public Comment: Restricted to (3) minutes regarding issues not on this Agenda

Tim Beebe – Commented that this parcel should be looked at by the Planning Commission when they review the future land use map.

EXTENDED PUBLIC COMMENT

No comments

ADJOURNMENT

Chair Warner adjourned the meeting at 8:41 p.m.

APPROVED BY:

Bill McCracken –Secretary

(Recorded by Jennifer Loveberry)

Peter Gallinat, Township Planner
pgallinat@uniontownshipmi.com
2010 South Lincoln
Mt. Pleasant, MI 48858
Phone 989-772-4600 Ext. 241
Fax 989-773-1988

TO: Zoning Board of Appeals
FROM: Township Planner

11/09/2016

SUBJECT: VAR 2016-02 Woodland Investments LLC

Location: 2260 E REMUS RD Mt Pleasant, MI 48858

Current Zoning: B-5 Highway Business District

Adjacent Zoning: B-5 to the north across the road, B-5 to the east, B-5 to the west, B-5 to the south.

Future Land Use/Intent: Commercial: Shopping, office and professional services with mixed residential use

Current Use: Residential

Reason for Request: Current parcel is only 99ft wide. Per section 29 the required minimum lot width is 100ft.

History: Section 9.1 states that "Utilization of existing lots that are nonconforming with dimensional requirements of the zoned District may be permitted provided Section 5 is complied with". Section 9.9 states that "Utilization of an existing lot not conforming to area, width or other provisions of this Ordinance may be permitted provided a variance is obtained".

Objective of board: Grant 1ft variance for required minimum lot width.

Recommend Granting Variance 2016-02

- Because there are special conditions peculiar to the land. Such as: the land originally was zoned residential. Therefore the dimensions of the land only needed to meet the standards of a residential zone and not a business zone.
- A literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of this Ordinance
- That special conditions and circumstances do not result from actions of the applicant
- That Granting the variance will not confer on the applicant any special privilege

SUBJECT: Appeal Approved Site Plan 2016-12 New Grass LLC

Location: 4445 E Bluegrass Rd Mt Pleasant, MI 48858

Current Zoning: B-5 Highway Business District

Adjacent Zoning: R-3A (Multiple-Family Residential District) to the north, B-5 to the east, B-5 to the west, B-5 to the south across the street.

Future Land Use/Intent: Commercial: Shopping, office and professional services with mixed residential use

Current Use: Retail, restaurant, dental office

Reason for Request: New Grass LLC has appealed the approval by the Planning Commission of SPR 2016-12: Union Shoppes. New Grass LLC seeks modification or termination of the approved site plan.

History: The Planning Commission approved SPR 2016-06 on May 31, 2016. Subsequent approval of SPR 2016-12 was given on September 20, 2016 after the propose size of the structure had been altered. There was discussion of a connection between Goodwill and Plazacorp owned parcels. The planning commission voted that Plazacorp did not have to connect with Goodwill.

Objective of the board: Determine if the Planning Commission's action regarding SPR 2016-12 comported with the requirements of the zoning code.

Recommend Denial of Appeal

- Connection between parcels is not required per Zoning Ordinance
- Planning Commission approval of SPR 2016-12 adhered to requirements of the zoning code

Peter Gallinat

Twp Planner

**NOTICE OF APPEAL
Charter Township of Union**

ZONING BOARD OF APPEALS

DATE: 10/31/16

I (we) WOODLAND INVESTMENTS LLC P.O. BOX 526 MT. PLEASANT, MI
Name Address

owners of property at 2260 E REMUS ROAD MT. PLEASANT, MI,

the legal description is: THE NORTH 17 RODS (280.50 FEET) OF THE EAST 6 RODS (99.00 FEET)
OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21, T14N-R4W, UNION
TOWNSHIP, ISABELLA COUNTY, MICHIGAN

respectfully request that a determination be made by the Zoning Board of Appeals on the following appeal or application which was denied by the Zoning Inspector because, in the opinion of said inspector, does not comply with the Union Township Zoning Ordinance and therefore must come before the Zoning Board of Appeals:

- I. Variance
- II. Interpretation of Text or Map
- III. Administrative Review

NOTE: Use one section below as appropriate. If space provided is inadequate, use a separate sheet.

-
-
- I. Written application for a zone variance as provided by the Zoning Ordinance Section 5 (c)

a. Provision of the Zoning Ordinance from which a variance is sought SECTION 29

DESCRIPTION	REQUIRED	DESIRED (I can only provide X)	VARIANCE (= Required – Desired)
Example – Side Yard	10 feet	8 feet	2 feet
MINIMUM LOT FRONTAGE LOT WIDTH (FEET)	100 FEET	99 FEET	1 FOOT

b. What are the special conditions and/or circumstances peculiar to this land, structure, or building which are not found belonging to similar properties in the same zoning district in other parts of Union Township?

SEE ATTACHED SHEET

c. Which is any of the above (b) special conditions or circumstances are the direct result from actions taken by the applicant for this variance?

SEE ATTACHED SHEET

d. If the Zoning Ordinance were to be strictly enforced in your particular case, what would be the nature and extent of unnecessary hardships or particular difficulties?

SEE ATTACHED SHEET

- e. If your request for the variance was granted, do you feel that you would have been given any special privileges that others in the same zoning district would not have? NO If yes, please explain:

SEE ATTACHED SHEET

- f. Attach plot plan, showing lot lines, location of existing building, proposed buildings and any additions to existing buildings, plus distance from property lines.
- g. Date property was acquired SEE ATTACHED
-

II. Appeal for Interpretation

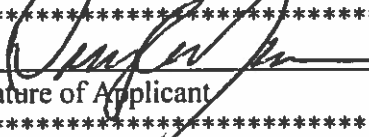
Relating to enforcement of the Zoning Ordinance

a. Article, section, subsection, or paragraph in question

b. Describe if interpretation of district map

III. Administrative Review

a. Article, section, subsection, or paragraph in question

Fees _____  _____
Signature of Applicant

FOR ZONING BOARD OF APPEALS USE ONLY

Appeals received, date: 10-31-16

Public Notice published, date: 10-31-16

Public Notice mailed, date: 10-28-16

Hearing held, date: 11-15-16 Special Meeting

Decision of Board of Appeals: _____

Reasons: _____

UNION TOWNSHIP OFFICE TO COMPLETE THIS SHEET FOR VARIANCE ONLY

- b) The parcel was part of a Mass Rezoning by the Township several years ago. The zoning was changed from Residential to B-5 Commercial. The parcel had been an existing residential parcel for approximately 40+ years prior to the rezone. The act of rezoning the parcel created an existing non-conforming B-5 Zoned Parcel. The rezoning had not been a request of the owner of the property.
- c) The rezoning had not been a request of the owner of the property.
- d) As the parcel has been rezoned to B-5, the existing use as a residence is not allowed within the district. If the parcel is denied the variance, it would not be allowed to be utilized for any use within the B-5 zoning. At that point, the parcel would be unusable.
- e) No, This would not be the first parcel of land that has obtained a dimensional variance within the B-5 Zoning District. Additionally, this was not a rezoning requested by the property owner. This in and of itself makes this situation different than many other B-5 Parcels.
- f) See Attached.
- g) 2016.

digitalfirst M E D I A

MICHIGAN GROUP

AFFIDAVIT OF PUBLICATION 48 West Huron Street • Pontiac, MI 48342

CHARTER TOWNSHIP OF UNION
2010 S Lincoln

Mount Pleasant, MI 48858
Attention: Peter Gallinat

STATE OF MICHIGAN,
COUNTY OF ISABELLA

Jake Allport
Jake Allport

The undersigned _____, being duly sworn the he/she is the principal clerk of Morning Sun, morningstarpublishing.com, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

Union Township Public Hearing Notice - Variance

NOTICE is hereby given that a Public Hearing will be held on Tuesday, November 15, 2016, at 6:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following request for a Variance from Section 29 as required by Sections 9.1 and 9.9 of the Union Township Zoning Ordinance 1991-5 as amended.

Requested by: Woodland Investments LLC, a variance of 1' for the Minimum Lot Frontage, Lot Width in a B-5 zone

Legal Description of property: T14N R4W, SEC 21, N 17 RDS OF E 6 RDS OF NW 1/4 OF NW 1/4

This property is located at 2260 E. Remus Rd.

All interested persons may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing.

All materials concerning this request may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt. Pleasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone number (989) 772-4600 Ext. 241.

Peter Gallinat, Union Twp Planner

Published: October 31, 2016

CHARTER TOWNSHIP OF UNION

Published in the following edition(s):

Morning Sun	10/31/16
morningstarpublishing.com	10/31/16



Sworn to the subscribed before me this 2nd November 2016

Tina M. Crown

Notary Public, State of Michigan
Acting in County of Isabella

Advertisement Information

Client Id: 531226

Ad Id: 1167302

PO:

Sales Person: 200303

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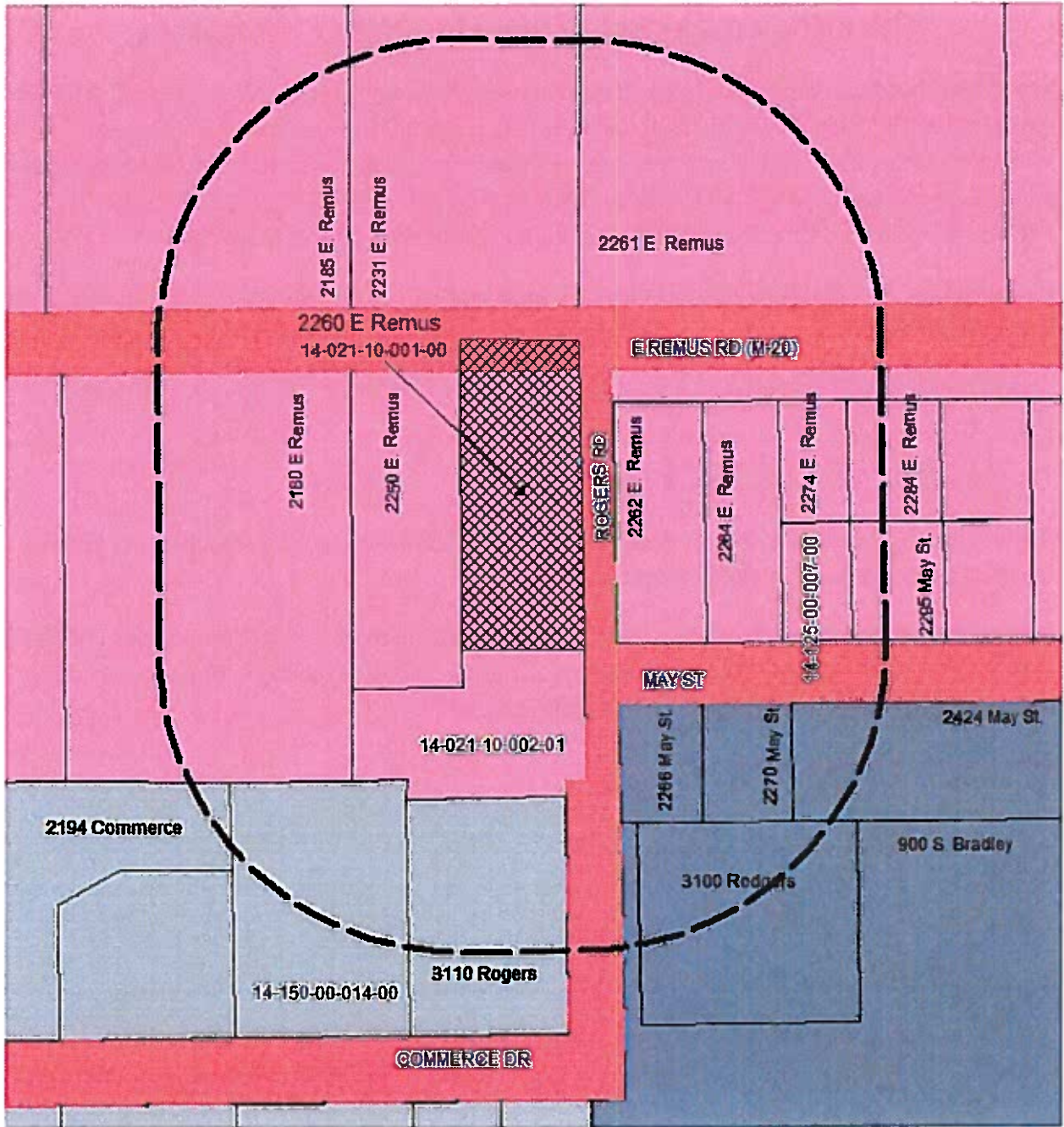
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Peter Gallinat, Union Twp Planner



The checkered parcel is the subject parcel that represents 2260 E. Remus Rd. The pink colored parcels like the checkered parcel are zoned B-5 Highway Business District. The darker grey parcels are zoned I-2 General Industrial District and the lighter grey colored parcels represent I-1 Light Industrial District.

WOODLAND INVESTMENTS LLC
PO BOX 526
MT PLEASANT, MI 48804

DELL DAVID J & DEBORAH I
2250 E REMUS RD
MOUNT PLEASANT, MI 48858

ROSLUND MP LLC
2180 E REMUS RD
MT PLEASANT, MI 48858

SB OPERATIONS/HJ
HOLDING/BLOCK KEN
350 S. MERIDIAN RD
MT PLEASANT, MI 48858

BLAND ALFRED & JEAN
1009 S LINCOLN RD
MT PLEASANT, MI 48858

ISABELLA CO ROAD COMMISSION
2261 E REMUS RD
MOUNT PLEASANT, MI 48858

H A BANKS INVESTMENTS LLC
PO BOX 492
MOUNT PLEASANT, MI 48804-0492

CLARE DENNIS J & TRACY S
PO BOX 1065
MT PLEASANT, MI 48804-1065

RIVER PROJECT LLC
900 S BRADLEY
MT PLEASANT, MI 48858

CENTRAL CONCRETE PRODUCTS
PO BOX 389
MOUNT PLEASANT, MI 48804-0389

DELL SARA
2266 MAY ST
MT PLEASANT, MI 48858

LORENZ WILLIAM E JR
2253 MILLER DR
WEIDMAN, MI 48893

PICKLER JERRY & PEGGY J REV
TRUST
6570 S VANDECAR
MT PLEASANT, MI 48858

RIVER PROJECT
PO BOX 389
MOUNT PLEASANT, MI 48804-0389

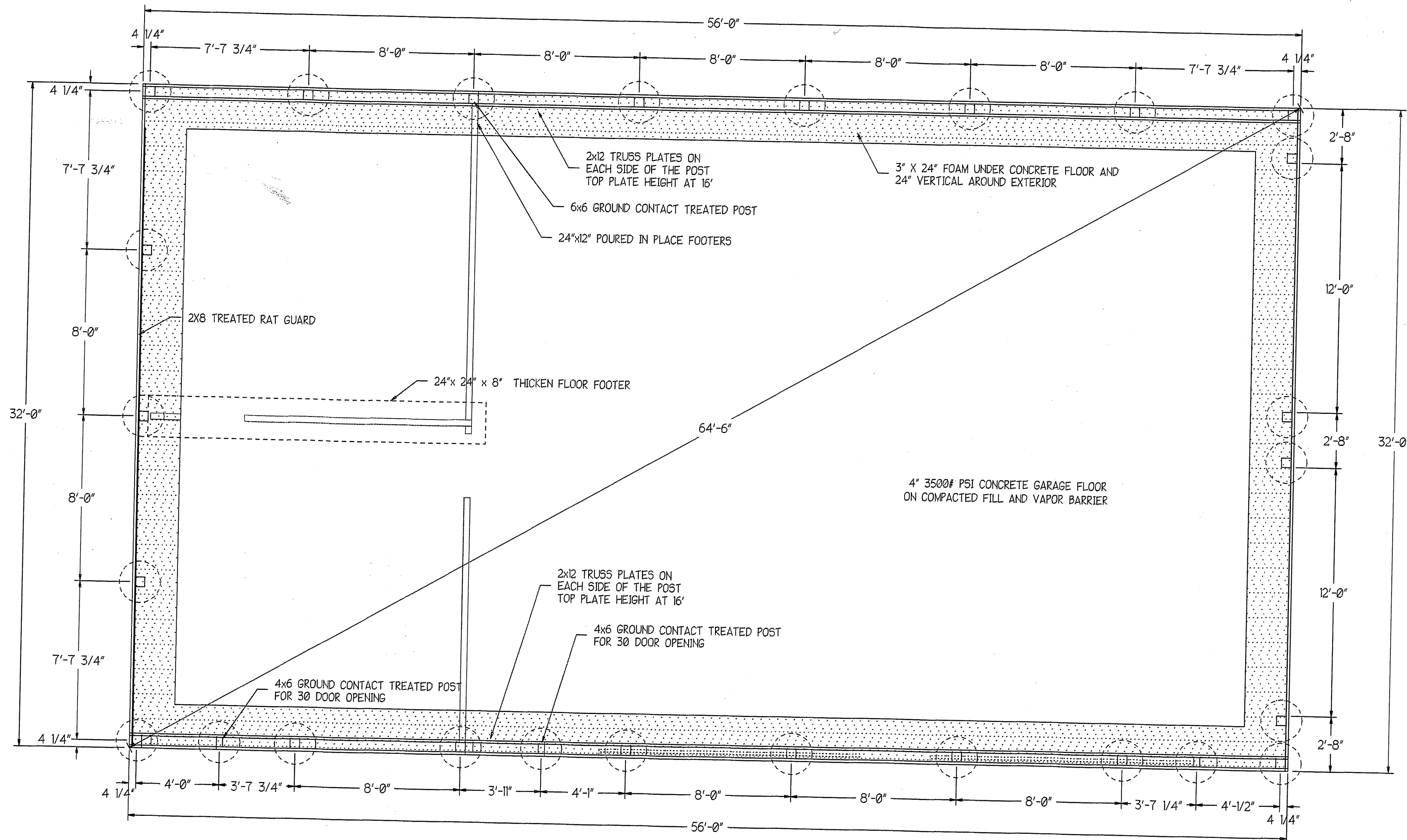
RAU D N INC
545 E JORDAN RD
MT PLEASANT, MI 48858

FISHER R J ET AL
PO BOX 389
MOUNT PLEASANT, MI 48804-0389

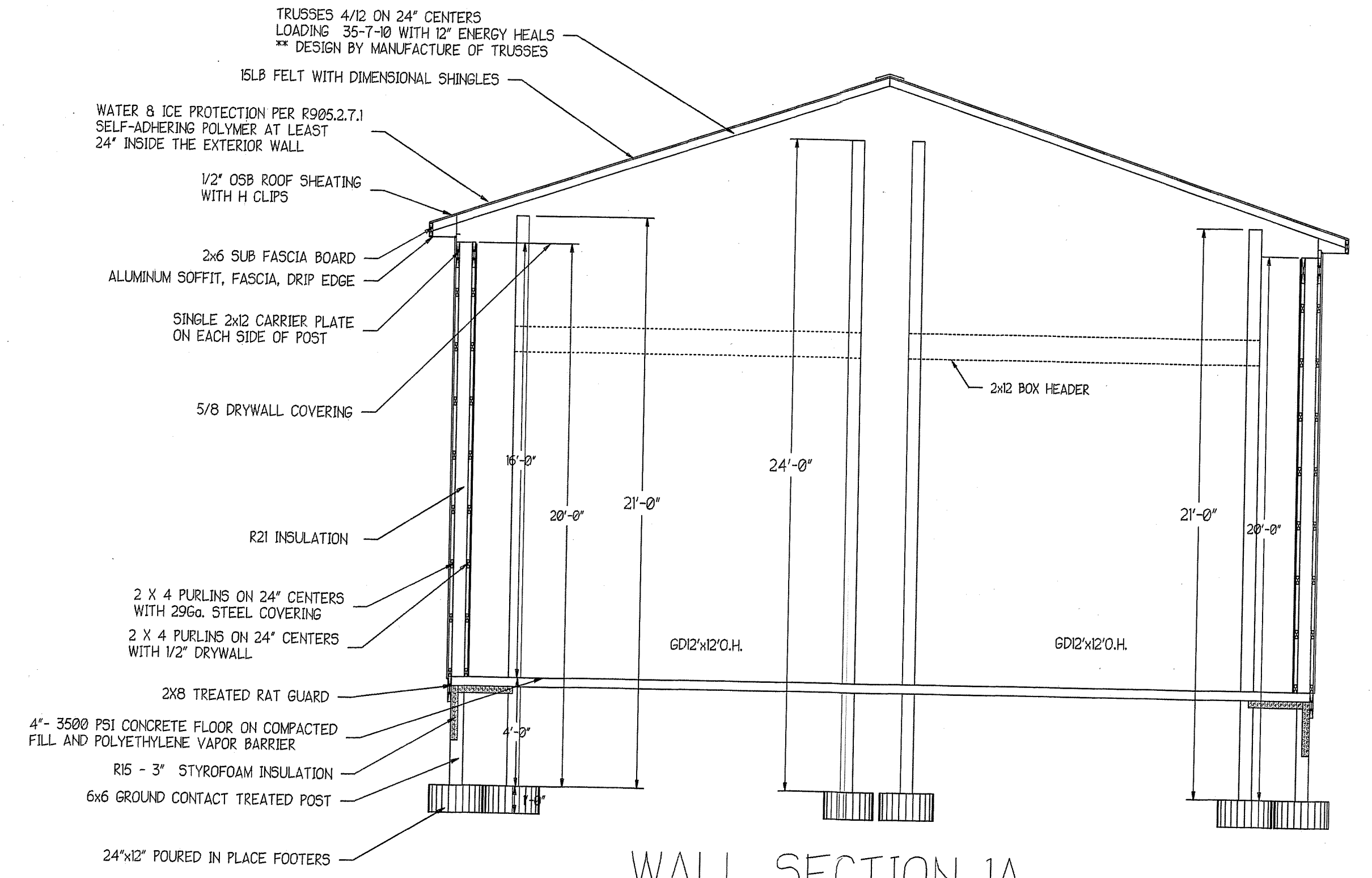
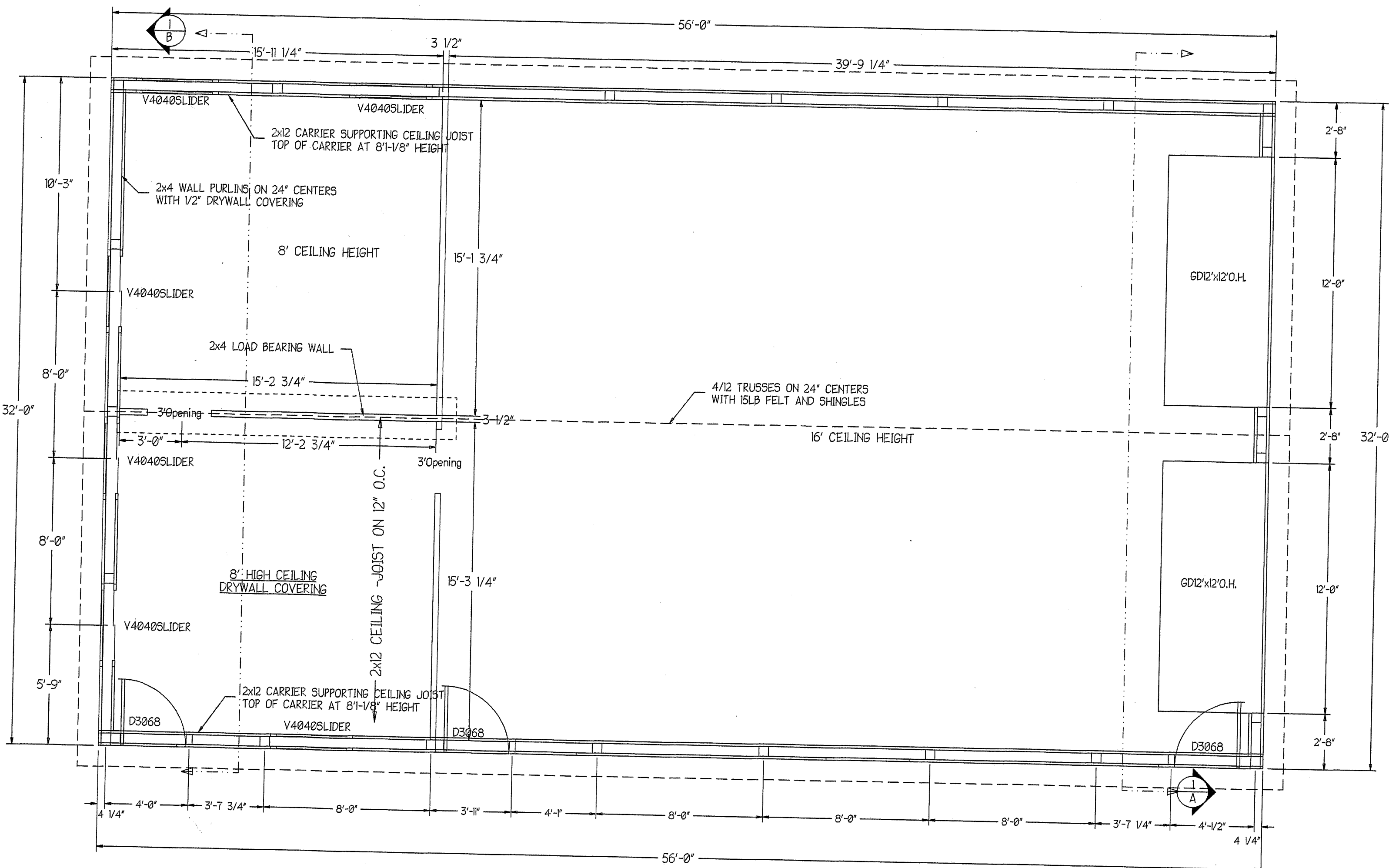
WOODLAND INVESTMENTS LLC
5396 LAKE SHORE DR
WEIDMAN, MI 48893

PALMER BERTIN R
2274 E REMUS RD
MT PLEASANT, MI 48858

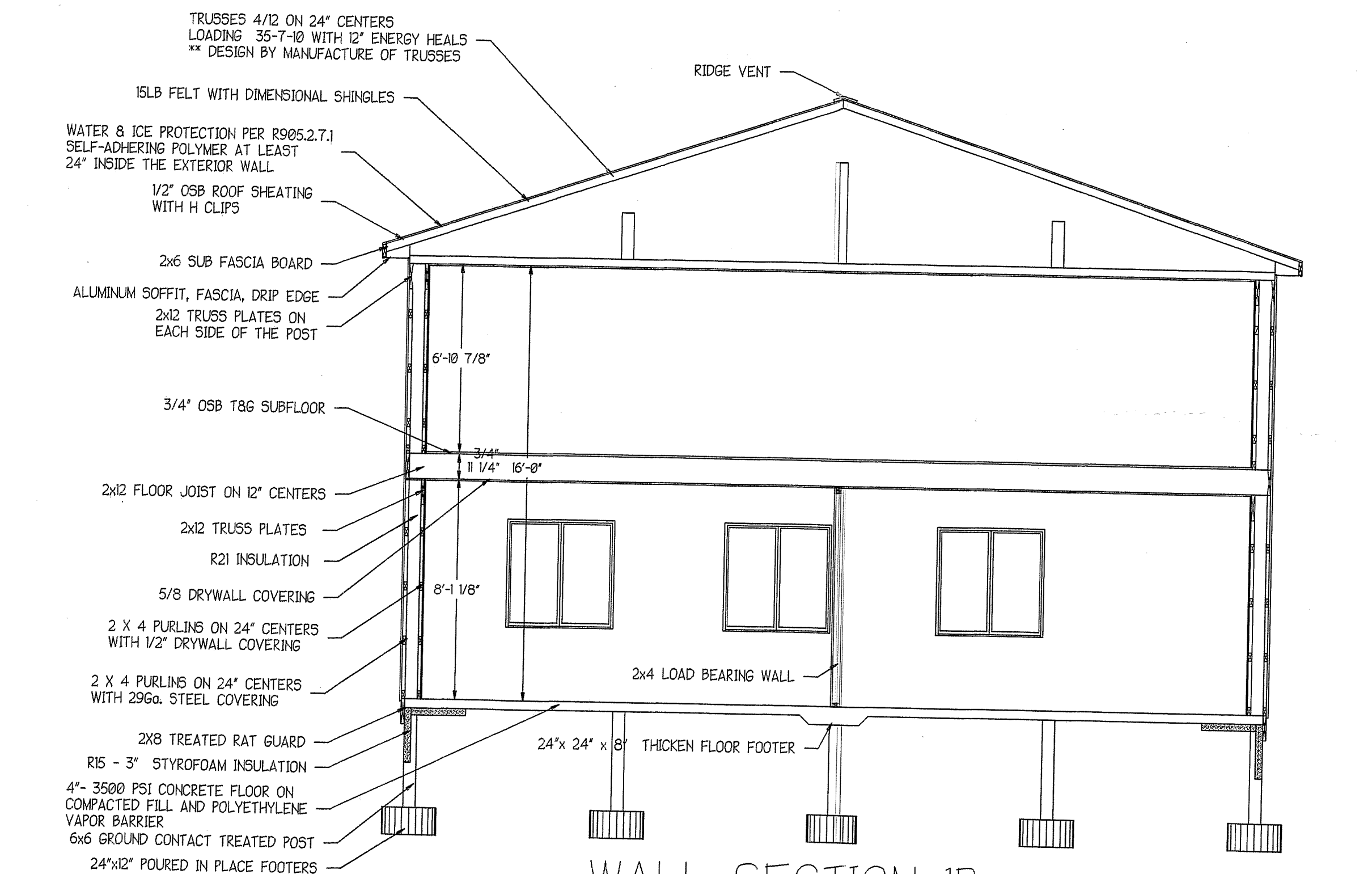
I certify that Public Notices for
file # VAR 2016-02 were
mailed on 10-28-16 to all persons listed on
this page. Pete Haller (signature)



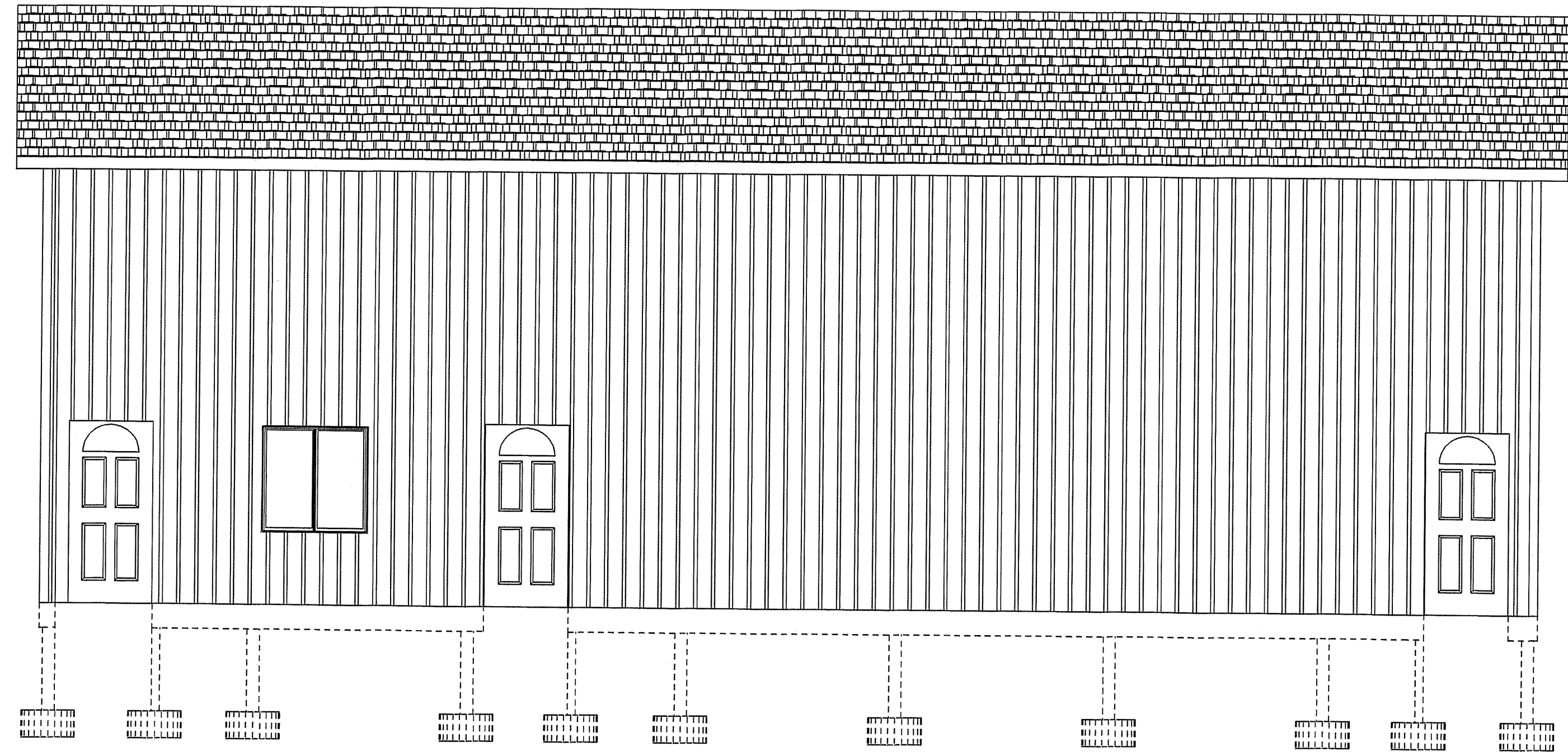
POST PLANS



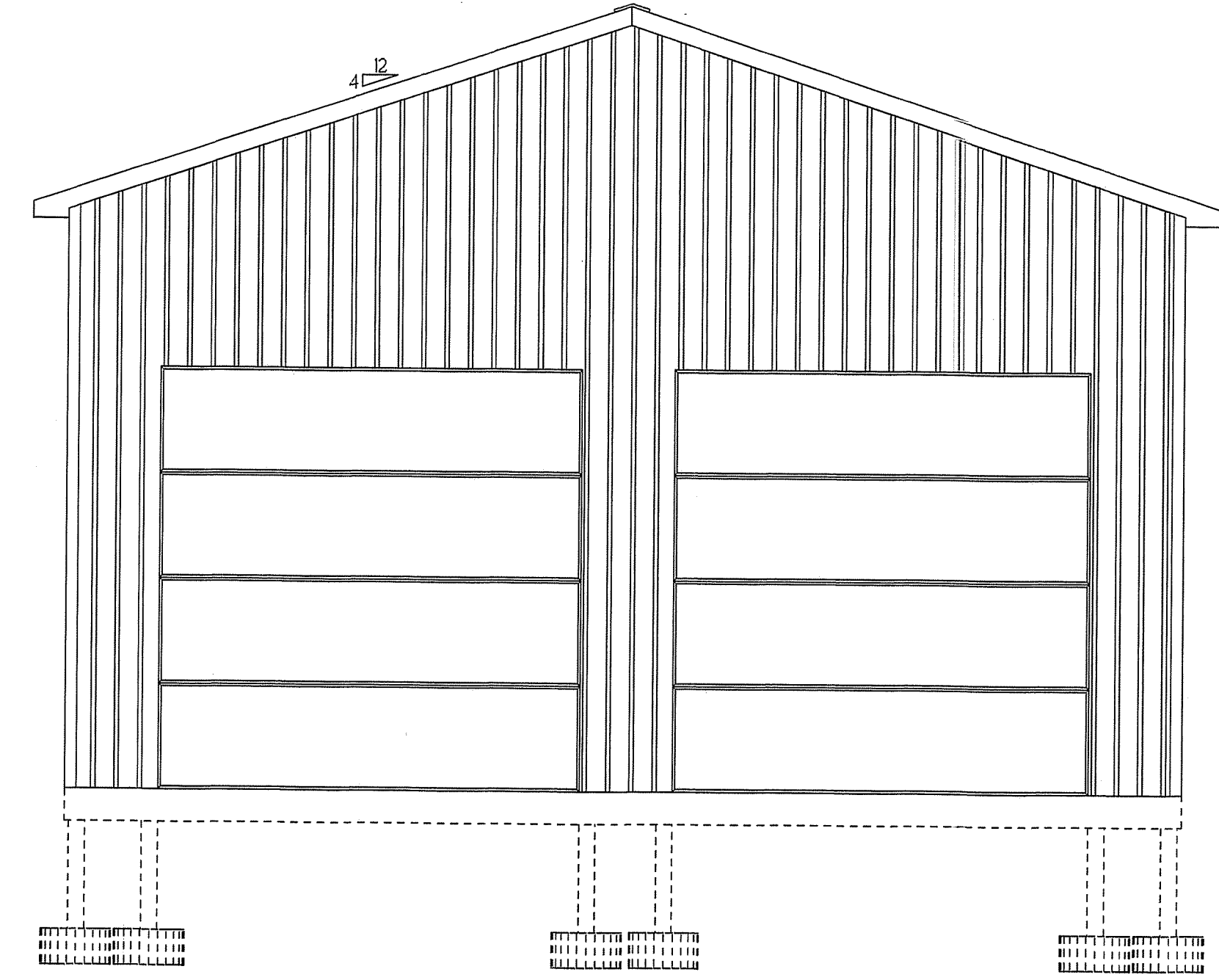
WALL SECTION 1A
1/4"=1'



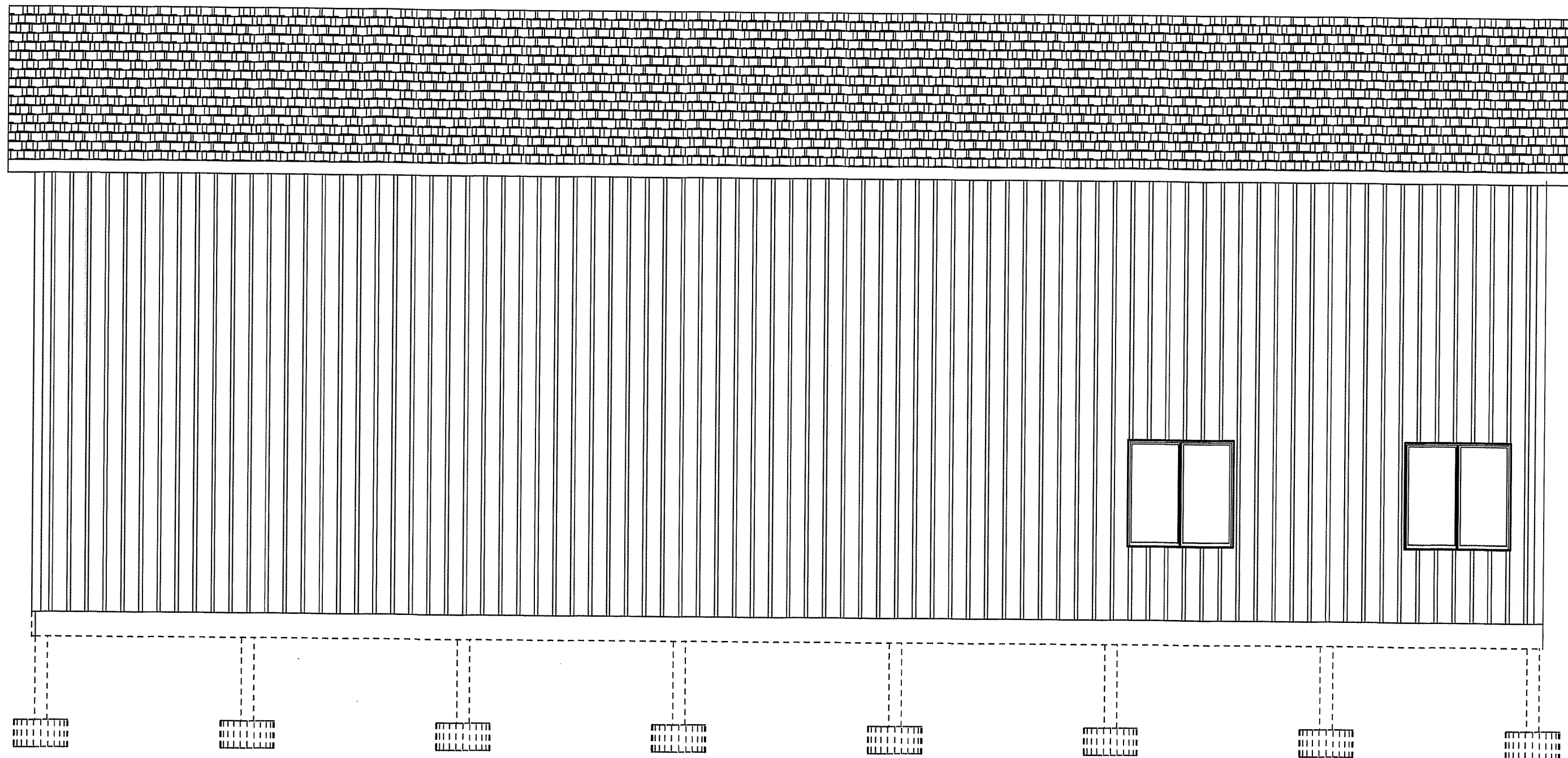
WALL SECTION 1B
1/4"=1'



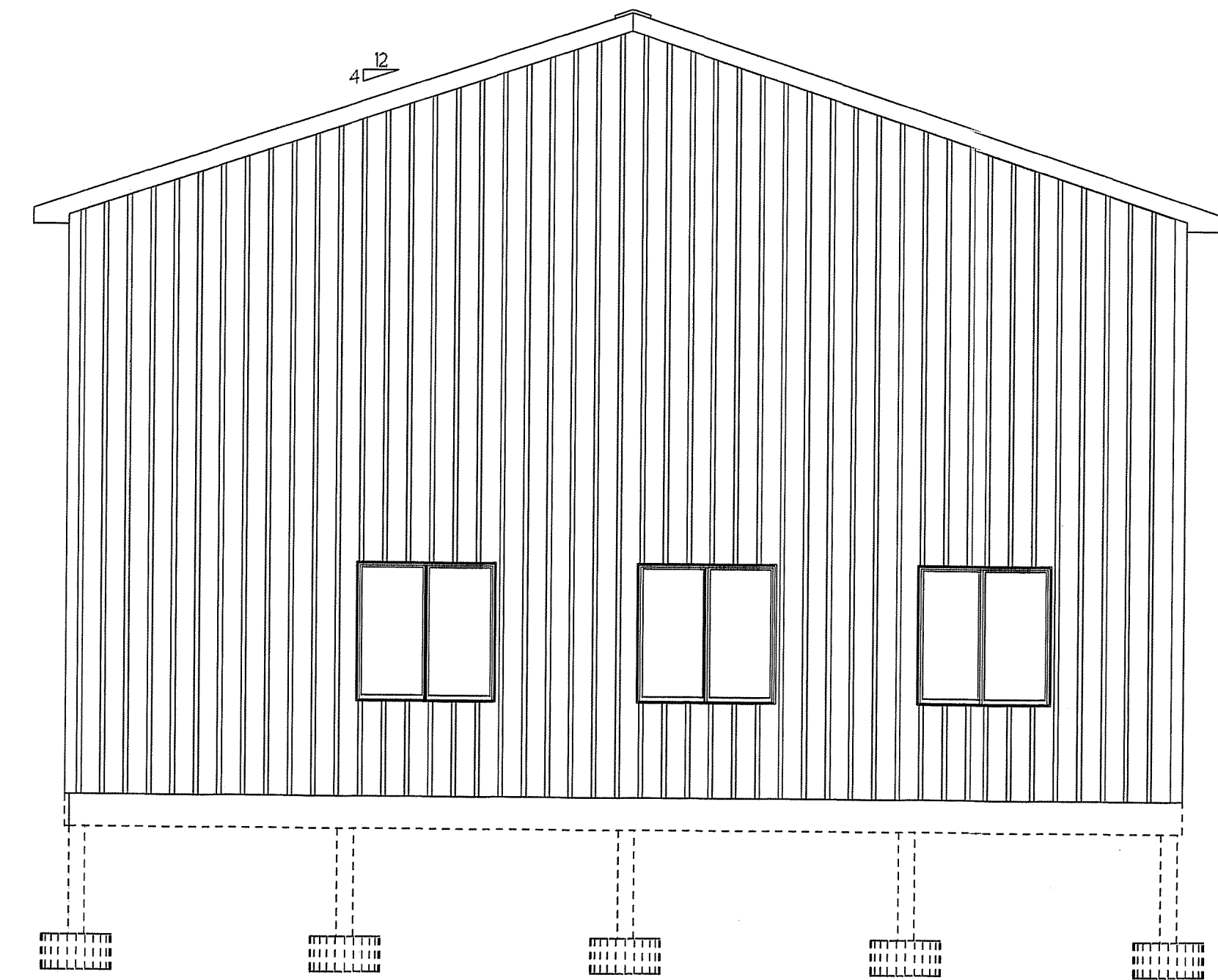
FRONT ELEVATION



RIGHT ELEVATION

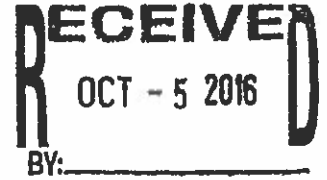


REAR ELEVATION



LEFT ELEVATION

**NOTICE OF APPEAL
Charter Township of Union**



ZONING BOARD OF APPEALS

DATE: 10/5/2016

New Grass, L.L.C. (herein "New Grass"), whose address is 405 S. Mission Street, Mt. Pleasant, Michigan 48858, is the owner of Tallgrass Commons, a site condominium property, more particularly described in the Master Deed, recorded May 9, 2008, at Liber 1439, page 451-520 (See Schedule 1), herein referred to as "New Grass Property". The New Grass Property abuts and is contiguous to the East property line of the property described in the Application for Site Plan Review submitted by Plaza Corp and dated August 24, 2016. The Union Township Planning Commission approved the Site Plan at its regularly scheduled meeting held on September 20, 2016. Planning Commission minutes for SPR 2016-12; Union Shoppes Location: 4445 E. Bluegrass Rd. for the September 20, 2016 Planning Commission Meeting are not available at this time.

New Grass respectfully requests that a determination be made by the Zoning Board of Appeal on the approval by the Planning Commission of SPR 2016-12: Union Shoppes and hereby appeals such decision for the reasons stated in the attached SUPPLEMENT TO NOTICE TO APPEAL.

- I. Variance
- II. Interpretation of Text or Map
- III. Administrative Review

NOTE: Use one section below as appropriate. If space provided is inadequate, use a separate sheet.

-
- I. Written application for a zone variance as provided by the Zoning Ordinance Section 5 (c)

a. Provision of the Zoning Ordinance from which a variance is sought _____

DESCRIPTION	REQUIRED	DESIRED (I can only provide X)	VARIANCE (= Required – Desired)
Example – Side Yard	10 feet	8 feet	2 feet

b. What are the special conditions and/or circumstances peculiar to this land, structure, or building which are not found belonging to similar properties in the same zoning district in other parts of Union Township?

c. Which is any of the above (b) special conditions or circumstances are the direct result from actions taken by the applicant for this variance?

d. If the Zoning Ordinance were to be strictly enforced in your particular case, what would be the nature and extent of unnecessary hardships or particular difficulties?

e. If your request for the variance was granted, do you feel that you would have been given any special privileges that others in the same zoning district would not have? _____ If yes, please explain:

f. Attach plot plan, showing lot lines, location of existing building, proposed buildings and any additions to existing buildings, plus distance from property lines.

g. Date property was acquired _____

II. Appeal for Interpretation

Relating to enforcement of the Zoning Ordinance

a. Article, section, subsection, or paragraph in question

b. Describe if interpretation of district map

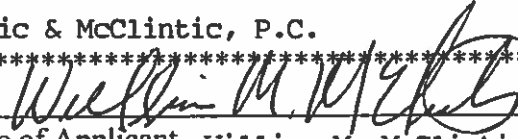
III. Administrative Review

a. Article, section, subsection, or paragraph in question

See attached SUPPLEMENT TO NOTICE TO APPEAL

McClintic & McClintic, P.C.

Fees \$200.00 _____



Signature of Applicant -William M. McClintic, Attorney

for New Grass, L.L.C.

1234 E. Broomfield Street, Suite 4
Mt. Pleasant, MI 48858
(989) 772-4206

FOR ZONING BOARD OF APPEALS USE ONLY

Appeals received, date: 10-5-16

Public Notice published, date: 10-31-16

Public Notice mailed, date: 10-28-16 10-31-16

Hearing held, date: 11-15-16

Decision of Board of Appeals: _____

Reasons: _____

UNION TOWNSHIP OFFICE TO COMPLETE THIS SHEET FOR VARIANCE ONLY

William M. McClintic
Gavin W. McClintic

Virgil McClintic (1890-1972)
Burke McClintic (1912-1990)
Jean G. McClintic (1914-2001)



1234 East Broomfield, Suite 4
Mount Pleasant, Michigan 48858
(989) 772-4206 (office)
(888) 972-1895 (fax)

bill@mcclinticpc.com (email)
gavin@mcclinticpc.com (email)

October 6, 2016

Charter Township of Union
Attn: Peter Gallinat

RE: New Grass, L.L.C. Supplement to Notice to Appeal - PAGE 10

Dear Mr. Gallinat:

I noticed this morning that on page 10 of the Supplement to Notice to Appeal filed yesterday, October 5, 2016, there were two material typographical errors. Attached is a "colored" copy of the two typos we changed on Page 10, and a new "clean copy" of Page 10 for insertion or replacement of Page 10 in the Supplement to Notice to Appeal filed yesterday.

Respectfully,

McClintic & McClintic, P.C.

A handwritten signature in black ink, appearing to read "William M. McClintic".

William M. McClintic

WMC/wje

Attachments

Amendments to Approved Site Plan:

In Peter Gaffney's Recommendation to the Commission (Schedule II), contains the following misinformation:

This site plan is also no longer enforceable as the applicant has proposed a new site plan that differs from the 2005 site plan. I was able to find no documentation showing that the owners of Union Shoppes would be required to connect to the service road that would service parcels to the east of Union Shoppes. (Emphasis added). The Twp does have an access management plan that relates to Mission rd. and Pickard rd. but does not relate to Bluegrass rd. This document is available on the township website
<http://www.uniontownshipmi.com/Portals/0/Documents/Departments/Planning/access%20management.pdf>

On Schedule II, under objective of the board, he asks only, "Does the plan conform to our zoning ordinance?" Section 23B-5 highway business districts. The Planner, disregarding the requirements of MCL 125.3501(2) of the Michigan Zoning Enabling Act, which provides:

(2) If a zoning ordinance requires site plan approval, the site plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance is agreed to by the landowner and the body or official that initially approved the site plan. [*Formerly MCL 125.286e(3)*].

Once a site plan is approved, it becomes part of the record of approval and subsequent actions relating to the activity authorized must be consistent with the approved site plan.

In *Woodcliff on the Lake Condominium Association v Charter Township of West Bloomfield*, attached as Exhibit E, the Court states:

We disagree. The mandate in MCL 125.286e(5)¹ clearly relates to the approval of new site plans, not the amendment of approved site plans after the developer has finished construction. For post-construction changes, MCL 125.286e(3)² more specifically applies, so it is the correct statement of the law. *Gebhardt v O'Rourke*, 444 Mich 535, 542-543; 510 NW2d 900 (1994).

The facts are:

1. The original site plan was conditionally approved in 2005 and required the conditions imposed by the ICRC to provide a cross access between the parcels leading to the traffic signal on Bluegrass. (Exhibits 5 and 7).

¹ Now MCL 125.3501(5).

² Now MCL 125.3501(2).

Amendments to Approved Site Plan:

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²Now MCL 125.3501(2).

SUPPLEMENT TO NOTICE TO APPEAL (NEW GRASS, L.L.C.)

INTRODUCTION

Union Township Planner, Peter Gallinat, emailed his Memo concerning SPR 2016-12: Union Shoppes, setting forth History, Objective of Board, and Recommendation, attached to this Supplement as Schedule II without attachments, to the board members on Friday, September 16, 2016 for the Tuesday, September 20, 2016 meeting. The email, set forth below, dated August 29, 2016 from Brad Hansen, a Member of New Grass, L.L.C. to Peter Gallinat was not included in the packets or given to the board. The email is informative and would have provided the Planning Commission with a more accurate perspective of the facts than facts in the Memo provided, which facts were misleading and legal conclusions incorrect.

FROM: Brad Hansen
Sent: Monday, August 29, 2016 10:10 AM
To: Peter Gallinat
Cc: Tim Coscarelly; Glen Blystone; Brandon LaBelle
Subject: Tallgrass Commons/Plaza Corp.

Peter,

I'm a partner in Tallgrass Commons in Union Township. Early on in the project I was deeply involved in the acquisition and development of all of our land for that project. Tim Coscarelly has taken it over for our partnership the last several years.

As you probably know there is a lot of history and back and forth with all parties associated with the development of the Bluegrass corridor. There were countless hours spent with Encore Development (Jay Barnes), Woody (Union Township), Us, ICRC (Pat Gaffney) and the other interested parties out there pertaining to the roads, accesses, lights, ingress/egress, cross connectors etc. In my many discussions with the Township (Woody) and the road commission (PAT) we were required to build and dedicate a cross connector to the Encore property to our west (now Plaza Corp).

I believe Tim has shared an email from Woody stating the requirement of us and them connecting. I also believe he shared an email from Jay Barnes pledging his cooperation. As our site plans were approved with a cross connector and we spent a lot of money developing a cross connector we have every right to believe when the property to our west was developed that the Township and the developer would hold to their words and enforce the site plans.

I'm sure the Township has records and notes pertaining to the site plan reviews and approvals of both our projects. The ICRC should also have some records. These should all be public documents and accessible for your review so you aren't just taking my recollection as proof.

We jumped thru a lot of hoops, spent a lot of time and money building Sweeney Street and a cross connector to our west based on Township requirements and approvals. Had the cross connector not been a requirement we had other options and Sweeney Street may be a lot different than it is today. We planned Tallgrass Commons around the Street and access layouts.

I am personally very upset about this issue as I was in on all of the meetings and conversations. I personally can't speak for our entire partnership, however, if Plaza Corp is allowed to develop without a cross connector, my vote will be to file an injunction until it gets sorted out in court.

Best regards,

Brad Hansen

CHRONOLOGY OF SIGNIFICANT DATES AND EVENTS FROM 09/21/2005 TO CURRENT TO SPR 1149 AND SP4 2016-12: UNION SHOPPES, BASED UPON EXHIBITS REFERENCED

Since the facts relevant to this appeal span 11 years, a chronology with exhibits follows.

9/21/2005 Planning Commission Meeting Minutes – EXHIBIT 1

4.) REZ 1127 – Glenn, Steven and John Hoyle, 4345 4459 and 4471 E. Bluegrass Rd., Requested by Encore Development. Rezoning of Property in Section 26 from AG (Agricultural District) to B-5 Highway District)

Applicant

Jay Barnes of Encore Development 25 Ottawa SW, Grand Rapids, MI that this property is across from their current mall development and fits the Master Plan.

Public Hearing

Opened at 7:34 P.m.

No comments were offered.

Closed at 7:35 p.m.

Planning Commission

McGuirk moved Darin supported to recommend approval of REZ 1127 – Glenn, Steven and John Hoyle, 4345, 4459 and 4471 E. Bluegrass rd. Requested by Encore Development. Rezoning of property in section 26 from AG (Agricultural District) to B-5 Highway District) to the Board of Trustees. Ayes: all. Motion carried.

9/27/2005 Charter Township of Union Memo from Woody Woodruff to Isabella County Planning Commission Re: Rezoning Reviews – EXHIBIT 2

4. REZ 1127 this is 3 AG parcels owned by the Hoyels. It has been requested to become B-5 Highway Business District as well. It is adjacent to the Bio Life

Plasma center, also zoned B-5 Highway Business District. It will be developed by Encore as well and is master planned for commercial as well.

11/01/2005 Union Township Site Plan Review Application – EXHIBIT 3

SUBMITTALS TO OTHER AGENCIES

Ad curb cuts, acceleration/deceleration lanes, additional drives, and other matters pertaining to roads to be approved by MDOT or Isabella County Road Commission prior to application.

MDOT (M 20 sites) at (989) 773-7756. Contact Isabella County Road commission (all Other county roads) at (989) 773-71131. Submit (3) copies.

PLEASE PLACE OUR REVIEW ON THE November 16, 2005 (INSERT DATE) PLANNING COMMISSION MEETING. You will not receive a reminder of the scheduled meeting.

11/9/2005 Board of Trustees Meeting Minutes – EXHIBIT 4

4.) Adopt Ordinance 2005-14 – REZ 1127, Glen, Steven and John Hoyle, 4345, 4459 and 4471 E. Bluegrass Rd. Rezoning of Property in Section 26 from AG (Agricultural District) to B-5 (Highway Business District)

Horton moved **McDonald** supported to adopt Ordinance 2005-14 – REZ 1127, Glen, Steven and John Hoyle, 4345, 4459 and 4471 E. Bluegrass Rd. Rezoning of property in section 26 from AG (Agricultural District) to B-5 (Highway Business District). Roll call vote – Ayes; McDonald, Supka, Alwood, Verwey, Collin, Horton and Henry. Nays: None. Ordinance declared adopted.

11/16/2005 Charter Township of Union Planning Commission Regular Meeting – EXHIBIT 5

SPR1149 – Bluegrass Investments LLC, 4471 E. Bluegrass Rd., Strip Mall Development of 3 Retail, 1 Bank (includes drive thru)

Applicant

Jay Barnes of Encore Development 25 Ottawa SW, Grand Rapids, MI presented the site plan to the Commission.

Planning Commission

Darin moved **Wilson** supported to approve SPR 1149 – Bluegrass Investments LLC, 4471 E. Bluegrass Rd., Strip Mall Development of 3 retail and 1 Bank (includes drive thru) contingent on approval from the Isabella County Road Commission, Mt. Pleasant Fire Department and Storm Water Management. Ayes: all. Motion carried.

12/16/2005 Board of County Road Commissioners letter to Lapham Associates signed by Patrick J. Gaffney, P.E., Engineer Superintendent RE: Union Twp, Section 26 – Hoyle Property, with copies to James L. Miller, Manager-Isabella CRC; Woody Woodruff, Zoning-Union Twp. – EXHIBIT 6

Dear Mr. Klein:

The proposed site plan for the Bluegrass Investment Group, on the Hoyle property is denied. A joint access point located at the proposed traffic signal for both the Hoyle property and the Newgrass property (proposed street connection to Broomfield Road).

1. The Newgrass Development and the Bluegrass Investment Group (Encore Development) will need to work out the details regarding the Right-of-way needed across the Hoyle property to provide the proposed thru street north from Bluegrass Rd. to Broomfield Rd.

If you have any questions, please contact this office.

Patrick J. Gaffney, P.E.
Engineer Superintendent

03/22/2006 Board of County Road Commissioners letter to Lapham Associates signed by Patrick J. Gaffney, P.E., Engineer Superintendent RE: Union Twp, Section 26 – Hoyle Property, with copies to James L. Miller, Manager – Isabella CRC, Woody Woodruff, Zoning-Union Twp– EXHIBIT 7

Dear Mr. Klein:

At the board meeting on March 10, 2006 the Board of County Road Commissioners approve the proposed site plan on the Hoyle Property. I do have the following conditions.

1. The entrance at the proposed signal shall be 3 lanes wide to head up the left turns.
2. The proposed shared drive will need to be built to the property line to allow joint access to the drive at the TS.
3. 10 ft of additional right of way along the frontage of Bluegrass Road.

If you have any questions please contact this office.

Sincerely,
Patrick J. Gaffney, P.E.
Engineer Superintendent

Cc: James L Miller, Manager-Isabella CRC; Woody Woodruff, Zoning-Union Twp

Attached Site Plan showing FUTURE APPROACH – 24’ min Must be const. to Prop. line C&G (curb & gutter). – EXHIBIT 8

12/20/2006 Planning Commission Meeting Minutes – EXHIBIT 9

2.) Access Management Plan Implementation in Zoning Ordinance
The Commission sent this item to Committee. The committee will be Fuller, Hauck, Schaeffer, Wilson and a member of the EDDA. The first meeting will be January 9, 2007 at 7:00 p.m.

05/16/2007 Charter Township of Union Board of Trustees Work Session – EXHIBIT 10

BUSINESS

1.) Access Management
Wilson moved Darin supported to hire a consultant to assist in writing a zoning amendment for access management. Ayes: all. Motion carried.

Fall 2007

The service road was completed by New Grass.

12/14/2007 Charter Township of Union Memo to Planning Commission Re: 12/19/07 Items from Woody Woodruff, Township Planner – EXHIBIT 11

2. Preliminary Tentative Plat Review for Tallgrass Commons Site Condo. I have talked to the engineer about the layout and access. Lots 11-13 and 17-20 are areas of concern. The service drive ROW must be 40’. Our subdivision ord requires lots to take access of the subdivision road, not the major thoroughfare. The road commission had issued a letter (I don’t have it yet) that allows a cut for 17 and 18 to share and one for 19 & 20 to share. We also only allow a driveway to service 2 lots. If unit 13 comes off Sweeny, than 11 & 12 will share a driveway. The engineer will provide corrected copies at the meeting. I believe our subdivision ordinance trumps the road commission’s approval of the 2 additional cuts on Bluegrass. I recommend the roadways to be redone to eliminate curb cuts on Bluegrass, this may necessitate the service drive to be a county road.

2/08/2008 Charter Township of Union Memo to Township Board Re: File #PPR 1330 (Preliminary Platt Review), Tallgrass Commons from Woody Woodruff, Township Planner – EXHIBIT 13

This project is located in Section 26. The parcel extends from Broomfield Rd to Bluegrass Rd. Our planning commission has approved the preliminary plan with minor changes. The service drive at the south end of the project is to extend to the property line for future connection, and 2 dries [sic]at the north end should be aligned to prevent left turn in and out conflicts. I have marked up the plan with

these revisions. When the developer returns for final approval, these changes are to be included.

-Woody

02/13/2008 Board of Trustees Meeting Minutes – EXHIBIT 12

6.) PPR 1330 – Tallgrass Commons – Preliminary Plat Review of Commercial Site Condo, 3/8 Mile West of Isabella Road between Broomfield and Bluegrass Roads. Part of the West ½ of the NW ¼ of Section 26

Alwood moved Henry supported to accept the Planning Commission's recommendation and approve PPR 1330 Tallgrass Commons – Preliminary Plat Review of commercial site condo 38/ mile west of Isabella Road between Broomfield and Bluegrass roads, part of the west ½ of the northwest ¼ of section 26 with changes requested by the Planning Commission. Ayes: all. Motion carried.

2/15/2008 Charter Township of Union Memo to Planning Commission Re: 2/20/08 Meeting Notes from Woody Woodruff, Township Planner – EXHIBIT 14

- Tall Grass Commons Final Review. They have included changes from our last meeting, the extension of the Southerly service drive to the property line, and alignment of 2 drives at the Northerly end. I suggest a recommendation to the board to accept the final plat.

02/20/2008 Charter Township of Union Planning Commission Regular Meeting – EXHIBIT 15

NEW BUSINESS

1.) FPR 1330 – Tallgrass Commons. Final Plat Review of Commercial Site Condo, Part of the West ½ of the NW ¼ Section 26

Wilson moved Darin supported to excuse LaBelle due to conflict of interest. Ayes: all.

Motion carried.

Woodruff presented the final plat review to the Commission.

Wilson moved Darin supported to recommend approval of FPR 1330 – Tallgrass Commons, Final Plat Review of Commercial Site Condo, Part of the West ½ of the NW ¼ Section 26 to the Board of Trustees. Ayes: all. Motion carried.

11/06/2009 Charter Township of Union Memo from Woody Woodruff to Board of Trustees re: 11/11/09 meeting zoning items – EXHIBIT 16

FPR 1330 Tallgrass Commons – The project has been completed with the installation of roads and utilities. A check with the road commission indicates there are no outstanding issues, the road has been accepted and the 2 year maintenance bond has been posted. The sewers have been videoed with a sewer-cam and the as-builts have been submitted. The conditions of the planning commission's review for the final Platt have been incorporated into the plan. Those conditions were to

extend the service drive at the southerly end to the east property line to accommodate interconnection for future development. Service drives at the northern portion were to be aligned. And lastly, that shares entrances on Bluegrass road be aligned to existing curb openings across bluegrass in front of Minards. The Platt has been registered with the Isabella County Registrar of deeds and conforms to the recommended plan. This ensures that what is filed agrees with what was approved. Included in the packet are the approvals from the PC with conditions, and the registered copy that shows the corrections.

08/16/2016 Email from Tim Coscarelly to Peter Re: Union Commons II cross parking access – EXHIBIT 17

More detail

09/21/2006 Email from Jay Barnes to Brad Hansen Subject: Re: Union Commons II cross parking access

Ok.
We will work with you any way we can.
Talk to you soon.
JB

09/20/2006 Email from Brad Hansen to Jay Barnes Subject: RE: Union Commons II cross parking access

Jay,
North side of Bluegrass, whether your cross access drive from your strip center heads east and will connect with our access point. We are doing our engineering, going out for bids on our road and service drives. We want to make sure we are positioning our connection point correctly. Thanks, Brad

09/21/2006 Email from Jay Barnes to Brad Hansen

Brad
Which site are you referring to? North side of bluegrass?
Jay

09/21/2006 Email from Brad Hansen to Woody Woodruff; cc: Pat Gaffney, Jay Barnes

Woody,
Maybe they could stake it so as we are finishing our engineering we can make sure we are tying in to the correct point? Thanks, Brad.

09/21/2006 Email from Woody Woodruff to Brad Hansen: cc: Pat Gaffney, Jay Barnes

Dear Brad,

I visited the site this week and spoke to Chad, the project manager from Pumford (General Contractors for the development). He indicated that the easterly portion of the mall would not be commenced this fall. I made him aware of the cross access, as it was not shown on his construction plans.

When that portion of the project is constructed, the cross access will be required to be installed to the property line.

William "Woody" Woodruff

8/16/2016 Peter J. Gallinat's comments on the Site & Horizontal Plan – EXHIBIT 18

08/30/2016 Charter Township of Union Planning Commission Special Meeting – EXHIBIT 19

SPR2016-12: Union Shoppes

Location: 4445 E. Bluegrass Rd.

Recusal – McGuirk and Fuller removed themselves from participation in the decision so as to avoid a conflict of interest.

The applicant, Andy Wenzel with Union Shoppes requested to table site plan review due lack of quorum after recusal. **Zerbe** moved **Strachan** supported to approve the applicant, Andy Wenzel's request and table SPR 2016-12: Union Shoppes until the September 20, 2016) Planning Commission meeting. Vote: ayes: 4 nays: 0. Motion carried.

09/20/2016 SPR 2016-12: Union Shoppes approved by the Planning Commission without conditions imposed by the ICRC on 03/22/2006.

PROCEDURAL BACKGROUND

On August 24, 2016, Plaza Corp filed an application for site plan review of SPR 2016-12: Union Shoppes, proposing a third building of 10,000 square foot to be occupied by a jewelry store and two other tenants. The site plan is attached as ***Exhibit A***, and is an amendment to the original site plan filed with the Planner on November 1, 2005 (***Exhibit 3***), and approved by the Planning Commission on November 16, 2005. MP Note, LLC purchased the property and the two existing buildings by Warranty Deed, recorded on July 20, 2010 for less than \$1.00. The deed is attached as ***Exhibit B***. The site plan review by the Planning Commission on the amended site plan was scheduled for a special meeting on August 30, 2016. There was not a quorum and the review was tabled until the next regular meeting of the Planning Commission held on September 20, 2016.

The Packets assembled by the Planner for the August 30, 2016 special meeting and distributed to the Commissioners did not contain (1) the minutes of the Planning Commission approving the original site plan SPR 1149 – Bluegrass Investment on November 16, 2005,

“Contingent on approval by the Isabella County Road Commission (Exhibit 5), or (2) the letter from the Isabella County Road Commission (ICRC) dated March 22, 2006, approving the original site plan with the following requirements (Exhibit 7):

- “1. The entrance at the proposed signal shall be 3 lanes wide to head up the left turns.
2. The proposed shared drive will need to be built to the property line to allow joint access to the drive at the TS.
3. 10 ft of additional right of way along the frontage of Bluegrass Road.”

and (3) the Packets did not include the original approved site plan marked up by Patrick Gaffney with conditions and, attached as Exhibit 8. A review of the packet to the Commissioners for the September 20, 2016 meeting does reveal Exhibit 5, Exhibit 7 and Exhibit 8 were included. The board received them from the Planner by email on Friday, September 16, 2016.

See attached Exhibit C, which is a thread of emails between Timothy Coscarelly and the Planner dated August 24, 2016 and August 25, 2016.

ARGUMENT AND LAW

The original site plan, SPR 1149: Bluegrass Investments, LLC, was approved on November 16, 2005, contingent on approval of the ICRC (Exhibit 5). The site plan was denied by the ICRC on December 16, 2005 (Exhibit 6). The plan was conditionally approved by the ICRC on March 22, 2006 (Exhibit 7). The conditions were:

- “1. The entrance at the proposed signal shall be 3 lanes wide to head up the left turns.
2. The proposed shared drive will need to be built to the property line to allow joint access to the drive at the TS.
3. 10 ft of additional right of way along the frontage of Bluegrass Road.”

These conditions were consistent with the standards and objectives stated in the Access Management Plan dated June 6, 2006, which can be accessed online at the Charter Township of Union website, as well as the goals and objectives of the Master Plan. Construction of two buildings and the site were developed according to the approved plan.

Conditions to Site Plan Approval:

A Site plan approval can be granted subject to conditions. MCL 125.3501(4) specifically references conditional approval of a site plan:

- (4) A decision rejecting, approving, or conditionally approving a site plan shall be based upon requirements and standards contained in the zoning ordinance, other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances, and state and federal statutes.

Amendments to Approved Site Plan:

In Peter Gaffney's Recommendation to the Commission (Schedule II), contains the following misinformation:

This site plan is also no longer enforceable as the applicant has proposed a new site plan that differs from the 2005 site plan. I was able to find no documentation showing that the owners of Union Shoppes would be required to connect to the service road that would service parcels to the east of Union Shoppes. (Emphasis added). The Twp does have an access management plan that relates to Mission rd. and Pickard rd. but does not relate to Bluegrass rd. This document is available on the township website
<http://www.uniontownshipmi.com/Portals/0/Documents/Departments/Planning/access%20management.pdf>

On Schedule II, under objective of the board, he asks only, "Does the plan conform to our zoning ordinance?" Section 23B-5 highway business districts. The Planner, disregarding the requirements of MCL 125.3501(2) of the Michigan Zoning Enabling Act, which provides:

(2) If a zoning ordinance requires site plan approval, the site plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance is agreed to by the landowner and the body or official that initially approved the site plan. [*Formerly MCL 125.286e(5)*].

Once a site plan is approved, it becomes part of the record of approval and subsequent actions relating to the activity authorized must be consistent with the approved site plan.

In *Woodcliff on the Lake Condominium Association v Charter Township of West Bloomfield*, attached as Exhibit E, the Court states:

We disagree. The mandate in MCL 125.286e(5)¹ clearly relates to the approval of new site plans, not the amendment of approved site plans after the developer has finished construction. For post-construction changes, MCL 125.286e(3)² more specifically applies, so it is the correct statement of the law. *Gebhardt v O'Rourke*, 444 Mich 535, 542-543; 510 NW2d 900 (1994).

The facts are:

1. The original site plan was conditionally approved in 2005 and required the conditions imposed by the ICRC to provide a cross access between the parcels leading to the traffic signal on Bluegrass. (Exhibits 5 and 7).

¹ Now MCL 125.3501(2).

² Now MCL 125.3501(2).

2. Construction of two buildings were completed under the original approved plan. (Schedule II).

3. The original Developer, Bluegrass Investor Group, LLC, Jay Barnes, did not contest the condition imposed in the approved plan and agreed to cooperate with New Grass, L.L.C. concerning the location of the cross access. (Exhibit 17).

4. New Grass, L.L.C., in order to obtain Planning Commission approval of its Tallgrass Commons condominiums project, designed and constructed the project and Sweeney Street and the access road, as required by the Planning Commission. (Exhibits 11, 13, 14 and 16).

5. The access road is consistent with the goals and objectives set forth in the Township's Master Plan , as well as the general goals and objectives stated throughout the June 2006 Access Management Plan.

6. MP Note, LLC, the applicant in the new site plan, knew or should have known, by observation and due diligence, before it acquired the property, the property was encumbered by the conditions in the original site plan that cross access be provided to New Grass, L.L.C. to enable the flow of traffic to the traffic signal.

7. That the Planner, in the Memo provided to the Commissioners ,omitted material facts and misinformed the Commission as to the law, causing the Commissioners to believe they had no choice but to approve Site Plan SPR 2016-12: Union Shoppes without the conditions.

CONCLUSION

Based upon the law, the facts and the reliance by New Grass, L.L.C. that the approved original site plan conditions would be required for cross access from its condominium project and because of the lack of information, misinformation and erroneous conclusions of law provided by Planner caused the Planning commission to approve of the site plan. Standards 12.4 A-D of Union Township Ordinance were not satisfied and to allow construction to proceed under the plan approved on September 20, 2016 will constitute a nuisance per se in violation of 7.45 of the Ordinance and MCL 125.3407 and causes substantial harm.

Therefore, consistent with the authority of MCL 125.3501, New Grass, L.L.C. requests the Zoning Board of Appeals determine no site plan be approved without the condition required by the ICRC and the plan approved on September 20, 2016 be terminated or modified so that the condition and subsequent actions are consistent with the original site plan and conditions imposed by the ICRC.

Respectfully,

New Grass, L.L.C.

By:



William M. McClintic, Attorney for New Grass,
L.L.C.

McClintic & McClintic, P.C.
1234 E. Broomfield Street, Suite 4
Mt. Pleasant, MI 48858
(989) 772-4206

**ISABELLA COUNTY CONDOMINIUM
SUBDIVISION PLAN NO. 54**

EXHIBIT 'B' TO THE MASTER DEED

**TALLGRASS COMMONS SITE CONDOMINIUMS
UNION TOWNSHIP, ISABELLA COUNTY, MICHIGAN**

PLAN INDEX	
1.	COVER SHEET
2.	SURVEY PLAN
3.	SITE PLAN
4.	UTILITY / EASEMENT PLAN

LIBR 143960517

PART OF THE NORTHEAST 1/4 OF SECTION 26, T14N-R4W, UNION TOWNSHIP, ISABELLA COUNTY, MICHIGAN, BEING FURTHER DESCRIBED AS COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION; THENCE NORTH 89 DEGREES 43 MINUTES 43 SECONDS EAST, 208.76 FEET, ALONG THE NORTH SECTION LINE, TO THE POINT OF BEGINNING; THENCE CONTINUE, NORTH 89 DEGREES 43 MINUTES 43 SECONDS EAST, 637.05 FEET, ALONG SAID SECTION LINE; THENCE SOUTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, 290.40 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 43 SECONDS EAST, 150.00 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, 1723.79 FEET, ALONG THE EAST LINE OF THE WEST 1/2 OF THE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION; THENCE SOUTH 89 DEGREES 56 MINUTES 07 SECONDS EAST, 360.44 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 53 SECONDS WEST, 660.00 FEET, TO THE EAST - WEST 1/4 LINE; THENCE NORTH 89 DEGREES 56 MINUTES 07 SECONDS WEST, 1336.22 FEET, ALONG SAID 1/4 LINE, TO THE CENTER OF SECTION 26; THENCE NORTH 00 DEGREES 55 MINUTES 57 SECONDS WEST, 2459.82 FEET, ALONG THE NORTH - SOUTH 1/4 LINE; THENCE NORTH 89 DEGREES 43 MINUTES 43 SECONDS EAST, 208.76 FEET; THENCE NORTH 00 DEGREES 55 MINUTES 57 SECONDS WEST, 208.76 FEET, TO THE NORTH SECTION LINE AND THE POINT OF BEGINNING. CONTAINING 64.13 ACRES, MORE OR LESS.

[Signature]
 Brian D. Ferguson
 Licensed Professional Surveyor
 License No. 26454

REGISTER OF DEEDS
 CONDOMINIUM SUBDIVISION PLANS SHALL BE
 NUMBERED CONSECUTIVELY WHEN RECORDED BY THE
 REGISTER OF DEEDS AND SHALL BE DESIGNATED
 ISABELLA COUNTY CONDOMINIUM SUBDIVISION PLAN
 NUMBER 54

STATE OF MICHIGAN
 COUNTY OF ISABELLA
 I HEREBY CERTIFY that there are no tax liens or
 titles held by the state or individuals on the lands
 described in the within instrument, and that all
 taxes are paid as shown by the records of this
 office for five years.

[Signature: Steven W. Puckers]
 Treasurer of Isabella County



JOB NO. 080907

DEVELOPER
 NEW GRASS, LLC
 405 S MISSION STREET
 MOUNT PLEASANT, MI 48868
 989.772.2903

BARTOW & KING ENGINEERS
 304 W. WACKERLY ROAD, SUITE 600
 MIDLAND, MICHIGAN 48840
 PH-(888)-837-3280
 FAX (888)-837-3290

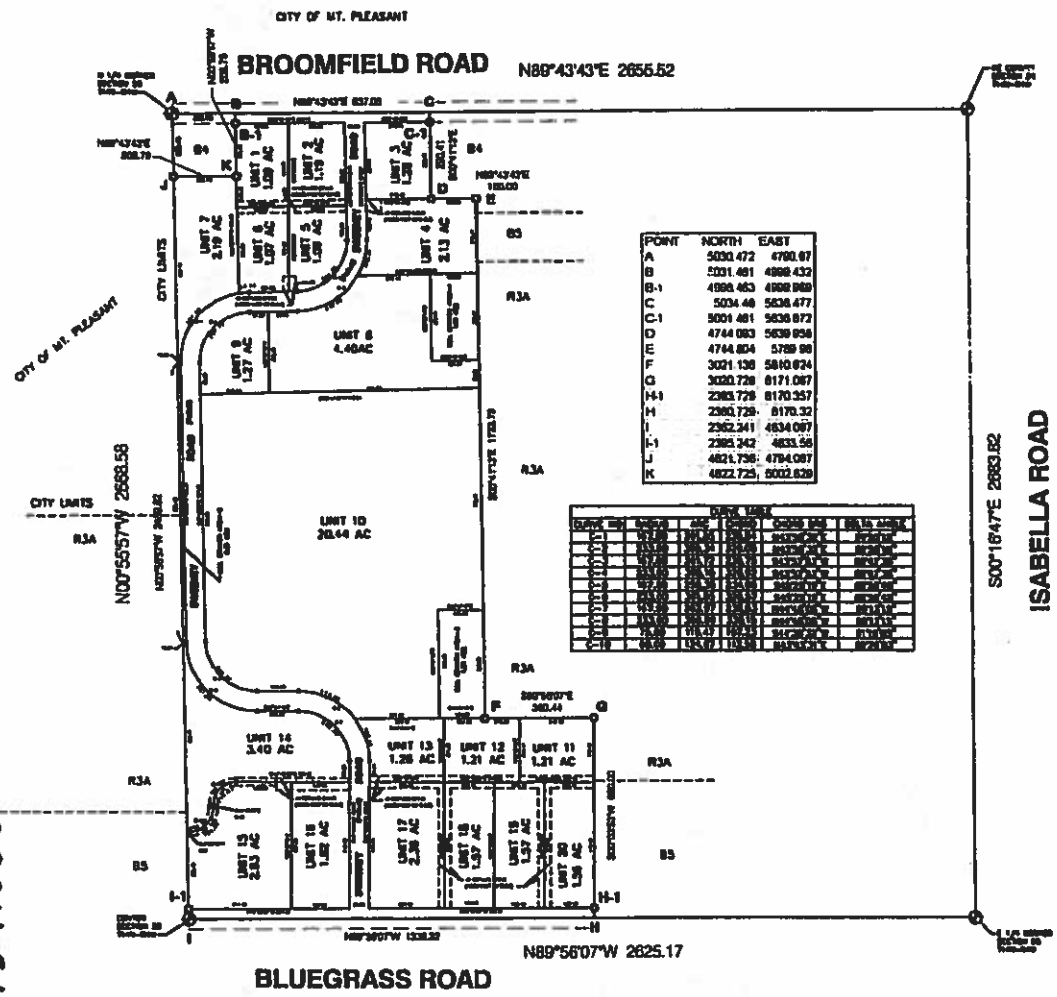
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0 100 200 400
SCALE: 1" = 200 FEET



VICINITY MAP
NO SCALE



POINT	NORTH	EAST
A	5030.472	4790.617
B	5031.461	4898.432
B-1	4988.463	4898.989
C	5034.46	5036.477
C-1	5001.461	5036.972
D	4744.083	5036.958
D-1	4744.804	5789.98
E	3021.136	5810.024
F	3020.728	6171.067
H	2363.728	6170.357
H-1	2363.728	6170.32
I	2362.241	4834.067
I-1	2362.242	4833.56
J	4821.736	4784.067
K	4822.725	5032.829

UNIT NO.	ACREAGE	OWNER	STATUS
1	2.19	...	...
2	1.19	...	...
3	1.19	...	...
4	2.13	...	...
5	1.19	...	...
6	4.40	...	...
7	1.27	...	...
8	263.44	...	...
9	1.27	...	...
10	263.44	...	...
11	1.21	...	...
12	1.21	...	...
13	1.26	...	...
14	2.40	...	...
15	2.33	...	...
16	1.88	...	...
17	2.26	...	...
18	1.57	...	...
19	1.57	...	...
20	1.57	...	...

Station	Angle	Distance	Bearing
1+00
1+01
1+02
1+03
1+04
1+05
1+06
1+07
1+08
1+09
1+10
1+11
1+12
1+13
1+14
1+15
1+16
1+17
1+18
1+19
1+20
1+21
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1+81
1+82
1+83
1+84
1+85
1+86
1+87
1+88
1+89
1+90
1+91
1+92
1+93
1+94
1+95
1+96
1+97
1+98
1+99
2+00

SURVEYOR'S CERTIFICATE

I, Brian D Ferguson, Licensed Professional Surveyor in the State of Michigan, hereby certify that the subdivision plan known as Tallgrass Commons Site Condominiums, Isabella County condominium subdivision plan no. _____, as shown on the accompanying drawings, represents a survey on the ground made under my direction, that there are no existing encroachments upon the lands and property herein described.

That the required monuments and iron markers will be located in the ground as required by rules promulgated under section 142 of Act No. 59 of the Public Acts of 1978.

That the accuracy of this survey is within the limits required by the rules promulgated under section 142 of Act No. 59 of the Public Acts of 1978.

That the bearings, as shown, are noted on the survey plan as required by the rules promulgated under section 142 of Act No. 59 of the Public Acts of 1978.

Brian D Ferguson
 Brian D Ferguson
 Licensed Professional Surveyor
 License No. 26454

2.12.08
Date



SURVEY PLAN

**TALLGRASS COMMONS
SITE CONDOMINIUMS**

**UNION TOWNSHIP
ISABELLA COUNTY, MICHIGAN**

Bartow & King Engineers
 304 E. Wackerly Road, Suite 600, Midland, MI 48840
 Tel. (989) 837-3288
 Fax. (989) 837-3700

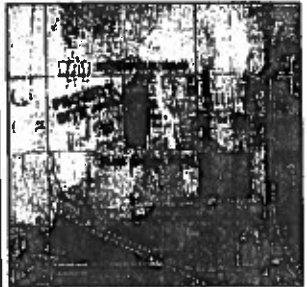
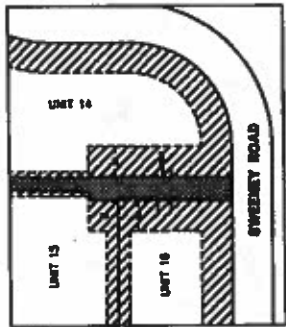
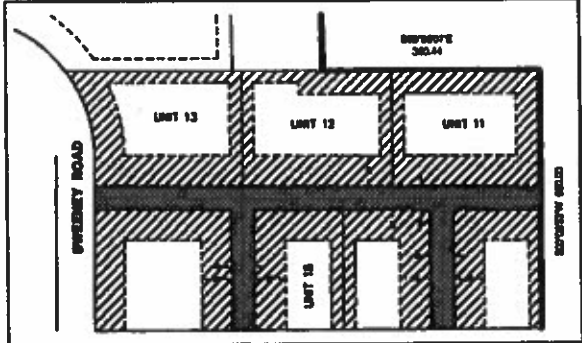
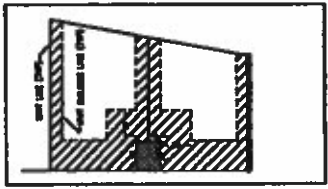
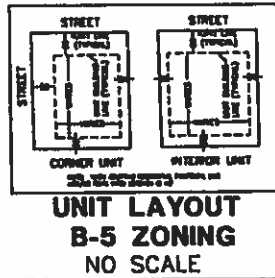
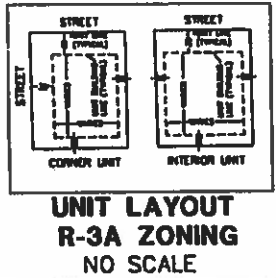
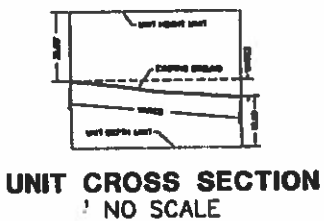
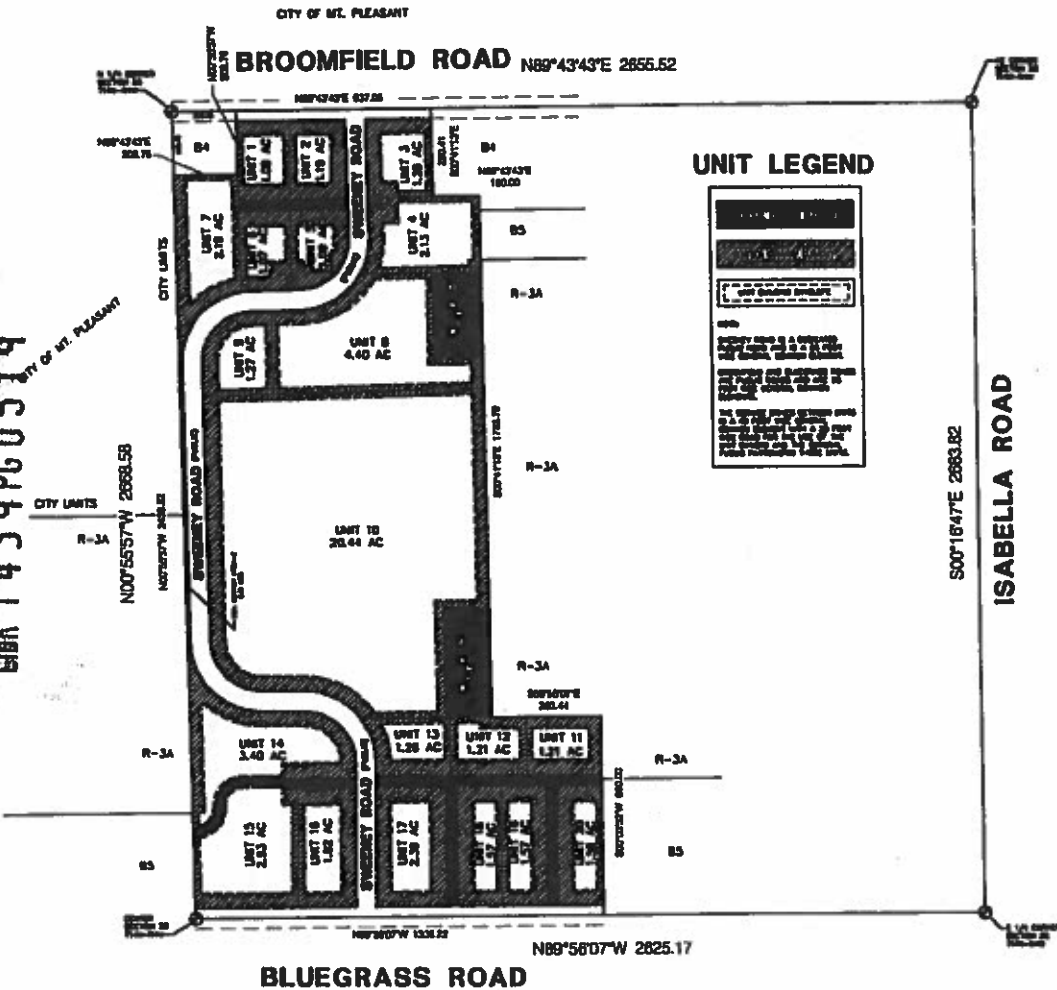
LEGEND

- CONCRETE MONUMENT
- PC / PT OF CURVE

FLOODPLAIN NOTE

PARCEL SHOWN HEREON LIES IN FLOOD ZONE "X", AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD AS DISCLOSED IN FEMA FLOOD INSURANCE RATE MAP PANEL NO. 26073C0325 C, EFFECTIVE DATE JANUARY 7, 1998

LIBR 143960519



Brian D. Ferguson
Brian D. Ferguson
Licensed Professional Surveyor
License No. 26454

SITE PLAN

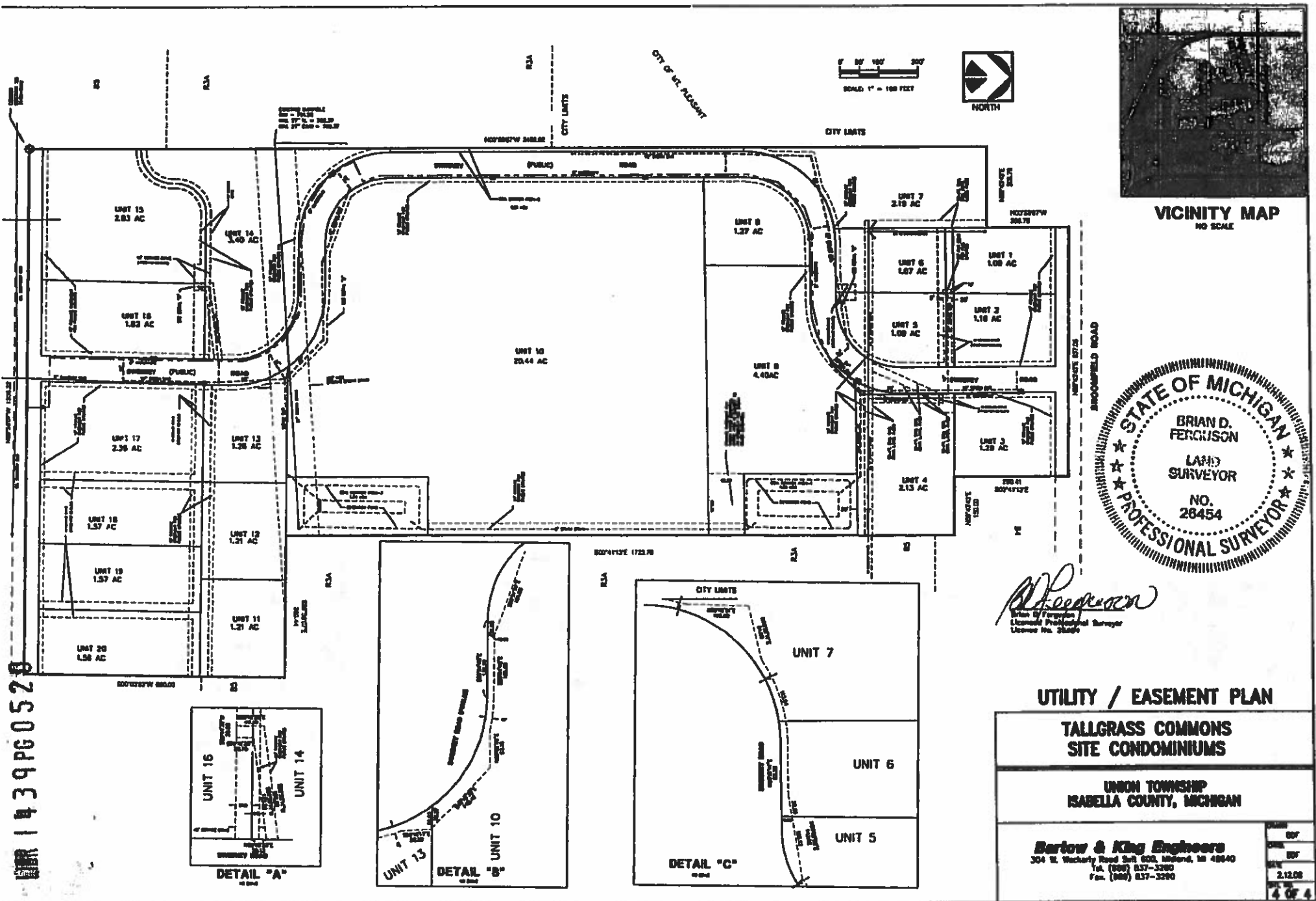
**TALLGRASS COMMONS
SITE CONDOMINIUMS**

UNION TOWNSHIP
ISABELLA COUNTY, MICHIGAN

Barlow & King Engineers
304 W. Wackerly Road, Suite 202, Midland, MI 48640
Tel. (989) 837-3200
Fax. (989) 837-3290

DATE: 2.12.08
SCALE: 3 OF 4

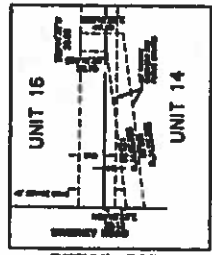
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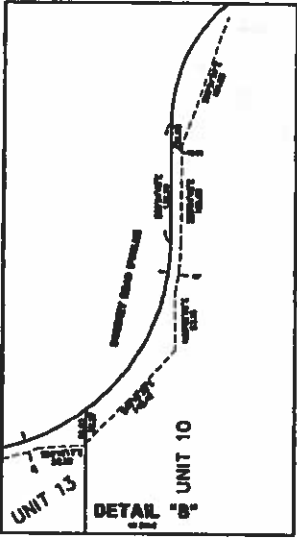
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NO SCALE



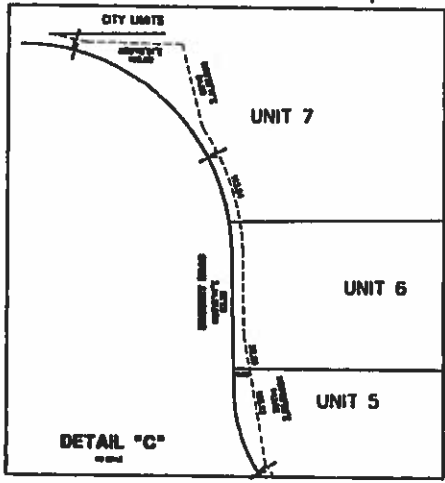
Brian D. Ferguson
 Brian D. Ferguson
 Licensed Professional Surveyor
 License No. 28454



DETAIL "A"



DETAIL "B"



DETAIL "C"

UTILITY / EASEMENT PLAN

TALLGRASS COMMONS
 SITE CONDOMINIUMS

UNION TOWNSHIP
 ISABELLA COUNTY, MICHIGAN

Barlow & King Engineers
 304 W. Wackerly Road, Suite 600, Midland, MI 48640
 Tel. (508) 637-3200
 Fax. (508) 637-3290

DATE: 07
 DRAWN BY: BDF
 SCALE: 2:12.00
 SHEET: 4 OF 4



Peter Gallinat, Township Planner
pgallinat@uniontownshipmi.com
2010 South Lincoln
Mt. Pleasant, MI 48858
Phone 989-772-4600 Ext. 241
Fax 989-773-1988

TO: Planning Commission
FROM: Township Planner
SUBJECT: SPR 2016-12 Union Shoppes

Location: 4445 S. E. Bluegrass Rd. Mt Pleasant, MI 48858

Current Zoning: B-5 Highway Business District

Adjacent Zoning: R-3A to the north, B-5 to the east, B-5 to the west, B-5 to the south across the road.

Future Land Use/Intent: Commercial-Shopping, office and professional services with mixed residential uses

Current Use: retail, restaurant, dental office.

Reason for Request: Review site plan for proposed 10,000sqft building with 3 proposed tenants. One tenant will be Kay jewelers and the other two unknown at this point. All 3 are proposed retail.

History: 11 years ago in November 2005 the Township Planning Commission conducted a Site Plan Review for the existing structures located at 4445 E. Bluegrass rd. There were 4 total structures on the plan with Retail A & B structures to be built and the other 2 as proposed future developments. Those two future developments were labeled as an out lot on the west and a bank on the east. There was also a proposed future approach on the east of the property.(More on that later) The retail structures A & B were later built. A new site plan was reviewed and approved back in May by our planning commission. This new plan differed from what was proposed back in 2005. The 4,250sqft bank with a drive thru was no longer planned to be built on the eastern portion of the property. In its place was a 12,000sqft retail building. This new plan also included a 5,000sqft addition to the existing building. This was known as phase 2 and was optional. If both phases were to be completed the entire structure would be 17,000sqft. Since that time the owner has decided to change that plan to just one single 10,000sqft building with no optional other phases.

Objective of board: Does the plan conform to our Zoning Ordinance? Section 23 B-5 highway business district: The proposed retail use is allowed per section 23.2.A which defaults to section 22.2A. The two existing access ways to Bluegrass rd conform to section 23.4.B. The site plan conforms to section 29 in regards to Minimum lot width, minimum lot area, , front, rear, and side yard setbacks. The maximum lot coverage is 30% in a B-5 zone. The proposed building when added with the existing structures will only cover 10.5% of the lot. Section 10: Size of parking spaces conforms to section 10.5. Parking totals conform to section 10.2.B.9. However a correction needs to be made regarding tenant c parking count. It should read 13 spaces not 8. This increases the total required to 225 not 220 but still meets the planned 229 parking spaces. Section 12: The plan contains a north arrow and correct scale, property lines and setbacks are shown. There is a proposed dumpster which will be on a concrete pad and screened conforming to 12.2.H.

The twp has received approvals from the County Drain office regarding Storm water Management, Isabella County Road Commission, Isabella County Transportation Commission, Township Utilities, and the Mt Pleasant Fire Department.

Items missing: 12.2.D Elevation of building front, side and back.

12.2.C Exterior lighting on buildings and parking lots.

12.2.P The location of all existing and proposed structures on and within one hundred feet of the subject property's boundary (if any)

12.2.N The location and detailed description of landscaping (if any)

12.2.K A locational sketch drawn to scale giving the section number and the nearest crossroads(not to scale and section number not shown).

Section 12.2 states that the planning commission may waive in whole or in part these requirements but I would recommend they be made on two final copies to be signed as the official site plans with one copy kept at the twp and the other returned to the applicant.

Recommendation: I would recommend approval of SPR 2016-12 with items missing added and the correction to the parking totals made.

I have added in the packet memos and minutes labeled A, B, and C. A references the site plan conducted back in 2005, B references the proposed Sweeny road constructed from Broomfield rd to Bluegrass rd. This also includes the proposed service roads. C references the rezoning of the old Hoyle properties that are now the location of Union Shoppes on Bluegrass road.

There has been much discussion in regards to Union Shoppes and the proposed service roads to the east. There was a proposed future approach on the east side of the 2005 site plan. However, this did not show a connection as the west side of the site plan did. This site plan is also no longer enforceable as the applicant has proposed a new site plan that differs from the 2005 site plan. I was able to find no documentation showing that the owners of Union Shoppes would be required to connect to the service road that would service parcels to the east of Union Shoppes. The Twp does have an access management plan that relates to Mission rd. and Pickard rd. but does not relate to Bluegrass rd. This document is available on the township website

<http://www.uniontownshipmi.com/Portals/0/Documents/Departments/Planning/access%20managment.pdf>

I have also included minutes from the planning commission referencing implementation of the plan however I cannot find where it got any further than deciding to hire a consultant to help with the implementation.

Attached in you will also find the correspondence from Tim Coscarelly. This includes a letter from the road commission a marked up page from the 2005 site plan and an email chain from 2006.

Master Plan Recommendation.

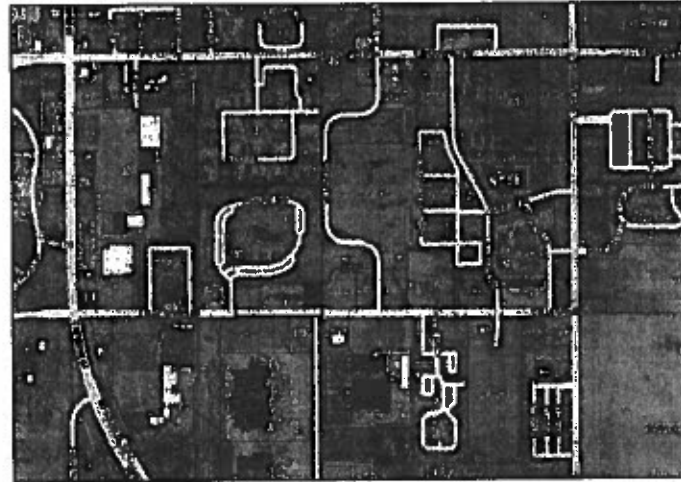
My recommendation to the board is to select LSL Planning for our 5 year review of the 2011 master plan. It is my feeling that LSL although a higher bid is a better fit for what could be a

more expansive review than what was originally thought when we went out for bids. At the time we went out for bids we knew that we wanted to update the future land use map but were unsure what else needed updating. We left the RFP open stating that "the board would be interested in other updates that the consultant felt appropriate" I think the Township will be satisfied with the master plan 5-year review that LSL is offering. I did receive positive comments from communities that have worked with both Spicer and Rowe. I have been unsuccessful in reaching out to the city of midland to get their take on working with LSL but I did have a positive talk on the phone with Steve Grimm the Supervisor of Cannon Township. I am at this time awaiting an email from him to follow up on what he said on the phone. I have attached the emails of comments from the other firms. In the email I simply would ask the person "Our Township received a bid from LSL Planning for our 5 year master plan review. They included (Insert Community) as a community they have worked with. What could you tell me from that experience? Was it a successful positive experience? Would you recommend using them?"

Peter Gallinat

Twp Planner

UNION SHOPPES - PROPOSED BUILDING SITE PLAN



LOCATION MAP
SCALE: NONE

ZONES B-6 HIGHWAY BUSINESS	
MINIMUM LOT AREA	10,000 SQ. FT.
MINIMUM LOT WIDTH	100 FT.
MINIMUM BUILDING HEIGHT	20 FT.
MINIMUM FRONT YARD SETBACK	50 FT. (MIN.)
MINIMUM SIDE YARD SETBACK	20 FT. (MIN.)
MINIMUM REAR YARD SETBACK	20 FT. (MIN.)
MINIMUM LOT COVERAGE	20% (BY ALL SIDES)

(A) Off-street parking shall be permitted to occupy a portion of the required front yard, provided that there shall be maintained a sidewalk unobstructed and landscaped setback of ten (10) feet between the nearest point of the off-street parking area, exclusive of access driveway and the nearest right-of-way line as indicated on the Major Thoroughfare Plan.

(B) A lot in the B-6 and B-6 District will provide a side and rear yard of at least forty (40) feet when abutting a residential District.

NOTES:
FOR PROTECTION OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CALL "MISS DIG" (1-800-887-7171) A MINIMUM OF 3 BUSINESS DAYS PRIOR TO ANY EXCAVATION. ALL "MISS DIG" PARTICIPATING COMPANIES WILL BE APPROPRIATELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF IDENTIFYING UTILITY LOCATIONS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.

UTILITY INFO:
THE UTILITY LOCATIONS AS HEREIN SHOWN ARE BASED ON FIELD OBSERVATIONS AND A CAREFUL REVIEW OF AIRBORNE AND UTILITY COMPANY RECORDS. HOWEVER, IT IS NOT POSSIBLE TO DETERMINE THE PRECISE LOCATION AND DEPTH OF UNDERGROUND UTILITIES WITHOUT EXCAVATION. THEREFORE, WE CANNOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SHOWN UTILITY INFORMATION HEREON SHOWN. THE CONTRACTOR SHALL CALL "MISS DIG" (1-800-887-7171) PRIOR TO ANY EXCAVATION. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THESE UTILITY LOCATIONS PRIOR TO ALL EXCAVATION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER/SURVEYOR AS SOON AS POSSIBLE IN THE EVENT A DISCREPANCY IS FOUND. UNDERGROUND SERVICE LEADS FOR GAS, ELECTRIC, TELEPHONE AND CABLE MAY BE LOCATED PROXIMATE, SO INFORMATION AVAILABLE PLEASE CALL MISS DIG.

LEGEND		
SYMBOLS		
<ul style="list-style-type: none"> ○ BOLLARD □ CATCH BASIN (CURED GULF) □ CATCH BASIN (POLYMER) □ CATCH BASIN (SQUARE) ○ CLEAN OUT ▭ DRAINAGE FLOW □ ELECTRICAL BOX □ POLYMER CONCRETE MONUMENT □ POLYMER WALK □ GAS METER VALVE 	<ul style="list-style-type: none"> ○ GAS METER ○ DIRT ANCHOR ▭ HYDRANT - EXISTING ▭ HYDRANT - PROPOSED ○ LIGHT POLE ○ MANHOLE ○ MONITORING WELL ○ SANITARY SEWER MANHOLE ○ SEW MANHOLE ○ SIGN 	<ul style="list-style-type: none"> ○ SIGN BOARD ○ SIGN SEWER MANHOLE ○ TELEPHONE BOX ○ TREE - CONIFEROUS ○ TREE - DECIDUOUS ○ UTILITY POLE ○ WATER MAIN VALVE ○ WATER SHUT-OFF ○ FLOOD LIGHT ○ GAS METER
LINE TYPES		
<ul style="list-style-type: none"> — BURIED ELECTRICAL CABLE — BURIED TELEPHONE CABLE — CENTERLINE OF DRIVE — FORCE MAIN — GAS MAIN — ROAD CENTERLINE — SANITARY SEWER — STORM SEWER — TOP OF BANK — TOP OF SLOPE — UTILITIES DESIGNATED — UTILITIES - UNDERGROUND — WATER MAIN 	<ul style="list-style-type: none"> — ASPHALT - EXISTING — ASPHALT - PROPOSED — CONCRETE — GRAVEL — LANDSCAPING — RUP-RAP — EXISTING BUILDING 	

DESCRIPTION PROPOSED (OVER 1800, PARCELS 70-72):

A PARCEL LOCATED IN SECTION 28, TOWN 14 NORTH, RANGE 4 WEST, UNION TOWNSHIP, MARSHALL COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE WESTERN 1/4 CORNER OF SECTION 28, THENCE WEST 637 FEET, THENCE NORTH 100 FEET, THENCE EAST 187 FEET, THENCE SOUTH 200 FEET TO THE POINT OF BEGINNING.

AND

A PARCEL OF LAND COMMENCING 637 FEET WEST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 28, TOWN 14 NORTH, RANGE 4 WEST, UNION TOWNSHIP, MARSHALL COUNTY, INDIANA, THENCE NORTH 200 FEET, THENCE WEST 110 FEET, THENCE SOUTH 204 FEET, THENCE EAST 110 FEET TO THE POINT OF BEGINNING.

AND

A PARCEL OF LAND COMMENCING 720 FEET WEST OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWN 14 NORTH, RANGE 4 WEST, UNION TOWNSHIP, MARSHALL COUNTY, INDIANA, THENCE NORTH 210 FEET, THENCE WEST 180 FEET, THENCE SOUTH 210 FEET, THENCE EAST 180 FEET TO THE POINT OF BEGINNING.

SHEET INDEX	
1	COVER SHEET
2	TOPOGRAPHIC SURVEY
3	SITE & HORIZONTAL PLAN
4	SOIL CROSS SECTION
5	GRADING & EROSION MANAGEMENT PLAN
6	CONSTRUCTION DETAILS

BOUNDARIES: BOUNDARY SPINE ON UTILITY POLE ON NORTH SIDE OF BLUEGRASS ROAD ON MEADOWS ROAD PROPERTY TO THE EAST (PARCEL NO. 14-183-00-012-06, DODDALL), ELEVATION 894.80

BOUNDARIES: THE NORTH AND SOUTH 1/4 LINE BETWEEN THE WESTERN 1/4 CORNER AND THE NORTH 1/4 CORNER HAS TAKEN OR MAY TAKE FROM A PREVIOUS CENTRAL INDIANA SURVEYING AND DEVELOPMENT PROJECT.

BY: JERRY BRUCE SHINE
SITE ENGINEER, PE 0000

OWNER: PLAZA CORP.
211 E. WALKER STREET, SUITE 301
BIRMINGHAM, AL 35203
CONTACT: GARY BARNER
PHONE: (205) 382-3000
EMAIL: gbarner@plazacorp.com

CONSULTANT: CENTRAL INDIANA SURVEYING & DEVELOPMENT CO., INC.
240 W. PULASKI STREET - SUITE C
MT. PLEASANT, IN 46066
CONTACT PERSON: RUDOLPH E. HENKE
PHONE: (309) 778-0204
FAX: (309) 778-0212
EMAIL: rhenke@cisdevelopment.com

CHARTER COMMUNICIPAL:
510 S. WOODFIELD ROAD
MT. PLEASANT, IN 46066
(309) 821-4822
JAMES R. HAYWARD
jhayward@mtpleasant.com

ENGINEERING DIVISION:
1320 WINDY AVENUE
ALMA, IN 46001
(309) 496-4382
JIM BRADY
jbrady@mtpleasant.com

CHARTER TOWNSHIP OF UNION:
PUBLIC WORKS/PUBLIC WORKER
200 S. LINCOLN ROAD
MT. PLEASANT, IN 46066
(309) 772-4000 EXT. 24
JIM BRADY
jbrady@mtpleasant.com

CHARTER TOWNSHIP OF UNION:
PLANNING & ZONING
2100 NORTH LINCOLN ROAD
MT. PLEASANT, IN 46066
(309) 772-4001
PETER DELANEY
pdelaney@mtpleasant.com

PLANNING:
240 PINE STREET
ALMA, IN 46001
(309) 463-4382
MARK A. HAYWARD
mark.hayward@mtpleasant.com

ENGINEER:
6420 64TH ST., S.E., SUITE D
NORTHWEST, IN 46012
(317) 984-8823
GARY D. HOFFER
gahoffer@mtpleasant.com

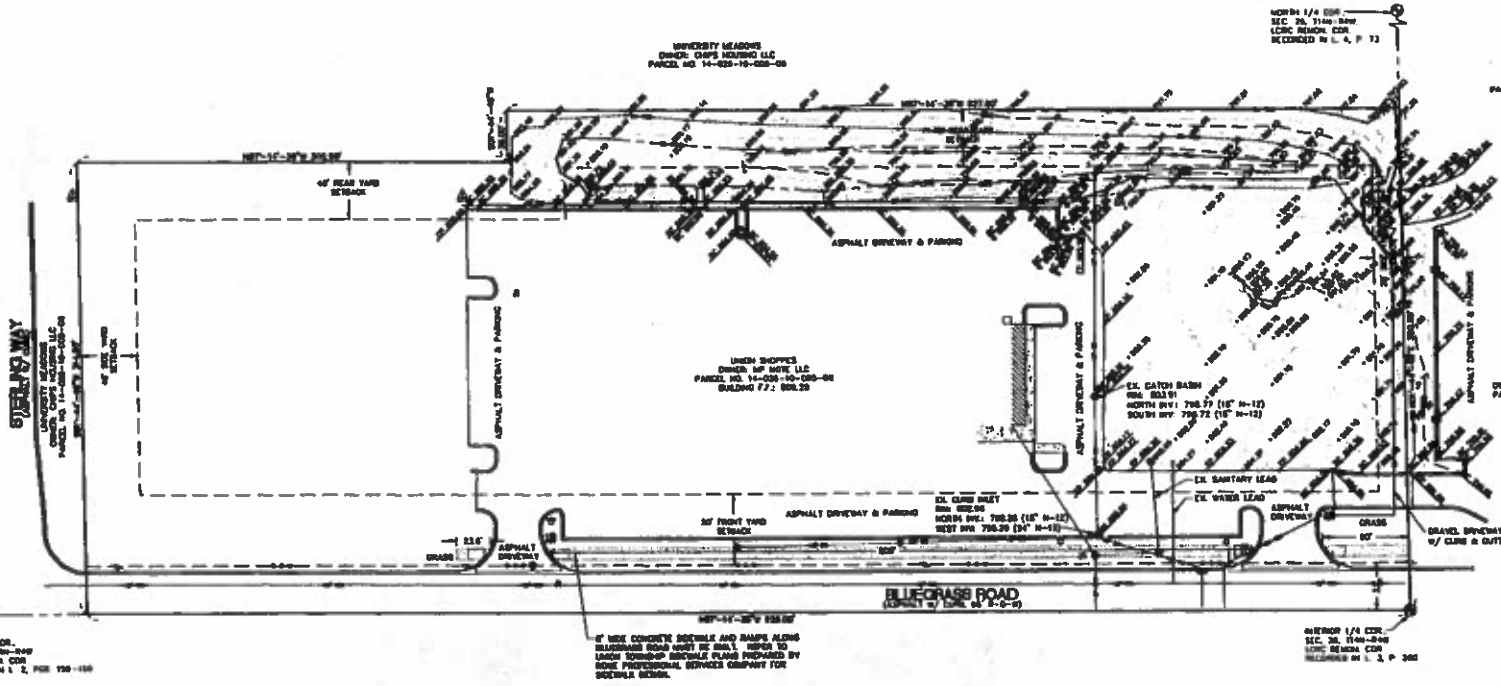
MT. PLEASANT FIRE DEPARTMENT:
301 EAST HIGH STREET
MT. PLEASANT, IN 46066
(309) 778-6100 EXT. 9123
BOB HANCOCK
hancock@mtpleasant.com

MARSHALL COUNTY BOARD OF HEALTH:
2201 EAST PEARSON ROAD
MT. PLEASANT, IN 46066
(309) 772-7121 EXT. 113
PATRICK GRIFFITH
pgri@mtpleasant.com

CMS & D
SURVEYING/ENGINEERING
1115 ALABAMA, MARSHALL COUNTY, INDIANA
ALMA, IN 46001
TEL: (309) 772-7123
FAX: (309) 772-7122
EMAIL: info@cmsandd.com

COVER SHEET
PLAZA CORP.
PART OF THE NORTHWEST 1/4 OF SECTION 28, TOWN 14 NORTH, RANGE 4 WEST, UNION TOWNSHIP, MARSHALL COUNTY, INDIANA

DATE PLOTTED: 10/24/2012	SCALE: 1" = 40'	SHEET NUMBER: 1 OF 6	TILE NUMBER: 1 OF 6	JOB NUMBER: 11-11-11
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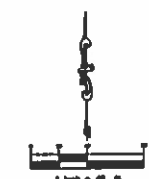
CMS & D
 SURVEYING / ENGINEERING
 100 W. PROGRESS STREET - SUITE 1
 PRINCETON, INDIANA 47374
 PHONE: (317) 778-8774
 FAX: (317) 778-8772
 EMAIL: cms@cmsandd.com

TOPOGRAPHIC SURVEY
 PLAZA CORP
 PART OF THE NORTHWEST 1/4 OF
 SECTION 2E, T14N-R14E, UNION TOWNSHIP,
 SABELLA COUNTY, INDIANA

REVISION	
NO. 1	DATE

SEE PARKING REQUIREMENT TABLE:

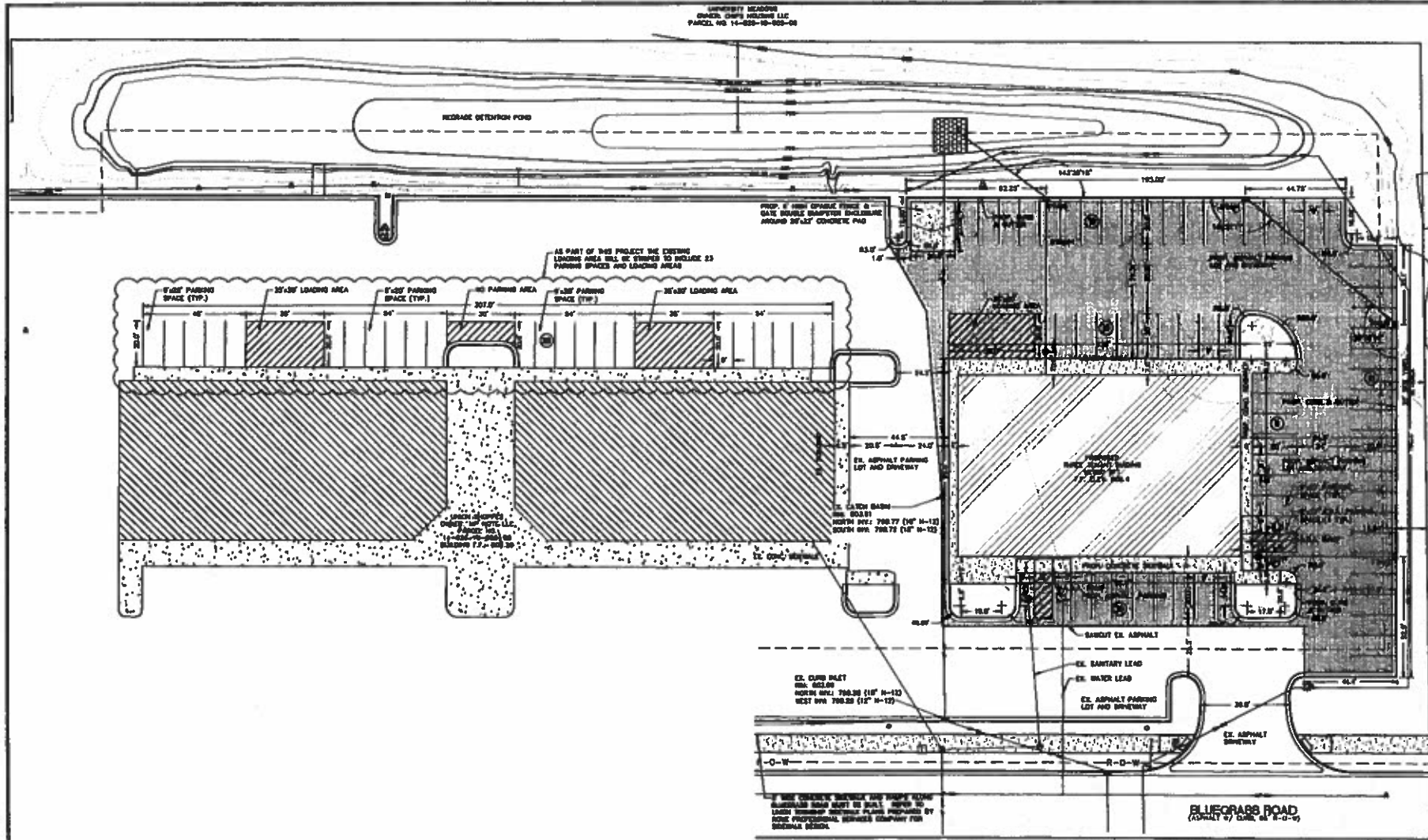
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VACANT UNIT (OWNER TOBART NEW) (EXISTING) FLOOR SPACE: 1346 SF FORMULA: 1 SPACE FOR EVERY 150 SF OF GROSS FLOOR SPACE (ORD. 16.2.8.6 USE) 1346/150= 8.97= 9 SPACES	UNION SHOPPES (EXISTING) FLOOR SPACE: 1750 SF FORMULA: 1 SPACE FOR EVERY 150 SF OF GROSS FLOOR SPACE (ORD. 16.2.8.3 USE) 1750/150= 11.67= 11 SPACES	PROPOSED BLDG. TENANT B (PROP. RAY JENKINS) FLOOR SPACE: 2000 SF FORMULA: 1 SPACE FOR EVERY 150 SF OF GROSS FLOOR SPACE (ORD. 16.2.8.3 USE) 2000/150= 13.33= 13 SPACES	EXISTING SPACES PROVIDED: 137 SPACES PROPOSED PARKING: 77 SPACES TOTAL PROVIDED: 214 SPACES	NOTE: EXISTING PARKING SPACE COUNT WAS PROVIDED BY CLIENT
ONE MAIN FINANCIAL (EXISTING) FLOOR SPACE: 1319 SF FORMULA: 1 SPACE FOR EVERY 150 SF OF USABLE FLOOR SPACE (ORD. 16.2.2.3 USE) 1319/150= 8.79= 8 SPACES	LOW ALTRIA (EXISTING) FLOOR SPACE: 2413 SF OCCUPANCY: 180 FORMULA: 1 SPACE FOR EVERY 3 SEATS (ORD. 16.2.8.6 USE) 106.75/ 60= 60 SPACES	REQUIRE FOR OFFICE: 156 SPACES REQUIRE FOR PROPOSED: 46 SPACES TOTAL REQUIRE: 202 SPACES	EXISTING SPACES PROVIDED: 137 SPACES PROPOSED PARKING: 77 SPACES TOTAL PROVIDED: 214 SPACES	
VACANT UNIT (OWNER TOBART NEW) (EXISTING) FLOOR SPACE: 1346 SF FORMULA: 1 SPACE FOR EVERY 150 SF OF GROSS FLOOR SPACE (ORD. 16.2.8.6 USE) 1346/150= 8.97= 9 SPACES	SPORT CLIPS (EXISTING) FLOOR SPACE: 1211 SF 8 STAIRS CHAIRS FORMULA: 2 SPACES PER CHAIR (ORD. 16.2.8.10 USE) 242= 12= 12 SPACES	REQUIRE FOR OFFICE: 156 SPACES REQUIRE FOR PROPOSED: 46 SPACES TOTAL REQUIRE: 202 SPACES	EXISTING SPACES PROVIDED: 137 SPACES PROPOSED PARKING: 77 SPACES TOTAL PROVIDED: 214 SPACES	
WEST 1/4 COR. SEC. 26, T14N-R14E LONG BEACH CO. RECORDED IN L. 2, P. 250-158	WEST 1/4 COR. SEC. 26, T14N-R14E LONG BEACH CO. RECORDED IN L. 2, P. 250-158	WEST 1/4 COR. SEC. 26, T14N-R14E LONG BEACH CO. RECORDED IN L. 2, P. 250-158	WEST 1/4 COR. SEC. 26, T14N-R14E LONG BEACH CO. RECORDED IN L. 2, P. 250-158	



NO. 1	DATE

NO. 1	DATE

NO. 1	DATE



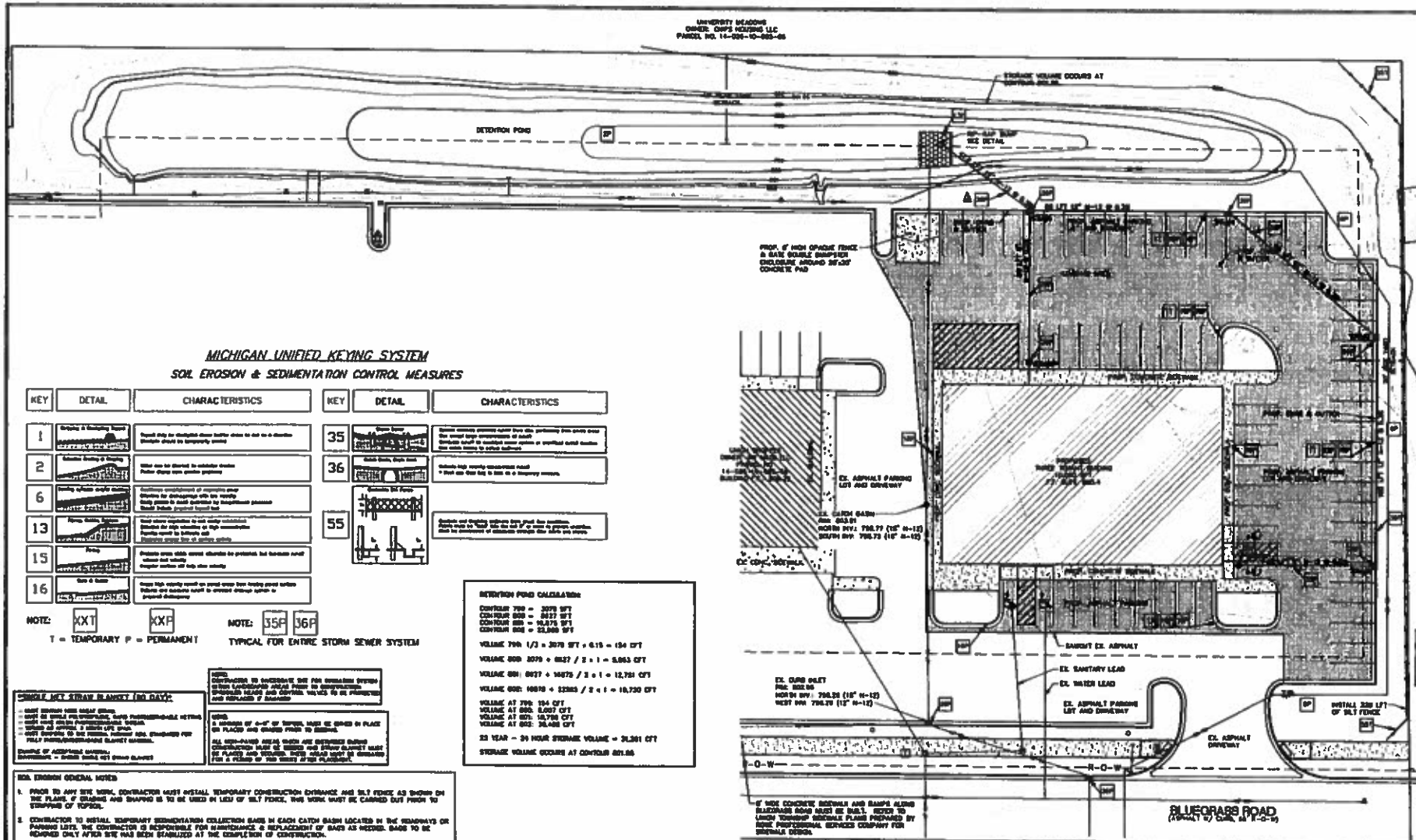
CMS & D
 SURVEYING/ENGINEERING
 605 W. FORDS ROAD - SUITE C
 FARMINGTON, INDIANA 46161
 PHONE: (317) 776-0274
 FAX: (317) 776-0275
 WWW: CMSANDD.COM

SITE & HORIZONTAL PLAN
 PLAZA CORP
 PART OF THE NORTHWEST 1/4 OF
 SECTION 28, T14-N-R4E, UNION TOWNSHIP,
 CLABELLA COUNTY, INDIANA

REVISION	
DATE	
BY	
CHKD BY	
APP'D BY	
DATE	

DATE	3-11-15
BY	...
CHKD BY	...
APP'D BY	...
DATE	3-11-15

DATE	3-11-15
BY	...
CHKD BY	...
APP'D BY	...
DATE	3-11-15



MICHIGAN UNIFIED KEYING SYSTEM
SOIL EROSION & SEDIMENTATION CONTROL MEASURES

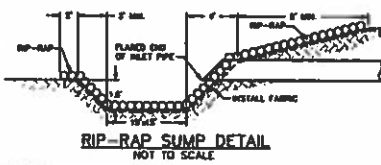
KEY	DETAIL	CHARACTERISTICS	KEY	DETAIL	CHARACTERISTICS
1	Excavate & Compacting Sand	Spread sand on excavated areas before concrete to act as a moisture barrier (check for temporary sand)	35	Storm Water	Storm water control system from site, primarily from storm water from roof, to be installed in accordance with applicable codes and standards. Storm water shall be collected and conveyed to a suitable outlet and shall not be discharged to any water body.
2	Weather Stripping & Sealing	Water stop to be installed in exterior walls. Other doors open weather stripping.	36	Storm Water	Storm water control system from site, primarily from storm water from roof, to be installed in accordance with applicable codes and standards. Storm water shall be collected and conveyed to a suitable outlet and shall not be discharged to any water body.
6	Sealing of Joints	Sealing of joints of concrete slab. Sealing of joints of concrete slab. Sealing of joints of concrete slab.	55	Storm Water	Storm water control system from site, primarily from storm water from roof, to be installed in accordance with applicable codes and standards. Storm water shall be collected and conveyed to a suitable outlet and shall not be discharged to any water body.
13	Storm Water	Storm water control system from site, primarily from storm water from roof, to be installed in accordance with applicable codes and standards. Storm water shall be collected and conveyed to a suitable outlet and shall not be discharged to any water body.			
15	Storm Water	Storm water control system from site, primarily from storm water from roof, to be installed in accordance with applicable codes and standards. Storm water shall be collected and conveyed to a suitable outlet and shall not be discharged to any water body.			
16	Storm Water	Storm water control system from site, primarily from storm water from roof, to be installed in accordance with applicable codes and standards. Storm water shall be collected and conveyed to a suitable outlet and shall not be discharged to any water body.			

NOTE: **XXI** **XXP** **35F** **36F**
T = TEMPORARY P = PERMANENT TYPICAL FOR ENTIRE STORM SEWER SYSTEM

DETENTION POND CALCULATION
CONTOUR 790 = 2078 CFT
CONTOUR 800 = 2627 CFT
CONTOUR 810 = 3286 CFT
CONTOUR 820 = 3945 CFT
VOLUME 790: (1/2) * 3078 CFT * 6.15 = 194 CFT
VOLUME 800: 2078 * 6.15 / 2 = 6363 CFT
VOLUME 810: 2627 * 6.15 / 2 = 8061 CFT
VOLUME 820: 3286 * 6.15 / 2 = 10059 CFT
VOLUME AT 790: 194 CFT
VOLUME AT 800: 6363 CFT
VOLUME AT 810: 8061 CFT
VOLUME AT 820: 10059 CFT
20 YEAR - 24 HOUR STORAGE VOLUME = 21,381 CFT
STORAGE VOLUME OCCURS AT CONTOUR 801.85

CONCRETE MAT STRAIN BARRIER (NO DATE)
USE CONCRETE MAT STRAIN BARRIER FOR ALL EXCAVATIONS AND TRENCHES. THE STRAIN BARRIER SHALL BE INSTALLED IN PLACE ON PLACES AND GRADES PRIOR TO EXCAVATION. ALL EXCAVATED AREAS SHALL BE PROTECTED AND REPLACED WITH STRAIN BARRIER. ALL EXCAVATED AREAS SHALL BE PROTECTED AND REPLACED WITH STRAIN BARRIER. ALL EXCAVATED AREAS SHALL BE PROTECTED AND REPLACED WITH STRAIN BARRIER.

- SOIL EROSION GENERAL NOTES**
- PRIOR TO ANY SITE WORK, CONTRACTOR MUST INSTALL TEMPORARY CONSTRUCTION ENTRANCE AND SILT FENCE AS SHOWN ON THE PLAN. GRADING AND SHAPING IS TO BE USED IN LIEU OF SILT FENCE. THIS WORK MUST BE CARRIED OUT PRIOR TO STARTING OF TOPSOIL.
 - CONTRACTOR TO INSTALL TEMPORARY SEDIMENTATION COLLECTION BASIN IN EACH CATCH BASIN LOCATED IN THE REMOVALS OR PARKING LOTS. THE CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE & REPLACEMENT OF BASIN AS NECESSARY. BASIN TO BE REMOVED ONLY AFTER SITE HAS BEEN STABILIZED AT THE COMPLETION OF CONSTRUCTION.
 - CONTRACTOR TO STOOPIE SOIL ON SITE AT A MINIMUM SLOPE OF 1 ON 3. ALL SPIAL PILES ARE TO BE SECURED TO MAINTAIN SLOPE STABILITY.
 - EXPOSED TOPSOIL IS TO BE REMOVED FROM SITE. CONTRACTOR TO COORDINATE THESE ACTIVITIES WITH PROPERTY OWNER. CONTRACTOR TO ENSURE THAT A BUFFER OF BUFFER STRIP IS MAINTAINED BETWEEN ALL STOODPILES & PROPERTY LINE.
 - ALL STOODPILES THAT ARE TO BE LEFT UNDERPAVED FOR MORE THAN 30 DAYS ARE TO BE WEEDS AND STABILIZED.
 - CONTRACTOR WILL TAKE ALL NECESSARY STEPS TO ELIMINATE SOILS/SEDIMENT FROM LEAVING THE PROJECT SITE.
 - THE CONTRACTOR MUST KEEP SHEETS FREE OF SEDIMENTATION OR TAKE STEPS TO CLEAN STREETS.
 - SOIL EROSION MAY ALSO OCCUR WHEN SOILS ARE DRY. SOIL EROSION DUE TO BLOWING WINDS MUST BE MINIMIZED BY USE OF WATER TANK TRUCKS.
 - AS SOON AS POSSIBLE SOILS WILL BE COMPACTED TO IMPROVE SOIL. EXPOSED SOILS ARE LEFT UNCOMPACTED FOR LOWEST PERIODS THEY MUST BE SECURED TO IMPROVE SOIL EROSION.
 - TEMPORARY MEASURES SHALL STAY IN PLACE UNTIL THE CONSTRUCTION ACTIVITIES HAVE ENDED AND/OR THE PERMANENT MEASURES ARE COMPLETED.
 - UPON COMPLETION OF CONSTRUCTION THE CONTRACTOR MUST CLEAN ALL SHIPS AND SEDIMENTATION WRAPS.
 - CONTRACTOR IS TO ENSURE THAT ALL CONTROL MEASURES ARE ADEQUATELY MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.



SCALE: 1" = 20'

DATE: 10/04/02

PROJECT: PLAZA CORP

DESIGNED BY: TLD

CHECKED BY: TLD

APPROVED BY: TLD

REVISIONS:

NO.	DATE	DESCRIPTION
1	10/04/02	ISSUED FOR PERMITS
2	10/04/02	ISSUED FOR PERMITS
3	10/04/02	ISSUED FOR PERMITS

UNIVERSITY MEADOWS
OWNER: CIVIS HOLDING LLC
PARCEL NO. 14-028-10-028-04

STORAGE VOLUME OCCURS AT
DENTON 80.00

PROP. 4' HIGH SPANDE FENCE
& BAY DOUBLE GARAGE?
ENCLOSURE AROUND 10'x12'
DOUBLE PAD

EX. ASPHALT PARKING
LOT AND DRIVEWAY

EX. RETEN. BASH
DIA. 80.00 FT
NORTH INV. 798.77 (12' N-12)
SOUTH INV. 798.78 (12' N-12)

EX. CONC. DRIVEWAY

EX. CONC. BUILT
DIA. 80.00
NORTH INV. 798.28 (12' N-12)
WEST INV. 798.29 (12' N-12)

BARRELY EX. ASPHALT

EX. ASPHALT PARKING
LOT AND DRIVEWAY

BLUEGRASS ROAD
(ADJACENT TO COR. OF T-0-1)

CMS & D
SURVEYING/ENGINEERING
804 N. ALBERT STREET - SUITE 200
ANN ARBOR, MICHIGAN 48106
PHONE: (734) 775-3811
FAX: (734) 775-3811
CMA, 100000000000000



**GRADING & STORMWATER
MANAGEMENT PLAN**
PLAZA CORP
PART OF THE NORTHWEST 1/4 OF
SECTION 25, T42N, R10W,
CLASSELLA COUNTY, MICHIGAN

EXISTING CURB STRUCTURES

STAMP
PROP. 4' DIA. CATCH BASIN
E.I.16 1840 N/ W/ W/1 FLAT GRADE
DIA. 80.00
EAST INV. 808.31 (12' N-12)

STAMP
PROP. 2' DIA. E.I.16 7045
W/ 1" CONC. TOP W/ 1/2" N-2 GRADE
TOP OF CURB 803.5
DIA. 80.00
NORTH INV. 808.5 (12' N-12)
SOUTH INV. 803.5 (12' N-12)

STAMP
PROP. 4' DIA. E.I.16 7045
W/ 1/2" N-3 GRADE
TOP OF CURB 803.5
DIA. 80.00
NORTH INV. 798.99 (12' N-12)
SOUTH INV. 798.99 (12' N-12)

STAMP
PROP. 4' DIA. E.I.16 7045
W/ 1/2" N-3 GRADE
TOP OF CURB 804.09
DIA. 80.00
NORTH INV. 799.44 (12' N-12)
SOUTH INV. 799.42 (12' N-12)

STAMP
PROP. 4' DIA. E.I.16 7045
W/ 1/2" N-3 GRADE
TOP OF CURB 803.75
DIA. 80.00
EAST INV. 798.16 (12' N-12)
SOUTH INV. 798.4 (12' N-12)
WEST INV. 798.16 (12' N-12)

STAMP
PROP. 4' DIA. CATCH BASIN
E.I.16 1840 N/ W/ W/1 FLAT GRADE
DIA. 80.00
NORTH INV. 798.78 (12' N-12)

* COORDINATE WITH ARCHITECTURAL PLANS
FOR DOWNPOUT CONNECTION POINTS

STORMWATER FLOW CALCULATION

CONTOUR 798 = 3878 SF
CONTOUR 803 = 8827 SF
CONTOUR 808 = 16,876 SF
CONTOUR 808 = 22,500 SF

VOLUME 798 1/3 = 3878 SF * 6.18 = 23,954 CF
VOLUME 803 2/3 = 8827 / 2.1 = 4,203 CF
VOLUME 808 1/3 = 16,876 / 2.1 = 8,036 CF
VOLUME 808 2/3 = 22,500 / 2.1 = 10,714 CF

VOLUME AT 798 134 CF
VOLUME AT 803 4,203 CF
VOLUME AT 808 16,788 CF
VOLUME AT 808 21,480 CF

24 HOUR - 24 HOUR STORAGE VOLUME = 30,891 SF
STORAGE VOLUME OCCURS AT DENTON 80.00

SPR. PARKING REQUIREMENT TABLE

PROPOSED BLDG. SHOWN A
FLOOR SPACES 16,828 SF
FORMULA: 1 SPACE FOR EVERY 150 SF OF GROSS FLOOR SPACE
(ORD. 16.2.2.9 USE)
16,828/225= 75- 75 SPACES

PROPOSED BLDG. SHOWN B (PROP. BAY JEWELRY)
FLOOR SPACES 208 SF
FORMULA: 1 SPACE FOR EVERY 150 SF OF GROSS FLOOR SPACE
(ORD. 16.2.2.9 USE)
208/225= 0= 0 SPACES

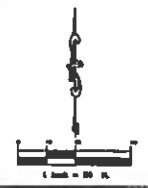
REQUIRED FOR EXISTING 158 SPACES
REQUIRED FOR PROPOSED 75 SPACES
TOTAL REQUIRED 233 SPACES

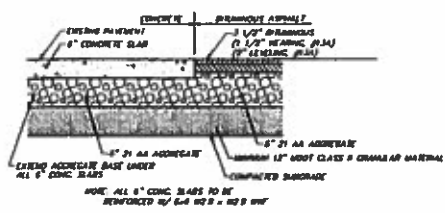
EXISTING SPACES PROVIDED 157 SPACES
PROPOSED PARKING 77 SPACES
TOTAL PLANNED 234 SPACES

NOTE: EXISTING PARKING SPACE COUNT WAS PROVIDED BY CLIENT

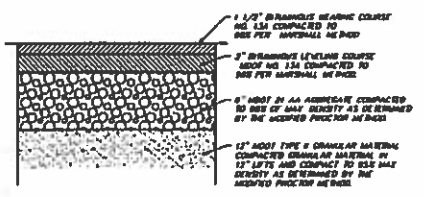
DATE	NO. CHANGES	REVISIONS
11-15-10	1	1
11-15-10	2	2
11-15-10	3	3
11-15-10	4	4
11-15-10	5	5
11-15-10	6	6

SCALE
1" = 20'

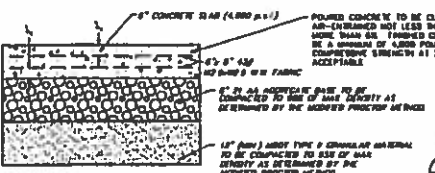




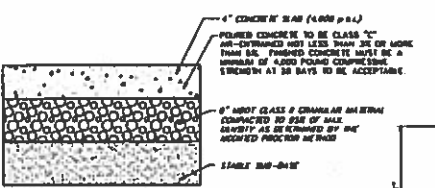
TYPICAL 6" CONCRETE SLAB CROSS-SECTION
NOT TO SCALE



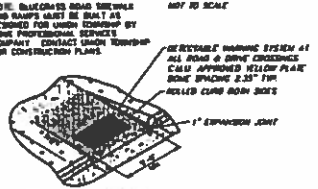
PARKING LOT ASPHALT PAVEMENT CROSS-SECTION
NOT TO SCALE



CONCRETE PAD CROSS-SECTION
NOT TO SCALE



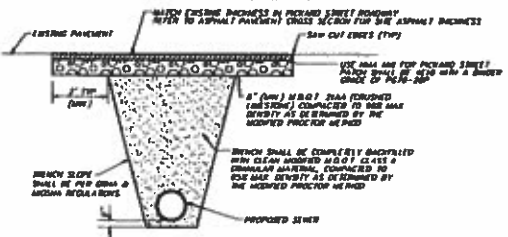
CONCRETE SIDEWALK CROSS-SECTION
NOT TO SCALE



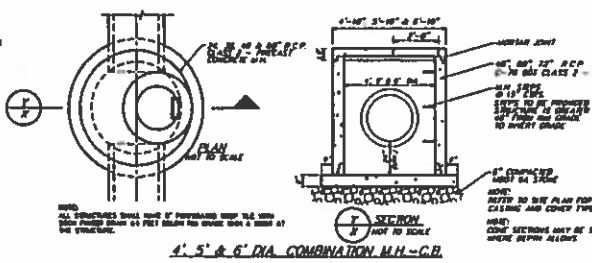
SIDEWALK RAMP - MDOT TYPE I R-28
NOT TO SCALE

GENERAL NOTES
THE SANITARY SEWER AND WATERMAIN MUST CONFORM TO UNION TOWNSHIP STANDARDS AND SPECIFICATIONS. SHOULD THERE BE A CONFLICT BETWEEN THE PLANS, NOTES, DETAILS AND SPECIFICATIONS, THE UNION TOWNSHIP STANDARDS SHALL PREVAIL. THE CONTRACTOR SHALL NOTIFY THE ENGINEER AS SOON AS A CONFLICT IS FOUND. INSTALLATION OF THESE UTILITIES SHALL BE COORDINATED BY THE CONTRACTOR WITH THE UNION TOWNSHIP DEPARTMENT OF PUBLIC WORKS.

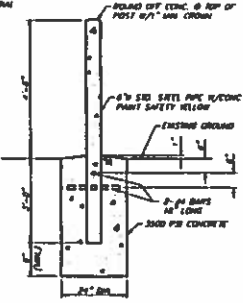
ELECTRIC SERVICES TO THE BUILDING AND PARKING LOT LIGHTING SHALL BE UNDERGROUND. THE CONTRACTOR SHALL COORDINATE WITH THE ELECTRICAL CONTRACTOR IN REGARDS TO CONDUIT BUNDLES.
ALL SERVICE LINES ARE SHOWN FOR REFERENCE ONLY. THE EXACT LOCATIONS TO BE DETERMINED BY THE OWNER AND/OR UTILITY COMPANY.
INSTALLATION OF GAS, ELECTRIC AND TELEPHONE SERVICES (INCLUDING TRANSFORMER PAD LOCATIONS) SHALL BE COORDINATED BY THE CONTRACTOR WITH THE RESPECTIVE UTILITY COMPANIES AND THE ARCHITECT/ENGINEER.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL CONSTRUCTION PERMITS REQUIRED FOR WORKING WITHIN THE ROAD RIGHT-OF-WAY FROM THE RESPECTIVE AGENCIES.
ROOF WATER FROM THE PROPOSED BUILDING SHALL BE COLLECTED AND CONVEYED TO THE PROPOSED HEADERS AND/OR LEADS AT THE BUILDING. COORDINATION WITH THE BUILDING CONTRACTOR PRIOR TO INSTALLATION OF THE HEADERS AND/OR LEADS IS REQUIRED.
THE PROPOSED ELEVATIONS SHOWN ARE TOP OF FINISH, TOP OF CURB, FINISHED ASPHALT SURFACE AND GUTTER PAN ELEVATIONS, UNLESS OTHERWISE NOTED.
ALL DRIVEWAY APPROACHES SHALL BE CONSTRUCTED IN ACCORDANCE WITH UNION TOWNSHIP STANDARDS.
CONSTRUCTION PROCEDURES SHALL CONFORM TO THE REQUIREMENTS OF THE STATE OF MICHIGAN, COUNTY OF GABELLA AND UNION TOWNSHIP.
THE CONCRETE PADS SHALL BE 4000 PSI AND REINFORCED WITH #5 WELDED WIRE. THICKNESS OF CONCRETE SHALL CONFORM TO THE PLANS. THE CONCRETE PADS ADJACENT TO THE BUILDING SHALL BE TAKEN OFF FROM THE ARCHITECTURAL PLANS AND THE CONSTRUCTION OF THE PADS SHALL BE COORDINATED WITH THE BUILDING CONTRACTOR.
DIMENSIONS SHOWN ON THE PLANS ARE GIVEN TO THE BACK OF CURB, FACE OR BACK OF WALK OR THE BUILDING EXTERIOR LINE.
STANDARD PARKING SPACES SHALL BE 9 FEET BY 18 FEET. THE SPACES ARE TO BE INDICATED BY A 4 INCH WIDE WHITE LINE. THE PAINT LINES ON THE SITE, EXCEPT NEAR THE BUILDING, SHALL CONFORM TO THE ENGINEER'S PLAN.
CONCRETE CURBING SHALL BE 4000 PSI CONCRETE.
ALL ABANDONED CURB STOP BENCHES SHALL BE REMOVED AND SALVAGED FOR C&M.



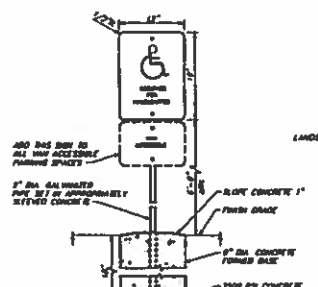
TYPICAL PAVEMENT REPAIR DETAIL
NOT TO SCALE



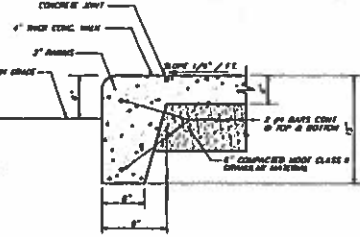
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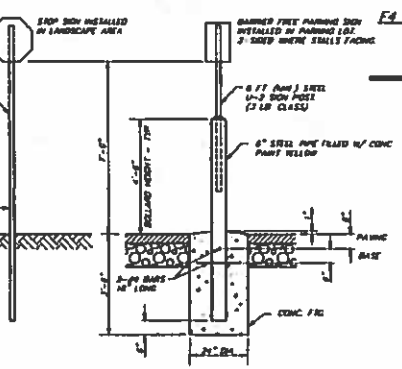
BOLLARD DETAIL
NOT TO SCALE



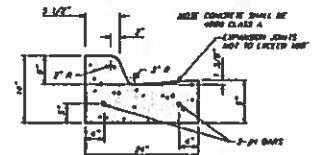
TYP. BARRIER FREE PARKING SQ.
NOT TO SCALE



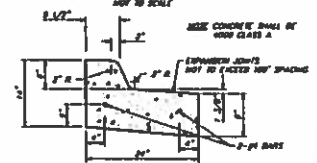
TYPICAL CONC WALK WITH INTEGRAL CURB DETAIL
NOT TO SCALE



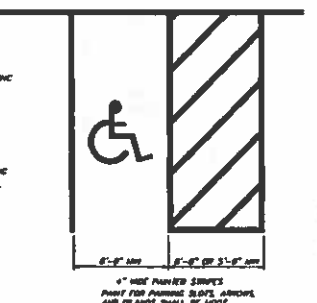
PARKING LOT SIGN POST DETAILS
NOT TO SCALE



CONCRETE F4 CURB AND GUTTER DETAIL REGULAR PAN
NOT TO SCALE



F4 CONCRETE CURB AND GUTTER DETAIL REVERSE PAN
NOT TO SCALE



BARRIER FREE PARKING SPACES
NOT TO SCALE

GENERAL NOTES
THE UTILITY LOCATIONS AS HEREON SHOWN ARE BASED ON FIELD OBSERVATIONS AND A CAREFUL REVIEW OF MUNICIPAL AND UTILITY COMPANY RECORDS. HOWEVER, IT IS NOT POSSIBLE TO DETERMINE THE PRECISE LOCATION AND DEPTH OF UNDERGROUND UTILITIES WITHOUT EXCAVATION. THEREFORE, WE CANNOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SHOWN UTILITY INFORMATION HEREON SHOWN. THE CONTRACTOR SHALL CALL THIS OFF (1-800-485-3171) A MINIMUM OF 3 WORKING DAYS PRIOR TO ANY CONSTRUCTION OR PRIOR TO ANY EXCAVATION. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THESE UTILITY LOCATIONS PRIOR TO CONSTRUCTION AND SHALL MAKE EVERY EFFORT TO PROTECT AND OR RELOCATE THEM AS REQUIRED. THE CONTRACTOR SHALL NOTIFY THE ENGINEER/ARCHITECT AS SOON AS POSSIBLE IN THE EVENT A DISCREPANCY IS FOUND. THE CONTRACTOR SHALL NOTIFY THE ENGINEER/ARCHITECT WHERE POSSIBLE CONFLICTS EXIST PRIOR TO BEGINNING CONSTRUCTION.

THE LOCATION OF EXISTING UTILITIES SHOWN ARE APPROXIMATE. THE CONTRACTOR SHALL FIELD VERIFY GROUND CONDITIONS, EXISTING UTILITIES, LOT AND BUILDING DIMENSIONS PRIOR TO THE START OF CONSTRUCTION. THESE MAY BE FOUND UNLESS NOT SHOWN ON THE PLANS. AGREEMENT TO HAVE UTILITIES CONFIRMED AND FLAGGED BEFORE STARTING CONSTRUCTION. THE OWNER ASSUMES NO LIABILITY FOR THE LOCATION OF UTILITIES. ALL BARRIAGES MADE BY EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

ALL CONSTRUCTION UNDER EXISTING OR PROPOSED PAVEMENT, EXISTING OR PROPOSED UTILITIES (INCLUDING LEADS), SHALL BE COMPLETELY ENCASED WITH BARS IN 12\"/>

THE CONTRACTOR SHALL COMPLY TO SOIL EROSION AND SEDIMENTATION CONTROL ACT PART 4 OF PUBLIC ACT 481 OF 1994, AS AMENDED. SEDIMENTABLE FILTER BAGS SHALL BE USED AT ALL CATCH BASINS FOR SOIL AND SEDIMENTATION CONTROL. ALL CATCH BASINS SHALL BE CLEANED UPON COMPLETION OF THE PROPOSED PROJECT. COST FOR CLEANING THE CATCH BASINS SHALL BE INCLUDED IN THE COSTS FOR THE DRAINAGE STRUCTURES.

TERRAIN SHALL BE STUDIED ON THE SITE AND USED AS TOPICAL SURFACES AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER. TOPSOIL WILL NEED TO BE SPREAD IN THE BARE AREA TO A MINIMUM DEPTH OF 6 INCHES. THE BARS SHOWN ON THE PLANS WILL NEED TO BE TOPSOIL TO HAVE A MINIMUM OF 6 INCHES IN TOPSOIL SPREAD OVER THEM. THE CURB GROUNDS WILL BE FILLED AS SHOWN WITH TOPSOIL. THE WEIGHT IS FOR THE CONTRACTOR AND THE LANDSCAPER TO USE THE EXISTING TOPSOIL TO COMPLETE THE PROJECT PRIOR TO INSTALLING ANY TOPSOIL ON THE SITE. UNDESIRABLE TOPSOILS MUST BE DISPOSED OF. DURING THE COURSE, ANY REMAINING STOCKPILES WILL NEED TO BE REMOVED. SOIL EROSION MEASURES MUST BE TAKEN TO ASSURE THAT THESE STOCKPILES ARE STABILIZED.

THE CONTRACTOR SHALL SEED AND FERTILIZE EXISTING BANKS, SOIL PILES OR BANKS AND ANY OTHER EXPOSED AREAS AS SHOWN ON THE PLANS AND/OR SPECIFIED IN THE SPECIFICATIONS.

THE UNPAVED AREAS SHALL BE THOROUGHLY GRADED AND THE SURFACE STABILIZED BY SEEDING AS STATED ON THE PLANS. THE MAXIMUM PERMISSIBLE SLOPE IS 3 HORIZONTAL TO 1 VERTICAL UNLESS OTHERWISE STATED.

THE CONTRACTOR SHALL FURNISH AND INSTALL PLAN FOR-GRAB BANK PROTECTION IN AREAS WHERE BANK EROSION WILL MOST LIKELY OCCUR OR AS DIRECTED BY THE ENGINEER.

BROKEN CONCRETE AND DEBRIS SHALL BE CONSIDERED WASTE TO BE DISPOSED OF BY THE CONTRACTOR.

ALL ACTIVITIES INTERFERED FOR CONSTRUCTION SHALL BE INCLUDED IN THE UNIT PRICE BID.

ALL JOBS AT SUBSTATION APPROACHES AND DRIVEWAYS SHALL BE SAUCUT WITH BUTT-JOINTS. THE COST SHALL BE INCLUDED WITH THE PAYMENT FOR EXCAVATION.

THE CONTRACTOR SHALL MAINTAIN LOCAL TRAFFIC AT ALL TIMES ON THE PROJECT. THE COST IS TO BE INCLUDED IN THE LUMP SUM FEE.

ALL WATER VALVE BOXES, ELECTRICAL BOXES, GAS VALVES AND ANY OTHER EXISTING UTILITY STRUCTURES ON THE SITE SHALL BE ADJUSTED TO FUTURE GRADE. THE COST SHALL BE INCLUDED IN THE LUMP SUM FEE.



CMS & D
SURVEYING/ENGINEERING
100 W. ADAMS STREET, SUITE 100
GABELLA, MI 48133-1702
TEL: 313.776.9922
FAX: 313.776.9923

CONSTRUCTION DETAILS
PLAZA CORP
PART OF THE NORTHWEST 1/4 OF SECTION 26, T14N-R4E, UNION TOWNSHIP, GABELLA COUNTY, MICHIGAN

DATE	1\"/>
SCALE	6\"/>
SHEET NUMBER	6\"/>
TOTAL SHEETS	6\"/>
DESIGNED BY	6\"/>
CHECKED BY	6\"/>
DATE	6\"/>
PROJECT	6\"/>
CLIENT	6\"/>
LOCATION	6\"/>
DATE	6\"/>
SCALE	6\"/>
SHEET NUMBER	6\"/>
TOTAL SHEETS	6\"/>
DESIGNED BY	6\"/>
CHECKED BY	6\"/>
DATE	6\"/>
PROJECT	6\"/>
CLIENT	6\"/>
LOCATION	6\"/>
DATE	6\"/>

20100005978
TRANSACTION TITLE AGENCY
CALL

WARRANTY DEED

Grantor, MOUNT PLEASANT HOLDINGS, LLC, a Michigan limited liability company, whose address is 211 East Water Street, Suite 201, Kalamazoo, Michigan 49007, conveys and warrants to Grantee, MP NOTE, LLC, a Michigan limited liability company, whose address is 211 East Water Street, Suite 201, Kalamazoo, Michigan 49007, the real property located in the Township of Union, County of Isabella, State of Michigan and described on **Exhibit A** attached hereto.

Together with all singular tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto.

This deed is given for less than One Hundred Dollars (\$100).

Grantor agrees that the execution and delivery of this Deed shall not in any manner be deemed to be a merger with or extinguishment of the mortgage against the Property given to Fifth Third Bank dated (i) December 27, 2006 and recorded February 16, 2007, in Liber 1383, Page 517, and (ii) March 13, 2006 and recorded March 22, 2007, in Liber 1339, Page 468, Isabella County, Michigan records ("Mortgages"). Such mortgages having been assigned to Grantee by Assignment of Mortgage dated December 15, 2009 and recorded December 18, 2009, in Liber 1503, Page 920, Isabella County, Michigan records.

This conveyance is exempt from County Real Estate Transfer Tax under MCLA 207.505(a) and from State Real Estate Transfer Tax under MCLA 207.526(a) and (t).

Grantor grants to the Grantee the right to make all divisions under Section 108 of the Land Division Act, Act 288 of the Public Acts of 1967, as amended.


This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

By: MP Note, LLC, a Michigan limited liability company
Its Sole Member

By: 
Jeffrey A. Nicholson
Its Manager

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

The foregoing instrument was acknowledged before me this 16th day of July, 2010, by Jeffrey A. Nicholson, the Manager of MP Note, LLC, a Michigan limited liability company, the Sole Member of Mount Pleasant Holdings, LLC, a Michigan limited liability company, on behalf of the company


L. A. Brouse
Notary Public, St. Joseph County, MI
Acting in Kalamazoo County, MI
My Commission Expires: 09-01-2013

THIS INSTRUMENT DRAFTED BY:
DOUGLAS W. POLAND
McSHANE & BOWIE, P.L.C.
1100 Campau Square Plaza
99 Monroe Ave. NW
P.O. Box 360
Grand Rapids, Michigan 49501-0360

After recording return to Draftsman.

8
The real estate situated in the Township of Union, County of Isabella, State of Michigan and described as follows:

A parcel located in Section 26, Town 14 North, Range 4 West, Union Township, Isabella County, Michigan, more particularly described as: Commencing at the interior $\frac{1}{4}$ corner of Section 26; thence West 627 feet; thence North 350 feet; thence East 627 feet; thence South 350 feet to the Point of Beginning.

AND:

A parcel of land commencing 627 feet West of the Southeast corner of the Northwest $\frac{1}{4}$ of Section 26, Town 14 North, Range 4 West, Union Township, Isabella County, Michigan; thence North 314 feet; thence West 112 feet; thence South 314 feet; thence East 112 feet to the Point of Beginning.

AND:

A parcel of land commencing 739 feet West of the Southeast corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 26, Town 14 North, Range 4 West, Union Township, Isabella County, Michigan; thence North 314 feet; thence West 190 feet; thence South 314 feet; thence East 190 feet to the Point of Beginning.

#239629 v1

Wendy@mcclinticpc.com

From: Tim <tcoscarely@charter.net>
Sent: Friday, September 30, 2016 11:35 AM
To: Bill@mcclinticpc.com
Cc: Wendy@mcclinticpc.com
Subject: Fwd: Site plan

Sent from my iPhone

Begin forwarded message:

From: "Peter Gallinat" <pgallinat@uniontownshipmi.com>
Date: August 25, 2016 at 1:43:03 PM EDT
To: "Tim" <tcoscarely@charter.net>
Subject: RE: Site plan

Was this plan signed by the secretary of the Planning Commission? Who approved this plan?

Peter Gallinat
Township Planner
Charter Twp of Union
2010 S. Lincoln Rd.
Mt Pleasant, MI 48858
989-772-4600 x 241
www.uniontownshipmi.com

-----Original Message-----

From: Tim [<mailto:tcoscarely@charter.net>]
Sent: Wednesday, August 24, 2016 9:42 AM
To: Peter
Subject: Site plan

Hello Peter,
I found a site plan for Bluegrass Investment Group , LLC which was approved on 4-10-2006 which requires the rear access point. Can you check your files for that date?

Thank you,
Tim

Sent from my iPhone

From: Brad Hansen <bhansen@labellemgt.com>
Sent: Monday, August 29, 2016 10:10 AM
To: pgallinat@uniontownshipmi.com
Cc: Tim Coscarelly; Glen Blystone (GBlystone@blystonebailey.com); Brandon LaBelle
Subject: Tallgrass Commons/Plaza Corp.

Peter,
I'm a partner in Tallgrass Commons in Union Township. Early on in the project I was deeply involved in the acquisition and development of all of our land for that project. Tim Coscarelly has taken it over for our partnership the last several years.

As you probably know there is a lot of history and back and forth with all parties associated with the development of the Bluegrass corridor. There were countless hours spent with Encore Development (Jay Barnes), Woody (Union Township), Us, ICRC (Pat Gaffney) and the other interested parties out there pertaining to the roads, accesses, lights, ingress/egress, cross connectors etc. In my many discussions with the Township (Woody) and the road commission (PAT) we were required to build and dedicate a cross connector to the Encore property to our west (now Plaza Corp).

I believe Tim has shared an email from Woody stating the requirement of us and them connecting. I also believe he shared an email from Jay Barnes pledging his cooperation.

As our site plans were approved with a cross connector and we spent a lot of money developing a cross connector we have every right to believe when the property to our west was developed that the Township and the developer would hold to their words and enforce the site plans.

I'm sure the Township has records and notes pertaining to the site plan reviews and approvals of both our projects. The ICRC should also have some records. These should all be public documents and accessible for your review so you aren't just taking my recollection as proof.

We jumped thru a lot of hoops, spent a lot of time and money building Sweeney Street and a cross connector to our west based on Township requirements and approvals. Had the cross connector not been a requirement we had other options and Sweeney Street may be a lot different than it is today. We planned Tallgrass Commons around the Street and access layouts.

I am personally very upset about this issue as I was in on all of the meetings and conversations. I personally can't speak for our entire partnership, however, if Plaza Corp is allowed to develop without a cross connector, my vote will be to file an injunction until it gets sorted out in court.

Best regards,

Brad Hansen
President/CEO
LaBelle Management
405 S. Mission
Mt. Pleasant Michigan 48858
Direct 989-817-4923
Cell 989-429-8421
Fax 989-773-7521
Email bhansen@labellemgt.com

Our Mission is to always, "DO THE RIGHT THING"

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STATE OF MICHIGAN
COURT OF APPEALS

WOODCLIFF ON THE LAKE CONDOMINIUM
ASSOCIATION,

Plaintiff-Appellant,

v

CHARTER TOWNSHIP OF WEST
BLOOMFIELD,

Defendant-Appellee.

UNPUBLISHED
December 1, 2005

No. 263693
Oakland Circuit Court
LC No. 2003-051858-AW

Before: Whitbeck, C.J., and Saad and O'Connell, JJ.

PER CURIAM.

Plaintiff appeals as of right the trial court's order granting defendant summary disposition. We affirm.

This case arose when defendant's township board denied plaintiff's request to amend its condominium's site plan. The existent plan required the condominium to maintain a blockade on its primary street to prevent it from connecting two major roads and becoming a thoroughfare. The street is the only true north-south avenue serving the condominium, but it branches at several places, providing more housing frontage and access to nearby subdivisions. The record clearly reflects that the condominium's developer and defendant's board, who approved the developer's plans, always intended the street to serve as two separate dead-end streets. Practical considerations prevailed, however, and the use of a single street aided the condominium's construction and generally saved time. In the end, the blockade once envisioned as an impassable, unpaved berm or swath of turf, ultimately became a locked gate in the middle of an otherwise continuous street separating the northern portion of the condominium from the southern portion. The street has two different names, one for the northern section and one for the southern section.

Plaintiff represents individuals who live on the north side of the gate. Plaintiff moved defendant's board to amend the site plan so that it could remove the gate. Plaintiff complained that the gate inhibited emergency vehicles and encumbered north-side owners' access to a nearby lake. The locked gate required north-side owners to drive an additional four miles around the lake and its surrounding areas to gain access, when their condominium's point of access lay only a few hundred yards on the south side of the gate. Plaintiff's suggested alternative to the gate was an electronic dual-gate system that only allowed condominium owners and their guests to

access the street at its major northerly and southerly intersections. South-side owners contested the plan, arguing that their traffic would increase as north-side owners used the southern portion of the street. They argued that they or their predecessors were promised in earlier township proceedings that the barrier would remain in place, and some of them claimed that they bought their homes in reliance on the gate's permanency. Others raised questions regarding access from the neighboring subdivisions and the workability of a two-gate system. In the end, defendant's planning commission and the township board both rejected plaintiff's suggested amendment to the site plan.

Plaintiff sued in circuit court raising due process and equal rights claims, seeking declaratory relief, and requesting mandamus. In response to defendant's motion for summary disposition, however, plaintiff conceded that the proper remedy was superintending control. The trial court granted defendant summary disposition.

On appeal, plaintiff argues that the trial court erred when it gave deference to the board's final denial. We disagree. We review *de novo* the legal validity of the standard of review employed by the trial court. *Arthur Land Co, LLC v Otsego Co*, 249 Mich App 650, 661-662; 645 NW2d 50 (2002). In this case, plaintiff put a series of confused questions to the trial court, and the trial court did its best to sort through them carefully. For example, plaintiff originally requested mandamus and declaratory relief, but neither of these actions was appropriate. Plaintiff was not seeking a declaration of the law for future guidance, but rather it wanted the trial court to direct defendant's board to adopt the requested amendment and allow the gate's removal. See *Ferency v Secretary of State*, 139 Mich App 677, 683; 362 NW2d 743 (1984). Also, plaintiff conceded that the township acted in a quasi-judicial rather than an executive capacity, so it changed its request from one for mandamus to one for superintending control. But superintending control was not an appropriate remedy until plaintiff demonstrated that it did not have recourse to a direct appeal. MCR 3.302(B). Under Const 1963, art 6, § 28, the township's decision, if quasi-judicial, should have been subject to direct review in court, but plaintiff failed to plead or demonstrate compliance with any procedural requirements for pursuing this remedy. These issues are complicated by the fact that an order for superintending control supersedes writs of both mandamus and certiorari. MCR 3.302(C); *In re Payne*, 444 Mich 679, 687; 514 NW2d 121 (1994) (Boyle, J.). Traditionally, writs of certiorari effectively challenge the evidentiary support for an agency's decision, like a challenge under Const 1963, art 6, § 28. *In re Payne*, *supra* at 688, 691. Plaintiff's complaint also briefly raised constitutional claims.

Faced with these pleadings, the trial court first addressed whether a writ of mandamus was an appropriate remedy. The trial court correctly found that MCL 125.286e(3) granted the board discretion to refuse to agree to an alteration of the original site plan. The relevant portion of MCL 125.286e(3) states, "[S]ubsequent actions . . . shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance receives the mutual agreement of the landowner and the individual or body which initially approved the site plan." In this case, the subsequent action of removing the gate would not be consistent with the original site plan approved by defendant's board, because the site plan, including its maps, clearly reflect the existence of a barrier between the sections of roadway. In fact, the developer emphasized in its 1990 address to the board that the sections would stay separate as the board required for the site plan's original approval. Because the removal of the gate ran contrary to the site plan, it required township approval, which necessarily endowed defendant's board with a measure of discretion.

Nevertheless, plaintiff argues that MCL 125.286e(5) divested the township of discretion to deny its proposed amendment to the site plan. This subsection states:

A site plan shall be approved if it contains the information required by the zoning ordinance and is in compliance with the zoning ordinance and the conditions imposed pursuant to the ordinance, other township planning documents, other applicable ordinances, and state and federal statutes. [MCL 125.286e(5).]

Plaintiff argues that its proposed amendment satisfied these general statutory requirements, so defendant's board had no choice but to adopt it. We disagree. The mandate in MCL 125.286e(5) clearly relates to the approval of new site plans, not the amendment of approved site plans after the developer has finished construction. For post-construction changes, MCL 125.286e(3) more specifically applies, so it is the correct statement of the law. *Gebhardt v O'Rourke*, 444 Mich 535, 542-543; 510 NW2d 900 (1994). Moreover, plaintiff's amendment was not "in compliance with . . . the conditions imposed" by the board in its original approval, so we reject plaintiff's argument that the statute required the board to approve its site plan amendment. MCL 125.286e(5). Without a clear legal duty to approve the amendment, mandamus does not lie. *In re MCI Telecom Complaint*, 460 Mich 396, 442-443; 596 NW2d 164 (1999).

The remainder of plaintiff's appeal and the trial court's decision relates to the evidentiary support for the board's denial. The record is replete with the hearings of defendant's planning commission and board. Several individuals, including the developer, addressed the commission about the fact that an uninterrupted avenue connecting the two major roads would increase traffic in the condominium development. The potential problem is evident from a cursory review of the site map. Other owners expressed valid, practical reservations about the proposed dual-gate system. The maps demonstrate that the southern gate would obstruct flow into a neighboring subdivision and could be totally obviated by cutting through that subdivision's side streets. Defendant's planning commission repeatedly collected all the relevant traffic information and presented it to the board. Therefore, the trial court did not err when it found that the board's decision was supported by "competent, material and substantial evidence . . ." Const 1963, art 6, § 28. Plaintiff fails to raise any other constitutional challenge to the board's action in this appeal.

Affirmed.

/s/ William C. Whitbeck
/s/ Henry William Saad
/s/ Peter D. O'Connell

Memo FROM THE DESK OF THE ZONING ADMINISTRATOR

To: Union Township Planning Commission

Date: 9/16/2005

Re: 9/21/05 Meeting

We have the biggest agenda since I have been here, Lets keep on point. I have also included a chart for outside approvals. It has been our policy to not hold up developers that have submitted but the review has not been completed. Lt Martin at MPFD has been on vacation and I have received NO MPFD reviews, so all site plan reviews should be contingent on final approval by MPFD. Mr. Rohrer has several that have been submitted but not completed.

1. Unfinished Business

REZ 1111 rezoning on Betty Lane. (RichMar Properties) The applicant wishes to zone property adjacent to Richmar's strip mall on Pickard. I have one letter of objection, and a visit from another resident who objects. The neighbor across the street is in support. The decision should be made in light of the public hearing input and the reasonableness of the request. We cannot hold the applicant to any promises made about what it will be, however, they have indicated that they desired more parking on the side, and perhaps a small addition to the mall.

New Business

1. PPR 1102 Preliminary Plat review for Tanglewood Subdivision on the old Wood farm. This is a well-developed plan. They have worked closely with my office and other offices to achieve a good design meeting our requirements before submitting for review. I suggest you recommend the preliminary Plat to the Board. The Drain commission has had the drainage plan for sometime, but has not released the letter, I am not sure what the hold up is. Preliminary plans do not have to be 100%, so I would only ask that they receive final approvals for storm drainage prior to submitting the final review.
2. REZ 1116 – This is a joint request by Isabella Bank and Trust along with Dr Rodger Hou DDS (Ming and Jing). Dr Hou purchased additional property to the North (100') and it lines up with property the bank also purchased that is outside the OS Office / Service zone there. It is currently R-2A (One and Two-Family District). It will allow consistent development of the Banks property and will allow them access on both Lincoln and Pickard. The Dentist will use it for future expansion. It should be recommended for approval to the board.
3. REZ 1126 – This takes land currently zoned for apartments and puts it into commercial. This is part of the big picture for Encore's mall development. It will allow access from Isabella Road and give a good traffic circulation pattern for that development. Please recommend the project to the board. I have suggested to the applicant that they split this request from the next in case there would be objections so the board would not quash the whole request for failure of one

part, as happened to our past recommendation to rezone the Dave Lapham parcel on Isabella, two other parcels failed to receive approval because they were tied to the one next to Rosewood. These parcels are master planned for Apartments only because that was the current zoning when the master plan was developed. Also of note is the William Sprulle parcel that is not under ownership of the applicant. Good planning is to rezone that to be consistent with the surrounding parcels, I have received the blessing of that owner to be included in the request.

4. REZ 1127 this is 3 AG parcels owned by the Hoyels. It is adjacent to the Bio Life Plasma center and will be developed by Encore as well. It is master planned for commercial as well. I expect Brad Hanson from LaBell Management to address the commission to ask that future development here be asked to work with them to construct a road from Bluegrass to Broomfield across the Labelle (New Grass LLC) property. I support this concept as a benefit to the township. Labelle Management suggested that the entire site plan for Minards and the traffic light be re-engineered to align with their property. That is unreasonable in light of the time and expense the applicant has made for the light, and the Supervisor and the road commission support that notion as well. This issue may come up now or during the Minards site Plan review.
5. SPR 1093 Minards. There are a few missing details, most notable setbacks from the property lines. The site scales out to conform. It is possible that the entire shopping center site would be configured as a site condo or PUD, so these lines are flexible and under common development by Encore. I recommend approval of the site plan, pending final approval of the project-wide storm water plan and MPFD
6. SPR 1130 Target. This is a small addition to the West and 2 parts of the South side. I recommend approval pending MPFD approval, there are no storm water issues as it trades rooftop for asphalt, and the county engineer does not see a need to require them to retro fit anything due to existing problems. The engineering firm has called and there is a last minute minor change. This will be explained at the meeting and corrected drawings will be on hand for my file and the approval copy.
7. SPR 1131 Sage development. This has been approved by all 3 agencies Kudos to Lapham engineering and Pete Lorenz for getting it all done before hand! As noted in the review there has been a variance for the rear yard separation from the Mobil Home Park granted and there does exist fencing and berming that is already in place. I recommend approval.
8. SPR 1132 this is another site in the Bamber Office park just down the road from us. As of this writing, no Stormwater plan has been submitted. We have already hashed out the parking for the entire site. It meets those criteria and I recommend approval pending Storm water Plan acceptance. They have done a good job on past storm water plans and have followed our ordinance there.
9. J4L SUP 1095 This is the site plan required by the commission prior to passing the recommendation to the board to approve the Special Use. There is a missing element from our discussion in the past NO SCREENING IS SHOWN. I want a revised plan submitted to me showing the screening at 20 foot on center for 300 feet to the north from the SW corner of the property and across the entire South property line. The South property line screening to be installed if and when any part of the second phase is commenced, this condition should be noted on the plan as well. Concerning the current phase, these plantings must be at least 4 feet off the property line (8.31.C), they show asphalt at 5 feet from the line. Therefore the asphalt will need to be moved at least 5 feet to the north to accommodate the trees, perhaps more so the branches will not impede traffic circulation. The 30' fire lane must be preserved.

Therefore the storage buildings will need to be shortened in length or moved to the west to accommodate this. I will not pass it to the board until I have the revised plan for their approval.

10. PPR 1134 Cornerstone Estates Phase 4. There are two problems I see with the preliminary plan that should be addressed. The ROW for Broadway shown on pages 3 and 4 is not the same as the one on page 2. The other problem is no road names are shown on the plan. I am sure that the main road will not change for Cornerstone, however the cul-de-Sac needs a name approved by Isabella County Equalization Dept. This should be corrected before sending it to the board.
11. PPR 1135 Office Park for the hospital. There are 3 parcels shown with multiple buildings on each. This is not a problem but will allow for only one freestanding sign per parcel. The applicant may want to rethink this. Also lacking are the general and limited common elements that will be required on the final condominium documents. I would like this remedied prior to sending the plan to the board.
12. SPR 1136 this is for 2 of the offices in the office park above. It is permissible to start this on the parent parcel as we do allow for more than one principal structure in non-residential zones. The buildings have sufficient separation to be on individual parcels. When the limited and general common elements are placed on the site condo, they can meet the separation as well. I would recommend approval of the site plan for these 2 offices. The Detox plan, which we have already approved, is on its own parcel, though it maybe incorporated into the site condo at a later date.

Other business. I have prepared our budget for FY 2006. As usual it is ample, and we rarely spend what is allotted for, lets get some seminars in people, they are paid for and it will help you in what you do.

Memo

FROM THE DESK OF THE ZONING ADMINISTRATOR

To: Isabella County Planning Commission

Date: 09/27/2005

Re: Rezoning Reviews

Union Township submits the following rezoning applications for your review and comment.

1. REZ 1111 rezoning on Betty Lane. (Rosemary Reid and RichMar Properties) The applicant wishes to zone property adjacent to Richmar's strip mall on Pickard. I have one letter of objection fearing increased traffic on Betty Lane, however there would be no through traffic generated. The neighbor across the street is in support. There were 2 hearings for this proposal; the first was tabled to send out notices in the mail, which did not go out for the first hearing. There were no objections stated at the public hearings, and the Planning Commission recommended it.
2. REZ 1116 – This is a joint request by Isabella Bank and Trust along with Dr Rodger Hou DDS (Ming and Jing). Dr Hou purchased additional property to the North (100') and it lines up with property the bank also purchased that is outside the OS Office / Service zone there. It is currently R-2A (One and Two-Family District). It will allow consistent development of the Banks property and will allow them access on both Lincoln and Pickard. The Dentist will use it for future expansion. It has been recommend by the Planning Commission.
3. REZ 1126 – This takes land currently zoned for apartments and puts it into commercial. This is part of the big picture for Encore's mall development. It will allow access from Isabella Road and give a good traffic circulation pattern for that development. These parcels are master planned for Apartments only because that was the current zoning when the master plan was developed. However, another earmark of a good application is that it is of benefit to the township. I suggest to you that we have sufficient multi-family at this time, and this request to reduce that acreage is a benefit. This has also been recommended.
4. REZ 1127. this is 3 AG parcels owned by the Hoyels. It has been requested to become B-5 Highway Business District as well. It is adjacent to the Bio Life Plasma center, also zoned B-5 Highway Business District. It will be developed by Encore as well and is master planned for commercial as well.

Thank you for your time and consideration in these matters, immerse

Woody Woodruff

SPR 1149

Union Township Site Plan Review Application

Fill OUT THE FOLLOWING

- I. This application is for (circle one) Preliminary Site Plan Review Final Site Plan Review
- II. Applicant Name BLUEGRASS INVESTMENT GROUP L.L.C.
- III. Applicant Address 25 OTTAWA S.W. SUITE 203
- IV. Applicant is (circle) Contractor Architect/Engineer Developer Land Owner (ship 5 & 6)
Other
- V. Land Owner Name _____
- VI. Land Owner Address _____
- VII. Fill out check list that follows. You must check off that each item has been included in the drawing. If an item is not going to be included in the construction, note that in the comment area (for example, under sidewalks write "none" in the comment area if you are not installing any sidewalks). For the first three items, check off if you have made the required submittals to other reviewing agencies.

SUBMITTALS TO OTHER AGENCIES		✓ Off	
Storm water management plan approval prior to application. Reviewed by the County Engineer	✓		Copy of Union Township Storm Water Management Plan available upon request. Submit (2) copies of plan and calculations directly to the Isabella County Engineer, contact Bruce Rohrer at (989) 77 20911, ext. 231. Any review fees are additional.
All curb cuts, acceleration/deceleration lanes, additional drives, and other matters pertaining to roads to be approved by MDOT or Isabella County Road Commission prior to application.	✓		MDOT (M 20 sites) at (989) 773 7756. Contact Isabella County Road Commission (all other county roads) at (989) 773 71131. Submit (3) copies.
MI Pleasant Fire Dept.	✓		Capt. Andy Theissen (989) 773 0808, (2) copies
SITE PLAN REQUIREMENTS		✓ Off	Comments - (also indicate any features which will not be included in the development or are not applicable)
Name and addresses of <u>Property Owner</u> Name and Address of <u>Applicant</u>	✓		OK
True <u>date</u> , <u>north arrow</u> and <u>scale</u> . The scale shall be not less than 1"=20' for property under three (3) acres and not more than 1"=40' for property greater than three acres.	✓		OK
All lot and/or <u>property lines</u> are to be shown and dimensioned, including <u>building setback lines</u>	✓		5' - Split-side lot

Need

Union Township Site Plan Review Application

<p>The location and dimensions of all existing and proposed: <u>drives</u> ✓ <u>sidewalks</u> ✓ <u>curb openings</u> ✓ <u>acceleration/deceleration lanes</u> ✓ <u>signs</u> TO BE APPLIED FOR THE ZBA <u>exterior lighting</u> on buildings and parking lots, ✓ <u>parking areas</u> (including handicapped parking spaces, barrier-free building access, unloading areas), <u>recreation areas</u>, <u>common use areas</u>, <u>areas to be conveyed for public use and purpose</u>.</p>		<p>OK OK OK OK Shared parking OK</p>
<p>Elevation of building front, side, and back. Include Sign size, height, and design.</p>		
<p>Source of utilities. Public water and sewer approval by Union Township Utility Committee prior to application.</p>	<p>✓</p>	<p>Note: Union Township policy is to issue sewer and water permits after application for a building permit. Applicant is advised to contact the utility departments for availability prior to site plan review. The township does not coordinate other utility matters. Applicant to ensure himself that site is suitable for septic systems, contact Central Michigan District Health Department (773 5921)</p>
<p>All dumpsters shall be screened from public view with an opaque fence or wall no less than six feet in height. Show location. (Note most refuse contractors require concrete pad to place dumpsters upon)</p>	<p>✓</p>	<p>OK</p>
<p>The location and right-of-way width of all abutting roads, streets, alleys and easements.</p>	<p>✓</p>	<p>OK</p>
<p>A locational sketch drawn to scale giving the section number and the nearest crossroads.</p>	<p>✓</p>	<p>OK</p>
<p>The zoning of the subject property and the abutting properties.</p>	<p>✓</p>	<p>OK</p>
<p>The location, height and type of fences and walls.</p>	<p>✓</p>	<p>OK</p>
<p>The location and detailed description of landscaping.</p>	<p>✓</p>	<p>* Note</p>
<p>For multiple family and mobile home parks, contour intervals shall be shown (two foot</p>		

* Note: I shall
 large I shall
 the property -
 shall show

Union Township Site Plan Review Application

intervals for average slopes ten percent and under and five foot intervals for slopes over ten percent). Topography, however, is encouraged to be shown on all site plans.		
The location of all existing and proposed structures or and within one hundred feet of the subject property's boundary.		

COMMENTS

I submit the site plan and this application as a true representation of existing and proposed conditions. I agree to install all features as shown and to abide by conditions placed upon approval of this plan by the Union Township Planning Commission. False or inaccurate information placed upon this plan may be cause for revocation of any permits issued pursuant to site plan approval and / or removal of work installed. Any changes to the Site Plan now or in the future must be approved by the Union Township Planning Commission or Zoning Administrator. Approval of this plan shall not constitute the right to violate any provisions of the Union Township Zoning Ordinance 1991-5, or other applicable building or state codes and or laws.

Signature of Applicant

Date

11-1-05

Signature of Owner (if other than applicant)

Date

PLEASE PLACE OUR REVIEW ON THE Nov 16th, 2005 (INSERT DATE) PLANNING COMMISSION MEETING. You will not receive a reminder of the scheduled meeting.

Receipt 8803

UNFINISHED BUSINESS

- 1.) **Adopt Ordinance 2005-11 – REZ 1111, Rosemary Reid 2064 Betty Lane. Rezoning of Property from R-2B (One and Two Family District) to B-6 (Retail and Service Highway Business District)**

Alwood moved Henry supported to adopt Ordinance 2005-11 REZ 1111, Rosemary Reid 2064 Betty Lane. Rezoning of property from R-2B (One and Two Family District) to B-6 (Retail and Service Highway Business District). Roll call vote – Ayes: Horton, Collin, Supka, McDonald, Alwood, Verwey and Henry. Nays: None. Ordinance declared adopted.

- 2.) **Adopt Ordinance 2005-12 – REZ 1116, Ming and Jing Properties, LLC. Rezoning of Property in Section 9 for Dr. Roger Hou DDS and Isabella Bank and Trust from R-2A (One and Two Family District) to OS (Office Service)**

Verwey moved Supka supported to adopt Ordinance 2005-12 – REZ 1116, Ming and Jing Properties, LLC. Rezoning of property in section 9 for Dr. Roger Hou DDS and Isabella Bank and Trust from R-2A (One and Two Family District) to OS (Office Service). Roll call vote – Ayes: Verwey, Collin, Horton, McDonald, Supka, Alwood and Henry. Nays: None. Ordinance declared adopted.

- 3.) **Adopt Ordinance 2005-13 – REZ 1126, Bean, McGuirk and Spruiell, 60 Acres NW of the Intersection of Isabella and Deerfield Roads, including 4838 S. Isabella Rd. Rezoning of Property in Section 26 from R-3A (Apartment and Condominiums District) to B-5 (Highway Business District)**

Horton moved Supka supported to adopt Ordinance 2005-13 – REZ 1126, Bean, McGuirk and Spruiell, 60 acres NW of the intersection of Isabella and Deerfield Roads, including 4838 S. Isabella Rd. Rezoning of property in section 26 from R-3A (Apartment and Condominiums District) to B-5 (Highway Business District). Roll call vote – Ayes: Alwood, Verwey, McDonald, Horton, Supka, Collin and Henry. Nays: None. Ordinance declared adopted.

- 4.) **Adopt Ordinance 2005-14 – REZ 1127, Glen, Steven and John Hoyle, 4345, 4459 and 4471 E. Bluegrass Rd. Rezoning of Property in Section 26 from AG (Agricultural District) to B-5 (Highway Business District)**

Horton moved McDonald supported to adopt Ordinance 2005-14 – REZ 1127, Glen, Steven and John Hoyle, 4345, 4459 and 4471 E. Bluegrass Rd. Rezoning of property in section 26 from AG (Agricultural District) to B-5 (Highway Business District). Roll call vote – Ayes: McDonald, Supka, Alwood, Verwey, Collin, Horton and Henry. Nays: None. Ordinance declared adopted.

- 5.) **Township Website**

Horton moved Henry supported to accept the recommendation of the Zoning Administrator and approve the purchase of the Icommander Website package number 5 in the amount of \$260.00 per year with a directive to the Superintendent to oversee the development of the website. Ayes: all. Motion carried.

CHARTER TOWNSHIP OF UNION
Planning Commission
Regular Meeting

A regular meeting of the Charter Township of Union Planning Commission was held on November 16, 2005 at 7:00 p.m. at the Union Township Hall.

Meeting was called to order at 7:00 p.m.

Roll Call

Darin, Fuller, Hills, Horton, Plachta, Schaeffer and Wilson were present. Hauck was excused. McGuirk arrived at 7:03 p.m.

Others Present

Woody Woodruff

Approval of Minutes

September 21, 2005 – regular meeting

Hills moved Darin supported to approve the September 21, 2005 regular meeting minutes as presented. Ayes: all. Motion carried.

Correspondence

No correspondence was submitted.

Approval of Agenda

Add under "Unfinished Business" 1.) Joint Meeting with the City of Mt. Pleasant and under "Other Business" 1.) 2006 Meeting Schedule

Plachta moved Wilson supported to approve the agenda as amended. Ayes: all. Motion carried.

Public Comment

No comments were offered.

UNFINISHED BUSINESS

1.) **Joint Meeting with the City of Mt. Pleasant**

Plachta moved Wilson supported to postpone until the City of Mt. Pleasant Planning Commission contacts the Union Township Planning Commission to set up a meeting.

NEW BUSINESS

1.) **REZ 1147 – Toedecki, Mary Revocable Trust, 1719 E. High St. Rezoning of property in Section 14 from R-2A (One and Two-Family District) to R-3A (Apartment and Condominium District) for a shelter for more than 3 unrelated persons**

Applicant

Gary Janofski 11370 M-46, Riverdale, MI of New Hope Youth and Family Service addressed the Commission and stated they want to open a home for abused neglected pregnant unwed teen mothers.

Public Hearing

Opened at 7:05 p.m.

No comments were offered.

Closed at 7:07 p.m.

Planning Commission

Hills moved Wilson supported to recommend approval of REZ 1147 – Teodecki, Mary Revocable Trust, 1719 E. High St. Rezoning of property in Section 14 from R-2A (One and Two-Family District) to R-3A (Apartment and Condominium District) for a shelter for more than 3 unrelated persons to the Board of Trustees. Ayes: all. Motion carried.

2.) SUP 1149 – Bluegrass Investment Group LLC, Vacant land, South end of the East ½ of the SW ¼ Section 26. Special Use Permit for a Fueling Station on Sam’s Club Parcel and Site Plan Review for Sam’s Club and Super Walmart

Applicant

Robert Matko of CESO, Inc. representing the applicant presented site plan review for the fueling station, Sam’s Club and Super Walmart

Public Hearing

Opened at 7:18 p.m.

No comments were offered.

Closed at 7:19 p.m.

Planning Commission

McGuirk moved Fuller supported to recommend approval of SUP 1149 – Bluegrass Investment Group LLC, Vacant land, South end of the East ½ of the SW ¼ Section 26. Special Use Permit for a Fueling Station on Sam’s Club Parcel to the Board of Trustees. Ayes: all. Motion carried.

Wilson moved McGuirk supported to approve SPR 1148 – Site Plan Review for Sam’s Club and Super Walmart contingent on approval of storm water management, Mt. Pleasant Fire Department and the Isabella County Road Commission. Ayes: all. Motion carried.

3.) SPR 1149 – Bluegrass Investments LLC, 4471 E. Bluegrass Rd., Strip Mall Development of 3 Retail, 1 Bank (includes drive thru)

Applicant

Jay Barnes of Encore Development 25 Ottawa SW, Grand Rapids, MI presented the site plan to the Commission.

Planning Commission

Darin moved Wilson supported to approve SPR 1149 – Bluegrass Investments LLC, 4471 E. Bluegrass Rd., Strip Mall Development of 3 retail and 1 Bank (includes drive thru) contingent on approval from the Isabella County Road Commission, Mt. Pleasant Fire Department and Storm Water Management. Ayes: all. Motion carried.

**BOARD OF COUNTY ROAD COMMISSIONERS
ISABELLA COUNTY
2261 E. REMUS ROAD
MT. PLEASANT, MICHIGAN 48858-9002
OFFICE PHONE: (989) 773-7131, GARAGE PHONE: (989) 772-2641
Fax: (989) 772-2371**

December 16, 2005

Lapham Associates
210 Court Street, Suite A
Mt. Pleasant, MI 48858
Attn: Jim Klein, PE

RE: Union Twp, Section 26 – Hoyle Property

Dear Mr. Klein:

The proposed site plan for the Bluegrass Investment Group, on the Hoyle property is denied. A joint access point located at the proposed traffic signal for both the Hoyle property and the Newgrass property (proposed street connection to Broomfield Road).

1. The Newgrass Development and the Bluegrass Investment Group (Encore Development) will need to work out the details regarding the Right-of-way needed across the Hoyle property to provide the proposed thru street north from Bluegrass Rd to Broomfield Rd.

If you have any questions please contact this office.

Sincerely,



Patrick J. Gaffney, P.E.
Engineer Superintendent

Enclosure:

Cc: File

James L. Miller, Manager – Isabella CRC

Woody Woodruff, Zoning – Union Twp

**BOARD OF COUNTY ROAD COMMISSIONERS
ISABELLA COUNTY
2261 E. REMUS ROAD
MT. PLEASANT, MICHIGAN 48858-9002
OFFICE PHONE: (989) 773-7131, GARAGE PHONE: (989) 772-2641
Fax: (989) 772-2371**

March 22, 2006

Lapham Associates
210 Court Street, Suite A
Mt. Pleasant, MI 48858
Attn: Jim Klein, PE

RE: Union Twp, Section 26 – Hoyle Property

Dear Mr. Klein:

At the Board meeting on March 10, 2006 the Board of County Road Commissioners approve the proposed site plan on the Hoyle Property. I do have the following conditions.

1. The entrance at the proposed signal shall be 3 lanes wide to head up the left turns.
2. The proposed shared drive will need to be built to the property line to allow joint access to the drive at the TS.
3. 10 ft of additional right of way along the frontage of Bluegrass Road.

If you have any questions please contact this office.

Sincerely,



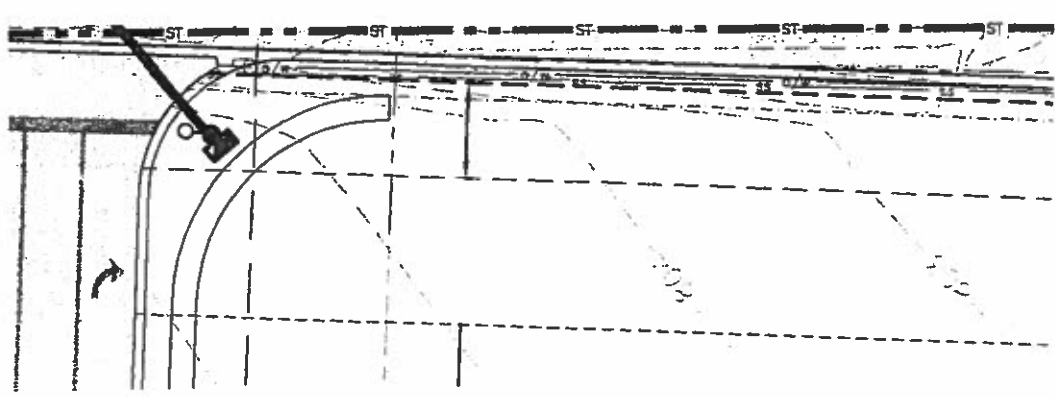
Patrick J. Gaffney, P.E.
Engineer Superintendent

Enclosure:

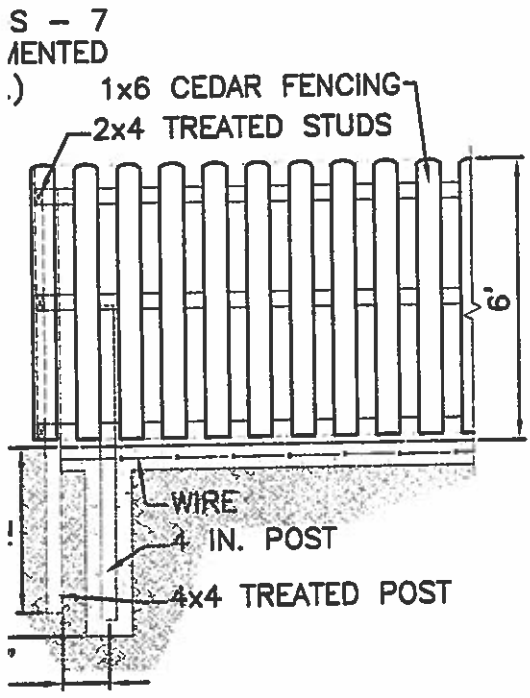
 CC: File

James L. Miller, Manager – Isabella CRC

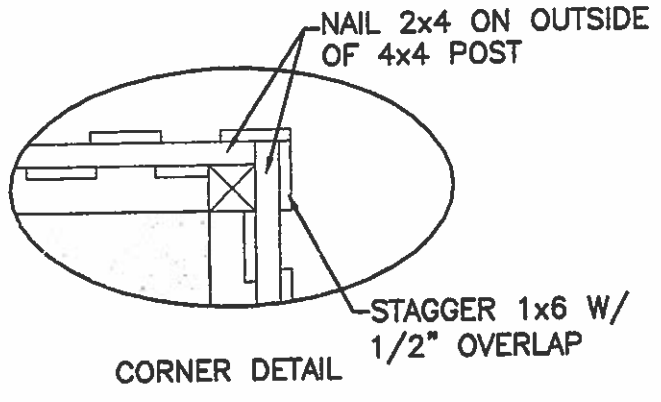
Woody Woodruff, Zoning – Union Twp



- ⊗ WATER SHUT-OFF
- FOUND PROPERTY MARKER
- FOUND RE-ROD (P.S. CAPPED)
- ⊗ PROPOSED FIRE HYDRANT
- ⊙ PROPOSED SANITARY MANHOLE
- ⊖ PROPOSED STORM STRUCTURE
- ▲ PROPOSED BLDG. LIGHTING



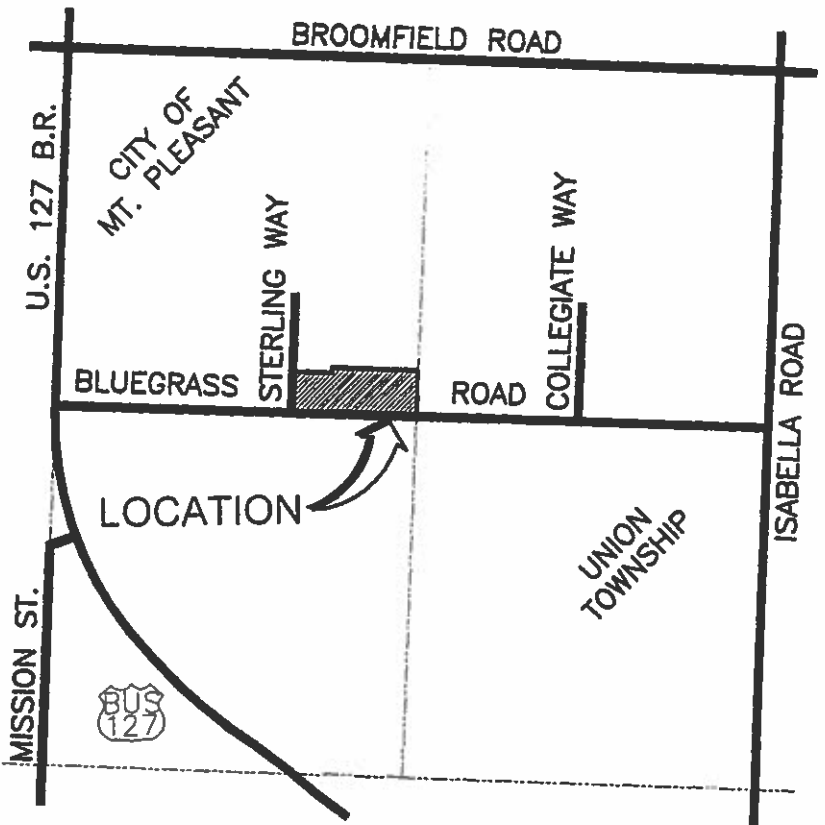
PROFILE VIEW



CORNER DETAIL

REVISIONS

S.K. Plan Approved 10 March-06 BY ICEE BOARD OF COMMISSIONERS



SECTION 26, T.14N.-R.4.W., UNION TOWNSHIP,
ISABELLA COUNTY, MICHIGAN

LOCATION MAP

(NO SCALE)

ENCLOSURE

**25 OTTAWA SW, SUITE 203
GRAND RAPIDS, MICHIGAN 49503**

LEGEND:

OVERHEAD UTILITY LINE

GAS LINE

SANITARY SEWER

STORM SEWER

WATER LINE

TELEPHONE FIBER OPTICS

PROP. WATER

PROP. SANITARY SEWER

PROP. STORM SEWER

1 GUY WIRE

12 RISER

VAULT / TRANSFORMER

FIRE HYDRANT

WATER VALVE

5 SANITARY SEWER MANHOLE

2 PUMP/LIFT STATION

10 STORM SEWER MANHOLE

10 CATCHBASIN

1 SIGN

1 STOP SIGN

1 BENCHMARK LOCATION

10 CLEANOUT

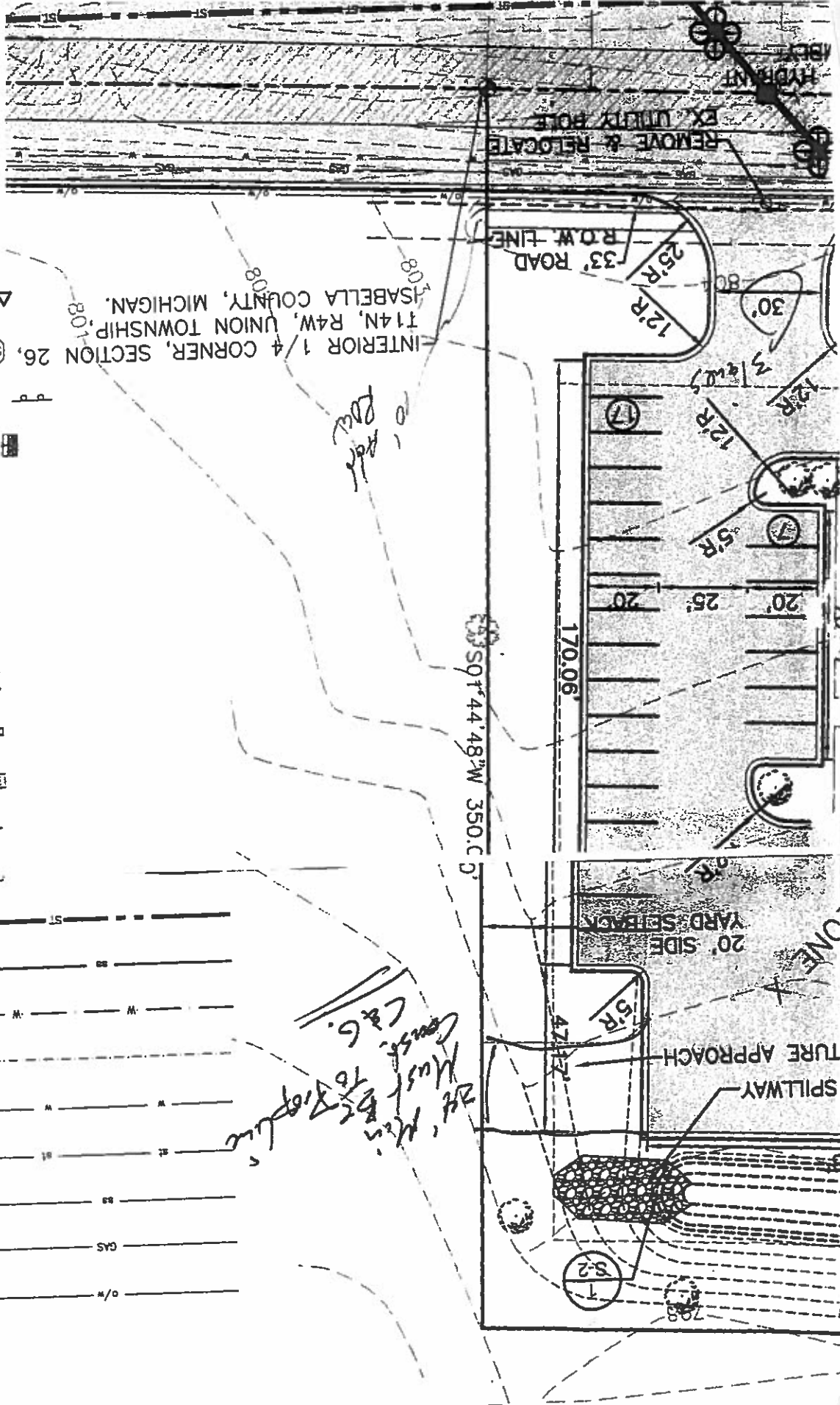
1 LIGHT POLE

1 MANHOLE

1 WELL

1 GASLINE MARKER

1 WATER SHUT-OFF



INTERIOR 1/4 CORNER, SECTION 26,
114N, R4W, UNION TOWNSHIP,
ISABELLA COUNTY, MICHIGAN.

*28' Min. Dist. to Top Line
C&G
Consistent to Top Line*

S87°14'35"E 627.00'

25' REAR YARD SETBACK

STORM WATER DETENTION AREA

800 801 802

PROPOSED EMERGENCY

SHED TO BE REMOVED

DUMSTER ENCLOSURE
POLE BLDG.
TO BE REMOVED

REMOVE & RELOCATE
EX. UTILITY POLE

RETAIL 'B'
9,900 SFT.
144'x70'
FF: 806.50

BANK
4,250 SFT.
FF: 805.00

PROP. SANITARY
SERVICE (TYP)

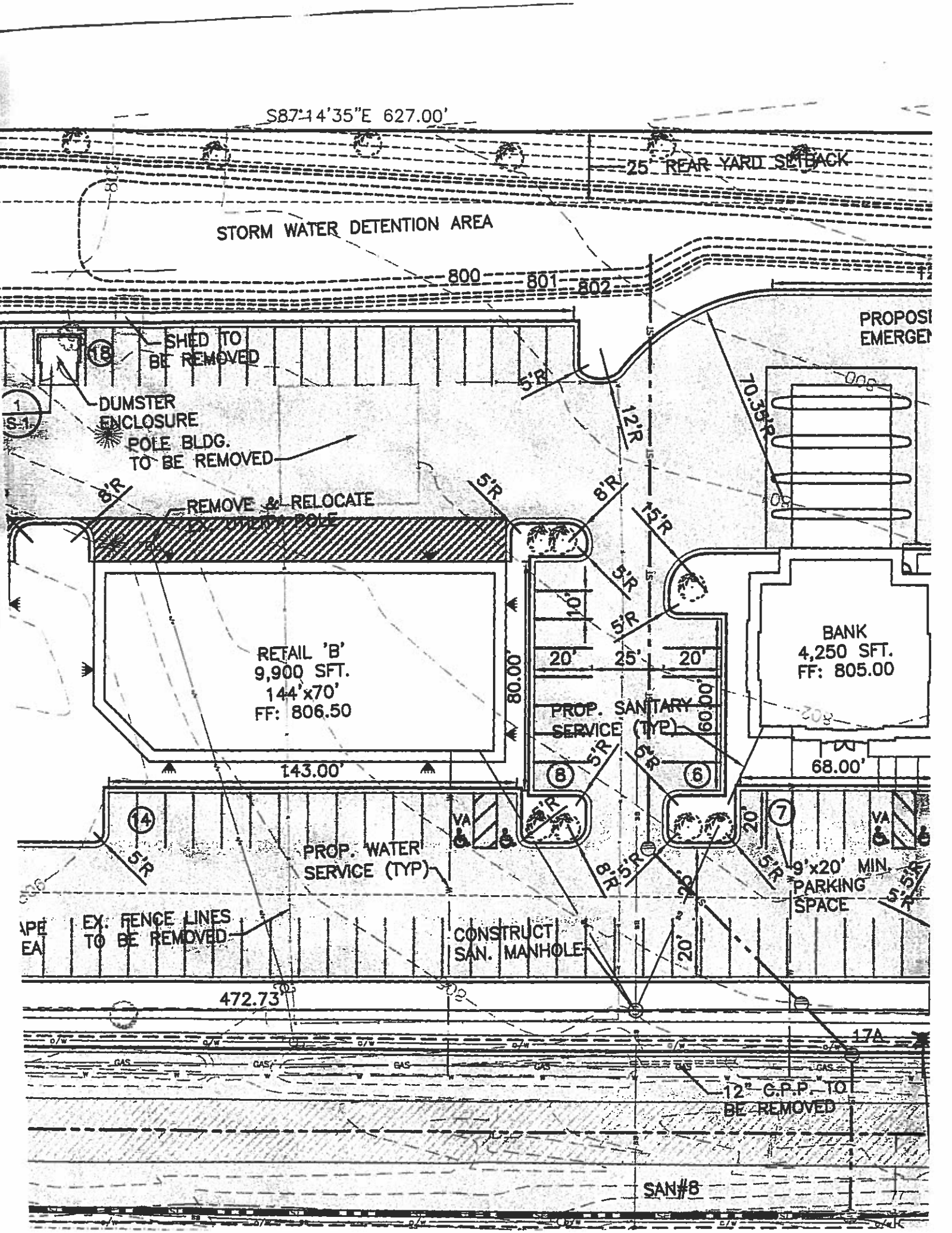
PROP. WATER
SERVICE (TYP)

9'x20' MIN.
PARKING
SPACE

CONSTRUCT
SAN. MANHOLE

12" G.P.P. TO
BE REMOVED

SAN#8



ACCESS MANAGEMENT

Planning Commission

December 20, 2006

Applicant

Rick McGuirk of RCS Equities, Inc. 4175 E. Bluegrass Rd. addressed the Commission And presented the plan for a warehouse and storage area at 4175 E. Bluegrass Rd.

Planning Commission

Hills moved Horton supported to recommend approval of SUA 1259 – RCS Equities, Inc. 4175 E. Bluegrass Rd. Special Use Permit for Warehouse and Storage Area as an Accessory to the Board of Trustees. Ayes: all. Motion carried.

2.) Access Management Plan Implementation in Zoning Ordinance

The Commission sent this item to Committee. The committee will be Fuller, Hauck, Schaeffer, Wilson and a member of the EDDA. The first meeting will be January 9, 2007 at 7:00 p.m.

3.) Elect Officer and Approve 2007 Meeting Schedule

Wilson moved Darin supported to retain same officers as elected for 2006.

Chair – Schaeffer

Vice-Chair – Darin

Secretary – Fuller

Alternate Secretary – McGuirk

Representative to ZBA – McGuirk

Ayes: all. Motion carried.

Hills moved Plachta supported to approve the 2007 meeting schedule as presented. Ayes: all. Motion carried.

Other Business

None

Extended Public Comment

No comments were offered.

Adjournment

The Chair adjourned the meeting at 7:50 p.m.

APPROVED BY:



Alex Fuller, Secretary

(Recorded by Kathy Blizzard)

(B)

Memo

FROM THE DESK OF THE ZONING ADMINISTRATOR

To: Planning Commission

Date: 12/14/2007

Re: 12/19/07 Items

-
1. MRF Site Plan Amendment. This is to add a 40 x 60 pole structure. The Fire Department has reviewed it and only asks that the roadway be kept clear in case of emergency. The Road Commission has no input, and the Drain office has indicated that the addition will not impair the storm water plan, but I need a letter on file prior to the building permit.
 2. Preliminary Tentative Plat Review for Tallgrass Commons Site Condo. I have talked to the engineer about the layout and access. Lots 11-13 and 17-20 are areas of concern. The service drive ROW must be 40'. Our subdivision ord requires lots to take access off the subdivision road, not the major thoroughfare. The road commission has issued a letter (I don't have it yet) that allows a cut for 17 and 18 to share and one for 19 & 20 to share. We also only allow a driveway to service 2 lots. If unit 13 comes off Sweeny, than 11 & 12 will share a driveway. The engineer will provide corrected copies at the meeting. I believe our subdivision ordinance trumps the road commission's approval of the 2 additional cuts on Bluegrass. I recommend the roadways be redone to eliminate curb cuts on Bluegrass, this may necessitate the service drive to be a county road.

The county is hosting a Citizens Planner Series , enclosed is information on that.

Memo

FROM THE DESK OF THE ZONING ADMINISTRATOR

To: Township Board

Date: 2/08/2008

Re: File # PPR 1330 (Preliminary Platt Review), Tallgrass Commons

This project is located in Section 26. The parcel extends from Broomfield Rd to Bluegrass Rd. Our planning commission has approved the preliminary plan with minor changes. The service drive at the south end of the project is to extend to the property line for future connection, and 2 dries at the north end should be aligned to prevent left turn in and out conflicts. I have marked up the plan with these revisions. When the developer returns for final approval, these changes are to be included.

-Woody

UNFINISHED BUSINESS

1.) CSRC – Fees for Permits and Water /Sewer Taps

Alwood moved Supka supported to table this item until the February 27, 2008 meeting at the request of the Central Sports and Recreation Center. Ayes: all. Motion carried.

NEW BUSINESS

1.) Chippewa River District Library Presentation

Lese Mitchell of the Chippewa River District Library 301 S. University presented plan for Chippewa River District Library.

2.) Pre-approved Attorneys, Banks, Vendors and Engineers

McDonald moved Supka supported to approve the pre-approved list of attorneys, banks, vendors and engineers presented by Superintendent Plowman. Ayes: all. Motion carried.

3.) Richard Figg Interest Request

Horton moved Verwey supported to deny the request from Richard Figg for the \$7,288.00 interest on the amount he was over billed due to a faulty water meter. Ayes: all. Motion carried.

4.) Sage Development – Reimbursement of Building and Zoning Permits and Water Hook up Fees

Horton moved Alwood supported to approve Sage Development's request for refund on building and zoning permits and water hook up fees in the amount of \$16,200.00 final payment subject to inspection of water meters (amount for water meters deducted if not approved by Utility Coordinator) and develop a policy on refunding fees. Ayes: 6. Nays: 1. Motion carried.

5.) Oak Meadows Reimbursement of Building Permit Fees

Horton moved Henry supported to approve Oak Meadow's request for refund of building permit fees in the amount of \$1414.00 final payment and develop a policy on refunding fees. Ayes: 5. Nays: 2. Motion carried.

6.) PPR 1330 – Tallgrass Commons – Preliminary Plat Review of Commercial Site Condo, 3/8 Mile West of Isabella Road between Broomfield and Bluegrass Roads, Part of the West ½ of the NW ¼ of Section 26

Alwood moved Henry supported to accept the Planning Commission's recommendation and approve PPR 1330 Tallgrass Commons – Preliminary Plat Review of commercial site condo 38/ mile west of Isabella Road between Broomfield and Bluegrass roads, part of the west ½ of the northwest ¼ of section 26 with changes requested by the Planning Commission. Ayes: all. Motion carried.

7.) 2% Requests

Horton stated that he would like to see more 2% requests made to the Saginaw Chippewa Indian Tribe. Board members should give their suggestions to Superintendent Plowman and this item will be on the March 12, 2008 meeting agenda.

Memo

FROM THE DESK OF THE ZONING ADMINISTRATOR

To: Planning Commission

Date: 2/15/2008

Re: 2/20/08 Meeting Notes

- Tall Grass Commons Final Review. They have included changes from our last meeting, the extension of the Southerly service drive to the property line, and alignment of 2 drives at the Northerly end. I suggest a recommendation to the board to accept the final plat.
- REZ 1334 Rosewood Condos. We declined to support this on 5/15/2002, and I do not see any significant changes on Broadway. The consensus at the time was that the existing OS served as the buffer between residential to the west and more intense zoning to the east. I suggest we recommend denial to the board.
- SPA 1348 – This site plan amendment adds to large item storage buildings. This is a use by right in the I zone. There was a variance granted to allow a 30' rear yard, so this meets setbacks. I recommend approval, with a building permit subject to receipt of the storm water and Fire Department approval letters.
- REZ 1349 – R2A to OS. This fits the master plan at Isabella Rd, and is a bit deeper. The applicant will have an agreement to offer that the rezoning would be conditioned on. That would be to exclude traffic from this lot to an extension of Spring Street. I support the request with this stipulation.

-Woody

CHARTER TOWNSHIP OF UNION
Planning Commission
Regular Meeting

A regular meeting of the Charter Township of Union Planning Commission was held on February 20, 2008 at 7:00 p.m.

Meeting was called to order at 7:00 p.m.

Roll Call

Darin, Fuller, Horton, LaBelle, Plachta, Schaeffer, and Wilson were present. McGuirk was *excused*. Hauck arrived at 7:05 p.m.

Others Present

Woody Woodruff

Approval of Minutes

Darin moved Wilson supported to approve the January 23, 2008 regular meeting minutes as presented. Ayes: all. Motion carried.

Correspondence

No correspondence was submitted.

Approval of Agenda

Plachta moved Darin supported to approve the agenda as presented. Ayes: all. Motion carried.

Public Comment

No comments were offered.

NEW BUSINESS

1.) **FPR 1330 – Tallgrass Commons, Final Plat Review of Commercial Site Condo, Part of the West ½ of the NW ¼ Section 26**

Wilson moved Darin supported to excuse LaBelle due to conflict of interest. Ayes: all. Motion carried.

Woodruff presented the final plat review to the Commission.

Wilson moved Darin supported to recommend approval of FPR 1330 – Tallgrass Commons, Final Plat Review of Commercial Site Condo, Part of the West ½ of the NW ¼ Section 26 to the Board of Trustees. Ayes: all. Motion carried.

2.) **REZ 1334 – Rosewood Development Co. LLC, Rezone Vacant Lot East of 4795 E. Broadway from R-2A to OS**

Applicant

Tim Bebee of Central Michigan Surveying and Development 1985 Parkland addressed the Commission and stated that this rezoning is consistent with other surrounding properties.

Memo

FROM THE DESK OF THE ZONING ADMINISTRATOR

To: Board of Trustees

Date: 11/06/2009

Re: 11/11/09 meeting zoning items

FPR 1330 Tallgrass Commons - The project has been completed with the installation of roads and utilities. A check with the road commission indicates there are no outstanding issues, the road has been accepted and the 2 year maintenance bond has been posted. The sewers have been videoed with a sewer-cam and the as-builts have been submitted. The conditions of the planning commission's review for the final Platt have been incorporated into the plan. Those conditions were to extend the service drive at the southerly end to the east property line to accommodate interconnection for future development. Service drives at the northern portion were to be aligned, And lastly, that shared entrances on Bluegrass road be aligned to existing curb openings across bluegrass in front of Minards. The Platt has been registered with the Isabella County Registrar of deeds and conforms to the recommended plan. This ensures that what is filed agrees with what was approved. Included in the packet are the approvals from the PC with conditions, and the registered copy that shows the corrections.

SUP 1435 Migizi Development's RV Park – The planning commission has reviewed the project and has recommended it for approval. The site plan also been reviewed and approved with these conditions; Drain Commission approval of Stormwater Management Plan, Approval of utilities by Union Township, and Approval from Mt Pleasant Fire Department, and Isabella County Road Commission Approval. We have the MPFD and Road Commission letters on file. Road has approved, fire has required an additional hydrant. Isabella County Transportation has also signed off. The Special Use approval is a broad brush and simply approves the use at the location. The site plan requirements are specific and will be monitored for conformance prior to the issuance of permits. The site plan requirements await the storm plan approval letter, and the approval of an additional fire hydrant. It is my recommendation to approve the special use permit subject to the site plan requirements.

Peter Gallinat

From: Tim [tcoscareilly@charter.net]
Sent: Tuesday, August 16, 2016 3:32 PM
To: Peter
Subject: Fwd: Union Commons II cross parking access

More detail

Sent from my iPhone

Begin forwarded message:

From: Brad Hansen <bhansen@labellemgt.com>
Date: August 16, 2016 at 2:30:00 PM EDT
To: "Glen Blystone (GBlystone@blystonebailey.com)" <GBlystone@blystonebailey.com>, Tim Coscareilly <tcoscareilly@charter.net>
Subject: FW: Union Commons II cross parking access

Here's more...

Brad Hansen
President/CEO
LaBelle Management
405 S. Mission
Mt. Pleasant Michigan 48858
Direct 989-817-4923
Cell 989-429-8421
Fax 989-773-7521
Email bhansen@labellemgt.com

Our Mission is to always, "DO THE RIGHT THING"
CONFIDENTIALITY NOTICE

This message is intended exclusively for the individual or entity to whom or which it is addressed. This communication may contain information that is proprietary, privileged, confidential, or otherwise legally protected from disclosure. If you are not the named addressee, you are not authorized to read, retain, copy or disseminate this message or any part of it, or to use the information herein for any purpose.

Neither the information in this block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message.

If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message, in whatever form, in your possession or control. Thank you for your cooperation

-----Original Message-----

From: Jay Barnes [<mailto:JayBarnes@vzw.blackberry.net>]
Sent: Thursday, September 21, 2006 10:29 PM
To: Bran Hansen

Subject: Re: Union Commons II cross parking access

Ok.
We will work with you any way we can.
Talk to you soon.
JB

Sent from my Verizon Wireless BlackBerry

-----Original Message-----
From: "Brad Hansen" <bhansen@labellemgt.com>
Date: Thu, 21 Sep 2006 22:34:24
To: <JayBarnes@vzw.blackberry.net>
Subject: RE: Union Commons II cross parking access

Jay,
North side of Bluegrass, where your cross access drive from your strip center heads east and will connect with our access point. We are doing our engineering, going out for bids on our road and service drives. We want to make sure we are positioning our connection point correctly. Thanks,
Brad

-----Original Message-----
From: Jay Barnes [<mailto:JayBarnes@vzw.blackberry.net>]
Sent: Thursday, September 21, 2006 5:02 PM
To: Brad Hansen
Subject: Re: Union Commons II cross parking access

Brad
Which site are you referring to? North side of bluegrass?
Jay

Sent from my Verizon Wireless BlackBerry

-----Original Message-----
From: "Brad Hansen" <bhansen@labellemgt.com>
Date: Thu, 21 Sep 2006 17:07:33
To: "Woody Woodruff" <wwoodruff@uniontownshipmi.com>
Cc: "Pat Gaffney" <engineer@isabellaroads.com>, "Jay Barnes" <jbarnes@encoredevelopmentgroup.com>
Subject: RE: Union Commons II cross parking access

Woody,
Maybe they could stake it so as we are finishing our engineering we can make sure we are tying in to the correct point? Thanks, Brad

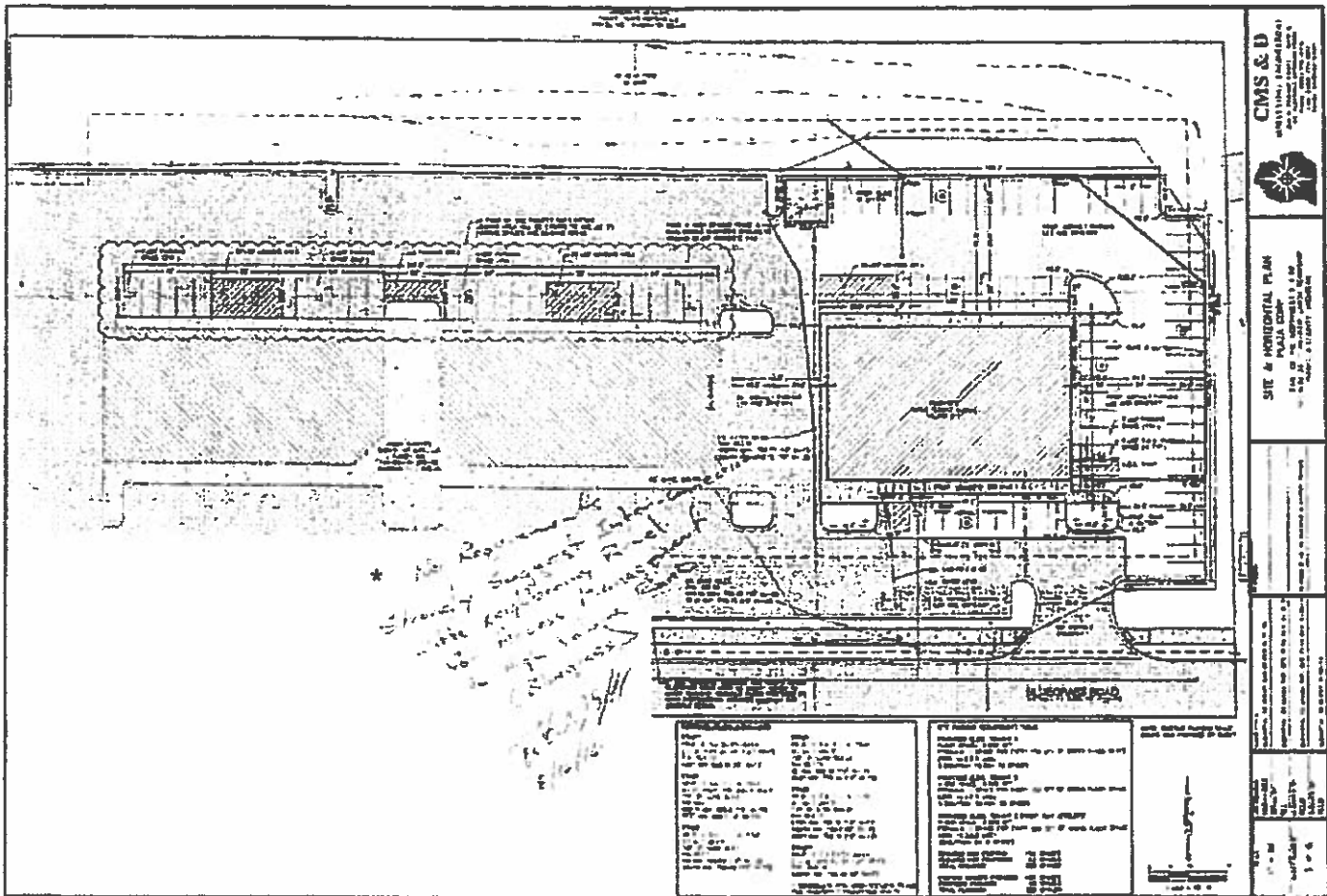
-----Original Message-----
From: Woody Woodruff [<mailto:wwoodruff@uniontownshipmi.com>]
Sent: Thursday, September 21, 2006 3:12 PM
To: bhansen@labellemgt.com
Cc: Pat Gaffney; Jay Barnes
Subject: Union Commons II cross parking access

Dear Brad,

I visited the site this week and spoke to Chad, the project manager from Pumford (General Contractors for the development). He indicated that the easterly portion of the mall would not be commenced this fall. I made him aware of the cross access, as it was not shown on his construction plans.

When that portion of the project is constructed, the cross access will be required to be installed to the property line.

William "Woody" Woodruff
Zoning Administrator
Charter Township of Union
2010 S. Lincoln Road
Mt Pleasant, MI 48858
T14N,R4W Isabella County, Michigan
Phone (989) 772-4600, Ext 41
FAX (989) 773-1988
Visit us on the Web at
<http://www.uniontownshipmi.com>



* No Requirements
 Strongly suggest Inter-connection
 with neighboring Parcel
 for Access Management
 to High Volumn Road
 (Bluegrass)

Peter J. Gallinat
 8/16/16

CHARTER TOWNSHIP OF UNION
Planning Commission
Special Meeting

A special meeting of the Charter Township of Union Planning Commission was held on August 30, 2016 at the Township Hall.

Meeting was called to order at 7:00 p.m.

Roll Call

Present: Fuller, McGuirk, Squatrito, Strachan, Woerle, Zerbe

Excused: LaBelle, Robinette

Absent: Mielke

Others Present

Peter Gallinat, Township Planner Mark Stuhldreher, Township Manager, and Jennifer Loveberry

Approval of Minutes

Woerle moved McGuirk supported the approval of the August 16, 2016 meeting minutes as presented. **Vote: Ayes: 6 Nays: 0. Motion carried.**

Correspondence / Reports

Approval of Agenda

Fuller moved McGuirk supported approval of the agenda as presented. **Vote: Ayes: 6 Nays 0. Motion carried.**

Public Comment

Tim Coscarelli- Made comments regarding cross connecting within Plaza Corp and Union Shoppes.

New Business --

A. SPR 2016-11: Casipit Medical
Location: 2245 S. Isabella

Tim Beebe, CMS & D presented SPR 2016-11: Site Plan Review, Casipit Medical Office, Location: 2245 S. Isabella. The proposed project is to use a non conforming residential home for a conforming physical therapy use. The plan has been approved by Utilities, Fire, Road Commission, storm water management, and ICTC. The Medical Office use conforms to Section 23.2a, which defaults to section 22.2.e. Woerle moved Zerbe supported approval of SPR 2016-11: Casipit Medical site plan review with the condition that a variance is obtained by the ZBA. The variance sought is required from Section 9.1 and 9.9. This is due to the lot not conforming to dimensional requirements of a B-5 District. **Vote: Ayes: 6 Nays 0. Motion carried.**

B. SPR 2016-12: Union Shoppes
Location: 4445 E. Bluegrass Rd.

Recusal – McGuirk and Fuller removed themselves from participation in the decision so as to avoid a conflict of interest.

The applicant, Andy Wenzel with Union Shoppes requested to table site plan review due lack of quorum after recusal. Zerbe moved Strachan supported to approve the applicant, Andy Wenzel's request and table SPR 2016-12: Union Shoppes until the September 20, 2016 Planning Commission meeting. Vote: ayes: 4 nays: 0. Motion carried.

Old Business

Other Business

Extended Public Comment –open 7:41 p.m.
No comments.

Adjournment – Chairman Squattrito adjourned the meeting at 7:41 p.m.

APPROVED BY:

Alex Fuller - Secretary

(Recorded by Jennifer Loveberry)

Union Township Public Hearing Notice – Appeal

NOTICE is hereby given that a Public Hearing will be held on Tuesday, November 15, 2016, at 6:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following request for an appeal.

Requested by: New Grass LLC as appealed the site plan approval by the Planning Commission of SPR 2016-12: Union Shoppes. New Grass LLC seeks modification or termination of the approved site plan

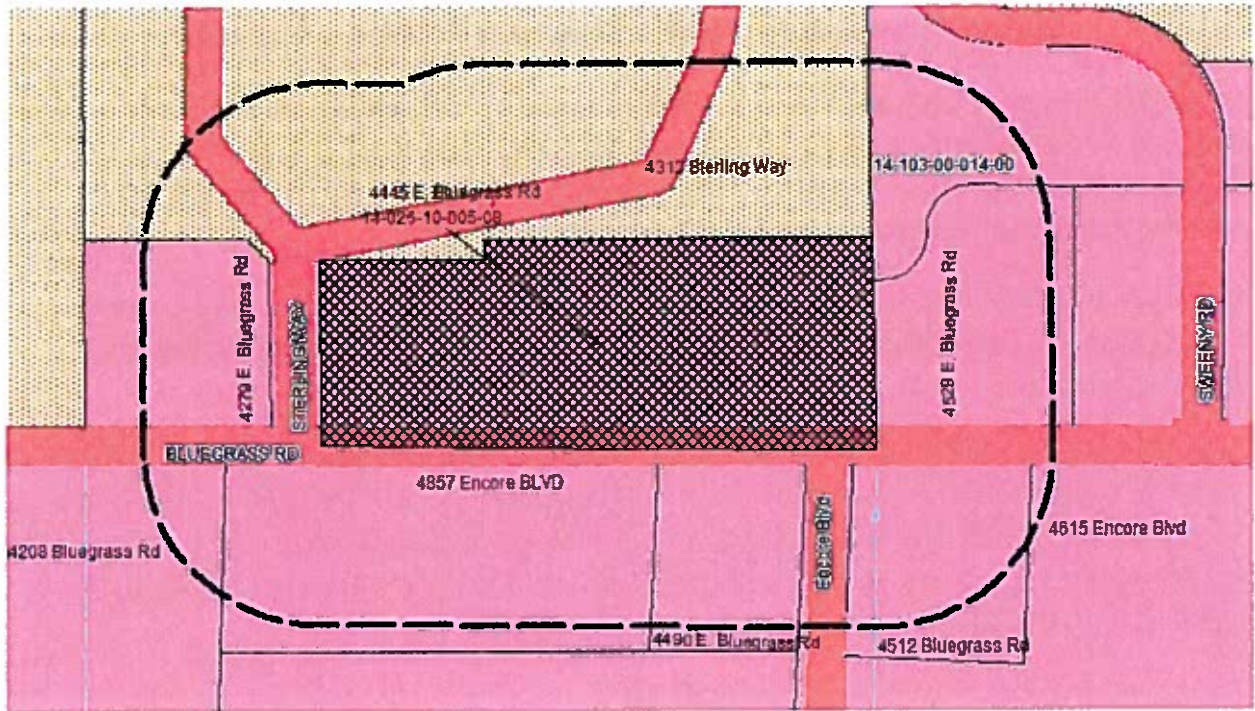
Legal Description of property: T14N R4W SEC 26 DESCRIBED AS BEG AT THE INTERIOR 1/4 COR TH N 01D 44M 48S E 350 FT TH N 87D 14M 35S W 627 FT TH S 01D 44M 48S W 36 FT TH N 87D 14M 35S W 302 FT TH S 01D 44M 48S W 314 FT TH S 87D 14M 35S E 929 FT TO POB 6.511 A M/L. COMBINATION FOR 2007 FROM 10-005-01 & 10-005-03 & 10-005-04 TO 10-005-08

This property is located at 4445 E. Bluegrass Rd.

All interested persons may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing.

All materials concerning this request may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt Peasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone number (989) 772-4600 Ext. 241.

Peter Gallinat, Union Twp Planner



The checked parcel represents the subject property 4445 E. Bluegrass rd. The pink colored parcel is zoned B-5 Highway Business District. The Subject property is zoned B-5. The yellow or tanned colored parcels are zoned R-3A Multiple Family Residential District.

MP NOTE LLC
200 W MICHIGAN AVE STE 201
KALAMAZOO, MI 49007

BIOLIFE PLASMA SERVICES LP
1 BAXTER PKWY DF2-2W
DEERFIELD, IL 60015

CHIPS HOUSING LLC
C/O LUTZ REAL ESTATE
INVESTMENTS LLC
300 S OLD WOODWARD
BIRMINGHAM, MI 48009

INDIAN HILLS PLAZA LLC
1595 NE 163 STREET
MIAMI, FL 33162

MOUNT PLEASANT HOLDINGS LLC
211 E. WATER ST., STE 201
KALAMAZOO, MI 49007

MEMBERS FIRST CREDIT UNION
ATTN: ERIC BRUBAKER
P.O. BOX 2165
MIDLAND, MI 48641-2165

ALDI INC
2625 N. STOCKBRIDGE RD
WEBBERVILLE, MI 48892

MENARD INC
4777 MENARD DR
EAU CLAIRE, WI 54703

PINNACLE VENTURES LLC
1000 FRONT AVE NW
GRAND RAPIDS, MI 49504

NEW GRASS LLC
619 S MISSION ST
MOUNT PLEASANT, MI 48858

I certify that Public Notices for
APPX
file # 2016-01 were
mailed on 10-28-16 to all persons listed on
this page. Pete Bell (signature)

AFFIDAVIT OF PUBLICATION

48 West Huron Street • Pontiac, MI 48342

CHARTER TOWNSHIP OF UNION
2010 S Lincoln

Mount Pleasant, MI 48858
Attention: Peter Gallinat

STATE OF MICHIGAN,
COUNTY OF ISABELLA

Jake Allport
Jake Allport

The undersigned _____, being duly sworn the he/she is the principal clerk of Morning Sun, morningstarpublishing.com, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

CHARTER TOWNSHIP OF UNION

Published in the following edition(s):

Morning Sun	10/31/16
morningstarpublishing.com	10/31/16



Sworn to the subscribed before me this 2nd November 2016

Tina M Crown

Notary Public, State of Michigan
Acting in County of Isabella

Union Township Public Hearing Notice – Appeal

NOTICE is hereby given that a Public Hearing will be held on Tuesday, November 15, 2016, at 6:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Zoning Board of Appeals for the purpose of hearing any interested persons in the following request for an appeal.

Requested by: New Grass LLC as appealed the site plan approval by the Planning Commission of SPR 2016-12: Union Shoppes. New Grass LLC seeks modification or termination of the approved site plan

Legal Description of property: T14N R4W SEC 26 DESCRIBED AS BEG AT THE INTERIOR 1/4 COR TH N 01D 44M 485 E 350 FT TH N 87D 14M 355 W 627 FT TH S 01D 44M 485 W 36 FT TH N 87D 14M 355 W 302 FT TH S 01D 44M 485 W 314 FT TH S 87D 14M 355 E 929 FT TO POB 6.511 A M/L COMBINATION FOR 2007 FROM 10-005-01 & 10-005-03 & 10-005-04 TO 10-005-08

This property is located at 4445 E. Bluegrass Rd.

All interested persons may submit their views in person, in writing, or by signed proxy prior to the public hearing or at the public hearing.

All materials concerning this request may be seen at the Union Township Hall, located at 2010 S. Lincoln Road, Mt. Pleasant, Michigan, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. Phone number (989) 772-4600 Ext. 241.

Peter Gallinat, Union Twp Planner

Published: October 31, 2016

Advertisement Information

Client Id: 531226

Ad Id: 1167317

PO:

Sales Person: 200303

Charter Township Of Union

Peter Gallinat, Township Planner
pgallinat@uniontownshipmi.com
2010 South Lincoln
Mt. Pleasant, MI 48858
Phone 989-772-4600 Ext. 241
Fax 989-773-1988

INDIAN HILLS PLAZA LLC
Parcel 14-026-30-002-08
4208 E. BLUEGRASS RD.
MOUNT PLEASANT, MI 48858

10/31/2016

In accordance with the Michigan Zoning Enabling Act 1ct 110 of 2006, Article 1, 125.3103, section 103 The Charter Township of Union request that either the owner or manager of 4208 E. Bluegrass Rd. post this notice at the primary entrance of the existing structure on the property PID 14-026-30-002-08.

Thank You

Peter Gallinat
Peter Gallinat
Twp Planner

I certify that Public Notices for
file # 2016-01 were
mailed on 10-31-16 to all persons listed on
this page *Pete Gallinat* (signature)

Charter Township Of Union

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Mt. Pleasant, MI 48858
Phone 989-772-4600 Ext. 241
Fax 989-773-1988

MP NOTE LLC
Parcel 14-026-10-005-08
4445 BLUEGRASS RD
MOUNT PLEASANT, MI 48858

10/31/2016

In accordance with the Michigan Zoning Enabling Act 1ct 110 of 2006, Article 1, 125.3103, section 103 The Charter Township of Union request that either the owner or manager of 4445 E. Bluegrass Rd. post this notice at the primary entrance of the existing structure on the property PID 14-026-10-005-08.

Thank You

Peter Gallinat
Peter Gallinat
Twp Planner

I certify that Public Notices for
file # ^{Appeal} 2016-01 were
mailed on 10-31-16 to all persons listed on
this page. *P. Gallinat* (signature)

Charter Township Of Union

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pgallinat@uniontownshipmi.com
2010 South Lincoln
Mt. Pleasant, MI 48858
Phone 989-772-4600 Ext. 241
Fax 989-773-1988

CHIPS HOUSING LLC
Parcel 14-026-10-005-06
4310 STERLING WAY
MOUNT PLEASANT, MI 48858

10/31/2016

In accordance with the Michigan Zoning Enabling Act 1ct 110 of 2006, Article 1, 125.3103, section 103 The Charter Township of Union request that either the owner or manager of 4310 Sterling Way post this notice at the primary entrance of the existing structure on the property PID 14-026-10-005-06.

Thank You

Peter Gallinat
Peter Gallinat
Twp Planner

I certify that Public Notices for
file # _____ were
mailed on _____ to all persons listed on
this page. _____ (signature)

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I certify that Public Notices for
^{APPEAL}
file # 2016-01 were
mailed on 11-31-16 to all persons listed on
this page Peter Gallinat (signature)