



**Planning Commission
Regular Meeting
January 21, 2020
7:00 p.m.**

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES
- December 17, 2019
5. CORRESPONDENCE / BOARD REPORTS / PRESENTATIONS
 - Upcoming Available Training Opportunities
 - Nine Golden Rules of Defensible Decision Making
6. APPROVAL OF AGENDA
7. PUBLIC COMMENT: Restricted to (3) minutes regarding items not on this agenda
8. NEW BUSINESS
 - A. HOP 20-01 (Public Hearing) Roy & Gerrie Hoyt, 2305 E Millbrook Rd., SECTION 33, 14-033-30-002-02
 - B. TXT 20-01 (Public Hearing) BSP Enterprises LLC – Navita S. Patel, President Amend Section 30.4 AB (Special Use Permits – Multi Use), Section 23.3.B (Special Uses – Multi-Use Structures)
9. OTHER BUSINESS
10. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue
11. FINAL BOARD COMMENT
12. ADJOURNMENT

CHARTER TOWNSHIP OF UNION
Planning Commission
Regular Meeting

A regular meeting of the Charter Township of Union Planning Commission was held on December 17, 2019 at the Township Hall.

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

Roll Call

Present: Buckley, Clerk Cody, Darin, Fuller, LaBelle, Shingles, Squattrito, and Webster

Others Present

Township Planner, Peter Gallinat and Secretary, Jennifer Loveberry

Approval of Minutes

LaBelle moved **Shingles** supported the approval of the November 19, 2019 regular meeting as amended. **Vote: Ayes: 8 Nays: 0. Motion carried.**

Correspondence / Reports/ Presentations

Board of Trustees – updates from Clerk Cody

ZBA – updates by Buckley

Approval of Agenda

Fuller moved **Cody** supported to amend the agenda, moving SPR 2019-15 as Item A and SPR 2019-16 to Item B, also removing SPR 2019-14 from tonight's agenda as it is not ready for review and/or approval. **Vote: Ayes: 8 Nays 0. Motion carried.**

Fuller moved **Buckley** supported approval of the agenda as amended. **Vote: Ayes: 8 Nays 0. Motion carried.**

Public Comment – 7:10 p.m.

No comments were offered.

Closed 7:10 p.m.

New Business

A. SPR 2019-15 Self-Storage buildings located at S Park Place, PID 14-011-30-001-14
Owner: Mt. Pleasant Storage Central LLC

Township Planner stated the applicant is proposing seven storage buildings on the B4 section of the property and mentioned that a special use (SUP 2019-05) was approved in September 2019. The I-1 parcel to the south with the existing self-storage buildings will be combined into one parcel with split zoning in the future. Outside approvals from MPFD, ICRC, ICTC, Isabella County Drain Office for Stormwater Management, and Union Township Public Services have been received.

Applicants representative, Pete Lorenz, Lorenz Surveying & Engineering – presented the site plan asking for provisional relief for sidewalks as stated on the site plan, stating that it meets the criteria in the Township's Sidewalk Policy.

LaBelle moved **Webster** supported to approve SPR 2019-15 Self-Storage buildings located at S Park Place as presented, including provisional sidewalk relief, with the following condition:

that a photometric lighting plan is submitted and approved at the time of a building permit.
Vote: Ayes: 8 Nays: 0 Motion carried.

B. SPR 2019-16 Isabella County Road Commission Facilities located at 2261 E. Remus Rd. PID 14-016-30-003-00 Owner: Isabella County Road Commission

Township Planner stated that the Isabella County Road Commission is proposing to construct Administration and Maintenance buildings in the current B5 zone. At the 2/6/2019 ZBA meeting the ZBA members determined that the Isabella County Road Commission is an essential use; therefore, would be a permitted use in the B-5 zone. Outside approvals from MPFD, ICRC, ICTC, Isabella County Drain Office for Stormwater Management, and Union Township Public Services have been received.

Applicants representative, Joseph White, Wolverine Engineers & Surveyors, Inc. – presented the site plan located in a B5 district.

Webster moved **Cody** supported to approve SPR 2019-16 Isabella County Road Commission located at 2261. E. Remus Rd as presented. **Vote: Ayes: 8 Nays: 0 Motion carried.**

C. SUP 2019-07 Sand and Gravel Pit located at S Lincoln Rd PID 14-033-30-006-00 Owner: James Zalud and Daniel Zalud

Township Planner read the Public Hearing Notice that appeared in the Morning Sun.

Public Hearing Open 7:45 p.m.

Ben Gunning, 2270 E. Broomfield – stated that “Public Hearing” was not on the Agenda

Shirley Burditt 2607 E. Millbrook Rd.- Not in support of SUP

Kathy Bellinger, 1692 E. Millbrook Rd. - Not in support of SUP

Sally Bellinger, 6415 S. Lincoln Rd. - Not in support of SUP

Rochelle Short, 5620 S. Lincoln Rd. - Not in support of SUP

Doug Hovey, 3729 E. Millbrook Rd. - Not in support of SUP

Denise Richards, 2283 E. Millbrook Rd. - Not in support of SUP

Bob Wenzlick, 5956 Whiteville Rd. - Not in support of SUP

Brian Morris, 1140 Eastwood Dr. - Not in support of SUP

James Short, 5620 Lincoln Rd. - Not in support of SUP

Written/emailed correspondence

Robert Fanning, 401 Pine St. - Not in support of SUP

Denise Fanning, 401 Pine St. - Not in support of SUP

Ari Berk, 916 Center Dr. - Not in support of SUP

Annette Thorton, 608 Crescent Dr. - Not in support of SUP

Renn Richards, 2283 E. Millbrook Rd. - Not in support of SUP

Gary Sherwin EGLE – Emailed Township Planner questions regarding SUP project

Denise Richards, 2283 E Millbrook Rd. - Not in support of SUP

Ben Gunning – Confirmed that James Zalud is a member of the Township EDA, not the Board of Trustees or Planning Commission and is not part of any decision making of this SUP

Public Hearing Closed 8:26 p.m.

Applicant Representative Tim Bebee, CMS & D stated that his company is not owned by Jim or Jeremy Zalud as the Morning Sun reported. He stated that this SUP would be restricted to the

most Northeasterly +/- 10 acres of the overall project site, along with stating all the required permits and guidelines for Sand and Gravel Mining Operations that would have to be followed.

Webster moved **Shingles** supported to postpone SUP 2019-07 until the January 2020 Planning Commission meeting pending submission of answers to additional questions by Commissioners.
Vote: Ayes: 7 Nays: 1 Motion carried.

Other Business

Brief discussion by Planning Commission regarding Broomfield Den.

Extended Public Comment Open – 9:43 p.m.

No comments were offered.

Final Board Comment

Adjournment – Chairman Squattrito adjourned the meeting at 9:44 p.m.

APPROVED BY:

Alex Fuller - Secretary
Mike Darin – Vice Secretary

(Recorded by Jennifer Loveberry)

Board Expiration Dates

Planning Commission Board Members (9 Members) 3 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	Lisa	Cody	11/20/2020
2-Chair	Phil	Squatrito	2/15/2020
3-Vice Chair	Denise	Webster	2/15/2020
4-Secretary	Alex	Fuller	2/15/2020
5-Vice Secretary	Mike	Darin	2/15/2022
6	Stan	Shingles	2/15/2021
7	Ryan	Buckley	2/15/2022
8	James	Thering Jr.	2/15/2021
9	Doug	LaBelle II	2/15/2022
Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term			
#	F Name	L Name	Expiration Date
1- PC Rep	Ryan	Buckley	2/18/2021
2 - Chair	Andy	Theisen	12/31/2022
3 - Vice Chair	Liz	Presnell	12/31/2022
4 - Secretary	Taylor	Sheahan-Stahl	12/31/2021
5 - Vice Secretary	Judy	Lannen	12/31/2022
Alt. #1	Brandon	LaBelle	12/31/2022
Alt. #2	Jim	Engler	2/15/2021
Board of Review (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Doug	LaBelle II	12/31/2020
2	James	Thering	12/31/2020
3	Bryan	Neyer	12/31/2020
Alt #1	Randy	Golden	1/25/2021
Citizens Task Force on Sustainability (4 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Don	Long	12/31/2020
2	Mike	Lyon	12/31/2020
3	vacant seat		12/31/2018
4-BOT Representative	vacant seat		11/20/2020
Construction Board of Appeals (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Colin	Herron	12/31/2021
2	Richard	Jakubiec	12/31/2021
3	Andy	Theisen	12/31/2021
Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term			
1	Mark	Stuhldreher	12/31/2020
2	John	Dinse	12/31/2021
Chippewa River District Library Board 4 year term			
1	Ruth	Helwig	12/31/2023
2	Lynn	Laskowsky	12/31/2021



Board Expiration Dates

EDA Board Members (11 Members) 4 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	Ben	Gunning	11/20/2020
2	Thomas	Kequom	4/14/2023
3	James	Zalud	4/14/2023
4	Richard	Barz	2/13/2021
5	Robert	Bacon	1/13/2023
6	Marty	Figg	6/22/2022
7	Sarvjit	Chowdhary	1/20/2022
8	Cheryl	Hunter	6/22/2023
9	Vance	Johnson	2/13/2021
10	Michael	Smith	2/13/2021
11	David	Coyne	3/26/2022
Mid Michigan Area Cable Consortium (2 Members)			
#	F Name	L Name	Expiration Date
1	Kim	Smith	12/31/2020
2	Vacant		
Cultural and Recreational Commission (1 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1	Robert	Sommerville	12/31/2022
Sidewalks and Pathways Prioritization Committee (2 year term)			
#	F Name	L Name	Expiration Date
1 - BOT Representative	Kimberly	Rice	11/20/2020
2 - PC Representative	Denise	Webster	8/15/2020
3-Township Resident	Sherrie	Teall	8/15/2021
4 - Township Resident	Jeremy	MacDonald	10/17/2020
5 - Member at large	Connie	Bills	8/15/2021

March 4 | Grand Rapids, Eberhard Center
Grand Valley State University

Instructor: Megan Masson-Minock, AICP
Carlisle/Wortman Associates, Inc.

Registration & Networking Dinner:

5 PM - 5:30 PM | Program: 5:30 PM - 9 PM

Knowing which public engagement technique to use for which audience, and managing the public participation process so that all voices can be heard, all the while ensuring that the input is meaningful and relevant, is one of a community's greatest challenges. This interactive session explains best practices to engage with community members and stakeholders in meaningful ways.

MANAGING RISK: MAKING SOUND PLANNING & ZONING DECISIONS

3.5 Master Citizen Planner Credits

March 11 | Frankenmuth, Bavarian Inn Lodge

Instructor: Catherine Kaufmann, JD, AICP
Kauckham, Sparks, Thall, Seeber & Kaufman, P.C.

Registration & Networking Dinner:

5 PM - 5:30 PM | Program: 5:30 PM - 8 PM

As more communities face litigation related to planning and zoning decisions, this is essential training for all elected officials, planning commissioners, zoning board of appeals members, and emerging planning professionals. Topics include identifying a conflict of interest, applying discretionary standards during special land use reviews, reasonable expectations of a developer, and how your comprehensive plan can minimize risk.

Extension Citizen Planner Program

March 4 | Grand Rapids, Eberhard Center,
Grand Valley State University

Instructor: Paul LeBlanc, AICP | PLB Planning

March 11 | Frankenmuth, Bavarian Inn Lodge

Instructor: Doug Piggot, AICP | Rowe Professional Services

March 19 | Jackson, Jackson College

Instructor: Leah DuMouchel, AICP | Beckett and Raeder, Inc.

All workshops:

Registration & Networking Lunch:

11 AM - 11:45 AM

Program: 11:45 AM - 4:30 PM

The most requested training product we offer. This course is designed to boost confidence by sharpening skills, examining roles and responsibilities, identifying conflicts of interest, understanding legal foundations, and more!

This program is a robust introduction for new planning commissioners and zoning board of appeals, but also a great refresher for more experienced officials looking to build upon existing knowledge. This program also provides a broad overview for students and emerging planners who want to learn about planning procedures in Michigan.

Public hearing procedures, site plan review, master planning, zoning ordinances, variances, how to determine practical difficulty, and standards for effective decision-making are covered.

March 18 | Taylor, Wayne County Community College
Instructor: Adam Young, AICP | Wade Trim

Registration & Networking Lunch:

11 AM - 11:45 AM

Program: 11:45 AM - 4:30 PM

The zoning administrator is responsible for ensuring the integrity and effectiveness of the zoning process and for the public support it receives. This program is for zoning administrators in rural, suburban, or urban settings as well as municipal officials, other staff members, or citizens interested in a more complete understanding of all facets of zoning administration. This workshop will delve into legal basics, development reviews including zoning board of appeals, good meeting practices, enforcement, and public relations.

SITE PLAN REVIEW

3.5 Master Citizen Planner Credits

March 18 | Taylor, Wayne County Community College

Instructor: Jill Bahm, AICP | Giffels Webster

Registration & Networking Dinner:

5 PM - 5:30 PM | Program: 5:30 PM - 9 PM

This program will demonstrate the site plan review and approval process and provide practical tools and techniques on how to read a site plan. You'll discuss site design principles, such as pedestrian and traffic considerations, lighting, utilities, ADA compliance, inspections, and landscaping. Participants in this hands-on workshop receive an engineering scale, turning template, and a sample site plan to evaluate.

CLEAN ENERGY PLANNING | 2.5 Master Citizen Planner Credits | March 19 | Jackson, Jackson College | NEW OFFERING!

Instructor: Sarah Banas Mills, PhD, Ford School of Public Policy | Graham Sustainability Institute, University of Michigan

Registration & Networking Dinner: 5 PM - 5:30 PM | Program: 5:30 PM - 8 PM

This workshop explores why planners--especially those in rural communities--need to consider renewable energy in their planning and zoning, and provide practical tools for doing so. Local appointed and elected officials will learn how the market for renewables is changing and the opportunities that may exist in all environments (urban, suburban and rural). Communities that have large parcels of open land (250+ acres), who are considering wind and solar farms will find this workshop particularly valuable.

Nine Golden Rules of Defensible Decision-Making

By: Rodney Nanney, Principal

[Building Place Consultants](#)

In almost any crowded public meeting on a controversial site plan, special use, rezoning, or other difficult land use issue you will find a proverbial elephant sitting on the backs of the decision-makers at the front of the room. What is this elephant?

It is a question...

So, the worst has happened and the answer to this question is "Yes!" A disgruntled applicant has threatened or filed a lawsuit against the town and each of the board or commission members personally. Lawsuits are relatively cheap to file, and it costs even less to make the threat. It is also true that a board member or commissioner may be named as a defendant in land use or development litigation if the individual participated in the decision-making process.

Now before all of our citizen-volunteers dash off to pen their resignation letters, please read on: It is extremely rare that personal liability is imposed in such cases, as it must first be proven that the individual acted maliciously or was grossly negligent. Otherwise, he or she should be dismissed from such cases on the grounds of governmental immunity.

To minimize the chance of finding yourself in these circumstances, ALWAYS follow the nine golden rules of defensible decision-making:

RULE 1: MAKE INFORMED DECISIONS

ALWAYS strive to make informed decisions based upon the best information available. The board or commission Chair should request a vote only after first verifying that the agenda item and its probable impacts are well understood by all members.

One of the worst violators of this rule is the decision-maker who waits to open and read the meeting packet until just before the start of the meeting. To be prepared for the business to be discussed at the meeting, take time to become familiar with the agenda items at least several days beforehand.

The Elephant in the
Public Hearing Room



Nine Golden Rules of Defensible Land-Use Decision-Making:

- 1. Make informed decisions**
- 2. Do not exceed your authority**
- 3. Deliberate in public**
- 4. Ask for advice**
- 5. Document decisions**
- 6. Avoid exclusionary zoning**
- 7. Correct errors immediately**
- 8. Respect constitutional rights**
- 9. Express your opinions**

Stay familiar with your zoning ordinance and master plan, and keep them close at hand. If you haven't already done so, consider this your permission to make margin notes, highlight, and "bookmark" your copies so you can find key information quickly during the meeting.

During the meeting it's easy to get bogged down in technicalities and procedural distractions. While Robert's Rules of Order are important, the best decisions come through keeping focus on the key "big picture" issues related to the agenda item.

RULE 2: DO NOT EXCEED YOUR AUTHORITY

ALWAYS strive to act in good faith, and NEVER exceed the scope and authority you have been granted. If you are unsure of the boundaries of your office or your authority in a given circumstance, ask for professional advice before you act.

RULE 3: DELIBERATE IN PUBLIC

ALWAYS deliberate and discuss agenda items exclusively during the public meeting. All deliberations should be in the open. To the best of your ability, avoid talking to the owner, developer, applicant, and your neighbors about the agenda item outside of the public meeting, and be especially careful with email correspondence that involves the applicant, neighbors or fellow decision-makers.

The keys to a defensible decision on a difficult issue are to:

- Consistently apply all adopted standards and regulations, no matter the specifics of a particular case;
- Look out for the best interests of the entire community, not just the people at the public hearing, an applicant or an opponent;
- Beware of decisions that would have the effect of completely excluding a lawful land use; and
- Avoid even the appearance of "under-the-table" dealings by choosing to not meet as a group outside of the public meeting, other than for purely socializing purposes.

What about site visits?

A joint site visit by a majority of the Planning Commission must be preceded by public notice under the Open Meetings Act. Do not enter the site without written permission from the owner, unless the site is normally open to the public.

RULE 4: ASK FOR ADVICE

NEVER hesitate to ask for advice from a land use professional. Technical assistance (legal, planning, zoning, engineering, environmental, etc.) should always be made available to board and commission members and other decision-makers when needed. For development

applications, the application fee should cover the cost for planning and engineering consultant reviews. If it does not, then this would be a good time to update your community's fee schedule.

RULE 5: DOCUMENT DECISIONS

ALWAYS document decisions through detailed motions. This builds a firm and defensible foundation under the decision and any conditions or limitations imposed by the board or commission. The absence of such documentation severely diminishes the legal defensibility of the board or commission's action.

Most land use decisions in Michigan require a written statement of the commission's relevant findings and conclusions related to the specifics of the agenda item. "Findings" are facts specific to the case, while "conclusions" are results or reasoned judgments reached by the decision-makers through the deliberative process.

Carefully phrase the motion, as it may have to withstand court scrutiny. Include references to relevant sections of the ordinance and staff, consultant or agency reports. Whenever possible, make a motion in the affirmative (i.e. "to approve" or "to recommend approval of"). A motion to deny means that a "yes" is actually a "no," which can create confusion and opportunities for error.

What's in a Motion?

- Summary of the request and the proposed action (to approve, to deny, or to recommend an action in some cases)
- Conditions placed on an approval (if any)
- Statement of relevant findings of fact and conclusions that support the proposed action and conditions

RULE 6: CORRECT ERRORS IMMEDIATELY

ALWAYS go back and correct yourself when you discover that a procedural error has been made during the decision-making process. Upon identifying an error, the board or commission should immediately re-start the process from that point with the deficiencies corrected. It is better to hold a "do-over" public hearing than to take an action that would be vulnerable to challenge on a technicality.

RULE 7: AVOID EXCLUSIONARY ZONING

NEVER take an action that would have the effect of completely excluding a lawful land use, or that would impose unreasonable conditions on an approval. Examples of lawful land uses to be aware of include churches and other religious land uses, mobile home parks, and "adult uses" or sexually oriented businesses.

RULE 8: RESPECT CONSTITUTIONAL RIGHTS

NEVER take an action that would have the effect of violating the constitutional rights of an applicant or another citizen. If you are not familiar with the Bill of Rights, the first ten amendments to the U.S. Constitution, take time to get to know them.

Examples of constitutional rights that typically come up as part of land use litigation include the right to due process of law (see Rules 1–6) and a prohibition on the “taking” of property for public use without just compensation (see Rule 7).

Religious land uses and RLUIPA

The federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) prohibits unequal treatment of religious land uses (churches, synagogues, temples, etc.) and similar non-religious assembly uses (theaters, auditoriums, fraternal organizations, etc.). To conform to the intent of RLUIPA, we recommend that these uses be combined into a single new use category called “institutional uses,” subject to a single set of standards.

Professional and legal advice early in the decision-making process is key to defensible decision-making for cases that could involve RLUIPA.

Freedom to petition the government

Respect the rights of citizens to “petition the government for a redress of grievances.” A key to success in cases that require a public hearing is to always err on the side of ensuring that all have ample opportunity to be heard. Speaking in public is an unfamiliar and sometimes emotional experience for many, so be sure to thank everyone that chooses to speak up at a hearing.

1st Amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

“Government regulation of expressive activity is content neutral so long as it is justified without reference to the content of the regulated speech.”

“(The 1st) Amendment affords special protection to speech in the home, (so) the Supreme Court has accorded special “reverence” to yard signs, holding that the available alternatives to yard signs are not ‘adequate alternatives.’”

[Fehribach v. City of Troy, MI (2004)]

Freedom of speech

Local sign regulations can often become a source of indefensible decisions. As the coming year brings another election season, our focus here will be on one small but very significant example: political and opinion signs.

As noted in *Fehribach v. Troy*, yard signs for campaigns, ballot issues, and other expressive purposes are given a strongly protected status (“reverence”) by the courts.

In other words, our right as American citizens to display a yard sign that states our personal opinion that “The Mayor is a Fink” should not be infringed!



What does this mean for decision-makers? Locally, you can regulate maximum sign area, height, and location of yard signs. You can also prohibit “obscene material” as defined in state law, and require such signs to be kept out of the road right-of-way. However, no permit or fee should be required to put up a political, opinion, or election-oriented sign.

Time limits (such as “a maximum of 30 days before an election”) also cannot be enforced against such signs, so as long as you keep your “Mayor = Fink” yard sign in good repair, it can be lawfully displayed for as long as you wish to express your constitutionally protected opinion.

RULE 9: EXPRESS YOUR OPINION

This is the last “rule,” but it may also be the most important: ALWAYS express your opinions as a board member, commissioner or other decision-maker. Do not let any threat of litigation or other intimidation tactic prevent you from expressing your thoughts, concerns, preferences, and recommendations during the public meeting.

The keys to success under this rule are to keep the discussion focused on the specifics of the matter under consideration, and to avoid personal issues and personality clashes that may unintentionally provide ammunition to attack the decision.

MICHIGAN PLANNER 'E-dition'



American Planning Association
Michigan Chapter

Making Great Communities Happen

A Publication of the Michigan Chapter of the American Planning Association

It is never too late to improve your community's efforts at defensible decision-making. Even if you are well educated and schooled in decision-making procedure, there is always more that can be done to strengthen the foundation under your community's land use and development decisions. These Nine Golden Rules are not a foolproof form of pest control against land use and development litigation, but following them consistently will help significantly to lift the "Will we be sued?" elephant off your back and keep him out of the public meeting room all together.

About the Author

As the principal planner and [Zoning Guru for Building Place Consultants](#), Rodney C. Nanney is an innovative provider of solutions to community planning, zoning, and local economic development challenges. Mr. Nanney is a recognized zoning expert and the creator of the Building Place Notebook, an online newsletter covering planning, zoning, and economic development in Michigan.

An accomplished writer and public speaker, he also has the gift of being able to effectively communicate planning and zoning concepts in plain language for many to understand.

For more information from Rodney and Building Place Consultants, [click here](#).

NOTE: All graphics and photographs were created or taken by Rodney Nanney



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: Planning and Zoning Administrator

Meeting 01/21/2020

NEW BUSINESS

SUBJECT: A) HOP 20-01 Auto Repair Shop in Accessory Building. Located at 2305 E MILLBROOK RD MOUNT PLEASANT, MI 48858 PID 14-033-30-002-02 Owner: HOYT ROY E & GERRIE L

Applicant: HOYT ROY E & GERRIE L

Owner: HOYT ROY E & GERRIE L

Location: 2305 E MILLBROOK RD. MOUNT PLEASANT MI 48858-0000

Current Zoning: AG

Adjacent Zoning: AG, AG -1 Restrictive Agricultural (Lincoln Township)

Future Land Use/Intent: *Rural Preservation:* Rural Preservation Areas outside of the growth boundary should be maintained at a low intensity rural character of development that will not adversely impact natural features and agricultural uses. Agriculture should be promoted and future rezoning requests for residential should be prohibited to prevent leapfrog development.

Current Use: Existing one-family dwelling

Reason for Request: Applicant has applied to utilize a new accessory building as a repair shop for oil changes and other minor auto repairs.

History: The applicant applied for and was given approval to construct an accessory building in December 2019. Although the owner indicated to use the building for personal use, they also inquired about using the building for minor auto repairs as it relates to "About Time Taxi" company. Applicant was informed that this would not be possible without first being granted a Home Occupation Permit.

Objective of board: First, hold a public hearing for the permit. Next, review section 8.19.A-F (Home Occupations) and determine if applicant's Home Occupation Permit should be approved. There is no approval required from the Board of Trustee's for a HOP. Final approval is with the PC. For your consideration please review my "key findings" followed by option(s) for recommendation.

Key Findings:

- ✓ The entire occupation must be conducted wholly within a principal or accessory structure by the residents of the dwelling on the premises. This does not allow for the occupation to take place outdoors. Any vehicles serviced for the occupation must be done inside the accessory structure. Outdoor parking or storage of vehicles to be serviced is prohibited.

- ✓ The applicant has not proposed retail sales on the property and would not be permitted retail sale of any product unless produced and sold by the residents of the home.
- ✓ The home occupation must not require further parking on or off premises than already allowed for the residential structure.
- ✓ The proposed accessory structure that will be utilized for the home occupation meets all the AG districts requirements (section 8.1 Accessory Buildings).
- ✓ The use of mechanical equipment is common with auto repairs by if the operation is indoors and the hours of operation are from 8am to 8pm then I see no health hazard or nuisance occurring for adjacent landowners.
- ✓ Given the occupation must be wholly conducted indoors I do not see the need for any type of screening (trees, shrubs, fence, wall).
- ✓ Please see attached floor plans and property sketch.

Recommendation from Township Planner

At this time, I would recommend approval of Home Occupation Permit HOP 20-01

Planning and Zoning Administrator
Peter Gallinat

HOME OCCUPATION PERMIT APPLICATION
Charter Township of Union



1. Give your Name and address of where Home Occupation is to be conducted. Also give a mailing address if you are not receiving mail there yet.
Roy E Hoyt
2305 E MILLER ROAD
MT PLEASANT MI 48859 989-773-2494
2. What is the zoning of the property? RESIDENTIAL
3. List the Residents of your home who will be associated with the conduct of the home occupation ROYE HOYT, GERRIE LOU HOYT
4. Do all the above live at the residence? YES (If the answer is "No" the permit may not be granted.)
5. Do you intend to hire employees to work at the location? NO
(This would not apply to services provided to your occupation that are conducted off the premises)
6. Briefly describe the nature of the operation (Such as Beauty Shop, Accounting office, legal office, etc.) REPAIR SHOP FOR OIL CHANGES, MINOR REPAIR
7. What hours do you plan to conduct the operation? 8AM TO 8PM
8. Are any products to be sold at the home? NO (Answer "no" for sales by demonstration, catalogs, multi-level, etc if products are sold off premises)
9. List any mechanical operations (such as sawing, welding, etc.) AIR COMPRESSOR, SOLDER TORCH CUTTING, WELDING
10. Provide a sketch (you may do this yourself) showing the floor plan of the home or accessory building, indicating areas that are for the public and areas that are not. You need to show the square footage of the entire building, and the square footage of the areas being used for the occupation.
11. Provide a sketch of your land, the home, and indicate what is on the lots around you. Provide dimensions of your lot, setbacks from the lot lines and roads. Also indicate any storage areas, parking, and natural features, such as shrubs, that would screen your home from the neighbors.

Office use:
Fee paid ? _____
Date to be reviewed _____
Date of mailing to residents _____

EXCERPTS FROM UNION TOWNSHIP ZONING ORDINANCE 1991-05
PERTAINING TO HOME OCCUPATIONS

8.19 HOME OCCUPATIONS (A-F Added, 1997-12 Ordinance)

A. Home occupations may be permitted in AG, R-1, R-2A, and R-2B Districts, provided the following conditions are met and a permit is first obtained from the Zoning Official, and approved by the Planning Commission. Property owners within 300' shall be notified by mail of the Planning Commission meeting which will rule on the request. A fee for the permit shall be charged upon approval per section 6.

- 1. The entire occupation is conducted wholly within a principal or accessory structure by the residents thereof.**
- 2. There is not involved the keeping of a stock in trade and no article is sold or offered for sale, or rent, at the residence except as such as may be produced by and sold by the residents of the home. Sale of goods off the premises by means such as in home demonstration or mail order may be permitted. Display of items for sale on the property outside of the home is prohibited.**
- 3. Home occupations shall not be carried on to an extent so as to require parking on or off the premises in excess of that allowed for the residential structure in which it is located.**
- 4. The dwelling or residence complies with all the zoned district requirements in which it is located.**
- 5. Home occupations shall not utilize more than forty (40) percent of the floor living area of one(1) story of the dwelling, or 100 percent of an accessory building and 10 percent of the living area of one (1) story.**
- 6. No mechanical or electrical equipment and/or process or practice that will create a nuisance or health hazard to the adjacent landowners and neighborhood is permitted.**
- 7. Home occupation activities shall be physically screened from the public view as required by the Zoning Official or Planning Commission.**
- 8. Provide a plan of use indicating:**
 - a. Who in your residence will be participating in the operation.**
 - b. What is the nature of the operation and any materials required.**
 - c. Set hours of operation (which must be harmonious to the neighborhood).**
 - d. Parking provisions.**
 - e. Storage requirements if any.**
 - f. A sketch of your home and/or accessory buildings (floor plan).**
 - g. A sketch of your property and the lots on all four (4) sides.**

B. See 3.36.

C. No provision of this section shall allow non-conformity of the ordinance as a whole. (See section 11 for sign permits)

This permit shall be probational for a period of one (1) year, and shall be renewed every three (3) years thereafter.

- D. This permit is not transferable as to location nor owner.
- E. Failure to comply to any item shall be grounds to revoke the home occupation permit. The holder of this permit shall be responsible to carry adequate insurance and apply for any other licenses, permits or fees as may be required by any other local, state or federal agency.
- f. Any expansion of the home occupation shall require a new permit.

3.36 HOME OCCUPATION (Addition, 1997-12 Ordinance)

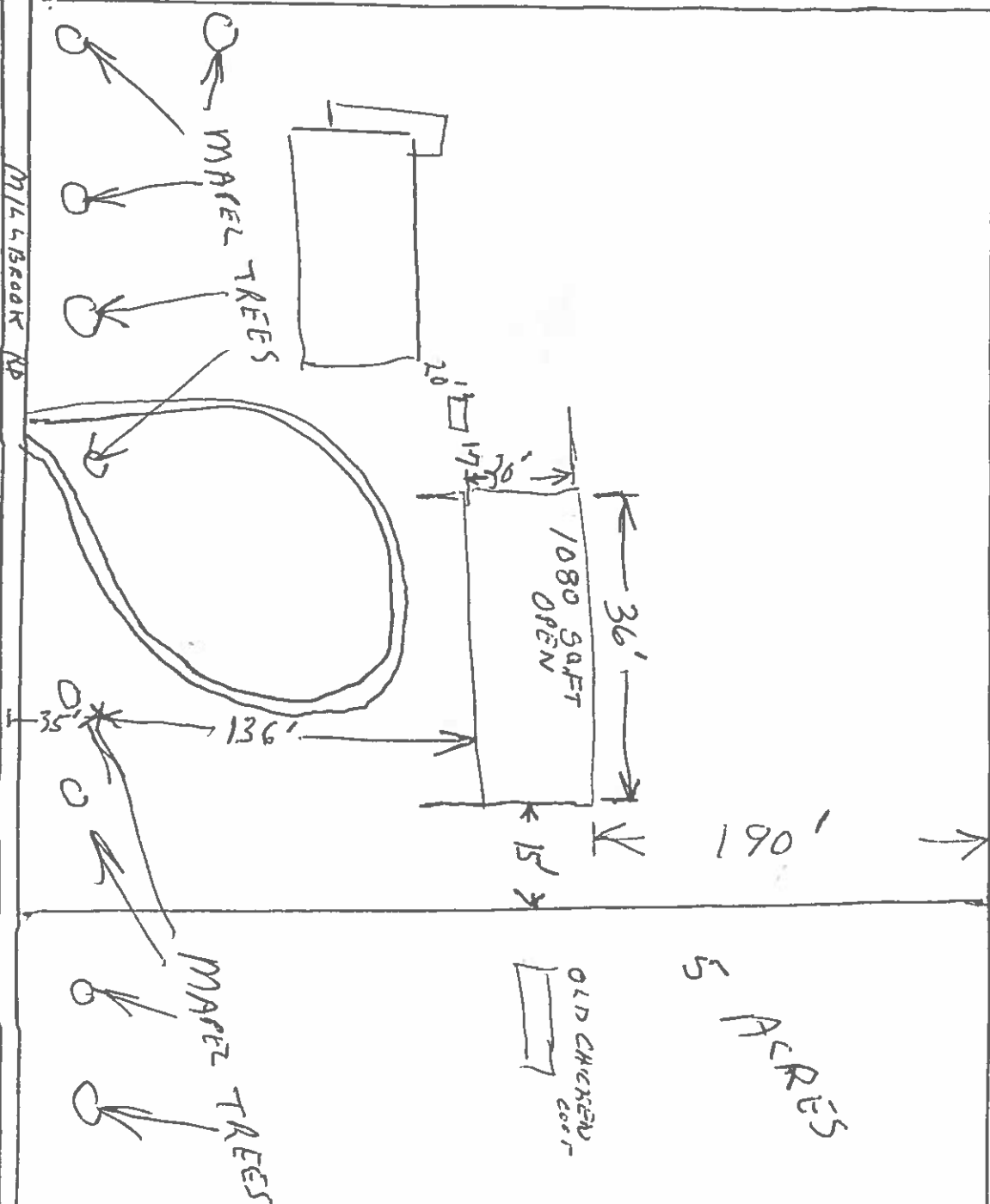
Any primary or subordinate occupation conducted within a principal or accessory structure by the family residents thereof that is clearly secondary and incidental to the use of the dwelling for living purposes and does not change the character thereof.

House

FARM

LAND

M/L BROAD RD



5 ACRES



Design #: 322151812030

Estimate #: 53055

Estimated price: \$11,001.00 *

*Today's estimated price. future pricing may go up or down. Tax, labor, and delivery not included.

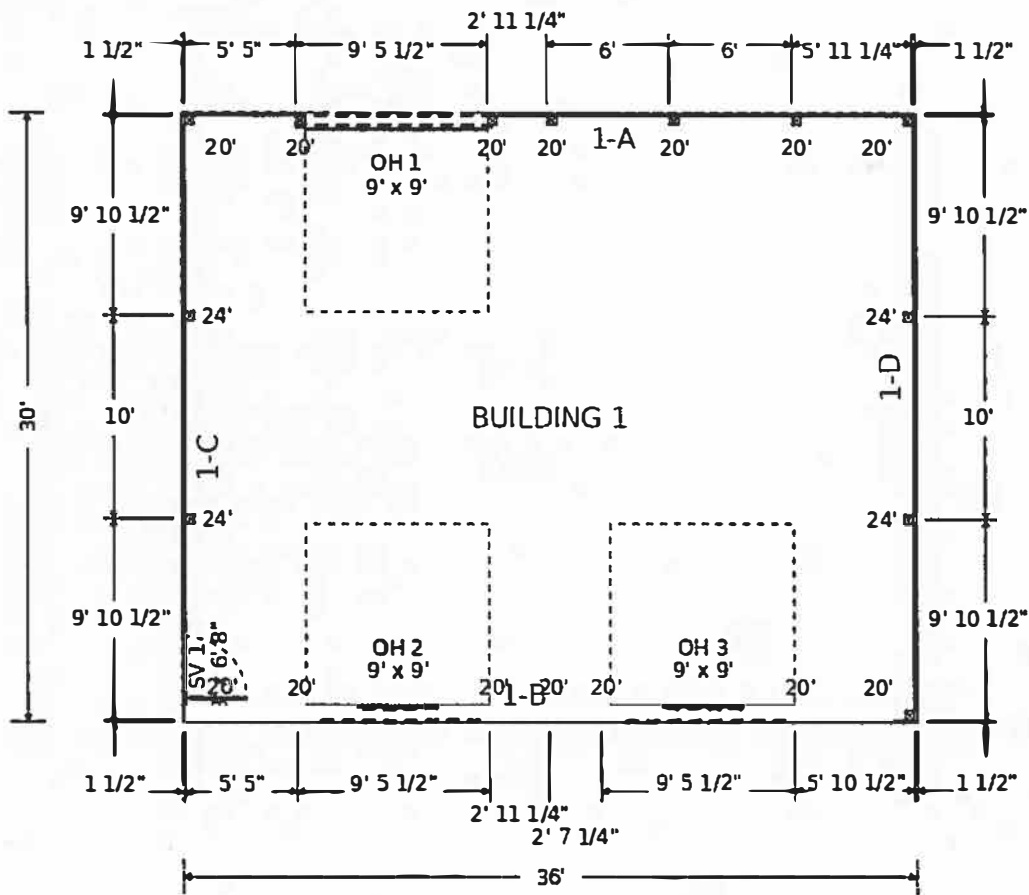
How to purchase at the store

1. Have a building materials team member enter the estimate number into System V to print SOC's.
2. Take the SOC to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Log into your account.
3. Go to Saved Designs under the Welcome Login menu.
4. Select the saved design to load back into the estimator.
5. Add your building to the cart and purchase.

FLOOR PLAN



UNION TOWNSHIP – NOTICE OF HOME OCCUPATION APPLICATION

NOTICE is hereby given that an application for a Home Occupation Permit shall be considered on Tuesday, January 21, 2020, at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Planning Commission for the purpose of hearing any interested persons in the following request for a Home Occupation Permit, as allowed by the Union Township Zoning Ordinance 1991-5 as amended.

Requested by **Roy E. Hoyt**, a Home Occupation Permit in an AG District for a repair shop in an accessory building.

Legal Description of property: T14N R4W, SEC 33, W 193 FT OF E 780 FT OF S 390.92 FT OF W 70 A OF E 1/2

This property is located at: 2305 E MILBROOK RD Mount Pleasant, MI 48858

All interested person 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 (989) 772 4600 extension 241.

Peter Gallinat,
Township Planner



The parcel outlined in **RED** is the subject of the home occupation permit request. The **YELLOW** border around the parcel represents a 300ft radius. Anyone within this 300ft radius is sent notice of the public hearing(s).



BELLINGER MARVIN & SALLY
6415 S LINCOLN RD
MT PLEASANT, MI 48858

BASSETT KENNETH JR & SHELLY
2310 E MILLBROOK RD
MT PLEASANT, MI 48858

RECKER JAMES SR & PHYLLIS TRUST
5620 S LINCOLN RD
MT PLEASANT, MI 48858

RECKER RAYMOND & ANNA
5089 S LINCOLN RD
MT PLEASANT, MI 48858

HOYT RICKY ALAN
329 KENSINGTON RD
LANSING, MI 48910

HOYT ROY E & GERRIE L
2305 E MILLBROOK
MT PLEASANT, MI 48858

RICHARDS DENISE A TRUST
2283 E MILLBROOK RD
MT PLEASANT, MI 48858

AFFIDAVIT OF PUBLICATION
2125 Butterfield Dr, Suite 102N • Troy MI 48084

CHARTER TOWNSHIP OF UNION
2010 S Lincoln

Mount Pleasant, MI 48858
Attention: KIM SMITH

STATE OF MICHIGAN,
COUNTY OF ISABELLA

The undersigned Cyndy Slater, 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 - NOTICE OF HOME OCCUPATION APPLICATION
NOTICE is hereby given that an application for a Home Occupation Permit shall be considered on Tuesday, January 21, 2020, at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Planning Commission for the purpose of hearing any interested persons in the following request for a Home Occupation Permit, as allowed by the Union Township Zoning Ordinance 1991-5 as amended.
Requested by **Roy E. Hoyt**, a Home Occupation Permit in an AG District for a repair shop in an accessory building.
Legal Description of property: T14N R4W, SEC 33, W 193 FT OF E 780 FT OF S 390.92 FT OF W 70 A OF E 1/2
This property is located at: 2305 E MILBROOK RD Mount Pleasant, MI 48858
All interested person 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 (989) 772 4600 extension 241.
Peter Gallinat,
Township Planner
Published January 6, 2020

CHARTER TOWNSHIP OF UNION

Published in the following edition(s):

Morning Sun 01/06/20
morningstarpublishing.com 01/06/20



Sworn to the subscribed before me this 6th January 2020

Tina M Crown

Notary Public, State of Michigan
Acting in Oakland County

Advertisement Information

Client Id: 531226 **Ad Id:** 1936650 **PO:** **Sales Person:** 200308



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: Planning and Zoning Administrator

Meeting 01/21/2020

NEW BUSINESS

SUBJECT: B) TXT Amendment 20-01 Multi Use Structures. Applicant : BSP Enterprises LLC – Navita S. Patel, President; Anjali P. Bhimalli, Vice President

Applicant: BSP Enterprises LLC – Navita S. Patel, President; Anjali P. Bhimalli, Vice President.

Location: B-5 (Highway Business District)

Current Zoning: TBD B-5 Parcel

Adjacent Zoning: TBD

Future Land Use/Intent: *Mixed Use – Bluegrass Center Area:* While currently more auto-centric, this area has the potential to transition into a more walkable, vibrant center. Future uses should be integrated to include multi-story, mixed-use buildings; first floor retail and office uses; public use and spaces; entertainment and restaurant venues; and additional attached housing types such as townhouses. Both vehicular and pedestrian cross connections should be promoted between sites, providing for future connections through easements, and should collectively promote a vibrant, livable center to the neighboring university population.

Current Use: Vacant

Reason for Request: Amend Zoning Txt to allow a larger than currently permitted multi-use structure.

History: In August of 2019 Brad Williams from ASL gave a presentation to the Planning Commission about a proposed project known as the Den of Broomfield. At the time they were exploring options to make the project a reality. Later in November of 2019 Tim Bebee of CMS&D presented possible draft language for a TXT amendment asking for advice. In December of 2019 the PC recommended options for Tim Bebee with regard to a TXT amendment.

Objective of board: Hold a public hearing. Following such hearing, or hearings, the Township Planning Commission shall submit the proposed amendment to the County Planning Commission for proper action. The Planning Commission shall submit the proposed amendment, along with its recommendation, to the Township Board for consideration within sixty (60) days from the conclusion of the public hearing.

Key Findings:

- ✓ The Master Plan, with regard to the Mixed-Use Bluegrass Center Area states that the area could benefit from master planning, a character-based code, or planned unit development to ensure that future development is coordinated with roadway improvements.
- ✓ Section 31 of the current Zoning Ordinance permits P.U.D's

- ✓ The Planned Unit Development is a method by which creative large-scale development of land is encouraged. The P.U.D. is a device that makes use of varying lot sizes and integrates different building structures. Typically, structures in these developments are clustered in such a manner as to achieve the same overall density that would be achieved if the developer had laid out the development in the conventional grid Zoning pattern.
- ✓ Current uses allowed as a P.U.D in the B-5 District are limited to only uses by right and the following: Shopping centers and malls.
- ✓ Amending section 31 to permit a mix use could be better suited and fit in with the new zoning ordinance to create a consistent transition.

Recommendation from Township Planner

- Hold a public hearing but take no action following the public hearing. Use time allowed by Ordinance to work with Township staff and Consultant (McKenna) to draft language for amending section 31 in regard to mixed uses. Send application to County Planning Commission for 30 day review and comment.

Planning and Zoning Administrator
Peter Gallinat

APPLICATION FOR ZONING CHANGE
CHARTER TOWNSHIP OF UNION
ISABELLA COUNTY, MICHIGAN



APPLICATION NO. _____

DATE 12/31/19

A. I (WE) BSP Enterprises, LLC - Navita S. Patel, President; Anjali P. Bhimalli, Vice President

Submitted By CMS&D 2257 E. Broomfield Rd, Mt. Pleasant, MI 48858

Address 430 South First Street, Carson City, Michigan 48811

Phone 989-506-3254

By Tim Bobec
989-506-1001

hereby file an application with the Township Clerk's office to:

1. Add to or change the text of the Zoning Ordinance.
2. Change the district boundaries.
3. Re-zone the property from _____ zoning classification to _____ zoning classification.

B. If this application is for a text amendment please describe in detail what you would like to change. Give section numbers and proposed changes, standards, and procedures.

The proposed Text Amendment would be to Section 30 - Special Use Permits Section AB, Multi-Use and Section 23, Sub-Section 23.3, Special Uses, B, Multi-Use Structures.

Please See Attached information.

C. If this application is for the re-zoning of property please provide a complete legal description.

N.A.

D. If this application is for re-zoning please provide a complete common description. (address, cross roads, etc.)

NA

E. Please provide reasons for requesting text amendment or zoning change and include intended use of any land, buildings, or structures.

Please Refer to the Provided Attachements.

F. Please provide a site plan for any property to be re-zoned following the requirements outlined in Section 12 of the Union Township Zoning Ordinance 1991-5.

G. List names and addresses of property owners lying within 300 feet of the property to be re-zoned. (use separate sheet)

H. List all or any easements or right-of-ways which have been granted said properties herein described.

N.A.

CERTIFICATION:

I (WE) hereby certify that the afore information is accurate and assume responsibility for any error.

SIGNED:

[Handwritten Signature]
Applicant

12-23-19
Date

Applicant

Date

Applicant

Date

** FOR OFFICE USE ONLY **

Date application referred to Planning Commission _____

Date public hearing notice published _____

Date public hearing notice mailed _____

Planning Commission Action. ___ Adopted ___ Denied Date _____

Date referred to County Planning Commission _____

Township Board Action ___ Adopted ___ Denied Date _____

Remarks: _____

FEE _____

RECEIPT NO. _____



CMS & D

SURVEYING/ENGINEERING

2257 EAST BROOMFIELD ROAD, MT. PLEASANT, MI 48858

PHONE:989-775-0756 EMAIL: info@cms-d.com

November 5, 2019 **Revised December 23, 2019**

Charter Township of Union
Planning Commissioners
2010 South Lincoln Road
Mt. Pleasant, Michigan 48858

Re: Proposed Text Amendment to Section 30 – Special Use Permits,
 Sub-Section AB. Multi-Use (Combination of Commercial and Residential)

Members,

Please find attached to this letter a packet of information related to a proposed text amendment to Section 30 – Special Use Permits, Sub-Section AB. Multi-Use. The packet includes: Section 23 – B-5 Highway Business Section, with Section 23.3 Special Uses, B. Multi-Use Structures, highlighted; Section 30 – Special Use Permits – General Sections 30.1, 30.2 & 30.3 with no changes proposed and Section 30.4, Sub-Section AB. The originally submitted Multi-Use with proposed revisions shown in red text has been attached, proposed additional text in yellow highlighting and proposed deletions in struck out and yellow highlighting as well as the revised version of the text that is being submitted for your review and approval. At this time, we are formally requesting the text change.

The modifications being considered are specifically related to the residential portion of the Sub-Section. All proposed revisions were taken from the existing Union Township Ordinance for Multi-Family Housing (R-3A), being the allowable height, the required parcel square footage per unit, the unit size and the definition of “Family”. By utilizing the R-3A zoning text for multi-family dwellings, the residential component of the Multi-Use structure would be in compliance with these current requirements. There are no proposed modifications to the commercial component.

Parking for Multi-Use Developments, in Union Charter Township, has always been seen as strictly additive. Taking the required parking for the commercial use and adding it to the required parking for the residential use. Many communities have looked at complimentary uses such as Retail/Office and Residential as uses that could share parking. Many have noted that the hours of operation of the retail/office component are the off hours for residential component. Additionally, communities, including the Charter Township of Union, are moving towards more blended or diverse community style living. Integrating retail/office and residential makes for a more “walkable” or “bikeable” community and thus lessening the need for automobile parking. Union Charter Township has taken its first steps towards these concepts with their Master Plan. The area under consideration is denoted as the “Bluegrass Center Area” in the Master Plan. This area is proposed to focus on Mixed-Use Developments.

The Tallgrass/Sweeny Road Development Area, being a part of the "Bluegrass Center Area", provides a unique opportunity to push forward on the development concepts expressed in the recently adopted Master Plan. This largely undeveloped area links the existing Multi-Family Development Areas within the Township and City with the existing Retail/Office (Commercial) areas along Broomfield Road and Bluegrass Road. Most areas within the "Bluegrass Center Area" are already developed. This means that re-development may be decades away. New developments, on undeveloped lands, will be the first opportunities for the Township to guide developers towards their desired Mixed-Use concepts. As it takes large scale investments of capital from developers to pursue a new project, it must be economically viable for the developer to consider a new project. Wise developers have a market analysis completed to determine what the area/communities needs are. Based on this market analysis, the developer better understands what "market niche" needs to be focused on.

A market analysis has been completed for BSP Enterprises, LLC by Community Research Services, LLC. I have attached the first few pages of the report. As these reports are very costly, we have not attached the entire report as it would then become public record and would be available to other developers at no cost. The entire report could be made available to the Planning Commissioners provided it was not available to the public. Based on the report, larger 3, 4 and 5 bedroom units are not in demand. A mixture of efficiency, 1 and 2 bedroom, medium to high scale, units were found to be the most desirable. Based on this, it is difficult to develop a larger commercial building when only (4) four residential units are allowed per structure. Based on the R-3A zoning requirements, a single bedroom residential unit could be 500 sq.ft. . Thus, if a 10,000 sq.ft., commercial building was considered, it could have as many as 20 residential units. Under the current ordinance, the residential units would be 2,500 sq.ft. for the same size structure. Building space, relates to cost and cost relates to rental rates which in the end determines whether or not a development will be successful. In order to make a project economically viable, the developer must be allowed to target the market niche that has the highest demand and provide that need at an acceptable rate to the consumer. Developing in the Township is investing in the Township. If a profit cannot be made due to zoning text restrictions, developers will not invest in the Township. If this investment is not made, the concepts adopted by in Township's Master Plan will not be realized.

In Summary, we are submittal this packet of information for your consideration in hopes that you will share with us your comments so that we may modify the documentation in our formal request for a text amendment.

Thank You, for your consideration.

Central Michigan Surveying & Development Company, Inc.
On Behalf of BSP Enterprises, LLC



Timothy Bebee, President

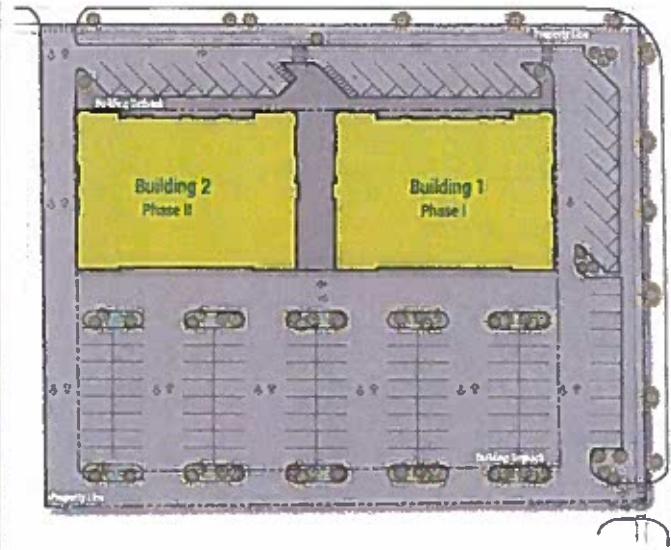
The Den on Broomfield



The Den on Broomfield Site



Site Plan Sketch



Bluegrass Center Concept Plan

Mixed-Use Development

Mixed-use development is a development in which a variety of residential, commercial, and recreational uses are integrated into a single project. By locating these uses in close proximity to each other, it allows for a more vibrant and walkable community. Mixed-use development can offer a variety of benefits, including increased safety, reduced traffic, and increased economic activity. It can also help to revitalize urban areas and create a more sustainable and resilient community.

Mixed-Use Benefits

- Greater housing variety and density provides more housing options for their existing base maintenance of existing housing.
- Increased pedestrian traffic, including walking, jogging, and other activities, and other amenities and recreational facilities that promote active lifestyles.
- More compact development makes more efficient use of public services and infrastructure.
- Stronger neighborhood character and sense of place result when existing and new uses are integrated.
- Multiple building opportunities increase land-use density, which results in improved cover options, reduced transportation costs, and improved community health.

Land Use - Character 21





**A Rental Housing
Market Analysis
for
Mt. Pleasant, MI**

June 19, 2019

Prepared for:

***BSP Enterprises, LLC
430 South First Street
Carson City, MI 48811***



Prepared by:

***Community Research Services, LLC
800 South US 27
#105
St. Johns, MI 48879
(517)290-8116***

Copyright © 2019, Community Research Services, LLC

Table of Contents

SECTION 1: INTRODUCTION	1
SECTION 2: EXECUTIVE SUMMARY	2
SECTION 3: MARKET PROFILE	4
PRIMARY AND SECONDARY MARKET AREA DELINEATION.....	4
TARGET MARKET IDENTIFICATION.....	5
ESRI TAPESTRY SEGMENTATION.....	6
<i>Map: Primary Market Area.....</i>	<i>10</i>
<i>Map: Local Area Near Site</i>	<i>11</i>
<i>Aerial Photo – East Broomfield Road/Sweeny Street.....</i>	<i>12</i>
SUMMARY - SITE CHARACTERISTICS	13
<i>Site Photos.....</i>	<i>15</i>
<i>Nearby Features/Amenities</i>	<i>17</i>
ECONOMIC AND SOCIAL CHARACTERISTICS	18
<i>Table 3.1: Employment by Industry</i>	<i>18</i>
<i>Table 3.2: Employment by Occupation</i>	<i>19</i>
<i>Figure One: Employment by Occupation Breakdown.....</i>	<i>19</i>
<i>Table 3.3: Employment by Place of Work.....</i>	<i>20</i>
<i>Figure Two: Employment by Place of Work Breakdown</i>	<i>20</i>
<i>Table 3.4: Net Migration – Isabella County</i>	<i>21</i>
<i>Figure Three: Net Migration Trends.....</i>	<i>22</i>
<i>Figure Four: Area Employment Trends – Mt. Pleasant & Isabella County</i>	<i>23</i>
<i>Figure Five: Annual Change in Employment – Mt. Pleasant & Isabella County</i>	<i>23</i>
<i>Figure Six: Unemployment Rate Comparison.....</i>	<i>24</i>
<i>Table 3.5: Employment Trends (2000 to Present).....</i>	<i>24</i>
<i>Table 3.6: Isabella County - Employment by Industry – 2010 to 2018.....</i>	<i>26</i>
<i>Figure Seven: Employment by Industry Breakdown - 2018</i>	<i>27</i>
<i>Table 3.7: Private Sector Wage Trends by Industry – 2010 to 2018.....</i>	<i>27</i>
KEY EXPENDITURES WITHIN THE TARGET MARKET SEGMENT	28
<i>Figure Eight: Leakage/Surplus Factor by Industry Subsector - 2017.....</i>	<i>28</i>
<i>Table 3.8: Estimated 2017 Market Potential - Select Categories</i>	<i>29</i>
SECTION 4: POPULATION AND HOUSEHOLD TRENDS.....	30
POPULATION TRENDS	30
<i>Table 4.1: Population Trends (2000 to 2023).....</i>	<i>30</i>
<i>Figure Eight: Population Trends/Projections.....</i>	<i>30</i>
<i>Table 4.2: Group Quarters Population Trends.....</i>	<i>31</i>
<i>Figure Nine: Group Quarters and Net Population Trends/Projections.....</i>	<i>31</i>
<i>Table 4.2: Age Distribution (2010 to 2023).....</i>	<i>32</i>
<i>Figure Nine: Age Distribution (2010 to 2023).....</i>	<i>33</i>
<i>Table 4.3: Average Household Size (2000 to 2023).....</i>	<i>33</i>
HOUSEHOLD TRENDS	34
<i>Table 4.4: Household Trends (2000 to 2023)</i>	<i>34</i>
<i>Table 4.5: Households by Tenure (2000 to 2023)</i>	<i>35</i>
<i>Figure Ten: Tenure Distribution - PMA (2000-2023).....</i>	<i>35</i>
<i>Table 4.6: Renter Household Size Distribution.....</i>	<i>36</i>
<i>Figure Eleven: Renter Household Size Distribution - PMA.....</i>	<i>36</i>
<i>Table 4.7: Median Gross Rent Trends/Forecast</i>	<i>37</i>
<i>Figure Twelve: Current/Projected Median Gross Rent – Mt. Pleasant & Isabella County.....</i>	<i>37</i>
SECTION 5: HOUSEHOLD INCOME TRENDS	38

INCOME TRENDS	38
<i>Table 5.1: Median Household Incomes (1999 to 2023)</i>	<i>38</i>
<i>Figure Thirteen: Median Household Incomes (2010 to 2023).....</i>	<i>39</i>
INCOME-QUALIFIED HOUSEHOLDS	39
<i>Table 5.2: Household Income Distribution by Tenure – Market Area (2017)</i>	<i>40</i>
SECTION 6: HOUSING CONDITIONS AND CHARACTERISTICS.....	41
RENTAL MARKET CHARACTERISTICS.....	41
COMPARABLE RENTAL DEVELOPMENTS	43
MARKET RENT CALCULATIONS.....	49
<i>Table 6.1: Estimated Market Rents</i>	<i>49</i>
<i>Table 6.2: Market Rent Calculations – One-Bedroom Unit.....</i>	<i>50</i>
<i>Table 6.3: Market Rent Calculations – Two-Bedroom Unit.....</i>	<i>51</i>
SECTION 7: DEMAND ANALYSIS.....	52
DEMAND FOR RENTAL UNITS.....	52
<i>Table 7.1: Demand Calculations.....</i>	<i>54</i>
PENETRATION RATE & CAPTURE RATE.....	55
ABSORPTION RATE FOR RENTAL UNITS.....	56
SECTION 8: CONCLUSIONS/RECOMMENDATIONS.....	57
SECTION 9: BIBLIOGRAPHY.....	60
SECTION 10: RESUME.....	67

CONSULTANT CERTIFICATION/CERTIFICATE OF ACCURACY

It is hereby attested that the information in this report is true and accurate. Information gathered from other sources is considered to be reliable; however, the undersigned does not guarantee the data nor assume any liability for any errors in fact, analysis, or judgment.

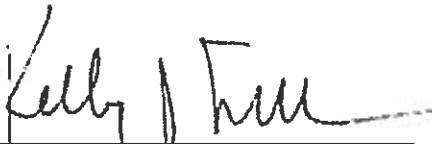
While the sponsor has paid for the market research services rendered, the undersigned certifies that no fees will be collected or payments received contingent upon the success of the proposal. In addition, the undersigned further certifies that no ownership interest exists concerning the proposal.

NCHMA CERTIFICATION

This market study has been prepared by Community Research Services, LLC, a member in good standing of the National Council of Housing Market Analysts (NCHMA). This study has been prepared in conformance with the standards adopted by NCHMA for the market analysts' industry. These standards include the Standard Definitions of Key Terms Used in Market Studies for Affordable Housing Projects, and Model Content Standards for the Content of Market Studies for Affordable Housing Projects. These Standards are designed to enhance the quality of market studies and to make them easier to prepare, understand, and use by market analysts and by the end users. These Standards are voluntary only, and no legal responsibility regarding their use is assumed by the National Council of Affordable Housing Market Analysts. Community Research Services, LLC is duly qualified and experienced in providing market analysis for Affordable Housing. The company's principals participate in NCHMA educational and information sharing programs to maintain the highest professional standards and state-of-the-art knowledge. Community Research Services, LLC is an independent market analyst. No principal or employee of Community Research Services, LLC has any financial interest whatsoever in the development for which this analysis has been undertaken.

While the document specifies Community Research Services, LLC, the certification is always signed by the individual completing the study and attesting to the certification.

COMMUNITY RESEARCH SERVICES, LLC



Kelly J. Murdock

Date: June 19, 2019



SECTION 23 B-5 HIGHWAY BUSINESS DISTRICT

23.1 DESCRIPTION AND PURPOSE

This District is composed of certain lands and structures located principally along major highways. In this District the major uses are those freestanding uses that cater to the traveling public. It is the intent to develop attractive and efficient group business areas that are convenient and have buildings of harmonious design.

23.2 PERMITTED USES

- A. Any retail business or service establishment permitted in the B-4 District.
- B. Restaurants, including drive-in restaurants.
- C. Bar, grill, and cocktail lounges.
- D. Retail sales of new or used cars, trucks, boats, farm equipment, mobile homes, travel trailers, and motor homes. Outside area for display purposes are allowed, provided all servicing, repair, or conditioning of such vehicles or equipment shall be in a fully enclosed building.
 - 1. Surfacing and other requirements of Section 10 shall be adhered to.
 - 2. All lighting shall be shielded from adjacent residential Districts.
- E. Amusement enterprises.
- F. Plumbing, heating, and electrical shops.
- G. Tire and battery shops.
- H. Sign painting and servicing shops.
- I. Adult Book Stores, Providing the following conditions are met: (Added, Ord 2005-03)

History and findings. Charter Township of Union was sued by a sexually oriented business in *Intimate Ideas v Charter Township of Union*, Eastern District Case No. 03-10085, and the sexually oriented business opened for business in the Charter Township of Union. Thereafter the Charter Township of Union Board directed the Charter Township of Union Planning Commission to research and develop zoning ordinance provisions defining and regulating sexually oriented businesses. The Charter Township of Union Planning Commission received and reviewed 60-(1) studies and reports about the negative secondary effects of sexually oriented businesses, and focused on studies from the cities of Indianapolis, Austin, Garden Grove, Whittier, Minneapolis, St. Mary, and St. Paul. The Charter Township of Union Planning Commission made several preliminary findings based on their review of the studies and reports. Based on the findings and recommendations of the Charter Township of Union Planning Commission, and the selected studies and reports considered by both the Planning Commission and the Charter Township of Union Board, as well as several court decisions(2), the Charter Township of Union

Board finds that: 1) sexually oriented businesses featuring nudity and sexual activities produce negative secondary effects of increased crime rates, declining or depressed property values, and a diminished sense of safety and security in members of the general public when walking in the vicinity of these businesses; 2) the negative secondary effects of sexually oriented businesses can be reduced or minimized by dispersing the sexually oriented businesses and requiring minimum distances between the sexually oriented businesses; 3) the negative secondary effects of sexually oriented businesses are exacerbated by close proximity to bars serving alcoholic beverages by the glass; 4) to minimize the negative secondary effects of sexually oriented businesses on residential areas and the community at large, the sexually oriented businesses should be located a minimum distance away from any residential zoning district, school, church, or public park; 5) the zoning regulations allow for the location of sexually oriented businesses within specified zoning districts of the Charter Township of Union, and a reasonable number of sites legally are available to be acquired and used by sexually oriented businesses; 6) the negative secondary effects of public nudity, live nude performances, and the combination of nudity and businesses serving alcoholic beverages by the glass, can be minimized or eradicated by a local ordinance prohibiting public nudity as authorized by MCL 41.181, and the decisions of the United States Supreme Court;(3) 7) requiring dancers and other performers to wear a minimal amount of clothing, such as pasties and a g-string, in order to comply with the ordinance will have little or no effect on the expressive element of the performances; 8) the ordinance provisions prohibiting public nudity, live nude performances, and the combination of nudity and businesses serving alcoholic beverages by the glass are narrowly drawn to apply to businesses and performers that offer nude performances on a regular basis, excluding occasional nude performances from the purview of the ordinance.

1. **Purpose.** The purpose of these ordinance provisions is to define and regulate sexually oriented businesses, and to prohibit public nudity, in order to minimize or eradicate the negative secondary effects of sexually oriented businesses and public nudity. The zoning regulations are intended to define and disperse sexually oriented businesses, primarily regulating the location and site requirements of these businesses, but without any restriction on the content of communication protected by the First Amendment.
2. **Conflict.** The definitions and descriptions of sexually oriented businesses as permitted uses in the zoning ordinance provisions are subject to and limited by the prohibitions against public nudity and nudity in businesses licensed by the Michigan Liquor Control Commission.
3. **Definitions.** General Definitions are contained in Section 3, the following definitions relate specifically to this section
 - a. **Regularly** as used in this section means once per month or more.
 - b. **Separation, spacing, or dispersal** as used in this section shall be measured from property line to property line, or property line to zoning district boundary.

- c. Bar shall mean any establishment serving alcohol by the glass.
Exception: Restaurants that serve alcohol by the glass and do not have a separate bar dedicated to serving alcohol.
 - d. Schools For the purpose of this ordinance, Schools shall be any public or private institution of learning for elementary or secondary levels (K-12).
- 4. Permitted uses. For purposes of the Charter Township of Union Zoning Ordinance, sexually oriented businesses shall be permitted uses in the B-5, B-6, and B-7 zoning districts only.
- 5. Application and permit required. Any sexually oriented business must apply for and obtain a zoning permit prior to opening and operating a sexually oriented business in the Charter Township of Union.
- 6. Dispersal and spacing. No sexually oriented business shall be located within 1,500 feet of another sexually oriented business, or within 500 feet of a bar. No sexually oriented business shall be located within 600 feet of a church, school, residential zoning district, public park, or licensed day care center.
- 7. Site requirements. Any sexually oriented business must be located on a site that provides:
 - a. off street parking in the front or on the side of the business structure, but not in the rear, with the front being the side closest to the public road by which access is obtained;
 - b. illuminated and unscreened off street parking;
 - c. signs and window displays without any example or depiction of specified anatomical areas or specified sexual activities;
 - d. a front and side setback from any public sidewalk of 50 feet; measured from the face of the building to the sidewalk
- 8. Standards and time to approve or deny. The Zoning Administrator shall review each application for a zoning permit for a sexually oriented business and shall grant or deny the permit within twenty one (21) days based on the district, spacing, and site requirements for sexually oriented businesses. A denial can be appealed to the Zoning Board of Appeals, which shall hear and decide the appeal or request for a variance within 45 days, and thereafter the applicant can appeal to the circuit court.
- 9. Operational requirements. A sexually oriented business shall
 - a. prohibit persons under the age of 18 from entering the business,

- b. close between the hours of 1:00 a.m. and 8:00 a.m.
- c. not allow customers or employees to engage in specified sexual activities on site,
- d. not allow prostitution or the soliciting of acts of prostitution on site,
- e. not allow the distribution or use of controlled substances on site.

Enforcement: Violations of these operational requirements shall be subject to prosecution by the Charter Township of Union, and more than two violations in any 12 month period shall be cause for the revocation of the zoning permit, but only after prior written notice of each violation and 30 days prior written notice of a hearing before the Zoning Board of Appeals on the question of revoking the zoning permit. Revocation of the zoning permit can be for a period up to 6 months, and subsequent revocations can be for a period up to 12 months

- J. Marihuana Club provided the requirements of Section 22.2.R are met. (New Or 2011-03)
- K. Marihuana Dispensary provided the requirements of Section 22.2.S are met. (New Or 2011-03)

23.3 SPECIAL USES: (AMENDED, ORD 2005-03)

The following special uses may be permitted in this District when all requirements, conditions, and procedures of Section 30 are complied with:

- A. Filling stations.
- B. Multi-use Structures
- C. Planned shopping centers.
- D. Planned unit developments.
- E. Self-storage buildings.

23.4 REQUIRED CONDITIONS

- A. **Barrier:** All development shall be physically separated from the local road by a curb and/or planting strip or other suitable barrier. Such barrier shall effectively eliminate unchanneled vehicle ingress or egress, except for unauthorized access ways.
- B. **Access Ways:** Each separate use, grouping of buildings or grouping of uses as part of a single planned development, shall have at least two (2) access ways from a local road. Such access way shall not be located closer than eighty (80) feet to the point of an intersecting roadway of the local road centerline.

- C. Review of Plans: Site plans for the highway service facilities shall be submitted to and shall be reviewed and approved by the Planning Commission, with respect to the above required conditions, and such other site related problems as it deems necessary to assure maximum traffic safety and to assure maximum protection to abutting properties.
- D. All outdoor storage shall be in the rear yard and shall be completely screened with an obscuring wall or fence, not less than five (5) feet high, or with a chain link type fence. Greenbelt planting may be required so as to obscure all view from an adjacent residential or business District or from a public street.
- E. See Section 29 for lot area, side yards, front yards, rear yards, etc.

No principal or accessory building shall be closer than forty (40) feet to the property line of any residential use or District. A planted landscape area of at least ten (10) feet in width, meeting the screening standards specified in Section 8.31, shall be provided in the required setback

- (1) The list includes studies and reports from AZ Phoenix, AZ Phoenix Factual Record Cabarets, AZ Phoenix Factual Record Incall & Nudes, AZ Tucson, CA San Bernadino Affidavit Murphy, CA Garden, CA LA, CA San Diego, CA Whittier, CO Adam, Copy of MN Minneapolis, FL Manatee, Co A 12/10/02, FL Manatee, Co B 12/10/02, FL Manatee Co C 12/10/02, FL Manatee Co D 12/10/02, FL Manatee Co E 12/10/02, FL Manatee Co I 12/10/02, FL Manatee Co M 12/10/02, FL Manatee Co, GA St. Mary's 1996, GA Warner Robins Teasers Spec Mtg 01/13/00, GA Warner Robins Teasers Spec Mtg 01/18/00, GA Warner Robins Teasers Spec Mtg 02/22/00, GA Warner Robins Teasers Testimony J Meeker, GA Warner Robins Teasers Testimony R McCleary, IA DeMoines, IN Indianapolis, MN St. Paul, MO Kansas City, Indianapolis and Los Angeles, McCleary, MN Minneapolis, MN State, MN St. Cloud, NC New Hanover, NV Vegas, NY Ellicottville, NY Islip, NY New York City, NY Times Square, OH Cleveland, OK Oklahoma City 1, OK Oklahoma City 2, Organized Crime Ch 19 AGROP McManus, Sherman David Testimony, Strip Club Study, Summaries Key Secondary Effects report, TX Amarillo, TX Austin, TX Beaumont, TX Cleburne, TX Dallas, TX El Paso, TX Houston, VA New Port News, WA Bellevue, WA Des Moines, WA Seattle, WI St. Croix.
- (2) Young v American Mini Theatres Inc, 427 US 50 (1976); City of Renton v Playtime Theatres, 475 US 41 (1986); City of Los Angeles v Alameda Books, 535 US 425 (2004); Barnes v Glen Theatre Inc., 501 US 560 (1991); City of Erie v Pap's AM, 529 US 277 (2000); Charter Township of Van Buren v Garter Belt Inc, 258 Mich App 594 (2003), Ben's Bar Inc v Village of Sommerset, 316 F3d 702 (7th Cir 2003); Wayne County Prosecutor v Dizzy Duck, 449 Mich 353 (1995).
- (3) City of Erie v Pap's AM, 529 US 302 (2000); Barnes v Glen Theatre Inc, 501 US 560 (1991); New York State Liquor Authority v Vellanca, 452 US 714 (1981); City of Newport, KY v Iacobucci, 479 US 92 (1986).

SECTION 30 SPECIAL USE PERMITS

30.1 PURPOSE

Special Uses are those uses of land that are not essentially incompatible with the uses permitted in a Zoning District but possess characteristics or locational qualities that require individual review and restriction in order to avoid incompatibility with the character of the surrounding area, public services and facilities, and adjacent uses of land. The purpose of this section is to establish equitable procedures and criteria that shall be applied in the determination of requests to establish Special Uses. The criteria for discussion and requirements, provided for under the provisions of this section, shall be in addition to those required elsewhere in this Ordinance that are applicable to the special use under consideration.

30.2 APPLICATION PROCEDURES

An application for permission to establish a special use shall be submitted and acted upon in accordance with the following procedures:

- A. **Application:** Applications for a special use permit shall be submitted through the Zoning Official to the Planning Commission. Each application shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by the Township Board to cover the cost of processing the application. No part of any fee shall be refundable.
- B. **Required Information:** An application for a special use permit shall be accompanied by the following documents and information:
 - 1. A special use application form, supplied by the Zoning Official, that has been completed in full by the applicant.
 - 2. A site plan in accordance with Section 12.
- C. **Hearing:** The Planning Commission shall hold a public hearing or hearings on the special use request per section 7.8.
- D. **Review:** Within a reasonable time following the public hearing, the Planning Commission shall review the application for the special use permit, testimony received at the public hearing, and other materials submitted in relation to the request and make a recommendation to the Township Board. Approving or denying the special use application shall be in accord with the criteria for approval stated in Section 30.3 and such other standards contained in this Ordinance that relate to the special uses under consideration. The Planning Commission may request a report on any special use application from the Zoning Official for the purpose of evaluating conformance of the special use request with the requirements of this Ordinance and the development objectives of the Township.
- E. **Issuance of a Special Use Permit:** Upon the approval by the Township Board, there will be a special use permit issued, signed by the Chairman of the Planning Commission and the Zoning Official. The permit shall include any restrictions that the Township Board or the Planning Commission deems

necessary. Implementation of the special use shall be consistent with the use applied for and approved. The permit shall become valid twenty-one (21) days after the date of decision. It shall be the responsibility of the Zoning Official to ensure compliance with the terms, conditions, and restrictions of any special use permit.

F. Appeal: Within twenty-one (21) days following the date of decision on any special use permit, an applicant or an aggrieved party, including any governmental body or agency, may appeal the decision to the Circuit Court.

G. Decisions All decisions of the Township Board, and Planning Commission relating to special use applications, including the findings supporting any decision, shall be recorded in written form and retained as permanent record.

30.3 BASIS OF DETERMINATIONS

Prior to recommending to the Township Board approval or disapproval of a special use application, the Planning Commission shall ensure that the requirements specified in this section, as well as requirements of the District it is located in and applicable requirements established elsewhere in this Ordinance, shall be satisfied by the completion and operation of the special use under consideration.

A. General Requirements for Special Uses: The applicant shall follow these requirements and recommendations made by the Planning Commission after their review. The general requirements for all special uses are as follows:

1. The special use shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
2. The special use shall not change the essential character of the surrounding area.
3. The special use shall not interfere with the general enjoyment of adjacent property.
4. The special use shall not be hazardous to adjacent property or involve uses, activities, materials, or equipment that will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes, or glare.
5. The special use shall be adequately served by essential public facilities and services; or it shall be demonstrated that the person responsible for the proposed special use shall be able to continually provide adequate services and facilities deemed essential to the special use under consideration. The said facilities or services shall be approved by the Central Michigan District Health Department.
6. When deemed necessary by the Township Board or Planning Commission, the use shall be adequately screened by distance and landscaping to protect the rights of all adjoining property.

7. The Township Board or Planning Commission, in connection with approval of any application, may require reasonable undertaking by the applicant to guarantee and assure by agreement, including a performance bond to be posted by the applicant or by some other reasonable surety arrangement at appropriate stages of the planned development, that the development will be executed in accordance with the approved plan.
8. That such use will be an asset to the Township.
9. Requirements and conditions of each individual special use permitted shall be complied with, unless otherwise mentioned within this Section.
10. Any special use permit may be revoked by the Union Township Board upon recommendation of the Union Township Planning Commission whenever the operation fails to comply with any of the required conditions or may be subject to the penalties of this Ordinance.
 - a) Approval of a special use permit shall be valid regardless of change of ownership, provided that all terms and conditions of the permit are met by any subsequent owner.
 - b) In instances where development authorized by a special use permit has not commenced within one (1) year from the date of issuance, the permit maybe reconsidered and/or voided at a regularly called meeting of the Planning Commission.

AB. Multi-use:

A combination retail and residential structure.

Multi-Use structures:

1. Can be located in any B-zone, **and must be two stories only.**

and may be increased in height, not to exceed a maximum height of seventy (70) feet; provided that any required yard shall be increased by one (1) foot for each foot in height the structure exceeds thirty-five (35) feet.

2. The rental units **are to be located on the second floor only and are limited to no more than four (4) single family units.**

are not to be located on the first floor. Enclosed parking for the residential units is allowed on the first floor level in the rear of the structure, but may take up no more than 50 percent of the first floor area. The minimum square footage of the parcel shall be no less than the total of 16,000 SF for the B-5 Commercial plus the Residential square footage, based on the follow:

For 1 to 4 units the required residential square footage is 4,000 SF per unit.

For 5 and 6 units the required residential square footage is 3,600 SF per unit.

For 7 to 24 units the required residential square footage is 3,200 SF per unit.

For 25 or more units the required residential square footage is 2,900 SF per unit.

3. Each residential unit must be at least **1,000 square feet (gross).**

500 square feet (gross) for a one bedroom unit and an additional 100 square feet for each additional bedroom.

4. Must provide the **a minimum of 50 percent of the** full amount of required business and **100 percent of the required** accessible parking spaces plus ~~two (2)~~ **one (1)** parking spaces per residential unit. **Residential parking must be set aside by location or signage to indicate it is reserved for the occupants.**

5. Must provide access to the residential areas without entering the business portion of the structure. Additional access to the residential areas maybe provided from the business area.

6. Must meet the township definition of "family" in determining number of occupants per unit.

7. May be permitted in existing legal non-conforming structures that are located in business zones.

When these structures are single story, only one residential unit maybe retained on the first floor. If a second story is present or added, only the second story maybe used for residential purposes. Site plan review shall be required when converting any residential structure to a Multi-Use structure.

8. Require a Special Use Permit

D. Mixed-Use Bluegrass Center Area

While currently more auto-centric, this area has the potential to transition into a more walkable, vibrant center. Future uses should be integrated to include multi-story, mixed-use buildings; first floor retail and office uses; public use and spaces; entertainment and restaurant venues; and additional attached housing types such as townhouses. Both vehicular and pedestrian cross connections should be promoted between sites, providing for future connections through easements, and should collectively promote a vibrant, livable center to the neighboring university population.

Key gateways into the center at busy intersections should have clearly delineated, safe pedestrian crossings and gateway landscaping and signage to project the "town center" image and branding for the district. This branding can continue through streetscape improvements such as pedestrian scale lighting, banners, street trees, and street furniture, similar to those provided by the EDA on Pickard Road, to build a cohesive center. Working with the Road Commission, Union Township should prioritize right-of-way easements to capture the pedestrian amenity zone in front of street-fronting development.

Mixed-use development promoting walkability should be prioritized along Bluegrass Road and connections made to nearby apartment complexes and big box retailers. New development visible from Highway 127 should be developed with friendly "back doors" as well to ensure the highest quality image for the township is projected to travelers.

This area could benefit from master planning, a character-based code, or planned unit development to ensure that future development is coordinated with roadway improvements. The concept plan depicted on the following page is meant to be the first schematic step at identifying further, more concrete, recommendations during the development of a more detailed subarea analysis.

See the design guidelines recommended for attached housing and commercial development in other sections of this chapter.

**Objective 3.3: Re-
imagine the Bluegrass
Road Subarea as
a vibrant destination for
community business, social
and civic activity.**

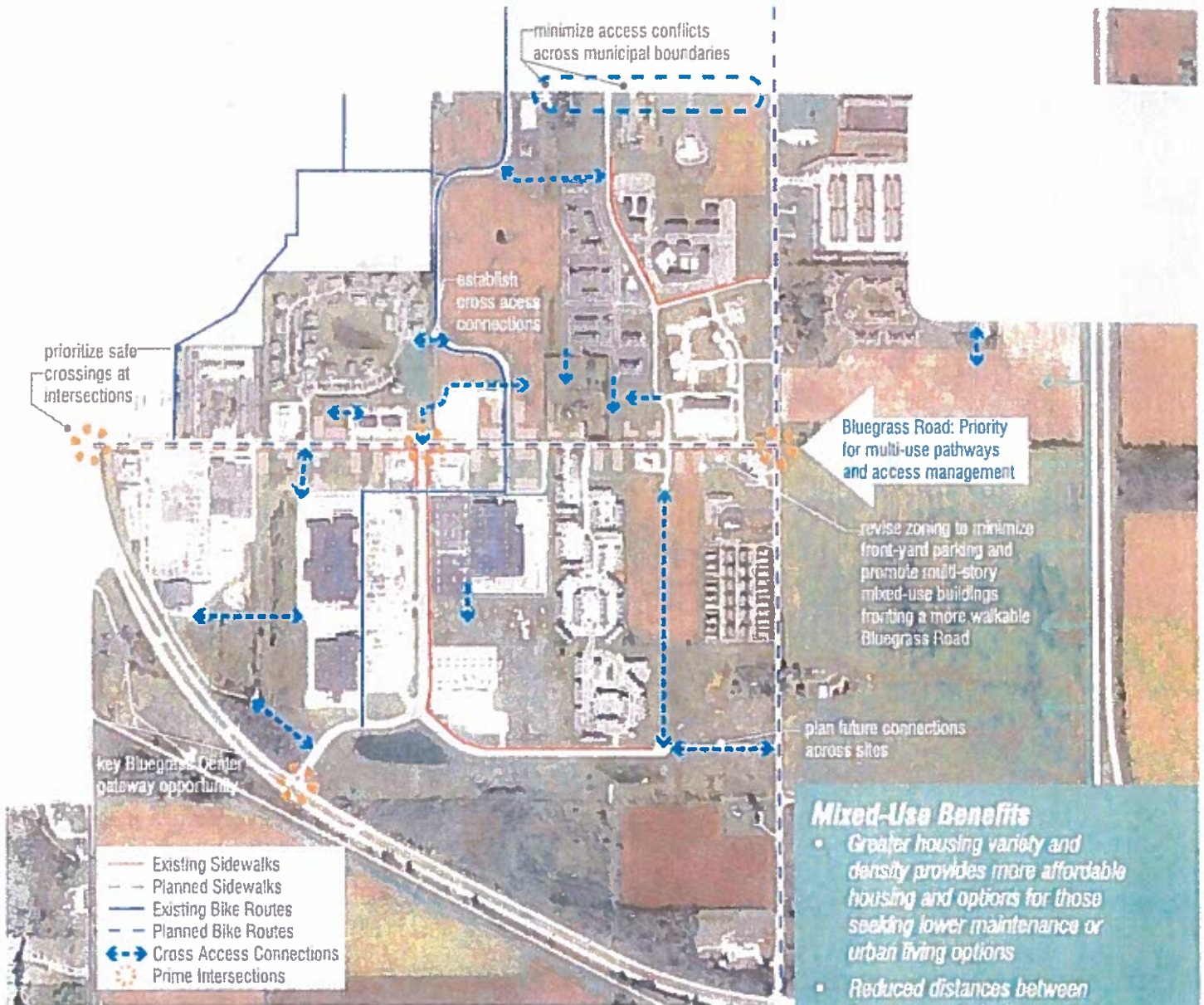


Mixed-Use Example



The Hamptons in Meridian Township near Michigan State University is a good example of suburban mixed-use development. Storefronts line the corridor with apartments above and parking in the rear. This planned unit development integrates well with the existing, more traditional apartment buildings.





Bluegrass Center Concept Plan

Mixed-Use Development

Mixed-use development is a development or building that blends a combination of residential uses, or that combines residential and non-residential uses, and where those functions are physically and functionally integrated. By locating places where people live, work and shop in close proximity to one another, alternatives to driving, such as walking or biking, become more viable. Mixed-use developments can offer a variety of residential opportunities so that younger and older people, singles and families of varying income levels may find places to live. A more diverse and sizable population and commercial base can also better support public transportation.

Mixed-Use Benefits

- Greater housing variety and density provides more affordable housing and options for those seeking lower maintenance or urban living options
- Reduced distances between housing, workplaces, retail businesses, and other amenities and destinations reduces travel time and improves convenience
- More compact development makes more efficient use of public services, utilities and infrastructure
- Stronger neighborhood character and sense of place result when citizens and businesses interact
- Walkable, bikeable neighborhoods increase accessibility, which results in improved travel options, reduced transportation costs and improved community health

AS ORIGINALLY SUBMITTED 11/5/19

AB. Multi-use:

A combination **office/commercial** retail and **family** residential structure. Multi-Use structures:

1. Can be located in any B-zone **and must be two stories only.**

Multi-Use Structures may be increased in height, not to exceed a maximum height of seventy (70) feet; provided that any required yard shall be increased by one (1) foot for each foot in height the structure exceeds thirty-five (35) feet.

2. The **family residential** rental units **are to be located on the second floor only and are limited to no more than four (4) single family units.**

Are not to be located on the first floor. Enclosed parking for the residential units is allowed on the rear of the structure, but may take up no more than 50 percent of the first floor area. The minimum square footage of the parcel shall be no less than the total of 16,000 SF for the B-5 Commercial plus the Residential square footage, based on the follow:

For 1 to 4 units the required residential square footage is 4,000 SF per unit.

For 5 and 6 units the required residential square footage is 3,600 SF per unit.

For 7 to 24 units the required residential square footage is 3,200 SF per unit.

For 25 or more units the required residential square footage is 2,900 SF per unit.

3. Each **family** residential unit must be at least **1,000 square feet (gross).**

500 square feet (gross) for a one bedroom unit and an additional 100 square feet for each additional bedroom. Family Residential living shall conform to the Township's definition of Family.

One (1) or more persons living together as a single nonprofit housekeeping unit, organized as a single entity in which the members share common kitchen facilities in a domestic bond. No such family shall contain more than three (3) unrelated persons.

4. Must provide the **a minimum of 50 percent of the** full amount of required business and **100 percent of the required** accessible parking spaces plus ~~two (2)~~ **one (1)** parking spaces per residential unit. *The 50 percent credit for shared parking for the business parking is not a requirement. It is the Developer/Owner of the overall project's responsibility to provide adequate parking for both the commercial and residential component of the project. Residential parking must be set aside by location or signage to indicate it is reserved for the occupants.*

5. Must provide access to the residential areas without entering the business portion of the structure. Additional access to the residential areas maybe provided from the business area.
6. Must meet the township definition of "family" in determining number of occupants per unit.
7. May be permitted in existing legal non-conforming structures that are located in business zones.

When these structures are single story, only one residential unit maybe retained on the first floor. If a second story is present or added, only the second story maybe used for residential purposes. Site plan review shall be required when converting any residential structure to a Multi-Use structure.

8. Require a Special Use Permit

AFFIDAVIT OF PUBLICATION

2125 Butterfield Dr, Suite 102N • Troy MI 48084

**CHARTER TOWNSHIP OF UNION
2010 S Lincoln**

**Mount Pleasant, MI 48858
Attention: KIM SMITH**

**STATE OF MICHIGAN,
COUNTY OF ISABELLA**

The undersigned Cyndy Slater, 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 - ZONING TEXT AMENDMENT

NOTICE is hereby given that a Public Hearing will be held on Tuesday January 21, 2020, at 7:00 p.m. at the Union Township Hall located at 2010 South Lincoln Road, Mt. Pleasant, Michigan, before the Union Township Planning Commission for the purpose of hearing any interested persons in the following Zoning Ordinance Text Amendment:

Requested by: **BSP Enterprises LLC - Navita S. Patel, President; Anjali P. Bhimalli, Vice President** Amend Section 30.4. AB (Special Use Permits - Multi-Use), Section 23.3.B (Special Uses - Multi-Use Structures)

Any interested person 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 (989) 772 4600 extension 241.

Peter Gallinat,
Township Planner

Published January 6, 2020

CHARTER TOWNSHIP OF UNION

Published in the following edition(s):

Morning Sun	01/06/20
morningstarpublishing.com	01/06/20



Sworn to the subscribed before me this 6th January 2020

Tina M. Crown

**Notary Public, State of Michigan
Acting in Oakland County**

Advertisement Information

Client Id: 531226 Ad Id: 1936657 PO: Sales Person: 200308

From: [Peter Gallinat](#)
To: [Jennifer Loveberry](#)
Subject: FW: Mixed Use
Date: Wednesday, January 15, 2020 1:27:46 PM

Please add for public comment regarding the TXT amendment.

Thank you,

Peter Gallinat
Planning & Zoning Administrator
Charter Twp of Union
2010 S. Lincoln Rd.
Mt Pleasant, MI 48858
989-772-4600 x 241
pgallinat@uniontownshipmi.com

From: Julian Denha <jdenha@kjcre.com>
Sent: Wednesday, January 15, 2020 11:33 AM
To: Peter Gallinat <pgallinat@uniontownshipmi.com>
Subject: Mixed Use

I would like to comment on the restrictions on mixed-use development. I have clients that are interested in doing a mixed-use development and they are not interested in moving forward because there would be too many restrictions.

Thanks,

Julian Denha
Real Estate Advisor



30201 Orchard Lake Rd., Ste 100 | Farmington Hills, MI 48334

P: 248.851.8900 | F: 248.731.7499 | C: 248.875.5853

jdenha@kjcre.com | www.kjcre.com

