

# A G E N D A

REGULAR MEETING OF THE MIDLAND CITY PLANNING COMMISSION,  
TO TAKE PLACE ON TUESDAY, FEBRUARY 11, 2020 7:00 P.M.,  
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **Approval of the Minutes**
  - a. Regular Meeting – January 28, 2020
5. **Public Hearings**
  - a. **Zoning Petition No. 629** - initiated by Bierlein Investments, LLC to rezone property located at 2100 Bay City Road from RC Regional Commercial to IA Industrial A.  
  
Public Hearing Process
    1. Staff presentation and overview of petition
    2. Petitioner presentation
    3. Public comments in support of the petition
    4. Public comments in opposition to the petition
    5. Opportunity for petitioner rebuttal and final comments
    6. Closing of public hearing
    7. Deliberation and possible decision by Planning Commission
6. **Old Business**
7. **Public Comments (unrelated to items on the agenda)**
8. **New Business**
  - a. **Site Plan Review Process**
  - b. **Master Planning Process**
9. **Communications**
10. **Report of the Chairperson**
11. **Report of the Planning Director**
12. **Items for Next Agenda – February 25, 2020**
13. **Adjournment**

**MINUTES OF THE REGULAR MEETING OF THE  
MIDLAND CITY PLANNING COMMISSION,  
TO TAKE PLACE ON TUESDAY, JANUARY 28, 2020 7:00 P.M.,  
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN**

1. The meeting was called to order at 7:00 p.m. by Chairman Mayville.
2. The Pledge of Allegiance was recited in unison by the members of the Commission and the other individuals present.
3. Roll Call  
**PRESENT:** Bain, Hanna, Koehlinger, Mayville, Pnacek, Sajbel and Rodgers  
**ABSENT:** Broderick, Heying  
**OTHERS PRESENT:** Grant Murschel, Planning Director, Nicole Wilson, Community Development Planner and twenty-one (21) others
4. **Approval of Minutes**  
Hanna made a motion to approve the minutes of the Regular Meeting of January 14, 2020, seconded by Rodgers. Motion carries 7-0.
5. **Public Hearings**
  - a. Site Plan No. 395 - initiated by DGR Properties, LLC for site plan review and approval of a five (5) building, 32,100 square foot mini-storage facility located at 916 Waldo Avenue.  
  
Murschel indicated that the applicant has withdrawn Site Plan No. 395 from consideration indefinitely.
  - b. Site Plan No. 396 - initiated by D & M Site, Inc. for site plan review and approval for an 8,820 Square foot medical office facility located at 217 & 223 N. Saginaw Road and 2924 Manor Drive.  
  
Wilson gave the staff presentation for Site Plan No. 396.  
John Morey, D&M Site, 401 Balsam Street, Carrolton  
Mr. Morey represented the development team and commented on the uniqueness of the building. Mr. Morey continued that stormwater management presented the greatest challenge in engineering this site and commented on the clarity that the site plan checklist provides. Mr. Morey identified the increased landscaping proposed to provide additional buffering between the residential homes.  
  
Dr. Paul Kimball, 5815 Tennis Court  
Dr. Kimball commented that the existing space for the practice does not adequately meet the need of the community and that the new space seeks to do so. Dr. Kimball further commented that he grew up in Midland and returned to join a successful practice with Dr. Howser and added Dr. Erickson. Dr. Kimball identified the intention for maintaining the practice open throughout the demolition of the two buildings closest to Manor Drive, followed by moving the practice to the new building and demolition of the southernmost structure and construction of the parking areas.  
  
Dr. Carl Erickson, 5608 Berry Court  
Dr. Erickson echoed Dr. Kimball's comments around the need for expanded space to serve the needs of the practice's clientele.

Comments in Support

Tyler Snyder, 2918 Braley Court

Mr. Snyder commented that he is in support of the project and that his concern is around the flooding happening in his property from both this adjacent property as well as the Ten16 property. Mr. Snyder further identified his efforts to add material to the property to prevent water from reaching the home.

Patrick Pnacek, 2525 Eastman Avenue

Mr. Pnacek commented that the proposed will be a vast improvement to the existing obsolete structures in that area today.

Tracy Allen, 211 North Saginaw Road

Ms. Allen owns the property directly to the south of the subject parcel and shared her concerns at the scale of the proposed when considering the scale (height) of the Ten16 property and her concern of her single story building to be visible between the two. Ms. Allen further commented at the closure of the driveways from North Saginaw Road and the potential for this change to negatively impact the pedestrian route from the parking for her building's clientele. Ms. Allen further expressed concern at the addition of lease space as relates to the potential for additional traffic. Ms. Allen stated that a shared access agreement has not been proposed but could be considered.

Ms. Hanna inquired if the presence of clay soils in Ms. Allen's building could contribute to the water concerns.

Petitioner declined further comment. Mayville closed the public hearing.

Mayville inquired as to the ability for the concerns of the adjacent property owner to be addressed this evening. Murschel responded to the concerns expressed around the height of the proposed building and the driveway removals and inquired about the potential for a reworked driveway and buffer that could mitigate the impact to pedestrian movement identified. Murschel commented that the request for a buffer could be a request and the applicant could speak to that in the rebuttal period if they should be agreeable to the same. Mayville further inquired if the request for the buffer would be a requirement via the Zoning Ordinance or a request. Murschel commented that the buffer would be a request not a requirement.

Pnacek made a motion to waive the rules of procedure and render a decision this evening, seconded by Hanna. Motion carries 7-0.

Bain commented that this development is an improvement in the Circle District and the increased attention to the district is welcome and needed.

Bain further inquired about the parking calculations and noted that many other medically focused developments seek increased parking availability and that the reduction of the parking, while not at the 50% reduction level allowable, the provision is reasonable and within the range of acceptable count to serve the development.

Pnacek commented that the closure of additional driveways is good idea and likes the work of the engineers on the project to accommodate the stormwater requirements within the small parcel and that the efforts also assist the adjacent property owners.

Rodgers commented that it is a beautiful building.

Murschel inquired of the applicant as to the potential for a 2' buffer could exist to create a more friendly pedestrian experience when accessing the building to the south.

Mr. Morey stated that a buffer will be evaluated and additional concerns discussed with the development team and the adjacent property owners outside of the meeting room.

Rodgers made a motion to approve the site plan with the identified contingencies, seconded by Pnacek.

Yeas: Pnacek, Rodgers, Sajbel, Hanna, Bain, Mayville and Koehlinger  
Nays: None

Motion carries 7-0.

- c. Site Plan No. 397- initiated by Jerome Schafer for site plan review and approval of two (2) site condominiums totaling 33 residential units located at 204 Commerce Drive.

Murschel presented the staff report for Site Plan No. 397.

Bain asked how the berm is going to be configured at Jefferson. Murschel responded that there will be additional measures taken to accommodate emergency equipment through the access point as was done on the western property line with Redwood.

#### Petitioner Presentation

The petitioner declined the need to add additional details.

#### Comments in Support

Tyler Snyder, 2918 Braley Court

Mr. Snyder commented that the development team and the proposed project are great and that the property was sold by Mr. Snyder's family to the property owner who possessed a very similar intent for the properties.

Patrick Pnacek, 2525 North Eastman Road

Mr. Pnacek commented that his family owned the property purchased by Mr. Snyder's family, and subsequently sold to its current owner for this development. Mr. Pnacek continued that this is a highly desirable area of Midland. Mr. Pnacek identified a roughly five (5) acre parcel zoned community commercial, of which he is part owner, in close proximity. Directly to the south of the subject parcel, the future land use map identifies thirty-one (31) acres of high density residential, thirty-one (31) acres of office-service and thirty-one (31) acres of commercially zoned property between Jefferson Avenue and Eastman Avenue.

Paul Preston, 2262 Rolling Ridge Drive, Midland

Mr. Preston owns the property at 2025 Jefferson Avenue, directly to the south of the subject parcel and is concerned with drainage to his adjacent property and would like to inquire about the existing evergreens that create a natural vegetative screen to his property. Mr. Preston further inquired as to the market demand for the development.

Murschel commented that the development has provided an initial stormwater management plan with final calculations and plan to be evaluated by the City Engineering Department, additionally the existing evergreens in question appear to remain in the proposed plan. Murschel further responded that the market demand for the proposed is not a consideration within the zoning ordinance and so then cannot be considered in the evaluation of the site plan.

Comments in Opposition – None.

#### Petitioner Rebuttal

Mark Wahl, 1397 Linwood Road, Linwood

Mr. Wahl commented that rear yard drains are in place in each lot and that the site plan seeks to maintain as much foliage as possible. Mr. Wahl continued that there are times when installation of

the yard drains prevent the maintenance of that foliage. Mr. Wahl further commented that in a previous meeting, Ms. Hanna had commented at the need for consistency in design and that Copper Leaf has provided an opportunity to achieve those things and seeks to create a place for active lifestyles while also featuring mobility and accessibility options.

Mayville closed the public hearing.

Pnacek made a motion to waive the rules of procedure and render a decision this evening, seconded by Hanna. Motion carries 7-0.

Mayville commented as to the need for fire coverage to the north end of the City of Midland and consider the continued expansion. Rodgers echoed those comments.

Hanna commented at the need for affordable housing and commended the development team for offering that housing.

Hanna made a motion to approve Site Plan No. 397 with the identified contingencies, seconded by Rodgers.

Yeas: Bain, Hanna, Sajbel, Koehlinger, Rodgers, Pnacek and Mayville

Nays: None

Motion carries 7-0.

d. Capital Improvement Plan 2020-2026 (see packet from January 14, 2020)

Murschel gave an overview of the Capital Improvement Plan process and introduced the departmental team presenting it this evening.

Josh Fredrickson, City Engineer presented the Major and Local Streets sections of the Capital Improvements Plan.

Bain inquired about the private sanitary sewer project that was petitioned for completion. Fredrickson responded that there is no cost identified as there would not be a cost to the city toward the cost of the private system.

Hanna commented that perhaps an expansion of toll roads should be evaluated and shared her experience in driving in the southern portion of the state. Fredrickson commented that collaborative funding and identifying the needs further out as is done in the Capital Improvement Plan allow for necessary repairs to take place.

Water - Peter Schwarz, Director of Water Services presented the Water Treatment Plant and Water Distribution Department portions of the Capital Improvement Plan.

Mayville asked if overall the City is spending enough to maintain its system or if the system continues to deteriorate. Schwarz responded that the system is keeping its head above water.

Hanna commented at the poor quality of the water prior to the municipal water supply being installed and expressed her gratitude for the system.

Murschel asked Mr. Schwarz to detail the revenue source for water, Mr. Schwarz commented that user fees (80% retail, 20% industrial) fund water improvements. Mayville commented that his inquiry is reflective of the challenges facing Flint's water system.

Rodgers asked about the location of lead pipes that may exist. Schwarz responded that the requirement is to identify those lead services within the next 5 years.

Bain asked if the lead service lines are public or privately owned. Schwarz responded that they are most often found on the private side, but that the municipality is required to replace them.

Wastewater & Stormwater – Patrick Frazee, Director of Wastewater Services, presented the wastewater and stormwater portions of the Capital Improvements Plan.

Hanna commented that she is glad that the plan includes her neighborhood after it has flooded three times. Ms. Hanna further discussed the undergrounding or covering of a creek nearby her home that contributed to the flooding concerns in her area.

Murschel asked Frazee to articulate the source by which stormwater and wastewater items are funded. Frazee commented that stormwater improvements are funded via the general fund and that user fees generate the funds for wastewater improvements.

Landfill - Karen Murphy, Director of Municipal Services presented the Landfill portion of the Capital Improvement Plan.

No comments were made in support or in opposition of the plan.

Rodgers commented that the City has fantastic staff focused on efficiency and applauded the effort put into the development of the Capital Improvements Plan

Sajbel commented that it is positive to see action on the flood response recommendations. Pnacek made a motion to approve the Capital Improvements Plan as presented, seconded by Rodgers.

Yeas: Bain, Pnacek, Rodgers, Hanna, Koehlinger, Sajbel and Mayville  
Nays: None

Motion carries 7-0.

6. **Old Business** – None.

7. **Public Comments** (unrelated to items on the agenda) – None.

8. **New Business** – None.

9. **Communications** – None.

10. **Report of the Chairperson** - None.

11. **Report of the Planning Director**

Murschel commented at the value of the Zoning & Planning News article around Aging in Place and the inclusion of cross-generationally related items within the upcoming Master Plan.

12. **Items for Next Agenda – February 11, 2020**

a. Zoning Petition No. 628 - initiated by Bierlein Investments, LLC to rezone property located at 2100 Bay City Road from RC Regional Commercial to IA Industrial A.

b. Site Plan Review Process Data and Detailed Proposal

Mayville commented that he is encouraged at the direction the review process is moving and that such change will allow this body to operate more strategically than transactional.

c. Upcoming Comprehensive Master Planning Process

Hanna commented that the municipal facilities that are present and were discussed during the Capital Improvements Plan presentation are an asset to the community and suggested that those present should take the time and opportunity to view them.

**13. Adjournment**

It was moved by Hanna and seconded by Rodgers to adjourn at 9:32 p.m. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Grant Murschel". The signature is written in a cursive style with a large initial "G".

Grant Murschel  
Director of Planning & Community Development

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION



**STAFF REPORT TO THE PLANNING COMMISSION  
FEBRUARY 11, 2020**

Subject: Zoning Petition #629 (Rezoning Request)

Applicant: Bierlein Investments, LLC

Location: 2100 Bay City Road

Area: 3.151 acres

Existing zoning: RC Regional Commercial

Proposed zoning: IA Industrial A

Adjacent Zoning: North: IA Industrial A, RC Regional Commercial  
South: IA Industrial A, RC Regional Commercial  
East: RC Regional Commercial  
West: IA Industrial A

Adjacent Development: North: Industrial Warehouse  
South: Contractor's Yard  
East: Vacant Lot  
West: Contractor's Yard

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**REPORT**

Zoning Petition No. 629, initiated by Bierlein Investments, LLC proposes to rezone the property known as 2100 Bay City Road from RC Regional Commercial to IA Industrial A. There are no conditions offered by the applicant; therefore, the full content and permitted uses within the IA Industrial A zoning district must be considered.

*Aerial location maps, current zoning, and Future Land Use designation maps are enclosed.*

**BACKGROUND**

The property is located at the eastern edge of the predominantly industrial area of the city, with predominantly residential lands to the southeast of the subject parcel. The subject parcel as well as the land to the immediate east and south are planned for commercial purposes. Property to the southeast is planned for high density residential use.

According to Article 21 of the City Zoning Ordinance, the intent of the Industrial A and Industrial B Districts is to permit the use of land, buildings, and structures for the manufacturing, processing, fabricating, compounding, treatment, packaging and/or assembly of materials or goods, warehousing or bulk storage of goods, and related accessory uses. Related accessory uses may include, by way of example, research, design, and prototype development related to the industrial operations; the storage of goods in connection with or resulting from industrial operations; the sale of goods resulting from such operations; and, any work of administration or accounting in connection with the industrial operations. The regulations in this Article provide for two industrial districts with the intent that the least intensive industrial operations having limited external off-site impacts should be located in the Industrial A District.

## ASSESSMENT

In accordance with Section 30.03(D) of the Zoning Ordinance, the Planning Commission and City Council shall at minimum, consider the following before taking action on any proposed zoning map amendment:

**1. Is the proposed amendment consistent with the City's Master Plan?**

Yes. The Future Land Use map of the City's Master Plan identifies this property as Light Industrial along with property to the immediate east and west.

**2. Will the proposed amendment be in accordance with the intent and purpose of the Zoning Ordinance?**

*"Section 1.02 B Intent : It is the purpose of this Zoning Ordinance to promote the public health, safety, comfort, convenience, and general welfare of the inhabitants of Midland by encouraging the use of lands and natural resources in accordance with their character, adaptability and suitability for particular purposes; to enhance social and economic stability; to prevent excessive concentration of population; to reduce hazards due to flooding; to conserve and stabilize the value of property; to provide adequate open space for light and air; to prevent fire and facilitate the fighting of fires; to allow for a variety of residential housing types and commercial and industrial land uses; to minimize congestion on the public streets and highways; to facilitate adequate and economical provision of transportation, sewerage and drainage, water supply and distribution, and educational and recreational facilities; to establish standards for physical development in accordance with the objectives and policies contained in the Master Plan (Comprehensive Development Plan); and to provide for the administration and enforcement of such standards."*

Yes. In staff's opinion, the proposed rezoning would promote the intent of the Zoning Code through reclassification of the parcel as stated because the proposed rezoning reflects the desires of the Master Plan for this property and complies with regulations of the zoning ordinance.

**3. Have conditions changed since the Zoning Ordinance was adopted that justifies the amendment?**

Yes, this portion of the Bay City Road corridor has been moving away from commercial-oriented businesses and towards a mix of light industrial uses. This has been the vision of the Master Plan for some time. The subject parcel as has a recent history of the commercial business that operated there closed its doors. The property was then purchased by an abutting owner.

**4. Will the amendment merely grant special privileges?**

No, the area is planned for light industrial use. As such, the proposed zoning amendment is in line with the Master Plan and allows for consistent zoning of properties to the west.

**5. Will the amendment result in unlawful exclusionary zoning?**

No, the amendment would result in standard industrial zoning located frequently throughout the area and within the city limits.

**6. Will the amendment set an inappropriate precedent?**

No, the zoning petition is supported by the City's updated Master Plan and its Future Land Use map.

**7. Is the proposed zoning consistent with the zoning classification of surrounding land?**

Yes, the properties to the west and southwest are zoned as IA Industrial A, those to the east are zoned RC Regional Commercial. While not directly adjacent, it is worth noting the historically residential neighborhood to the southeast that begins at Kent Court.

**8. Is the proposed zoning consistent with the future land use designation of the surrounding land in the City Master Plan?**

Yes, the Master Plan supports the subject parcel to be zoned and used as light industrial along with lands to the south and west.

**9. Could all requirements in the proposed zoning classification be complied with on the subject parcel?**

Yes, the subject parcel could meet all requirements of the IA Industrial A zoning district.

**10. Is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?**

For the most part, the trend in this area is reflective of the proximity of the area to the legacy industrial properties to the southwest and the extension of more industrial uses as properties become available. With that in mind, it is worth noting the adjacency of the proposed industrial use in relative proximity to existing residential uses.

**ADDITIONAL STAFF COMMENTS**

No (0) written public comments have been received with regard to the petition at the time this report was drafted.

**STAFF RECOMMENDATION**

Upon review of the requested zoning change, staff recommends approval of the rezoning petition for the following reasons:

- The request is consistent with the City's Master Plan and its Future Land Use map.

**PLANNING COMMISSION ACTION**

Staff currently anticipates that the Planning Commission will hold a public hearing on this request during its regular meeting on February 11, 2020 and will formulate a recommendation to City Council thereafter. If recommended to City Council the same evening, we anticipate that on February 24, 2020 the City Council will set a public hearing on this matter. Given statutory notification and publication requirements, the City Council will schedule a public hearing for March 23, 2020 at which time a decision will be made on the proposed zoning change. Please note that these dates are preliminary and may be adjusted due to Planning Commission action and City Council agenda scheduling.

Respectfully Submitted,



Grant Murschel  
Director of Planning & Community Development

grm/NMW

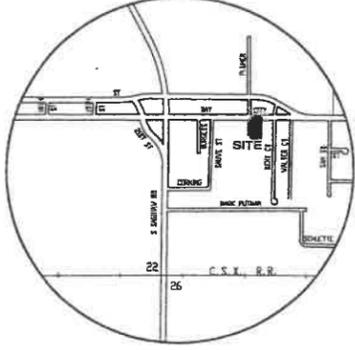
NOT FOR CONSTRUCTION. ALL RIGHTS RESERVED. D AND M SITE

**UTILITY NOTE**  
THE UTILITY LOCATIONS AS HEREON SHOWN ARE BASED ON FIELD OBSERVATIONS AND A CAREFUL REVIEW OF MUNICIPAL AND UTILITY RECORDS. HOWEVER, IT IS NOT POSSIBLE TO DETERMINE THE PRECISE SIZE, LOCATION, DEPTH, PRESSURE, OR ANY OTHER CHARACTERISTICS OF UNDERGROUND UTILITIES, TANKS OR SEPTIC FIELDS WITHOUT EXCAVATION. THEREFORE, WE CANNOT GUARANTEE THE ACCURACY OF COMPLETENESS OF THE BURIED UTILITY INFORMATION HEREON SHOWN. THE CONTRACTOR SHALL CALL MISS DIG (1-800-482-7171) A MINIMUM OF THREE WORKING DAYS PRIOR TO ANY EXCAVATION. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THESE UTILITY LOCATIONS PRIOR TO CONSTRUCTION AND MAKE EVERY EFFORT TO PROTECT AND/OR RELOCATE THEM AS REQUIRED. THE CONTRACTOR SHALL NOTIFY THE ENGINEER/SURVEYOR AS SOON AS POSSIBLE IN THE EVENT A DISCREPANCY IS FOUND.

**ZONING INFORMATION**  
ZONE - IA (INDUSTRIAL A)  
SETBACKS:  
FRONT - 25'  
REAR - NONE  
SIDE - NONE  
ZONE - RC (REGIONAL COMMERCIAL)  
FRONT - 25'  
REAR - NONE  
SIDE - NONE

**FLOODPLAIN INFORMATION**  
CITY OF MIDLAND (280140)  
MIDLAND COUNTY, MICHIGAN  
MAP NUMBER: 2511C0277E  
EFFECTIVE DATE: 05/04/2009  
FLOOD ZONE: X (PER FEMA)  
AREA OF MINIMAL FLOOD HAZARD (MAP NOT PRINTED)

**UTILITY CONTACTS**  
**TELEPHONE**  
4781  
4/4 ENGINEERING DEPARTMENT  
ROOM 525A  
309 S. WASHINGTON AVE.  
SAGINAW, MICHIGAN 48607  
(989) 778-4070  
**ZONING**  
CITY OF MIDLAND  
ZONING & PLANNING  
333 W. ELLSWORTH ST  
MIDLAND, MICHIGAN 48640  
(989) 637-3374  
**GAS AND ELECTRIC**  
CONSUMERS ENERGY  
2400 MESS STREET  
SAGINAW, MICHIGAN 48602  
(989) 791-5903  
**WATER/SEWER**  
CITY OF MIDLAND  
ENGINEERING DEPT.  
333 W. ELLSWORTH ST  
MIDLAND, MICHIGAN 48640  
(989) 637-3348



**LOCATION MAP**  
NOT TO SCALE  
GRAPHIC SCALE  
( IN FEET )  
1 inch = 30 ft.

**LEGEND**

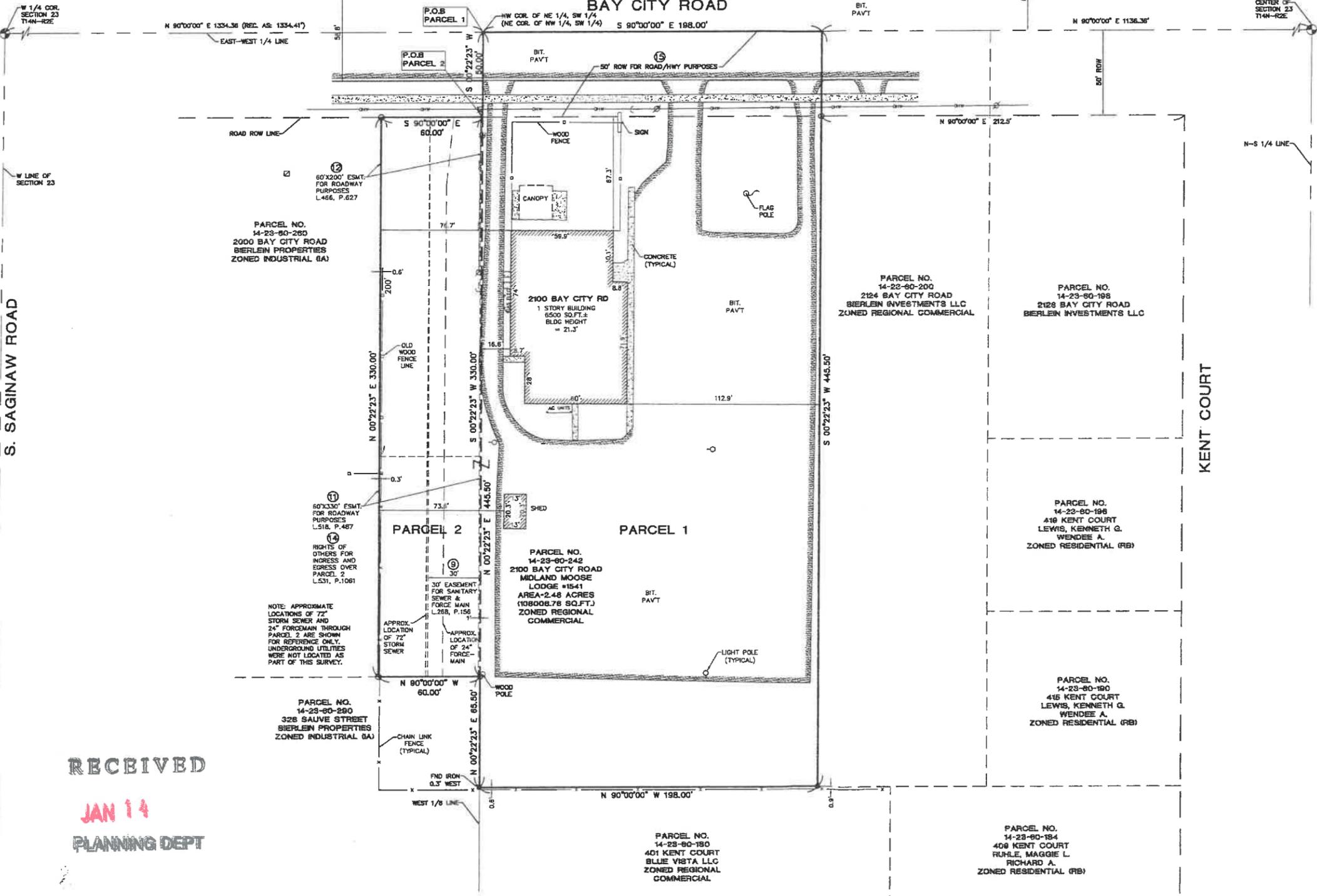
○	MONUMENT / SECTION CORNER
○	FOUND PROPERTY IRON
○	SET PROPERTY IRON
○	EXISTING CATCHBASIN
○	EXISTING MANHOLE / CATCHBASIN
○	EXISTING MANHOLE
○	EXISTING HYDRANT
○	EXISTING VALVE
○	EXISTING SANITARY SEWER
○	EXISTING COMBINED SEWER
○	EXISTING WATER LINE
○	EXISTING FENCE LINE
○	EXISTING UNDERGROUND ELECTRIC LINE
○	EXISTING UNDERGROUND GAS LINE
○	EXISTING UNDERGROUND TELEPHONE LINE
○	EXISTING CENTERLINE
○	EXISTING OVERHEAD ELECTRICAL WIRES
○	EXISTING MAILBOX / NEWSPAPER BOX
○	EXISTING SIGN
○	EXISTING DECIDUOUS TREES
○	EXISTING CONIFEROUS TREES
○	EXISTING UTILITY POWER POLE
○	EXISTING TELEPHONE RESER
○	EXISTING WOOD FENCE

**PARCEL DESCRIPTIONS**  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
MITTEN TITLE, LLC FILE NO. 1946652-MT  
COMMITMENT DATE: NOVEMBER 20, 2019 AT 8:00 AM  
THE LAND IS DESCRIBED AS FOLLOWS:  
SITUATED IN THE CITY OF MIDLAND, MIDLAND COUNTY, MICHIGAN,  
PARCEL 1:  
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SECTION 23, T14N, R22E;  
THENCE EAST 188 FEET; THENCE SOUTH 446.5 FEET; THENCE WEST 198 FEET; THENCE NORTH 446.5 FEET TO THE PLACE OF BEGINNING.  
PARCEL 2:  
A PARCEL DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SECTION 23, T14N, R22E;  
THENCE SOUTH 50 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 330 FEET; THENCE WEST 60 FEET; THENCE NORTH 330 FEET; THENCE EAST 60 FEET TO THE PLACE OF BEGINNING.

**SCHEDULE B, PART B EXCEPTIONS**  
FIDELITY NATIONAL TITLE INSURANCE COMPANY  
MITTEN TITLE, LLC FILE NO. 1946652-MT  
COMMITMENT DATE: NOVEMBER 20, 2019 AT 8:00 AM  
9. SEWER EASEMENT AS DISCLOSED BY INSTRUMENT RECORDED IN LIBER 285, PAGE 156, (AS TO PARCEL 2) AS SHOWN  
11. TERMS AND CONDITIONS CONTAINED IN EASEMENT AGREEMENT RECORDED IN LIBER 518 AT PAGE 487, AS SHOWN  
12. RESERVATION OF AN EASEMENT FOR ROADWAY PURPOSES AS RECYCLED IN LIBER 488 AT PAGE 627, (AS TO PARCEL 2) AS SHOWN  
14. RIGHTS OF OTHERS TO USE PARCEL 2 FOR INGRESS AND EGRESS AS RECYCLED IN LIBER 531 AT PAGE 1061, AS SHOWN  
15. ANY RIGHTS, TITLE INTEREST OR CLAIM THEREOF TO THAT PORTION OF THE LAND TAKEN, USED OR GRANTED FOR STREETS, ROAD OR HIGHWAYS, AS SHOWN

**CERTIFICATION**  
TO FIDELITY NATIONAL TITLE INSURANCE COMPANY, MITTEN TITLE, LLC AND BERLEIN INVESTMENT, LLC  
THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2018 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS. THE FIELDWORK WAS COMPLETED ON 12/04/2019.  
DATE OF PLAT OR MAP: \_\_\_\_\_  
BRIAN D FERGLUSON PS #28454  
401 BALSAM STREET P.O. BOX 159  
CARROLLTON, TN 38624  
PHONE: (931) 732-8500

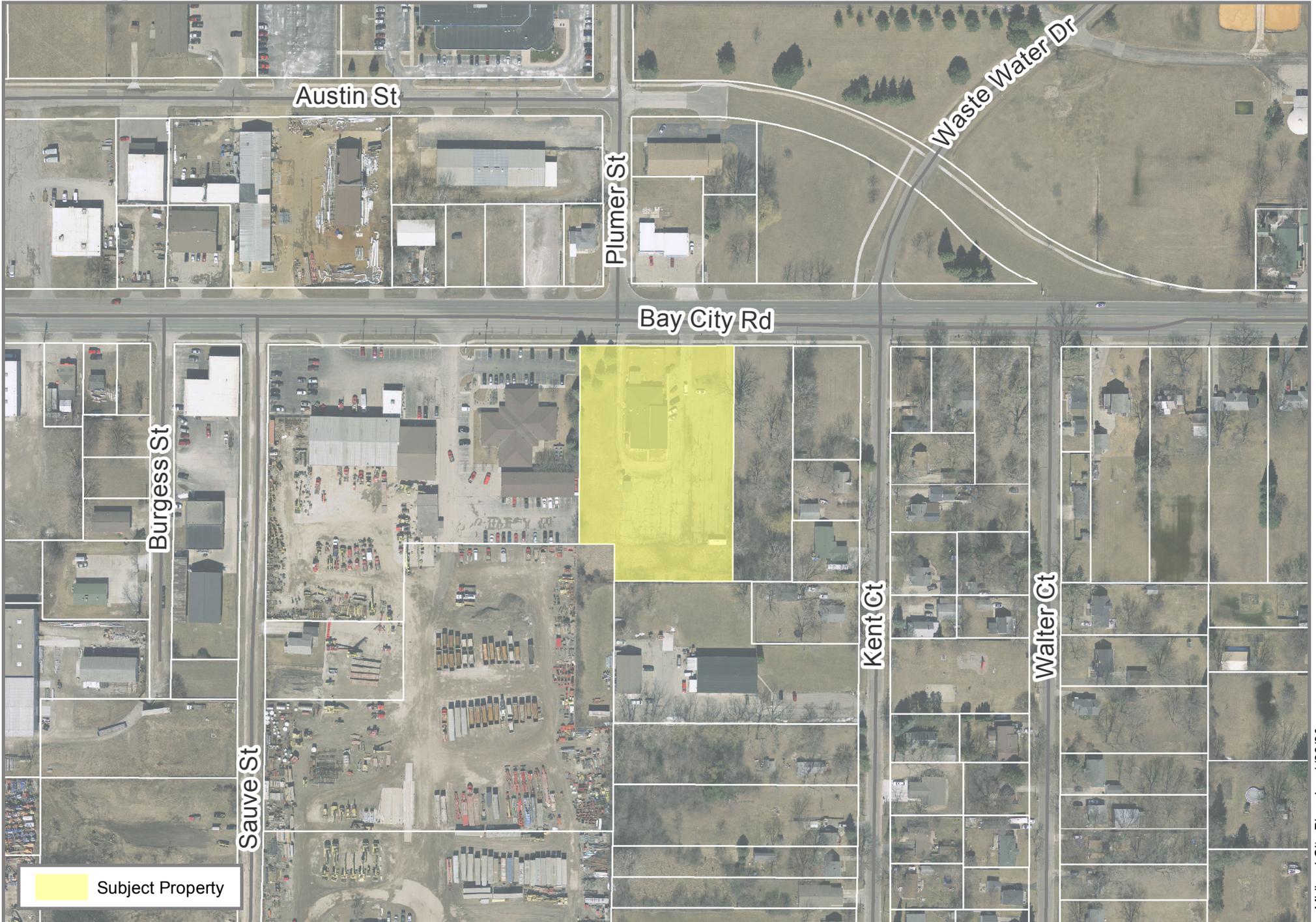
PREPARED UNDER THE SUPERVISION OF:  
PROJECT LOG  
FILE: 2019-474  
PROJECT MGR: JDM  
DESIGNED BY: JDM  
DRAWN BY: KJT  
CHECKED BY: JDM  
SCALE: 1"=30'  
SHEET: 1 OF 1  
BERLEIN COMPANIES, INC.  
2000 BAY CITY ROAD  
MIDLAND, MICHIGAN 48642  
PHONE (989) 498-0066  
2100 BAY CITY ROAD  
MIDLAND, MICHIGAN  
SECTION 23, T14N, R22E  
CITY OF MIDLAND, MIDLAND COUNTY, MICHIGAN  
ALTA/NSPS LAND TITLE SURVEY  
D & M SITE INC.  
Surveying, Inspection, Testing & Engineering  
401 BALSAM STREET P.O. BOX 159, CARROLLTON, MICHIGAN 48724  
Phone: (989) 782-8500 Fax: (989) 782-8500  
SD-1  
2019.474



RECEIVED  
JAN 14  
PLANNING DEPT

# ZP #629 | 2100 Bay City Road

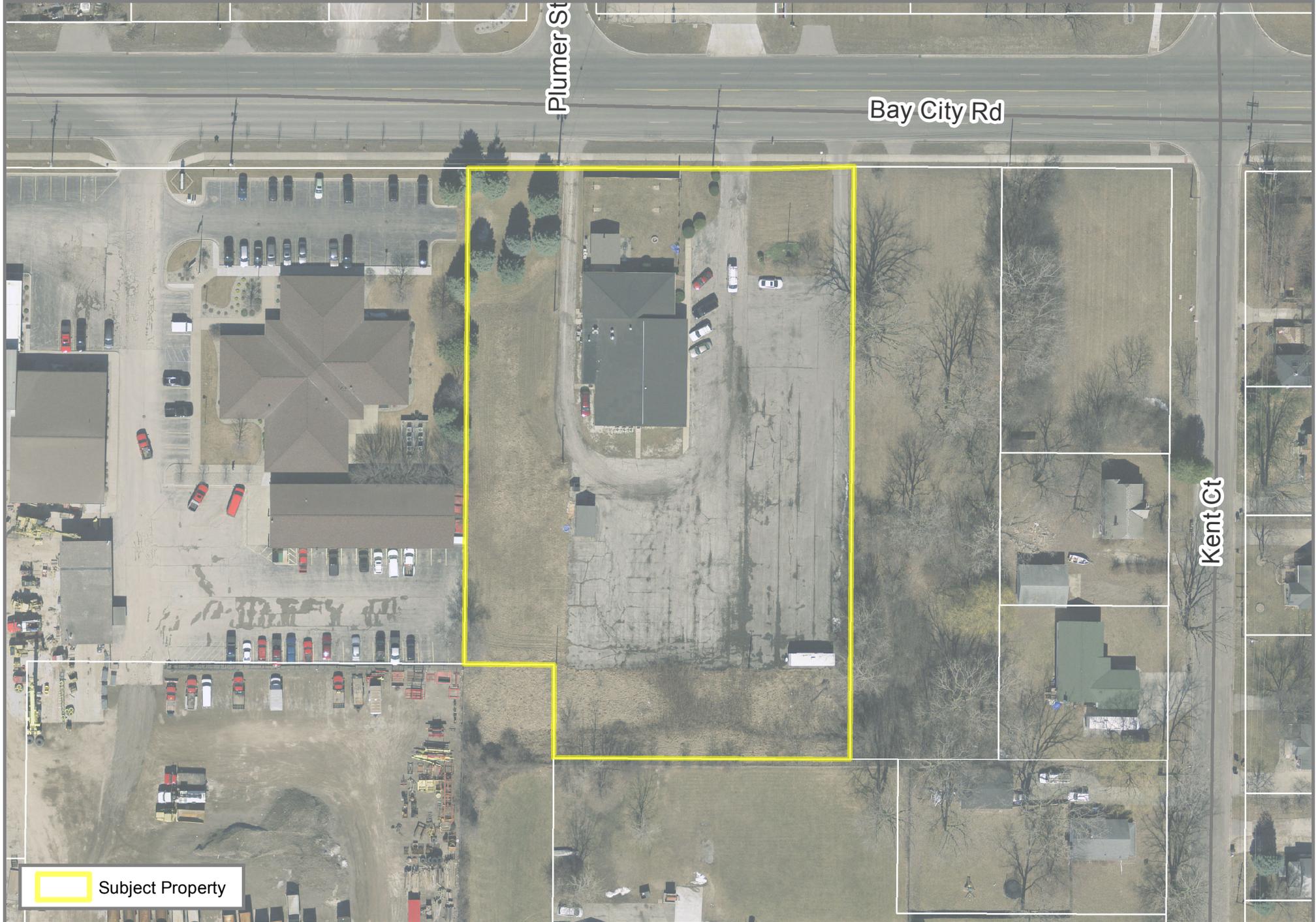
> RC Regional Commercial to IA Industrial A



 Subject Property

# ZP #629 | 2100 Bay City Road

> RC Regional Commercial to IA Industrial A



Plumer St

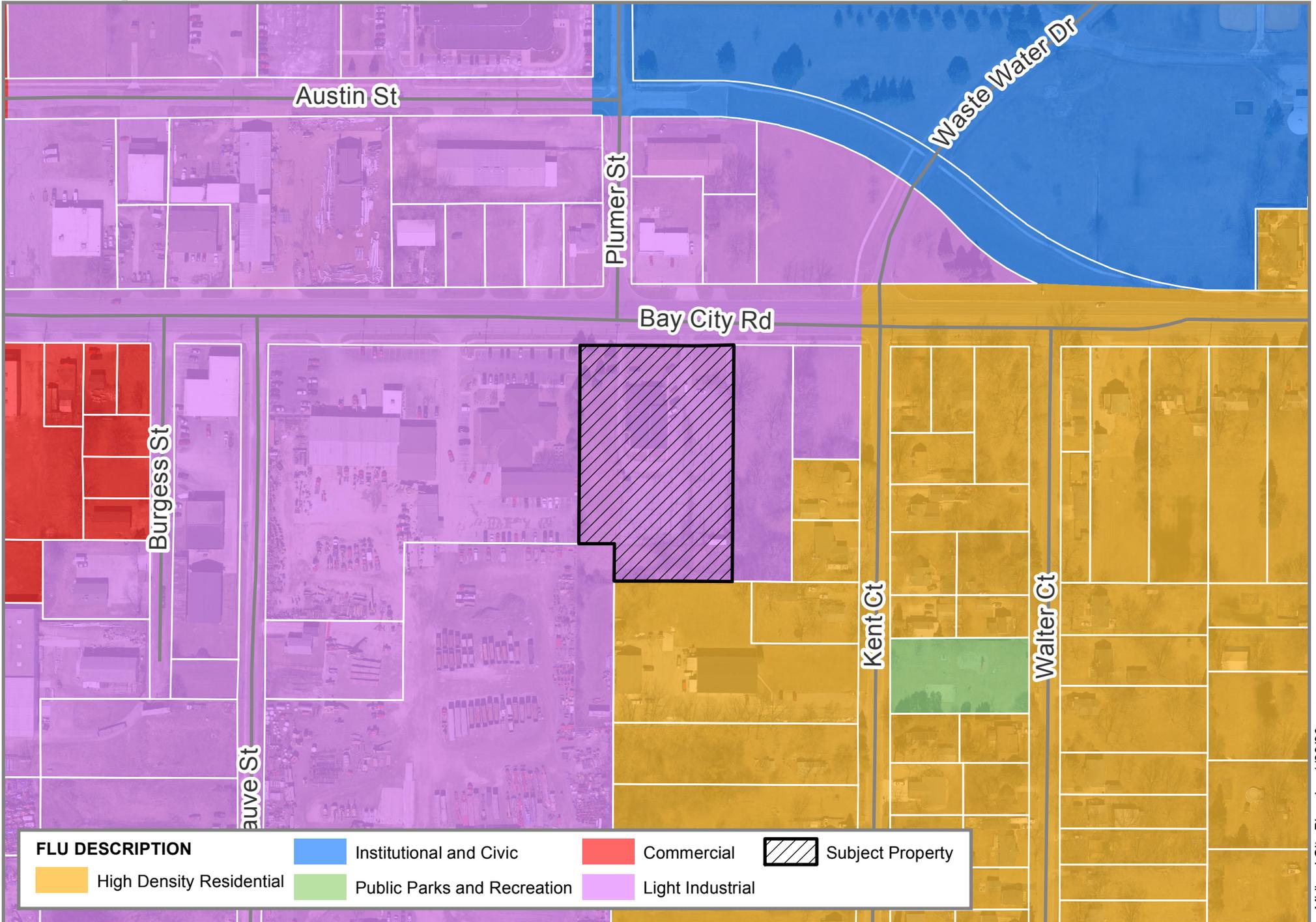
Bay City Rd

Kent Ct

 Subject Property

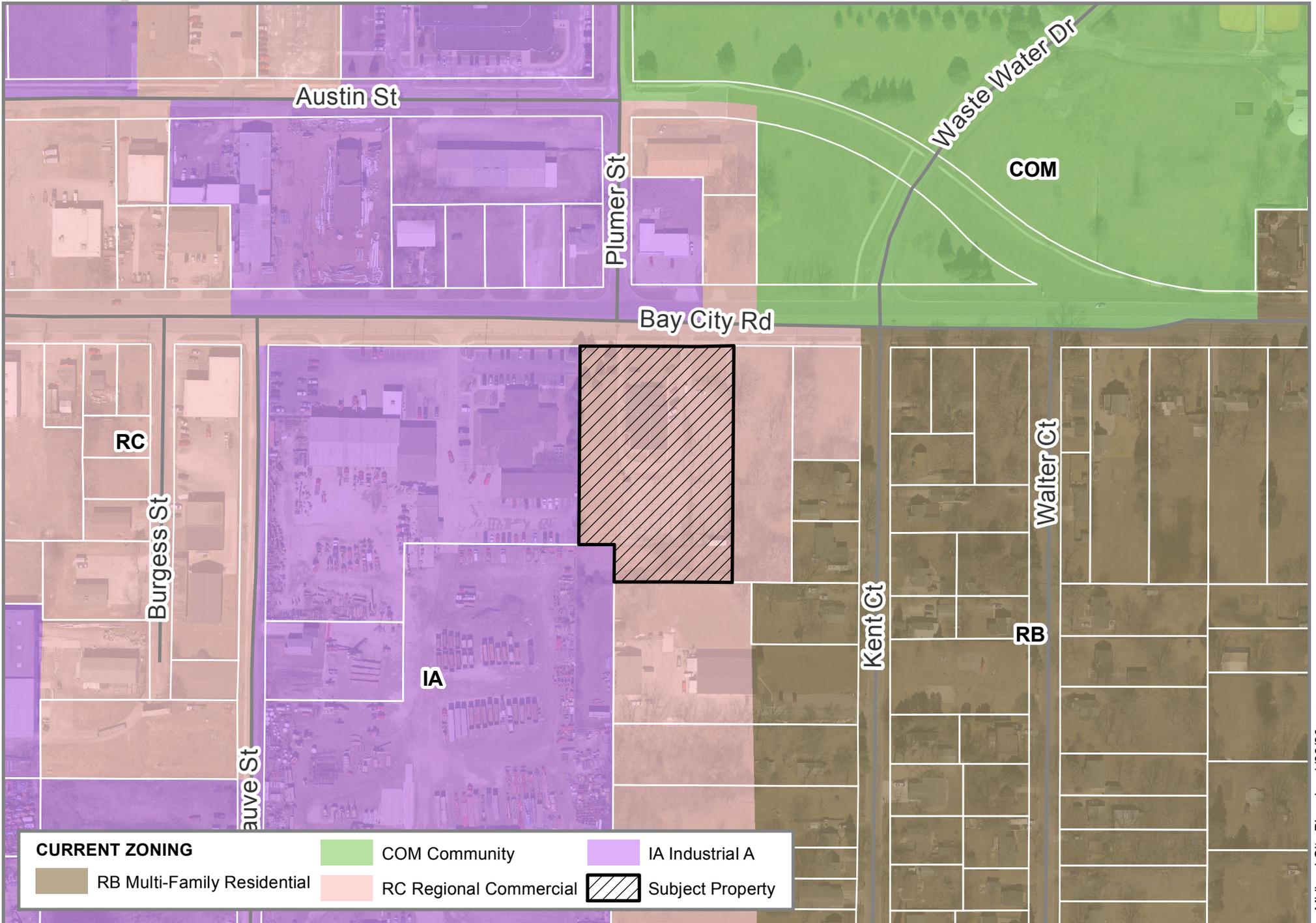
# ZP #629 | 2100 Bay City Road

> RC Regional Commercial to IA Industrial A



# ZP #629 | 2100 Bay City Road

> RC Regional Commercial to IA Industrial A



# Memo



**To:** Midland City Planning Commission  
**From:** Grant Murschel  
Director of Planning & Community Development  
**Date:** February 7, 2020  
**Re:** Site Plan Review Process

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Following discussion of the site plan review process during the January 14, 2020 meeting, staff has prepared the enclosed documents. These documents provide some analysis of recent site plan projects and their scale along with a review of the current City processes compared to guidance provided by the Redevelopment Ready Communities program.

Staff intends to present the enclosed information during the meeting on February 11, 2020.

Redevelopment Ready Communities  
 Best Practice Three: Development Review Process

3.1—DEVELOPMENT REVIEW PROCEDURES

Best practice 3.1 evaluates the community’s development review policies and procedures, project tracking and internal/external communication. The purpose of the development review process is to assure plans for specific types of development comply with local ordinances and are consistent with the master plan. Streamlined, well-documented development policies and procedures ensure a smooth and predictable experience when working with a community. It is essential for a community’s development review team to also coordinate with permitting and inspections staff. Unnecessary steps or unclear instructions increase time and expenses associated with development. Community leaders should look to **simplify** and **clarify** policies, operate in a **transparent** manner and increase **efficiency** to create an inviting development climate that is vital to attracting investment. To do this, sound internal procedures need to be in place and followed. Tracking projects internally across multiple departments can alleviate potential delays. Offering conceptual site plan review meetings is one more step a community can take to show investors they are working to remove development barriers and cut down on unexpected time delays.

<p><b>EVALUATION CRITERIA 3.1.1</b>          The zoning ordinance articulates a thorough site plan review process.</p>	<p><b>EXPECTATIONS</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The responsibilities of the governing body, planning commission, zoning board of appeals, other reviewing bodies, and staff are clearly documented.</li> </ul>	<p><b><u>Roles &amp; Responsibilities</u></b></p> <p>Responsibilities are outlined via the Development Process Workflow developed in 2019.</p>																		
<p><b>EVALUATION CRITERIA 3.1.2</b>          The community has a qualified intake professional.</p>	<p><b>EXPECTATIONS</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The community identifies a project point person and trains staff to perform intake responsibilities including:             <ul style="list-style-type: none"> <li>➢ Receiving and processing applications and site plans</li> <li>➢ Documenting contact with the applicant</li> <li>➢ Explaining procedures and submittal requirements</li> <li>➢ Facilitating meetings</li> <li>➢ Processing applications after approval</li> <li>➢ <b>Excellent customer service</b></li> </ul> </li> </ul>	<p><b><u>Intake</u></b></p> <p>Community Development Planner has facilitated this role</p> <p>On occasion, site selection &amp; development process          Midland Business Alliance          Economic Development team</p>																		
<p><b>EVALUATION CRITERIA 3.1.3</b>          The community defines and offers <b>conceptual site plan review</b> meetings for applicants.</p>	<p><b>EXPECTATIONS</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The community has clearly defined expectations posted online and a checklist to be reviewed at conceptual meetings.</li> <li><input type="checkbox"/> The community advertises online that conceptual site plan review meetings are available.</li> </ul>	<p><b><u>Conceptual Review Team</u></b></p> <p>Planning          Assessing          Economic Development</p>																		
<p><b>EVALUATION CRITERIA 3.1.4</b>          The appropriate departments engage in <b>joint site plan reviews</b>.</p>	<p><b>EXPECTATIONS</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The joint site plan review team consists of the following representatives, as appropriate:             <table border="0" style="width: 100%;"> <tr> <td>➢ Planning department</td> <td>➢ Historic District Commission</td> </tr> <tr> <td>➢ Public works department</td> <td>➢ Consultant</td> </tr> <tr> <td>➢ Building department</td> <td>➢ Attorney</td> </tr> <tr> <td>➢ Transportation department</td> <td>➢ County soil erosion and sedimentation</td> </tr> <tr> <td>➢ Fire</td> <td>➢ County drain commissioner</td> </tr> <tr> <td>➢ Police</td> <td>➢ County health department</td> </tr> <tr> <td>➢ Assessor</td> <td>➢ County road commission</td> </tr> <tr> <td>➢ Community manager or supervisor</td> <td>➢ Outside agencies</td> </tr> <tr> <td>➢ Economic development</td> <td></td> </tr> </table> </li> </ul>	➢ Planning department	➢ Historic District Commission	➢ Public works department	➢ Consultant	➢ Building department	➢ Attorney	➢ Transportation department	➢ County soil erosion and sedimentation	➢ Fire	➢ County drain commissioner	➢ Police	➢ County health department	➢ Assessor	➢ County road commission	➢ Community manager or supervisor	➢ Outside agencies	➢ Economic development		<p><b><u>Departmental Site Plan Review Team</u></b></p> <p>Planning          Public Services          Building          Engineering          Fire          Water          Wastewater</p> <p><b>Intended addition of:</b>          Police          DDA Staff (where appropriate)</p>
➢ Planning department	➢ Historic District Commission																			
➢ Public works department	➢ Consultant																			
➢ Building department	➢ Attorney																			
➢ Transportation department	➢ County soil erosion and sedimentation																			
➢ Fire	➢ County drain commissioner																			
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➢ Assessor	➢ County road commission																			
➢ Community manager or supervisor	➢ Outside agencies																			
➢ Economic development																				
<p><b>EVALUATION CRITERIA 3.1.5</b>          The community has a clearly documented internal staff review process.</p>	<p><b>EXPECTATIONS</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The internal review process articulates clear roles, responsibilities and timelines.</li> <li><input type="checkbox"/> Development review standards are clearly defined.</li> </ul>	<p><b><u>Internal Review Process</u></b></p> <p>Created and approved in 2019</p> <p>Flow Chart with timelines created</p>																		

**EVALUATION CRITERIA 3.1.6**

The community promptly acts on **development requests**.

**EXPECTATIONS**

- Site plans for permitted uses are approved administratively or by the planning commission.
- The community follows its documented procedures and timelines.
- The community has easy to follow flowcharts of development processes that include timelines.
- Community development staff coordinates with permitting and inspections staff to ensure a smooth and timely approval process.

**Existing Process**

Site plans reviewed by PC / CC

Procedures, timeline & flowchart created in 2019

Permitting & inspection are collaborative

**EVALUATION CRITERIA 3.1.7**

The community has a method to track development projects.

**EXPECTATIONS**

- The community uses a **tracking mechanism** for projects during the development process.
- The community uses a tracking mechanism for projects during the permitting and inspections process.

**Tracking Process & Feedback**

Internal tracking system using a mixture of New World (permitting) and MS Excel (planning)

Feedback received anecdotally have informed changes to date (flowchart, development guide)

**EVALUATION CRITERIA 3.1.8**

The community annually reviews successes and challenges with the development review process.

**EXPECTATIONS**

- The community **obtains customer feedback** on the site plan approval and permitting and inspections process and integrates changes where applicable.
- The joint site plan review team, including permitting and inspections staff, meets to capture lessons learned and amends the process accordingly.

CDP & Development Team are in the process of establishing a bi-weekly meeting schedule



## Development Processes

Current Process	Proposed Process	Optional Fast - Track {full} Process	Current {administrative} Process	Optional Fast - Track {administrative} Process
Pre-Development Conference	Pre-Development Conference	Pre-Development Conference	Pre-Development Conference	Pre-Development Conference
Pre-Development Conference (1 hour)	Pre-Development Conference (1 hour)	Pre-Development Conference (1 hour)	Pre-Development Conference (1 hour)	Pre-Development Conference (1 hour)
Site Plan Development	Site Plan Development	100% Design Complete Plan Development	Site Plan Development	100% Design Complete Plan Development
Site Plan Review Submittal	Site Plan Review Submittal	Complete Plan Review Submittal	Site Plan Review Submittal	Complete Plan Review Submittal
Departmental Review Meeting	Departmental Review Meeting	Departmental Review Meeting	Departmental Review Meeting	Departmental Review Meeting
Planning Commission Public Hearing <b>approval</b>	Planning Commission Public Hearing <b>approval</b>	Planning Commission Public Hearing <b>approval</b>	<b>administrative approval</b>	<b>administrative approval</b>
City Council Public Hearing <b>approval</b>	Construction Drawing Development & Submittal	Pre-Construction Meeting	Construction Drawing Development & Submittal	Pre-Construction Meeting
Construction Drawing Development & Submittal	Engineering & Building Permitting Review	<b>Construction</b>	Engineering & Building Permitting Review <b>staff approval</b>	<b>Construction</b>
Engineering & Building Permitting Review <b>staff approval</b>	Pre-Construction Meeting		Pre-Construction Meeting	
Pre-Construction Meeting	<b>Construction</b>		<b>Construction</b>	
<b>Construction</b>				

Site Plan Square Footage Data					
Sq Ft	Date	SP No.	Use Category	Business	
up to 7,499	2,311	10.11.10	296	Office - Dental	McLaren Dental
	2,995	5.9.11	299	Office - Dental	Dr. Skiba, DDS
	3,374	6.9.15	339	Commercial - Fitness Center	Planet Fitness
	3,920	7.18.11	304	Commercial - Addition	Cold Storage - MSARI
	4,600	4.14.15	338	Commercial - Storage	Magnum Construction
	4,800	6.13.1	301	Industrial - Recycling Center	Metal Recycling
	5,500	4.9.18	369	Commercial	Dow Visitor Gate
	6,672	2.29.16	345	Commercial - Restaurant	Lucky's Steakhouse
7,500 - 24,999	7,500	7.16.18	373	Commercial - Warehouse	Fisher Companies
	7,500	6.25.12	310	Commercial - Restaurant	Olive Garden
	7,800	9.30.13	321	Mixed Use (Commercial, Restaurant & Retail)	Noodles & Company
	8,304	6.17.19	387	Office - Medical	Dr. Nash, Dermatology
	8,700	5.23.11	300	Commercial - Retail	Verizon, Fuji Sushi, Aspen Dental
	9,000	11.10.17	363	Commercial - Storage	A-1 Westside Storage
	9,000	5.19.14	330	Commercial - Self Storage	Twilight Self Storage
	9,100	10.14.19	392	Commercial - Retail	Dollar General
	9,600	9.9.19	390	Commercial - Warehouse	Windemuller Electric
	9,902	5.9.16	346	Commercial - Addition	Northwood Hall of Fame
	11,200	12.18.17	365	Commercial - Self Storage	Mini Warehouse
	11,200	5.21.18	371	Commercial - Retail	Waldo Plaza
	11,240	9.30.13	323	Commercial - Addition	Savant Group
	12,936	7.18.11	302	Commercial - Addition	Airgas
	13,600	5.19.14	329	Commercial - Retail	CVS
	13,662	8.27.18	374	Commercial - Showroom	Brubaker
	16,395	4.22.19	383	Commercial - Parking lot	Great Lakes Safety Training
	16,400	2.15.16	344	Commercial - Contractor	Fisher Companies
	16,700	8.26.13	320	Commercial	Midland Country Club - Maintenance
	17,778	6.27.11	303	Commercial - Addition	CPI Engineering
19,520	5.23.16	348	Commercial-Self Storage	Mini Warehouse	
20,900	2.10.14	325	Commercial - Self Storage	Midland Towne Center	
20,931	4.12.10	294	Commercial - Contractor Office	Fisher Companies	
22,940	5.24.10	295	Office - Medical	Medical Office - Podiatry	

25,000 - 99,999	25,073	1.14.19	376	Commercial - Shelterhouse	Shelterhouse
	27,079	1.27.14	326	Industrial	Titan Equipment
	27,455	4.27.15	336	Commercial - Education	Northwood University
	30,000	8.28.17	361	Mixed Use	Ellsworth Place
	30,000	6.10.13	318	Office	Trinseo
	33,630	5.20.19	385	Commercial - Education	Delta College
	39,968	2.20.12	311	Industrial	EcoBioPlastics
	42,198	11.6.17	364	Commercial - Hotel	Fairfield Inn & Suites
	44,198	8.8.11	305	Mixed Use	Three Rivers
	52,419	6.9.14	331	Commercial - Vehicle Dealership	Midland Ford
	53,135	3.5.18	367	Commercial - Warehouse	Moltus
	53,800	9.9.19	391	Office - Laboratory	Savant Group / Donecca
	55,872	5.23.16	347	Office - Medical	Medical Office
	58,635	3.18.19	381	Commercial - Hotel	Home2Suites
	64,132	3.14.11	298	Commercial - Recreation	Northwood - Turf & Auditorium
	69,000	5.19.14	332	Office - Medical	Mid Michigan Health - Education
	83,730	1.27.14	328	Mixed Use (Residential, Restaurant & Retail)	Gratzi, H Residences, Northwood Gallery
100,000 +	101,933	12.16.19	393	Commercial - Recreation	Midland County Fairgrounds
	124,942	2.26.16	243	Commercial-Grocery Store	Kroger
	150,100	7.9.12	313	Industrial	Midland Power Station
	157,682	12.9.19	394	Commercial - Retail	Costco
	166,580	10.5.15	341	Office	Dow
	170,700	6.12.17	358	Office - Medical	Mid Michigan Health CVD&T
	224,255	6.11.12	312	Mixed Use (Commercial - Office)	East End
n/a	0	7.18.16	351	Commercial - Outdoor Venue	Dow Gardens - Whiting Forest

# Memo



**To:** Midland City Planning Commission  
**From:** Grant Murschel  
Director of Planning & Community Development  
**Date:** February 7, 2020  
**Re:** Comprehensive Master Planning (Beginning in 2020)

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The City of Midland has been planning to initiate a new comprehensive Master Plan in the latter parts of 2020. In addition to the Master Plan, the City's Parks and Recreation Plan will also be updated within the same timeframe. While the Parks and Recreation Plan has a vision of the next 5-10 years, the Master Plan is a document that should look 30 years into the future. Prior to initiating these projects, staff is wanting to begin discussions surrounding the overall project plan to accomplish these two important tasks.

During the meeting of February 11, 2020, the Planning Commission will begin discussions around the project plan to determine the strategy for accomplishing the Master Plan project. Successful master planning involves public input coupled with professional analysis and guidance. As such, staff is proposing the idea of a series of public input sessions to commence the project. These input sessions would couple current data and facts with opportunities for discussion and input; a broad section of public input would be obtained from the general public and business leaders to other community leaders and elected officials.

Following initial public input, staff is proposing to work – alongside consulting assistance – to produce a draft plan that captures the community's desires along with best practices to achieve the best vision for the next 30 years. The draft plan would also be made available for public input. Once a finalized draft is determined, the Planning Commission would then ask for City Council to weigh

## Focus Areas

Staff would like to see focus be given to categorize the initial public input session into two areas: neighborhoods and specific topics. Staff has created the following draft list to begin the discussion.

- | <u>Neighborhoods</u>                               | <u>Topic Areas</u>                         |
|--|--|
| 1. Northern Midland (north of U.S. 10)             | 1. Child-centric design                    |
| 2. Downtown and surrounding areas                  | 2. Universal and multi-generational design |
| a. Midtown   | 3. Mobility, transit, and connectivity     |
| b. Cultural/Entertainment (MCFTA, Library)         | 4. Non-motorized transportation            |
| c. Historic District                               | 5. Resiliency and climate change           |
| 3. Center City and surrounding areas               | 6. Housing and related land uses           |
| 4. Bay City Road corridor                          | 7. Parks and recreation                    |
| 5. Saginaw, Patrick, U.S. 10, E. Ashman            | 8. Others TBD...                           |
| 6. Plymouth Park and surrounding areas             |  |
| 7. Adams Elementary and surrounding areas          |  |
| 8. Siebert/Jefferson schools and surrounding areas |  |
| 9. Woodcrest school and surrounding areas          |  |
| 10. Tittabawassee Riverfront                       |  |
| 11. M-20/Isabella corridor                         |  |
| 12. Others TBD...                                  |  |

## **Project Branding**

In order to maintain a consistent brand recognition so that the community can understand that all of these sessions are related, staff is proposing the use of *City Modern*. With Midland being the “City of Modern Explorers”, staff wants to use the word *modern* to highlight Midland’s past while also providing a means to explore what the middle part of this century will bring for the city. It is the intention of staff to use consistent marketing materials for this project so that they become recognizable by the community and hopefully encourage community members to get excited about this opportunity.

More discussion on the contents of this memo will be had during the Planning Commission meeting on February 11, 2020.