

# AGENDA

REGULAR MEETING OF THE MIDLAND CITY PLANNING COMMISSION,  
TO TAKE PLACE ON TUESDAY, MARCH 10, 2020 7:00 P.M.,  
LAW ENFORCEMENT CENTER MULTI PURPOSE ROOM  
2727 RODD STREET, MIDLAND, MICHIGAN

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Roll Call**
4. **Approval of the Minutes**
  - a. Regular Meeting – February 11, 2020
5. **Public Hearings**
  - a. **Conditional Use Permit No 67.** - initiated by Benjamin Hayes to approve a Conditional Use Permit for a single family residential use in an OS Office Service zoning district. The property is located at 2905 W Wackerly Street.
  - b. **Conditional Use Permit No 68.** - initiated by Midland County Habitat of Humanity to approve a Conditional Use Permit for a single family residential dwelling in an RB Multiple-Family Residential zoning district. The property is located at 311 Sam Street.

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**
9. **Communications**
10. **Report of the Chairperson**
11. **Report of the Planning Director**
12. **Items for Next Agenda – March 24, 2020**
  - a. **Zoning Petition No. 630** - a rezoning request initiated by DGR Properties, LLC to rezone property located at 1420 Bayliss Street from RC Regional Commercial to RB Multiple Family Residential.
  - b. **Site Plan No. 398** - initiated by Fashion Square Investments, LLC for site plan review and approval of a 9,000 square foot oral surgery medical clinic and office located at 5220 Eastman Avenue.
  - c. **Site Plan No. 399** - initiated by PKP Properties, LLC for site plan review and approval of a 22-unit multiple family residential development, totaling 50,688 square feet, located at 4908 and 4912 Universal Drive.
  - d. **Site Plan Review Process Further Details**
13. **Adjournment**

**MINUTES OF THE 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. 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, Broderick, Heying and Rodgers

**ABSENT:**

**OTHERS PRESENT:** Grant Murschel, Director of Planning & Community Development; Nicole Wilson, Community Development Planner; and five (5) others

4. **Approval of Minutes**

Rodgers made a motion to approve the minutes of the regular meeting of January 14, 2020, seconded by Hanna. Motion carries 9-0.

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.

Wilson gave the staff presentation for Zoning Petition No. 629.

Ken LeCureux, Executive Vice President – Bierlein Investments, LLC spoke about possible growth on the current property. Mr. LeCureux stated that the plans are not completely set, but they are excited to have the property ready for future use and development.

Comments in support – None.

Comments in opposition – None.

Mayville closed the public hearing.

Heying made a motion to waive the rules of procedure and render a decision this evening, seconded by Rodgers. Motion carries 9-0.

Pnacek and Hanna both expressed support for the petition given its alignment with the City's Future Land Use Map.

Pnacek made a motion to recommend approval of Zoning Petition No. 629, seconded by Rodgers.

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

Motion carries 9-0.

6. **Old Business** – None.

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

8. **New Business** –

a. Site Plan Review Process

Murschel gave the staff presentation regarding the potential changes to the Site Plan Review process modifications.

Mayville commented that revision of the standard process to consider proposals in a single meeting with the option to delay final approval if further information is necessary to render a decision.

Sajbel inquired about how zoning variances would fit within this process. Murschel responded that this evening's presentation is only for the process of site plan review.

Pnacek asked about the appeal process and how that might change with this proposal. Murschel commented that the appeal process at this time is proposed to be to City Council and further on to Zoning Board of Appeals, if necessary. He also commented that the range increase to 10,000 square feet doesn't seem to make an impact, that a higher square footage would make more sense.

Bain asked about Redevelopment Ready Communities and how the best practices identify the appeal process. Murschel responded that typically appeals would go to the Zoning Board of Appeals.

Heying commented that he is not in favor of eliminating the public hearing, but that the fast track process is a valuable offering.

Bain commented that the stakeholders of the planning process could be discouraged at moving the bar repeatedly, that making the changes once would be advisable.

Mayville commented that the value of the public hearing is the dialogue that can take place to provide understanding to the public around the safe guards the zoning ordinance provides as relayed by staff.

Pnacek commented that relaying the objective nature of the Site Plan Review criteria would help to temper expectations. Murschel commented that the public comments submitted should additionally be compared as to the objective requirements rather than subjective rationale that is occasionally offered.

Bain asked for more clarification from City Council on the more subjective areas of the ordinance. Murschel offered that perhaps a training and a clarifying review of the Zoning Ordinance would be valuable. Bain also commented that educating the public around where their comments and input will be most impactful within the Master Plan.

Koehlinger commented that while the effort is worthwhile, it seems to be highly underutilized.

Murschel commented that staff will bring back a recommendation following this discussion. It will maintain public hearings, increase square footage in line with what other communities are measuring, introducing an option for fast track approvals, modify the rules of procedure to have standard procedure as one meeting, instead of two, and clarify the appeal process. Objectives, goals, anticipated timing benefit, and outcomes will also be included.

Rodgers asked what the threshold should be that would alleviate staff burden when combined with the fast track options and a graphic representation of the square footages.

b. Master Planning Process

Murschel gave a brief overview of the staff memorandum around the upcoming master planning process.

Mayville commented that focusing on school areas is a good idea.

Bain commented that neighborhood serving retail should be considered with regard to zoning. Bain further commented on the dynamic in our affordable housing areas and the

Broderick commented that RB-2 and ADU's should be evaluated within the housing topic area. Broderick further commented that zoning should be evaluated as relates to supporting small businesses.

Mayville commented that in the long term, taxable values in different areas of the City should be considered. Further comment by Murschel about taxable value per acre by year.

Rodgers commented that fire coverage should be covered within the process. Murschel commented that evaluation of all city services should be considered. Murschel further commented that while a wealth of park resources add value, there is a significant cost to maintaining them.

Murschel further commented as to a structure of ambassadors to assist with the planning process and the branding of the master plan as "City Modern".

Mayville commented that he likes the branding, agreed by Sajbel and Pnacek. Mayville further commented at comparing the distribution of each zoning district in use, zoning and future land use as compared to other like sized cities.

Broderick commented that cultural inclusion would be a valid topic given the rhetoric of residents moving to a more culturally diverse area.

**9. Communications** – None.

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

**11. Report of the Planning Director**

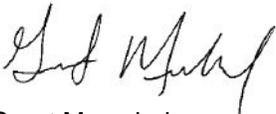
Murschel indicated that the Capital Improvements Plan was approved as well as Site Plan No. 396 and 397. He also announced Wilson's resignation and pending employment at the Midland Business Alliance.

**12. Items for Next Agenda – February 25, 2020 - CANCELLED**

**13. Adjournment**

It was moved by Heying and seconded by Hanna to adjourn at 9:00 p.m. Motion passed unanimously.

Respectfully submitted,



Grant Murschel  
Director of Planning & Community Development

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION



Report No. CUP #67

Date: March 3, 2020

**STAFF REPORT TO THE PLANNING COMMISSION**

SUBJECT: Conditional Use Permit #67

APPLICANT: Benjamin Hayes

PROPOSED: Single Family Residential use in OS Office Service

LOCATION: 2905 W Wackerly

AREA: 0.88 acres

ZONING: OS Office Service

ADJACENT ZONING: North: OS Office Service & NC Neighborhood Commercial  
 East: OS Office Service & RA-4 One & Two Family Residential  
 South: RA-1 Single Family Residential  
 West: RA-4 One & Two Family Residential

ADJACENT DEVELOPMENT: North: Single family residential and office  
 East: Dental office & duplex condominiums  
 South: Single family residential  
 West: Duplex condominiums

**BACKGROUND**

Conditional Use Permit No. 67 is a request from Benjamin Hayes to approve a Conditional Use Permit for a single family residential use in an OS Office Service zoning district. The property is located at 2905 W Wackerly Street.

The subject parcel is zoned OS Office Service by the City of Midland Zoning Ordinance.

**CONDITIONAL USE PERMIT EVALUATION**

Article 28.00 of the City of Midland Zoning Ordinance requires that the Planning Commission shall review the application for a conditional land use according to the procedures in this Article, together with the public hearing findings and reports and recommendations from the Planning and Community Development staff, City Engineering Department, Midland County Road Commission, Midland County Health Department, Midland County Drain Commissioner, Fire Department, City of Midland City Police Department and other reviewing agencies. The Planning Commission shall then make a recommendation to the City Council, solely based on the requirements and standards of this Ordinance. The Planning Commission shall submit to the City Council a written recommendation of approval, denial, or approval with conditions

within forty-five (45) days of the close of the public hearing required for a conditional land use proposal.

Approval of a conditional land use proposal shall be based on the determination that the proposed use will be consistent with the intent and purposes of this Ordinance, will comply with all applicable requirements of this Ordinance, including site plan review criteria set forth in Article 27.00, applicable site development standards for specific uses set forth in Article 9.00, and the following standards:

**A. Non-Discretionary Standards**

1. The conditional land use shall be in accord with the provisions of the Zoning Ordinance of the City of Midland. The specific criterion for each of the ordinance sections is outlined below.
2. Compliance with all of the standards in Section 27.06(A).
  - a. **Adequacy of Information**  
All required information related to this proposal are contained within the materials provided by the applicant.
  - b. **Site Design Characteristics**  
The existing single-family residential home is located in the middle of the property with the front facing to the north. The existing detached garage is facing south and is to the east of the residential home.
  - c. **Landscaping**  
The site contains a multitude of mature trees and other landscaping common to single-family residential. The City does not regulate landscaping of single-family homes.
  - d. **Compliance with District Regulations**  
The site meets all dimensional regulations.
  - e. **Preservation of Natural Features**  
The multitude of existing mature trees are to be retained as part of this proposal.
  - f. **Privacy**  
This proposal does not include privacy screening. Single family residential structures are not required to provide any privacy screening.
  - g. **Ingress and Egress**  
This proposal does not seek to change the existing means of vehicular ingress or egress. The current layout is seen as adequate for ingress and egress.
  - h. **Pedestrian Circulation**  
The existing sidewalk provisions are seen as adequate for this property.
  - i. **Vehicular Circulation**  
Vehicular circulation remains unchanged by this proposal and will remain adequate for the use.

- j. **Parking**  
Parking remains unchanged by this proposal and is seen as adequate for the use.
- k. **Drainage**  
No drainage concerns were identified in the review of this proposal.
- l. **Soil Erosion & Sedimentation Control**  
A soil erosion and sedimentation control permit application will not be necessary.
- m. **Exterior Lighting**  
No additional lighting is proposed within this request.
- n. **Public Services**  
No additional public services would be required as a result of this request.
- o. **Screening**  
Additional screening is not required or proposed as a part of this request.
- p. **Sequence of development**  
No new development is required as part of this proposal.
- q. **Coordination with adjacent sites**  
The application impacts only the subject property.
- r. **Signs**  
No additional signage is proposed.

**3. Access to the proposed development shall be in accordance with applicable city ordinances.**

The site will be accessed from an existing driveway unaffected by this request.

**4. Adequate provision is made for fire protection within the site in accordance with Chapter 8 of the Code of Ordinances of the City of Midland.**

Adequate access and provisions are adequate for fire protection.

**B. Discretionary Standards** *(To be determined by the Planning Commission during deliberation on the request)*

**1. Protection of the Public Health, Safety, and General Welfare**

The establishment or maintenance of the conditional use shall not be detrimental to the public health, safety, or general welfare.

**2. Compatibility With Surrounding Uses**

The conditional use shall be located, designed, maintained and operated to be compatible with the existing or intended character of that zoning district and adjacent districts. In determining whether this requirement has been met, consideration shall be given by the Planning Commission to the following issues:

- a. The location and screening of vehicular circulation and parking areas in relation to surrounding development.

- b. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
- c. The hours of operation of the proposed use. Approval of a conditional land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
- d. The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses. Any proposed building shall be compatible with the predominant type of building in the particular district in terms of size, character, location or proposed use.
- e. Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a conditional land use.
- f. Hours of operation shall be compatible with the surrounding neighborhood.

**3. Detrimental Effects**

The proposed conditional land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the level of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

**4. Impact of Traffic**

The location of the proposed conditional land use within the zoning district shall minimize the impact of the traffic generated by the proposed use. In determining whether this requirement has been met, the Planning Commission shall give consideration to the following:

- a. Proximity and access to major thoroughfares and other public streets.
- b. Estimated traffic generated by the proposed use.
- c. Proximity and relation to intersections.
- d. Adequacy of driver sight distances.
- e. Location of and access to off-street parking.
- f. Required vehicular turning movements.
- g. Provisions for pedestrian traffic.

**5. Adequacy of Public Services**

The proposed conditional land use shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the conditional land use is established.

**6. Protection of Site Characteristics**

The conditional use shall preserve and incorporate the site's important architectural, natural and scenic features into the development design.

**7. Compatibility with Natural Environment**

The proposed conditional land use shall be compatible with the natural environment and conserve natural resources and energy, and cause minimal adverse environmental effects.

**8. Compatibility with the Master Plan and Intent of Zoning Ordinance**

The proposed conditional land use shall be consistent with the general principles and objectives of the City's Master Plan and shall promote the intent and purpose of this Ordinance and of the use district.

**9. Public Comments**

No public comments have been received ahead of this report.

**STAFF RECOMMENDATION**

The OS Office Service District is intended to accommodate administrative and professional offices. The OS district may serve as a transition between single-family residential and more intensive development. Within the OS district, single-family homes are permitted only through the issuance of a conditional use permit. This subjective review means that there are instances in the city where a single-family residential unit makes sense in an OS district and there are instances where one would not.

Upon careful review of the request and the surrounding context, staff is supportive of the issuance of a conditional use permit for the single family home. Staff believes that this proposal adequately addresses both the non-discretionary and the discretionary standards that are part of this evaluation.

If granted, staff recommends approval of the request for the following reasons:

1. Conditional use permits require the evaluation of the objective criteria in this report. This development meets all of the objective criteria.
2. Conditional use permits also allow an evaluation of the subjective criteria listed in this report. This development meets all of the subjective criteria.
3. The proposed use would not be detrimental to the general welfare of the adjacent parcels.

**Contingencies:**

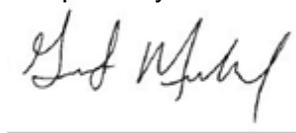
No contingencies have been identified in the review of this request.

**PLANNING COMMISSION ACTION**

Staff currently anticipates that the Planning Commission will hold a public hearing on this plan at their March 10, 2020 meeting. If the Planning Commission is satisfied that all required information is available and no additional concerns are identified through the public hearing process, a recommendation to the City Council may then be formulated. If a recommendation is made following the public hearing at that time, on March 16, 2020 the City Council will set a public hearing on this matter. Provided both actions take place, and given statutory notification and publication requirements, the City Council hearing will be scheduled for April 13, 2020. Please note that these dates are preliminary and may be adjusted due to Planning

Commission action and City Council agenda scheduling.

Respectfully Submitted,

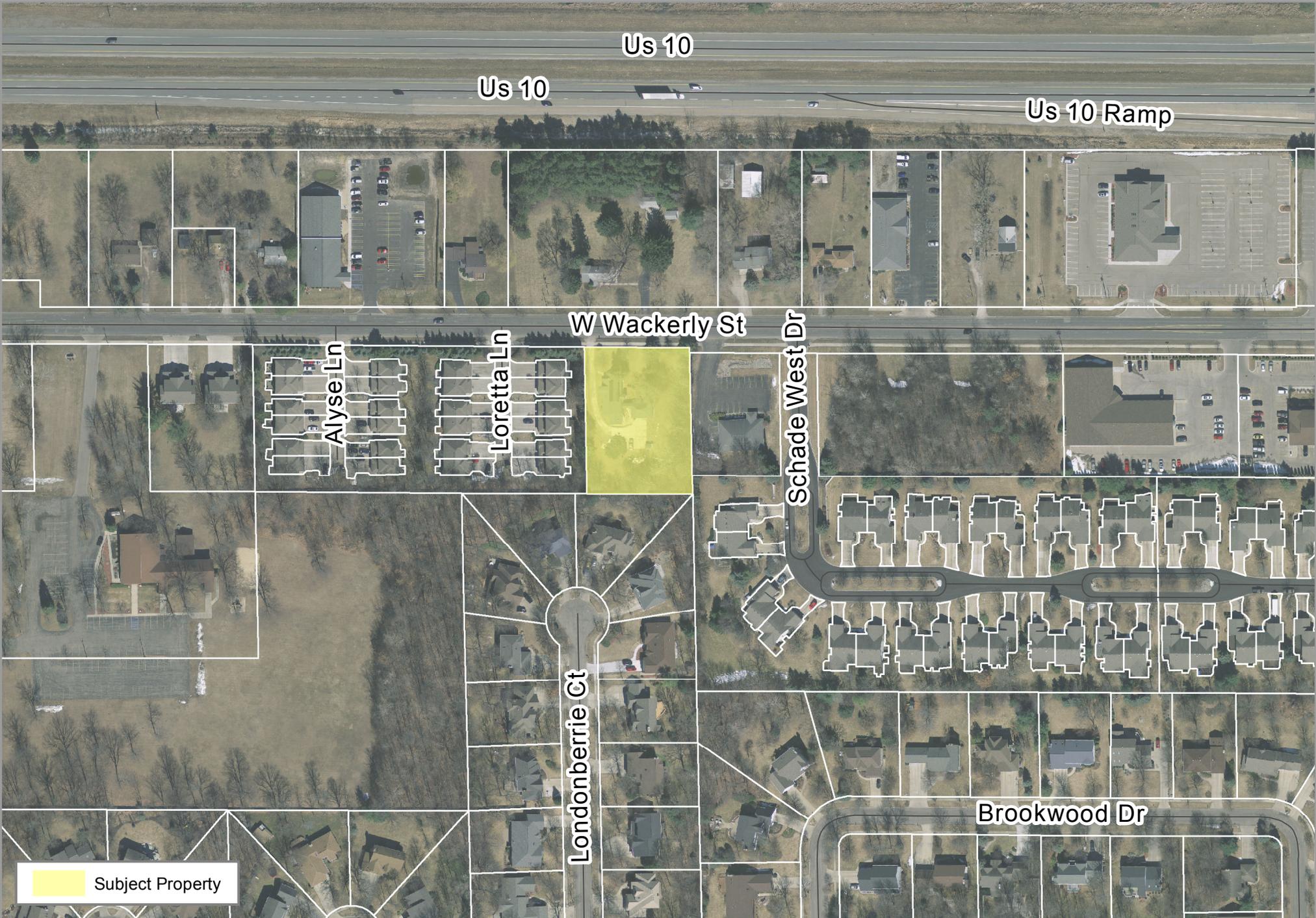
A handwritten signature in black ink, appearing to read "Grant Murschel", enclosed within a thin black rectangular border.

Grant Murschel  
Director of Planning & Community Development

GRM/rmg

# CUP #67 | B Hayes

> 2905 W. Wackerly Street



Us 10

Us 10

Us 10 Ramp

W Wackerly St

Alyse Ln

Loretta Ln

Schade West Dr

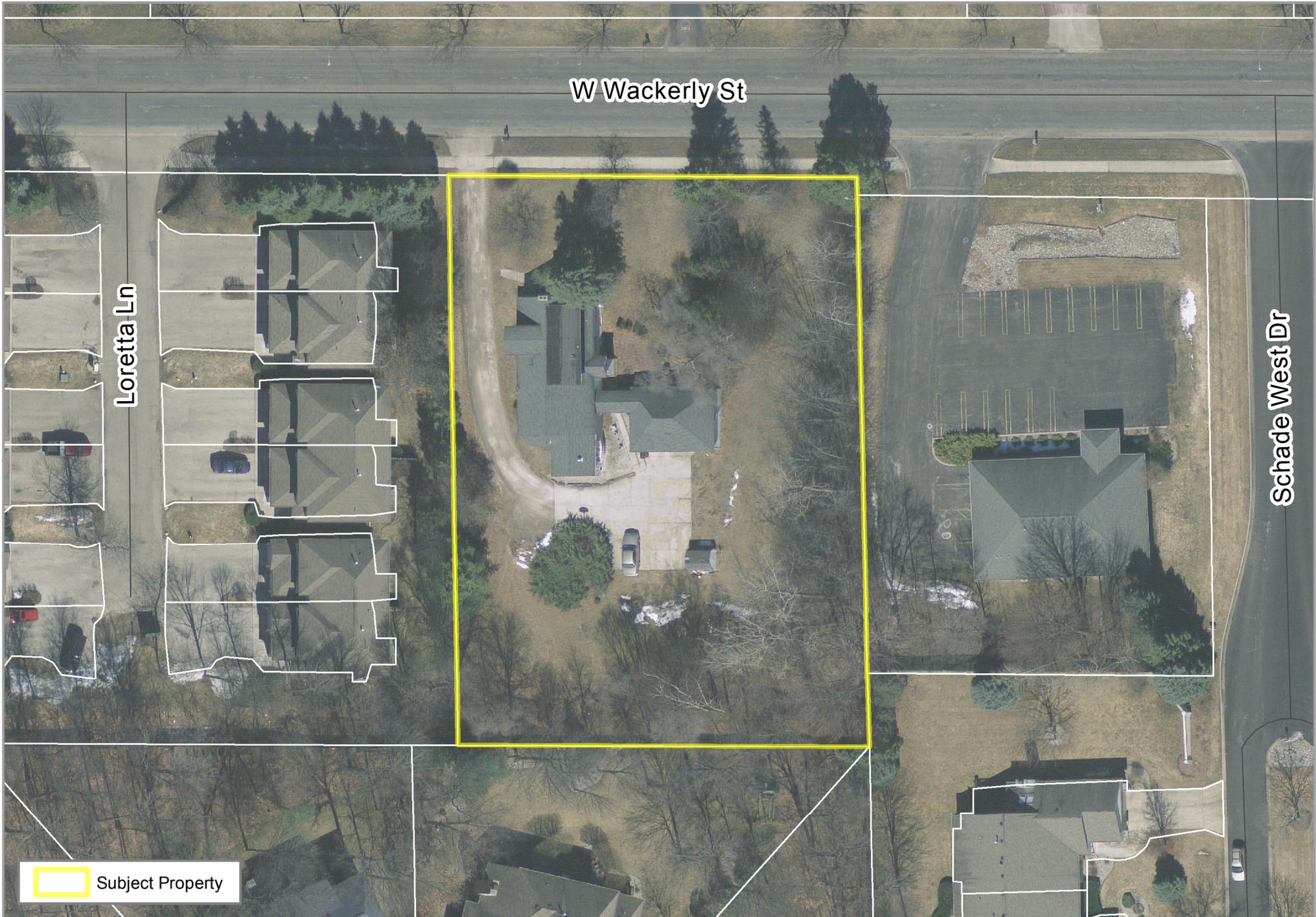
Londonberrie Ct

Brookwood Dr

Subject Property

# CUP #67 | B Hayes

> 2905 W. Wackerly Street



W Wackerly St

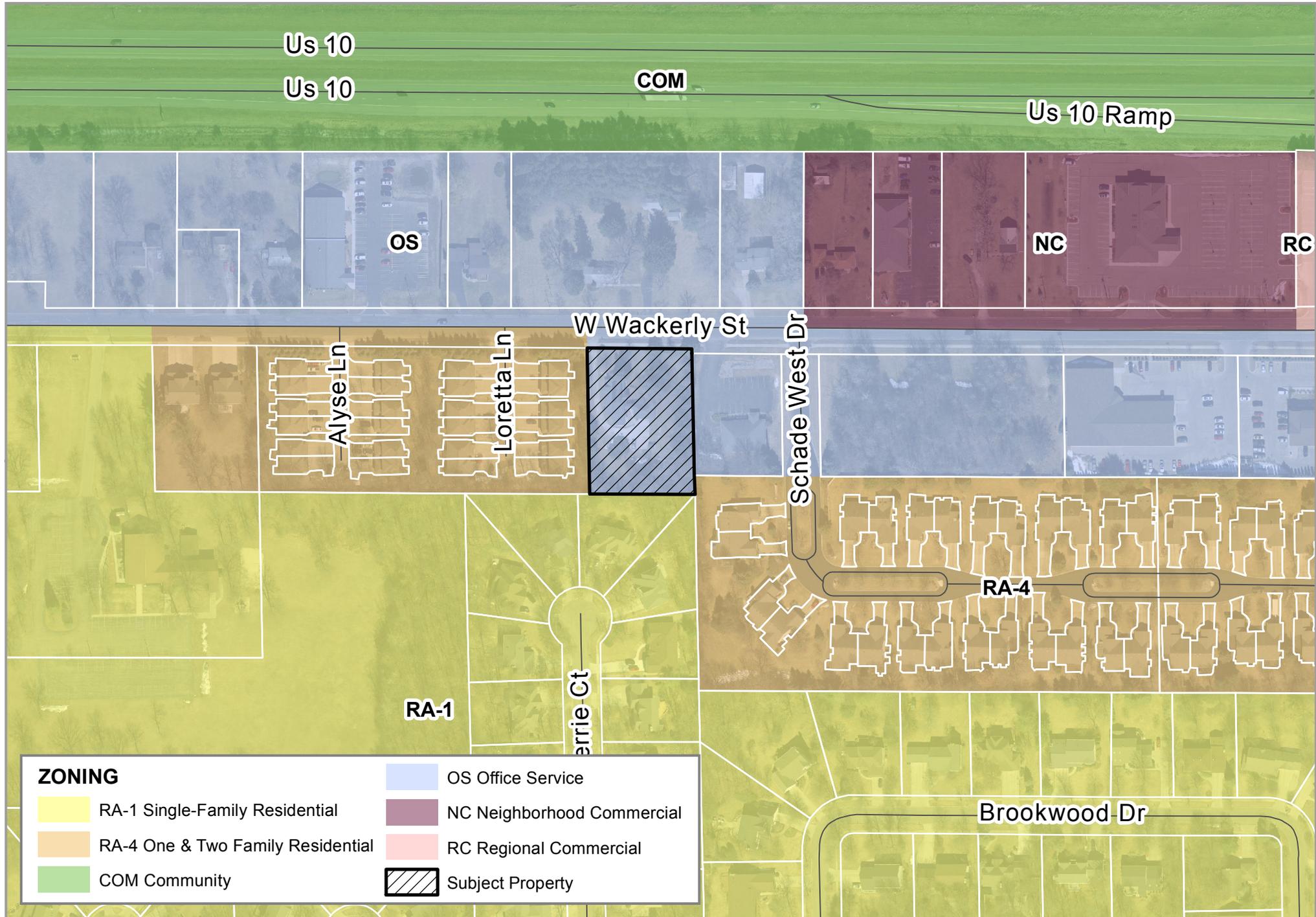
Loretta Ln

Schade West Dr

 Subject Property

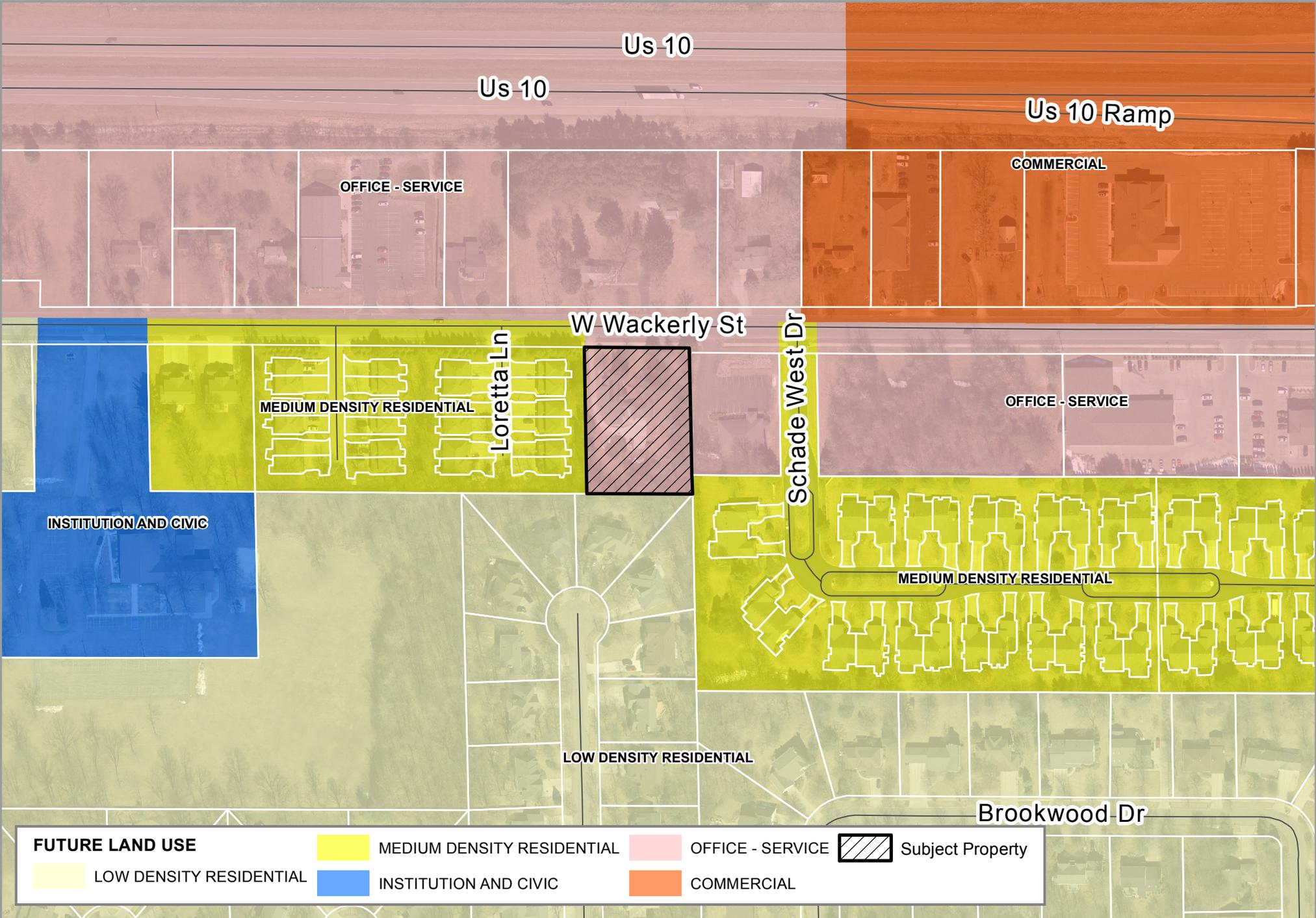
# CUP #67 | B Hayes

> 2905 W. Wackerly Street



# CUP #67 | B Hayes

> 2905 W. Wackerly Street





Report No. CUP #68

Date: March 3, 2020

**STAFF REPORT TO THE PLANNING COMMISSION**

SUBJECT: Conditional Use Permit #68

APPLICANT: Midland County Habitat of Humanity

PROPOSED: Single Family Residential use in an RB Multiple-Family Zoning District

LOCATION: 311 Sam Street

AREA: 0.70 acres

ZONING: RB Multiple-Family Residential

ADJACENT ZONING: North: RB Multiple-Family Residential  
 East: RB Multiple-Family Residential  
 South: RB Multiple-Family Residential  
 West: RB Multiple-Family Residential

ADJACENT DEVELOPMENT: North: Single-family residential  
 East: Single-family residential  
 South: Single-family residential  
 West: Multiple-family residential

**BACKGROUND**

Conditional Use Permit No. 68 is a request from the Midland County Habitat of Humanity to approve a Conditional Use Permit for a single family residential dwelling in an RB Multiple-Family Residential zoning district. The property is located at 311 Sam Street. The applicant is unsure if a three- or four-bedroom home would be constructed as that relates to the future client that the organization would work with; as such, site plans for both a three- and a four-bedroom home have been included.

The subject parcel is zoned RB Multiple-Family by the City of Midland Zoning Ordinance.

**CONDITIONAL USE PERMIT EVALUATION**

Article 28.00 of the City of Midland Zoning Ordinance requires that the Planning Commission shall review the application for a conditional land use according to the procedures in this Article, together with the public hearing findings and reports and recommendations from the Planning and Community Development staff, City Engineering Department, Midland County Road Commission, Midland County Health Department, Midland County Drain Commissioner, Fire Department, City of Midland City Police Department and other reviewing agencies. The Planning Commission shall then make a recommendation to the City Council, solely based on

the requirements and standards of this Ordinance. The Planning Commission shall submit to the City Council a written recommendation of approval, denial, or approval with conditions within forty-five (45) days of the close of the public hearing required for a conditional land use proposal.

Approval of a conditional land use proposal shall be based on the determination that the proposed use will be consistent with the intent and purposes of this Ordinance, will comply with all applicable requirements of this Ordinance, including site plan review criteria set forth in Article 27.00, applicable site development standards for specific uses set forth in Article 9.00, and the following standards:

**A. Non-Discretionary Standards**

1. The conditional land use shall be in accord with the provisions of the Zoning Ordinance of the City of Midland. The specific criterion for each of the ordinance sections is outlined below.
2. Compliance with all of the standards in Section 27.06(A).
  - a. **Adequacy of Information**  
All required information related to this proposal are contained within the materials provided by the applicant.
  - b. **Site Design Characteristics**  
The proposed home is located near the frontage with Sam Street, leaving the rear of the property open as a rear yard.
  - c. **Landscaping**  
The City does not regulate landscaping on single-family homes; however, it is understood that the final build will include some landscaping similar to other Habitat for Humanity homes across the city.
  - d. **Compliance with District Regulations**  
The proposal, both the three-bedroom and four-bedroom layouts, meet all dimensional and other district regulations.
  - e. **Preservation of Natural Features**  
The portion of the site proposed to be utilized is near the Sam Street frontage. As such, the existing mature trees that exist in the rear of the property are proposed to be retained.
  - f. **Privacy**  
This proposal does not include privacy screening. Privacy screening is not regulated by the City for single-family residential use.
  - g. **Ingress and Egress**  
Ingress and egress is proposed to be accommodated via a new residential driveway and a sidewalk connection to the driveway. There are no public sidewalks along Sam Street.
  - h. **Pedestrian Circulation**  
Pedestrian access and circulation is proposed to be accommodated via the front

sidewalk leading to the porch from the driveway. Pedestrian access will also be available around the proposed home.

**i. Vehicular Circulation**

Vehicular circulation will be accommodated via the proposed residential driveway.

**j. Parking**

Parking is proposed to be accommodated via the driveway and the attached garage.

**k. Drainage**

No drainage concerns were identified in the review of this proposal. The home will be required to provide adequate lot drainage as part of the building permit review.

**l. Soil Erosion & Sedimentation Control**

A soil erosion and sedimentation control permit application will not be necessary.

**m. Exterior Lighting**

No additional lighting is proposed within this request.

**n. Public Services**

No additional public services would be required as a result of this request.

**o. Screening**

Additional screening is not required or proposed as a part of this request.

**p. Sequence of development**

The development is intended to be completed in one phase.

**q. Coordination with adjacent sites**

The application impacts only the subject property.

**r. Signs**

No additional signage is proposed.

**3. Access to the proposed development shall be in accordance with applicable city ordinances.**

The site will be accessed from an existing driveway unaffected by this request.

**4. Adequate provision is made for fire protection within the site in accordance with Chapter 8 of the Code of Ordinances of the City of Midland.**

Adequate access and provisions are adequate for fire protection.

**B. Discretionary Standards** *(To be determined by the Planning Commission during deliberation on the request)*

**1. Protection of the Public Health, Safety, and General Welfare**

The establishment or maintenance of the conditional use shall not be detrimental to the public health, safety, or general welfare.

**2. Compatibility With Surrounding Uses**

The conditional use shall be located, designed, maintained and operated to be compatible with the existing or intended character of that zoning district and adjacent districts. In determining whether this requirement has been met, consideration shall be given by the Planning Commission to the following issues:

- a. The location and screening of vehicular circulation and parking areas in relation to surrounding development.
- b. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
- c. The hours of operation of the proposed use. Approval of a conditional land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.
- d. The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses. Any proposed building shall be compatible with the predominant type of building in the particular district in terms of size, character, location or proposed use.
- e. Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this Ordinance may be required as a condition of approval of a conditional land use.
- f. Hours of operation shall be compatible with the surrounding neighborhood.

**3. Detrimental Effects**

The proposed conditional land use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met, consideration shall be given to the level of traffic, noise, vibration, smoke, fumes, odors, dust, glare, and light.

**4. Impact of Traffic**

The location of the proposed conditional land use within the zoning district shall minimize the impact of the traffic generated by the proposed use. In determining whether this requirement has been met, the Planning Commission shall give consideration to the following:

- a. Proximity and access to major thoroughfares and other public streets.
- b. Estimated traffic generated by the proposed use.
- c. Proximity and relation to intersections.
- d. Adequacy of driver sight distances.
- e. Location of and access to off-street parking.
- f. Required vehicular turning movements.
- g. Provisions for pedestrian traffic.

**5. Adequacy of Public Services**

The proposed conditional land use shall be located so as to be adequately served by

essential public facilities and services, such as highways, streets, police and fire protection, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the conditional land use is established.

**6. Protection of Site Characteristics**

The conditional use shall preserve and incorporate the site's important architectural, natural and scenic features into the development design.

**7. Compatibility with Natural Environment**

The proposed conditional land use shall be compatible with the natural environment and conserve natural resources and energy, and cause minimal adverse environmental effects.

**8. Compatibility with the Master Plan and Intent of Zoning Ordinance**

The proposed conditional land use shall be consistent with the general principles and objectives of the City's Master Plan and shall promote the intent and purpose of this Ordinance and of the use district.

**9. Public Comments**

One (1) public comment has been received at the time of this report indicating no objection.

**STAFF RECOMMENDATION**

The RB Multiple-Family District is intended to address the varied housing needs of residents by providing for housing at a high density than is permitted in any of the single- or two-family residential district. Upon careful review of the request and the surrounding context, including the recent construction of other single-family homes on the abutting lots, staff is supportive of the issuance of a conditional use permit. Staff believes that this proposal adequately addresses both the non-discretionary and the discretionary standards that are part of this evaluation.

If granted, staff recommends approval of the request for the following reasons:

1. Conditional use permits require the evaluation of the objective criteria in this report. This development meets all of the objective criteria.
2. Conditional use permits also allow an evaluation of the subjective criteria listed in this report. This development meets all of the subjective criteria.
3. The proposed use would not be detrimental to the general welfare of the adjacent parcels.

**Contingencies:**

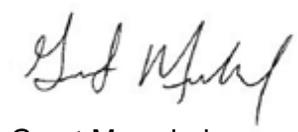
No contingencies have been identified in the review of this request.

**PLANNING COMMISSION ACTION**

Staff currently anticipates that the Planning Commission will hold a public hearing on this plan at their March 10, 2020 meeting. If the Planning Commission is satisfied that all required

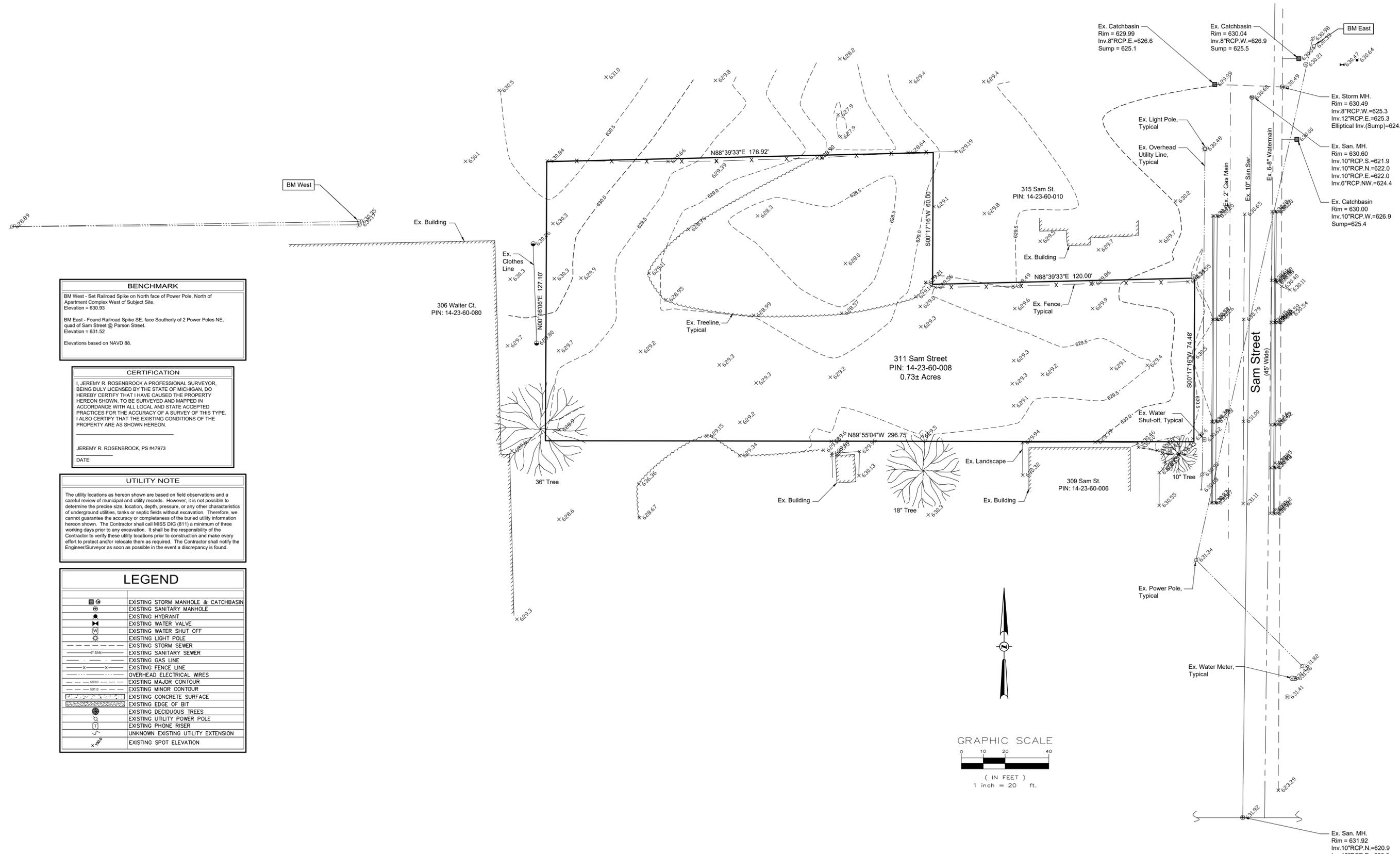
information is available and no additional concerns are identified through the public hearing process, a recommendation to the City Council may then be formulated. If a recommendation is made following the public hearing at that time, on March 16, 2020 the City Council will set a public hearing on this matter. Provided both actions take place, and given statutory notification and publication requirements, the City Council hearing will be scheduled for April 13, 2020. Please note that these dates are preliminary and may be adjusted due to Planning Commission action and City Council agenda scheduling.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Grant Murschel", enclosed in a thin black rectangular border.

Grant Murschel  
Director of Planning & Community Development

GRM/rmg



**BENCHMARK**

BM West - Set Railroad Spike on North face of Power Pole, North of Apartment Complex West of Subject Site.  
Elevation = 630.93

BM East - Found Railroad Spike SE, face Southerly of 2 Power Poles NE, quad of Sam Street @ Parson Street.  
Elevation = 631.52

Elevations based on NAVD 88.

**CERTIFICATION**

I, JEREMY R. ROSENBRICK A PROFESSIONAL SURVEYOR, BEING DULY LICENSED BY THE STATE OF MICHIGAN, DO HEREBY CERTIFY THAT I HAVE CAUSED THE PROPERTY HEREON SHOWN, TO BE SURVEYED AND MAPPED IN ACCORDANCE WITH ALL LOCAL AND STATE ACCEPTED PRACTICES FOR THE ACCURACY OF A SURVEY OF THIS TYPE. I ALSO CERTIFY THAT THE EXISTING CONDITIONS OF THE PROPERTY ARE AS SHOWN HEREON.

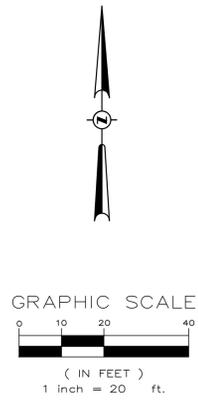
JEREMY R. ROSENBRICK, PS #47973  
DATE \_\_\_\_\_

**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 or completeness of the buried utility information hereon shown. The Contractor shall call MISS DIG (811) 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.

**LEGEND**

	EXISTING STORM MANHOLE & CATCHBASIN
	EXISTING SANITARY MANHOLE
	EXISTING HYDRANT
	EXISTING WATER VALVE
	EXISTING WATER SHUT OFF
	EXISTING LIGHT POLE
	EXISTING STORM SEWER
	EXISTING SANITARY SEWER
	EXISTING GAS LINE
	EXISTING FENCE LINE
	OVERHEAD ELECTRICAL WIRES
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EXISTING CONCRETE SURFACE
	EXISTING EDGE OF BIT
	EXISTING DECIDUOUS TREES
	EXISTING UTILITY POWER POLE
	EXISTING PHONE RISER
	UNKNOWN EXISTING UTILITY EXTENSION
	EXISTING SPOT ELEVATION



311 SAM STREET  
EXISTING CONDITIONS

SW 1/4, SECTION 23, T4N-R02E  
CITY OF MIDLAND  
MIDLAND COUNTY, MI

TOPOGRAPHIC SURVEY

**PROJECT LOG**

8/27/19
10/17/19

2020 Survey  
Drawing provided to Eric Osterlander

**ROSENBRICK**  
LAND SURVEYING, INC.

989-495-9227

"Finding accurate paths for your future"

1046 W. Midland Road  
Auburn, MI 48611

MIDLAND COUNTY  
HABITAT FOR HUMANITY

1703 S. SAGINAW ROAD  
MIDLAND, MI 48640

CAD FILE #: 19-092  
PLOT SCALE: 1 : 1  
PROJ. MGR.: JRR  
DESIGN BY:  
DRAWN BY: PGC  
CHECKED BY:  
SCALE: 1" = 20'  
SHEET: 1 OF 1

19-092

**SV**

Ex. San. MH.  
Rim = 631.92  
Inv. 10"RCP.N.=620.9  
Inv. 12"RCP.E.=620.9  
Inv. 12"RCP.W.=620.9

Ex. Storm MH.  
Rim = 630.49  
Inv. 8"RCP.S.=625.3  
Inv. 12"RCP.E.=625.3  
Elliptical Inv.(Sump)=624.3

Ex. San. MH.  
Rim = 630.60  
Inv. 10"RCP.S.=621.9  
Inv. 10"RCP.N.=622.0  
Inv. 10"RCP.E.=622.0  
Inv. 6"RCP.NW.=624.4

Ex. Catchbasin  
Rim = 629.99  
Inv. 8"RCP.E.=626.6  
Sump = 625.1

Ex. Catchbasin  
Rim = 630.04  
Inv. 8"RCP.W.=626.9  
Sump = 625.5

Ex. Light Pole,  
Typical

Ex. Overhead  
Utility Line,  
Typical

315 Sam St.  
PIN: 14-23-60-010

Ex. Building

Ex. Fence,  
Typical

311 Sam Street  
PIN: 14-23-60-008  
0.73± Acres

Ex. Building

Ex. Landscape

309 Sam St.  
PIN: 14-23-60-006

Ex. Building

Ex. Power Pole,  
Typical

Ex. Water Meter,  
Typical

Ex. Water  
Shut-off, Typical

Ex. Treeline,  
Typical

36" Tree

18" Tree

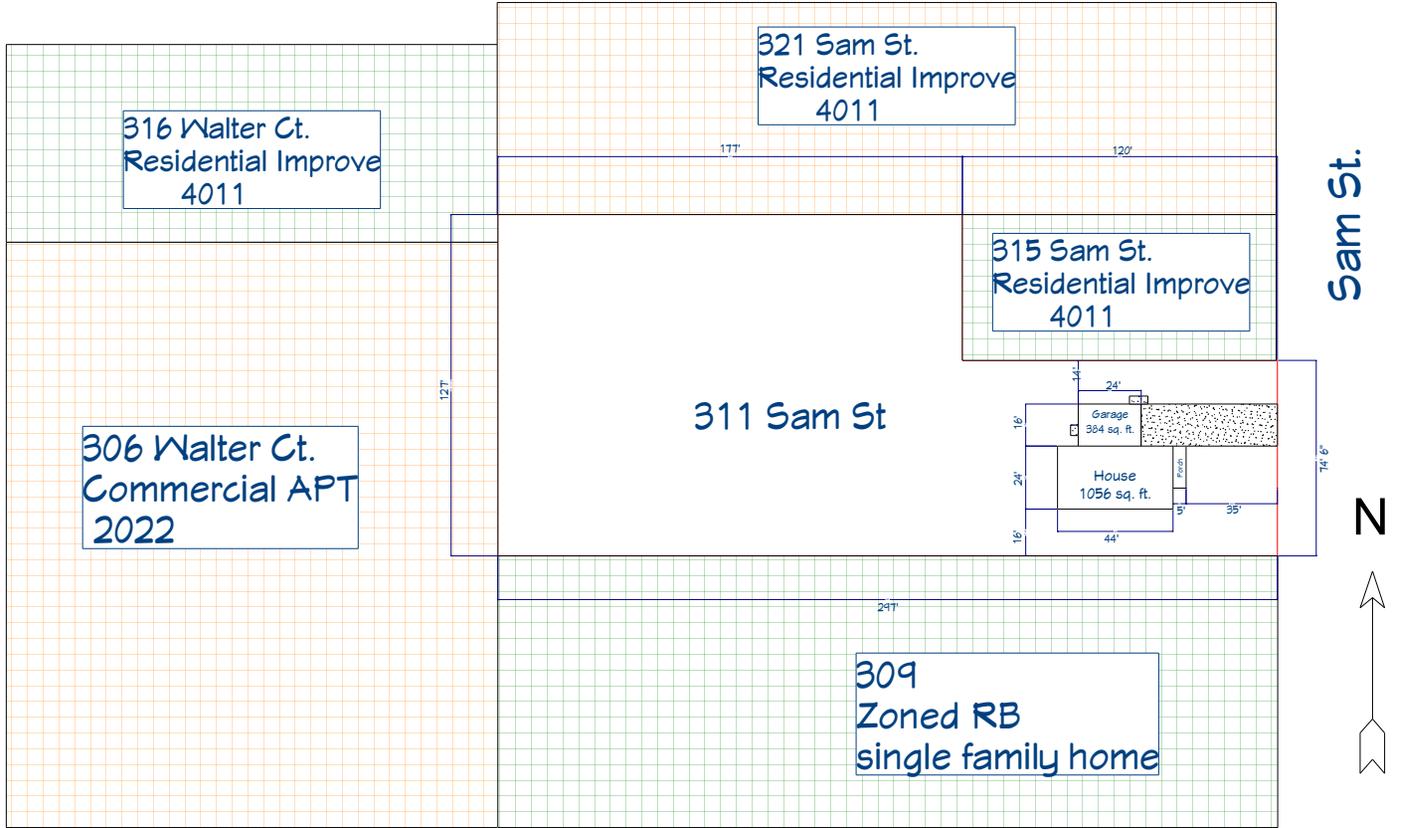
306 Walter Ct.  
PIN: 14-23-60-080

Ex. Building

BM West

BM East

Walter Ct.



Sam St.



--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:  
**3 Bedroom Plan**

PROJECT DESCRIPTION:  
**Sam St Site plan**

DRAWINGS PROVIDED BY:

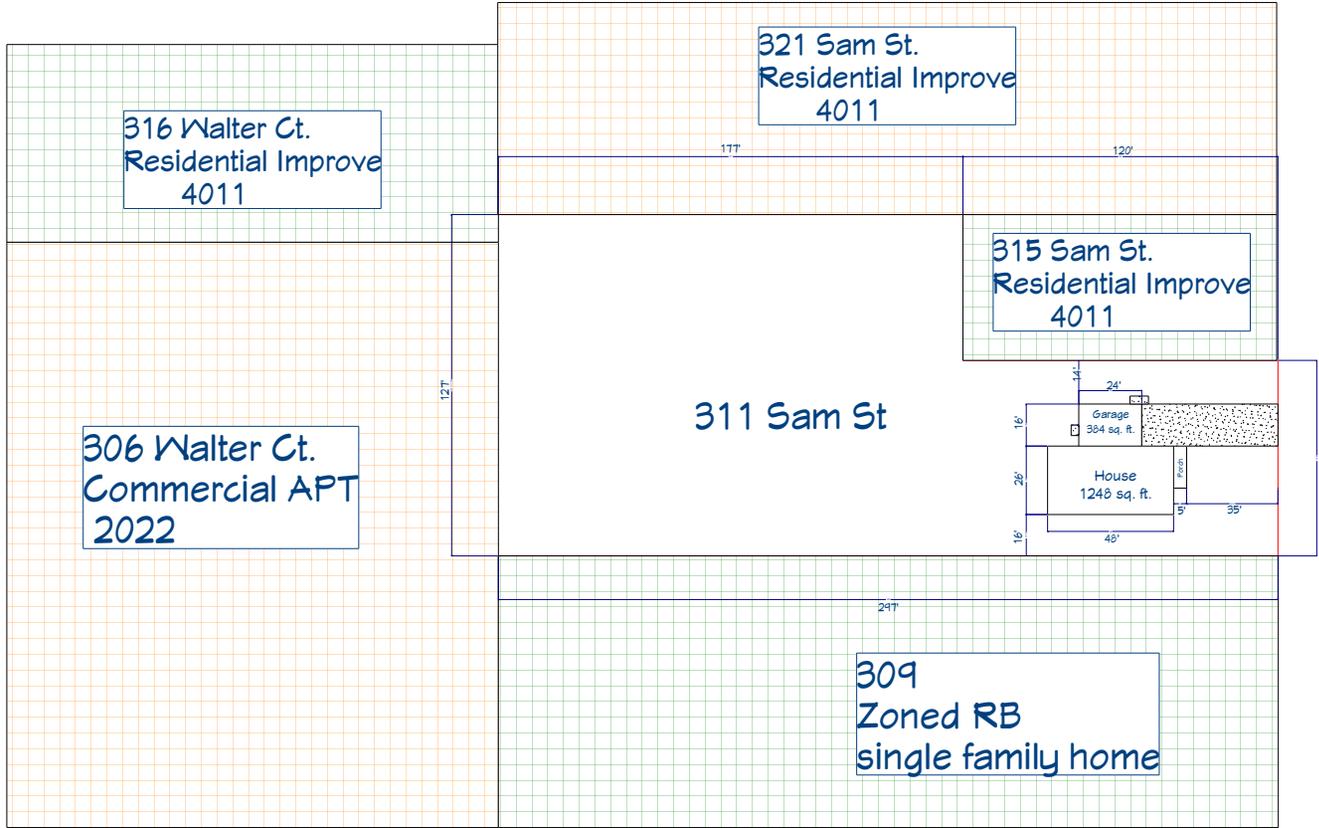
DATE:  
 2/13/2020

SCALE:

SHEET:

**A-1**

Walter Ct.



Sam St.

N



--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE: **4 Bedroom plan**

PROJECT DESCRIPTION: **311 Sam St. Site Plan**

DRAWINGS PROVIDED BY:

DATE: **2/13/2020**

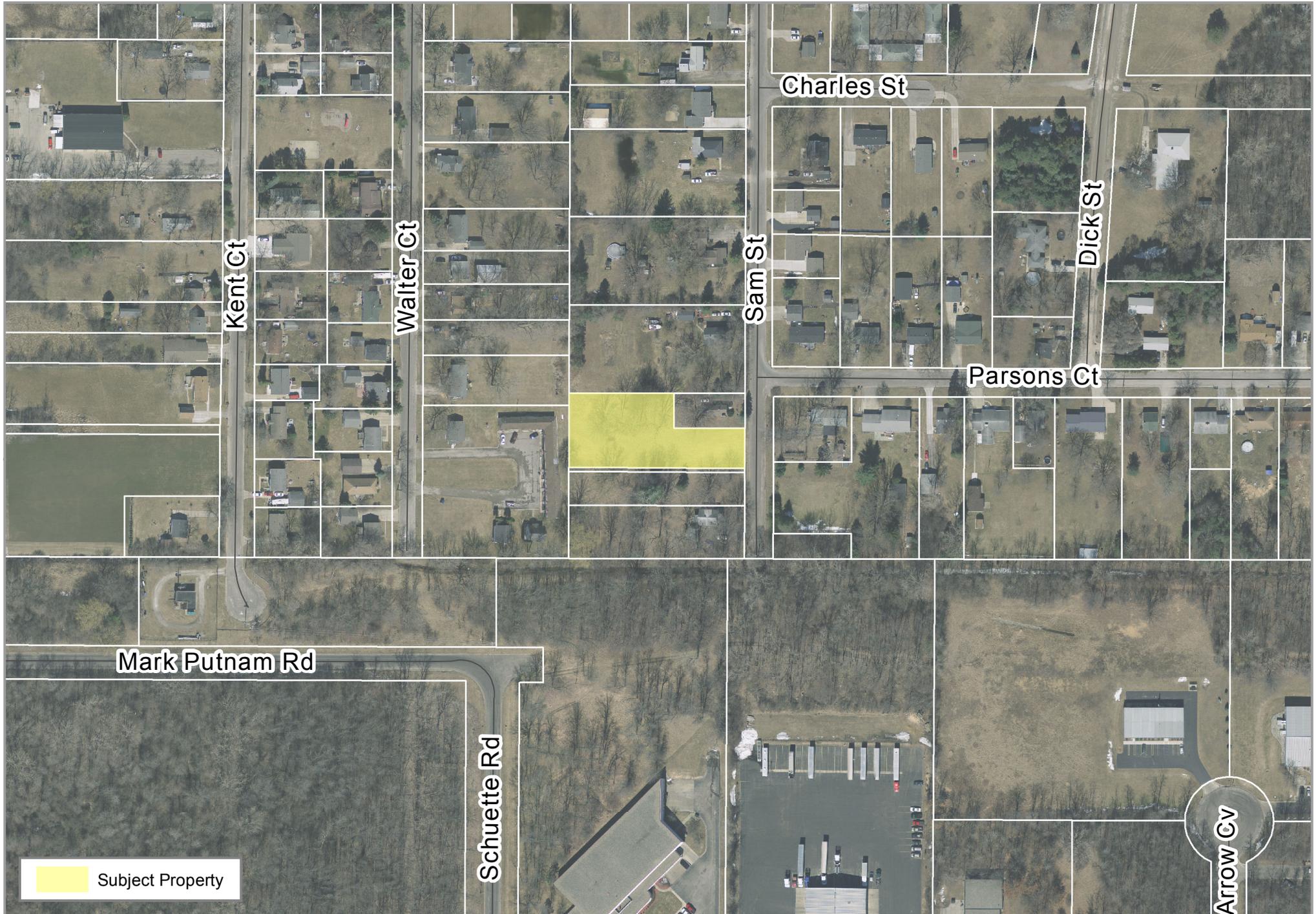
SCALE:

SHEET:

**A-1**

# CUP #68 | Midland County Habitat for Humanity

> 311 Sam Street



 Subject Property

# CUP #68 | Midland County Habitat for Humanity

> 311 Sam Street



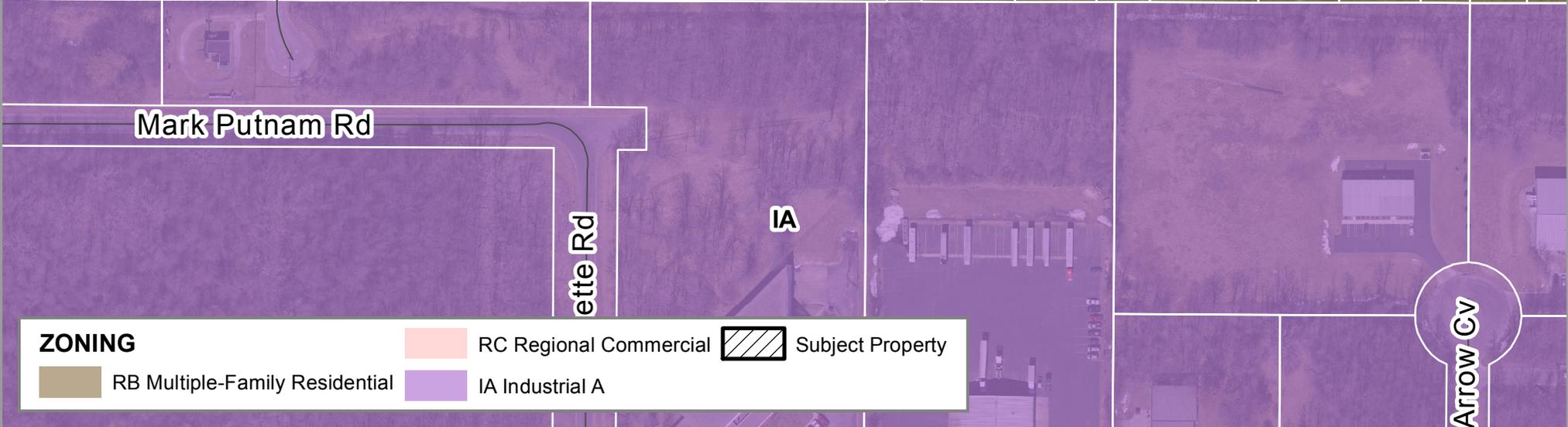
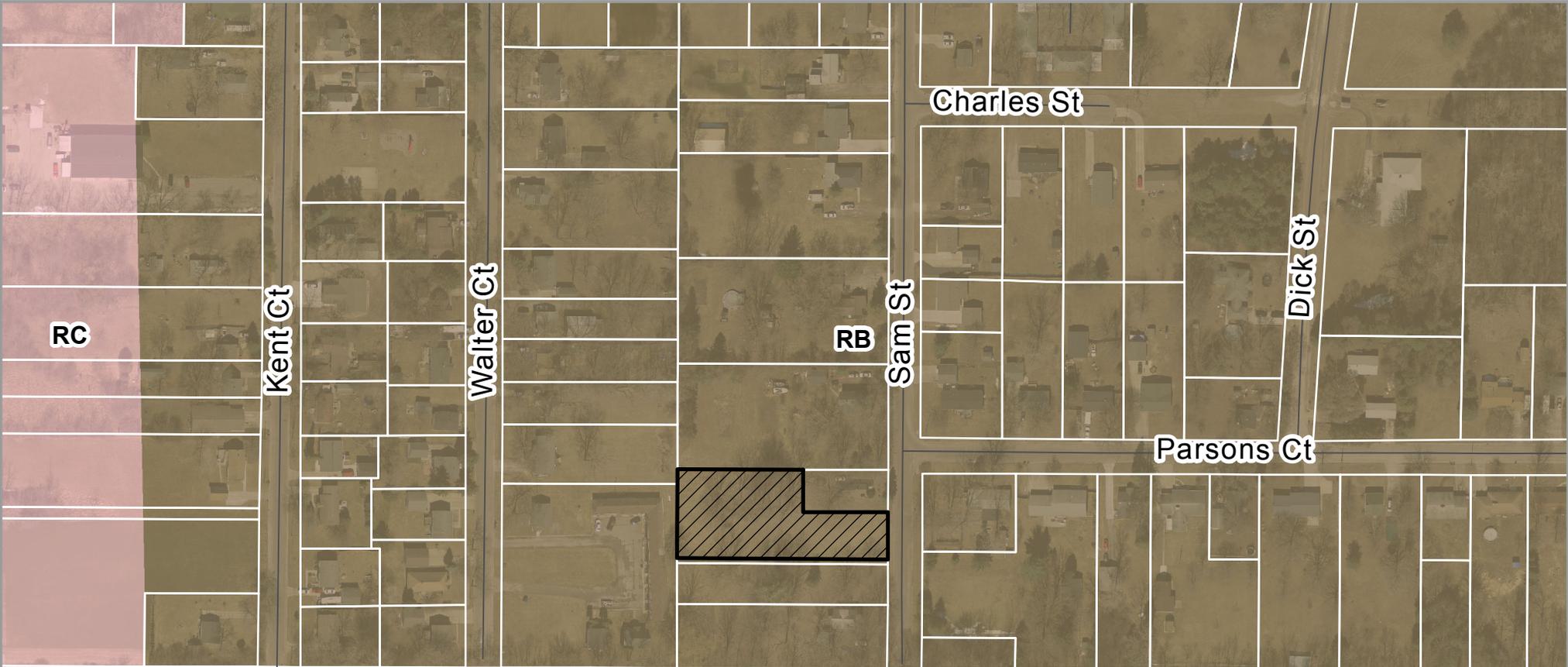
Parsons Ct

Sam St

 Subject Property

# CUP #68 | Midland County Habitat for Humanity

> 311 Sam Street

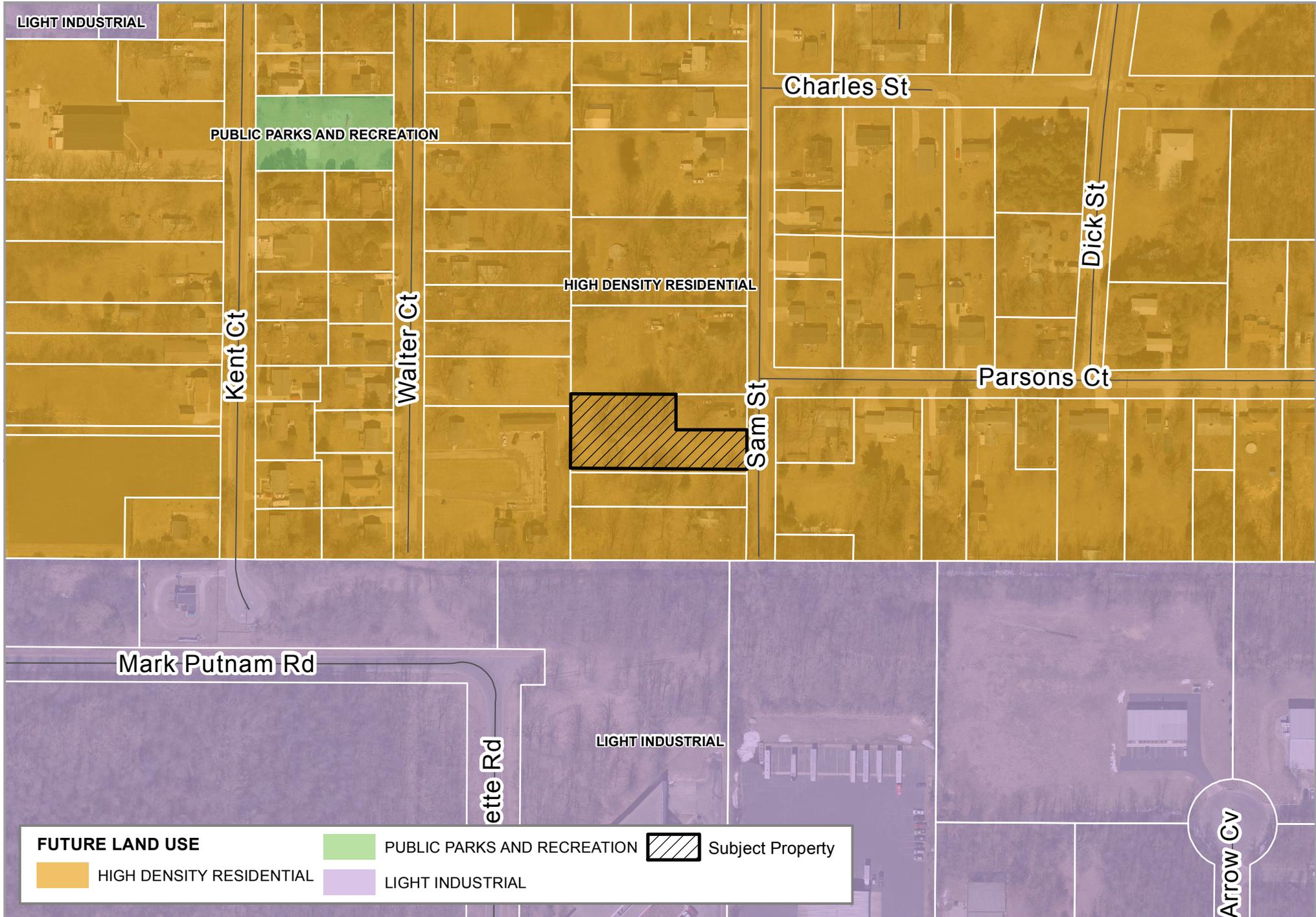


**ZONING**

	RC Regional Commercial		Subject Property
	RB Multiple-Family Residential		IA Industrial A

# CUP #68 | Midland County Habitat for Humanity

> 311 Sam Street





**PUBLIC HEARING NOTICE**  
City of Midland  
CONDITIONAL USE PERMIT NO. 68

L-8971

In accord with Section 28.02 of the Zoning Ordinance of the City of Midland, please take notice that a public hearing will be held by the City Planning Commission on Tuesday, March 10, 2020, which begins at 7:00 p.m. in the **Multipurpose Room located at the Law Enforcement Center at 2727 Rodd Street.** The following request will be considered:

The request of Midland County Habitat of Humanity to approve a Conditional Use Permit for a single family residential dwelling in an RB Multiple-Family Residential zoning district. The property is located at 311 Sam Street.

Additional information may be obtained by contacting the City of Midland Planning Department at (989) 837-3374 during the City's regular hours of 8:00 am to 5:00 pm Monday through Friday. Written comments regarding the application may be submitted in writing by May 27, 2019 to *City of Midland Planning Department, 333 West Ellsworth Street, Midland, Michigan 48640.*

Grant R. Murschel  
Director of Planning & Community Development



**CUP #68 | Midland County Habitat for Humanity**

> 311 Sam Street

