

# AGENDA

REGULAR MEETING OF THE MIDLAND CITY PLANNING COMMISSION,  
TO TAKE PLACE ON TUESDAY, AUGUST 25, 2020 7:00 P.M.

***This meeting will be held electronically due to the COVID-19 pandemic.***

The meeting will be broadcasted live on ATT U-Verse Channel 99; MGTV Channel 188 and online at [Cityofmidlandmi.gov/video](http://Cityofmidlandmi.gov/video)

To join via videoconference, go to:

<https://zoom.us/join> | **Webinar ID:** 873 9767 7267 | **Password:** 391215

To join via telephone, dial:

US: +1 646 558 8656 or +13017158592 | **Webinar ID:** 873 9767 7267 | **Password:** 391215

## MEETING AGENDA:

1. **Call to Order**
2. **Roll Call**
3. **Approval of the Minutes**
  - a. Regular Meeting – July 28, 2020
4. **Public Hearings**
  - a. **Site Plan No. 403** - request by Greystone Homes for site plan review and approval of Phase II of the site condominium known as Greystone Woods. The proposed addition is for eight (8) single-family residential site condominium units located at 6201 W Wackerly Street.
  - b. **Zoning Petition No. 632** - request by Nickie Ross to rezone property located at 4203 Bay City Road from RB Multiple Family Residential to RC Regional Commercial

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
5. **Old Business**
6. **Public Comments (unrelated to items on the agenda)**
7. **New Business**
8. **Communications**
9. **Report of the Chairperson**
10. **Report of the Planning Director**
11. **Items for Next Agenda – September 8, 2020**
  - a. Master Plan Timeline and Kick-off Survey Questions
12. **Adjournment**

**MINUTES OF THE REGULAR MEETING OF THE  
MIDLAND CITY PLANNING COMMISSION,  
ON TUESDAY, JULY 28, 2020 7:00 P.M.**

**MEETING HELD ELECTRONICALLY DUE TO THE COVID-19 PANDEMIC**

<https://zoom.us/join> | Webinar ID: 848 7712 7168 | Password: 349333

1. The meeting was called to order at 7:05 p.m. by Chairman Mayville

2. **Roll Call**

**PRESENT:** Mayville, Koehlinger, Heying, Bain, and Pnacek

**ABSENT:** Broderick, Rodgers and Sajbel

**OTHERS PRESENT:** Grant Murschel, Director of Planning & Community Development; Tadd Underhill, Manager of Information Service (meeting host); and eleven (11) others.

3. **Approval of Minutes**

Heying made a motion to approve the minutes of the regular meeting of June 14, 2020 with one (1) amendment, seconded by Bain.

Yeas: Mayville, Koehlinger, Heying, Bain, and Pnacek

Nays: None

Motion carries 5-0.

4. **Public Hearings**

a. **Site Plan No. 402** - request by William A. Kibbe & Associates, for site plan review and approval of an 11,200 sq. ft. addition to the existing self-storage facility located at 5911 Stark Road.

Murschel gave an overview of the petition.

Bain asked for clarification on the screening of the property, Murschel stated that there is requirement for fencing.

**Petitioner:** Jay Wheler with Kibbe and Associates.

**Public Comments in support:** None.

**Public Comments in opposition: Stacy and Robert Stacy 7004 N Saginaw Rd. Midland MI**

Citizens spoke about the water retention on the property. The callers stated that they now have water in their basement and backyard that they did not have before the development. Caller also stated concerns about the security of the development and the light trespass from the storage unit facility onto their property.

**Larry Stacy 7004 N Saginaw Rd Midland, MI**

Caller spoke to the water issues on the property since development. Mr. Stacy spoke about his need to add to the sanitary drain field on his property.

**Todd and Valorie McCloy 7022 N Saginaw Rd Midland, MI**

Caller spoke about the need to clean the ditches near the development to help with the water displacement and draining.

Mr. Murschel spoke to the public comments, and questions. He spoke about the intent of the storm water basins and how they work and also touched on the question about the ditches near

the development. The Midland County Road Commission is in charge of those ditches, and he would reach out to them in regard to the clearing of them. Mr. Murschel spoke about the checks on the photometric plans and that it is in line with development standards.

**Petitioner rebuttal:** Jason Bakus 5911 Stark Road. Mr. Bakus spoke about the condition of the fencing as well as the security of the property. Mr. Bakus believes that the activity on the property with children on four-wheelers, etc. He did not notice anything that would warrant any action on his part.

Mayville closed the public hearing.

Pnacek made a motion to waive the rules of procedure and render a decision this evening, seconded by Heying

Vote on the motion:

Yeas: Mayville, Koehlinger, Heying, Bain, and Pnacek

Nays: None

Motion carries 5-0

Heying made comments that the petition meets the requirement of the development standards. Koehlinger stated that all development has meet the criteria.

Bain made a motion to recommend approval on Site Plan No. 402 with the two (2) listed contingencies the motion was seconded by Heying.

1. A final stormwater management plan, permit and easements to establish the common stormwater management system are needed to the satisfaction of the City Engineering Department.
2. A final soil erosion and sedimentation control permit to the satisfaction of the City Building Department.

Vote on the motion:

Yeas: Mayville, Koehlinger, Heying, Bain, and Pnacek

Nays: None

Motion carries 5-0

5. **Old Business**- none

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

7. **New Business**

**a. Master Plan Timeline Update and Discussion**

Murschel spoke about the need to delay the kick-off of the Master Planning process due to the inability to meet in person because of COVID-19 and the ongoing social distancing requirements. He indicated that Planning & Parks and Recreation Departments will be working to do an online survey and that there will be questions that relate to the Master Plan on it. These draft questions will be presented to the Planning Commission for review and comment before the survey is launched.

8. **Communications** – None

9. **Report of the Chairperson** – None

10. **Report of the Planning Director** - Murschel gave an update on items that have been approved by City Council at their most recent meeting.

11. **Items for Next Agenda – August 11, 2020**

None

**12. Adjournment**

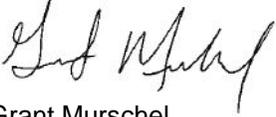
It was moved by Heying and seconded by Bain to adjourn at 8:19 p.m.

Yeas: Mayville, Koehlinger, Heying, Bain, and Pnacek

Nays: None

Motion carries 5-0

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



Site Plan SP #403

Date: August 21, 2020

## STAFF REPORT TO THE PLANNING COMMISSION

SUBJECT: Greystone Woods Phase II

APPLICANT: Greystone Homes, LLC

LOCATION: 6201 W. Wackerly Street

ZONING: RA-1 Single Family Residential

ADJACENT ZONING: North: RA-1 Single-Family Residential and RC Regional Commercial  
East: RA-1 Single-family Residential  
South: Homer Township zoning  
West: RA-1 Single Family Residential

ADJACENT DEVELOPMENT: North: Single-family residential and commercial  
East: Single-family residential (Foxfire Drive)  
South: Vacant and wooded  
West: Single-family residential

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## REPORT

Site Plan No. 403 is the request by Greystone Homes for site plan review and approval of Phase II of the site condominium known as Greystone Woods. The proposed addition is for eight (8) single-family residential site condominium units located at 6201 W Wackerly Street.

The subject property is zoned RA – 1 Residential Single Family by the City of Midland Zoning Ordinance. Single family residential use is permitted by right. Site plan review and approval under Section 27.02(A) of the Zoning Ordinance is required for this proposed use. Section 27.06(A) of the Zoning Ordinance states that: "The following criteria shall be used as a basis upon which site plans will be reviewed and approved:"

### BASIS FOR ACTION

#### 1. Adequacy of Information

The site plan shall include all required and requested information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

This site plan contains all of the required information within its site plan. As is standard practice, the following items remain outstanding and will be addressed at the time of permitting:

1. A final stormwater management plan and permit amendment to the satisfaction of the City

Engineering Department.

2. A final soil erosion and sedimentation control permit to the satisfaction of the City Building Department.
3. Final lot sizes.

2. **Site Design Characteristics**

All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Ordinance.

The proposed site plan elements are efficiently organized on the site. The proposed phase is only the cul-de-sac addition to the first phase which has already received site plan approval.

3. **Appearance**

Landscaping, earth berms, fencing, signs, walls and other similar site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments.

The design and layout of the proposed development is consistent with the appearance of the other development within the area and is considered to be harmonious with existing development and the first phase of the proposal.

4. **Compliance with District Regulations**

The site plan shall comply with the district requirements for height of building, lot size, lot coverage, density, and all other requirements set forth in the Schedule of Regulations (Article 26.00) unless otherwise provided in this Ordinance.

While the proposed units appear to meet the size requirements for the RA-1 Single Family Residential zoning district, per comparison to the first phase, the dimensions are not located on the plan sheet. The applicant must provide dimensioning on the site plan, this remains outstanding.

5. **Preservation and Visibility of Natural Features**

Natural features shall be preserved as much as possible, by minimizing tree and soil removal alteration to the natural drainage course and the amount of cutting, filling, and grading.

The subject area of the site as exists today is undeveloped and is wooded in nature. The proposal utilizes the natural drainage course of the area while allowing for proper elevation of the individual houses.

6. **Privacy**

The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate if permitted, for the protection and enhancement of property and the safety and privacy of occupants and uses.

Privacy measures are not proposed and are not required for single-family residential developments of this nature.

7. **Emergency Vehicle Access**

All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

The proposed plan provides adequate vehicle access for emergencies given the relative short nature of the cul-de-sac and the diameter of the proposed turn around.

8. **Ingress and Egress**

Every structure or dwelling unit shall be provided with adequate means of ingress and egress via

public or private streets and pedestrian walkways.

Adequate means of both pedestrian and vehicle access is provided as proposed.

9. **Pedestrian Circulation**

Each site plan shall provide a pedestrian circulation system, which is insulated as completely as is reasonably possible from the vehicular circulation system.

Pedestrian circulation will be provided by the provision of public sidewalks on both sides of the street.

10. **Vehicular and Pedestrian Circulation Layout**

The layout of vehicular and pedestrian circulation systems shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry in accordance with subsection 3.10. In order to insure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points or construct a secondary access road.

The project proposes a single cul-de-sac off of the first phase of development. This cul-de-sac is sized adequately to provide property vehicle circulation. Pedestrian circulation will be provided via public sidewalks on both sides of the street.

11. **Parking.**

The proposed development shall provide adequate off-street parking in accordance with the requirements in Article 5.00 of this ordinance.

As with all single-family residential developments, parking is regulated at the time of building permits for the individual units. As proposed, the site does not appear to show a deficiency in its ability to provide adequate off-street parking.

12. **Drainage**

The project must comply with the City's Stormwater Ordinance.

As is consistent practice, preliminary plans have been submitted, and the final stormwater plan and permit amendment must be approved by the City Engineering Department. The original design of the site included a stormwater management basin that is sized to handle this additional development.

The site is proposed adjacent to the 100-year floodplain but the applicant has received confirmation from the Department of Environment, Great Lakes and Energy (ELGE) that all proposed work is outside of the 100-year floodplain. Furthermore, the proposed units adjacent to the floodplain are of adequate size to allow new residential construction without any impact within the floodplain.

13. **Soil Erosion and Sedimentation**

The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with current State, County, and City standards.

A final soil erosion and sedimentation control permit is needed. The City Building Department will give final approval on this permit, which is typically addressed at the final permitting stage.

14. **Exterior Lighting**

Exterior lighting shall be designed so that it is deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets and comply with the provisions in Section 3.12.

A photometric plan is not required for single-family residential site condominiums; that being said,

street lighting will be addressed through the development agreement.

**15. Public Services**

Adequate services and utilities, including water, sewage disposal, sanitary sewer, and storm water control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development. All streets and roads, water, sewer, and drainage systems, and similar facilities shall conform to the design and construction standards of the City.

Adequate public services and utility capacity exists in the public system as evaluated through the Departmental Site Plan Review process. As mentioned previously, a final stormwater management plan and permit remains outstanding but is usually accomplished during final engineering design and review.

**16. Screening**

Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas shall be screened by walls or landscaping of adequate height and shall comply with Articles 6.00 and 7.00 of this Ordinance. All roof-top mechanical equipment shall be screened from view from all residential districts and public roadways.

The proposal is for single-family residential units within an area used, zoned and planned for low density residential purposes; therefore, no screening is required or proposed.

**17. Health and Safety Concerns**

Any use in any zoning district shall comply with all applicable public health, pollution, and safety laws and regulations.

No health and safety concerns have been identified in the review of this site plan.

**18. Sequence of Development**

All development phases shall be designed in logical sequence to insure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

The proposed phase is proposed to be completed in phases with this second phase taking place after the first phase.

**19. Coordination with Adjacent Sites**

All site features; including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be coordinated with adjacent properties.

While this phase will be incorporated with the first phase, the proposed development overall is self-contained and does not require any coordination with surrounding or adjacent sites.

**20. Signs.**

All proposed signs shall be in compliance with the regulations in Article 8.00 of this Ordinance

The site plan does not include proposed signage. Any signage will be permitted by the Building Department, if in compliance with Article 8.00.

**CONTINGENCY ITEMS**

Based on evaluation of the site plan as proposed, staff is of the opinion that the proposal meets the City's requirements and is designed in a manner to fit harmoniously into this area of the city. That said, inclusion of the following contingencies should be maintained in order for the plan to fully satisfy City requirements:

1. A final stormwater management plan and permit amendment to the satisfaction of the City

- Engineering Department.
2. A final soil erosion and sedimentation control permit to the satisfaction of the City Building Department.
  3. Final approval of the condominium Master Deed and By-Laws to the satisfaction of the City Planning Department.
  4. Final approval and execution of a development agreement to the satisfaction of the City Attorney's Office, Engineering and Planning Departments.
  5. Sidewalks must be installed on both sides of each proposed street with proper ADA ramps at the intersections to the satisfaction of the City Engineering Department.
  6. All streets must be constructed to City standards, including a standard, non-rolled curb to the satisfaction of the City Engineering Department.
  7. Final lot sizes must be compliant with RA-1 Single-Family Residential to the satisfaction of the City Planning Department.

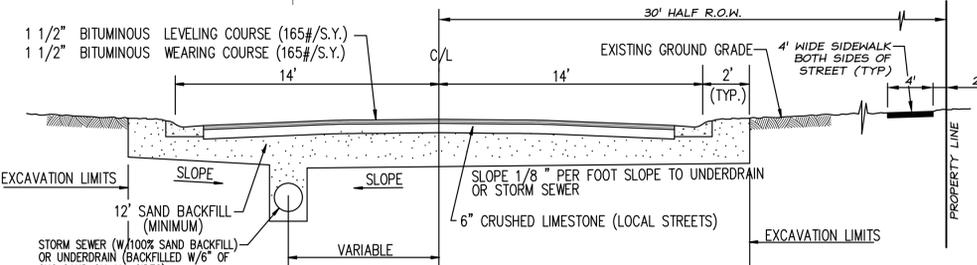
### **PLANNING COMMISSION ACTION**

Staff currently anticipates that the Planning Commission will hold a public hearing on this request during its regular meeting on August 25, 2020 and will formulate a recommendation to City Council thereafter. If recommended to City Council the same evening, we anticipate that on September 14, 2020 the City Council will consider the site plan and Planning Commission recommendation. Please note that these dates are merely preliminary and may be adjusted due to Planning Commission action and City Council agenda scheduling.

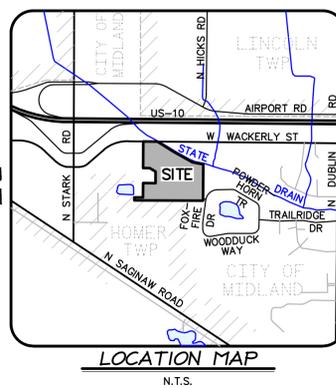
Respectfully Submitted,



Grant Murschel  
Director of Planning & Community Development



TYPICAL PAVEMENT SECTION  
 NOTE: TYPICAL CROSS SECTION IN WETLAND IMPACT AREAS



**LEGAL DESCRIPTION**

PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 1, TOWN 14 NORTH, RANGE 1 EAST, CITY OF MIDLAND, PORTIONS OF WHICH HAVING BEEN FORMERLY IN HOMER TOWNSHIP AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE NORTH 1/2 CORNER OF SAID SECTION 1; THENCE N89°31'57"W ALONG THE NORTH LINE OF SAID SECTION 1, 858.00 FEET TO THE POINT OF BEGINNING; THENCE S00°28'03"W, 52.96 FEET TO THE CENTERLINE OF THE STATE DRAIN; THENCE ALONG THE CENTERLINE OF THE STATE DRAIN THE FOLLOWING FIVE (5) COURSES: S67°55'19"E, 34.57 FEET; THENCE S61°03'19"E, 282.47 FEET; THENCE S59°17'01"E, 311.92 FEET; THENCE S71°00'53"E, 105.45 FEET; THENCE S79°05'07"E, 211.49 FEET TO THE NORTH-SOUTH 1/2 LINE; THENCE S00°29'11"W ALONG THE NORTH-SOUTH 1/2 LINE, 646.18 FEET TO THE NORTH 1/2 LINE; THENCE N89°42'40"W ALONG THE NORTH 1/2 LINE, 917.71 FEET; THENCE N00°19'55"E, 552.77 FEET; THENCE N89°40'16"W, 70.00 FEET; THENCE N28°43'23"W, 62.00 FEET; THENCE N89°31'57"W PARALLEL WITH THE NORTH LINE OF SECTION 1, 316.58 FEET TO THE WEST 1/2 LINE; THENCE S00°21'27"W ALONG THE WEST 1/2 LINE, 172.52 FEET; THENCE N89°31'57"W PARALLEL WITH THE NORTH LINE OF SECTION 1, 132.00 FEET; THENCE N00°21'27"E PARALLEL WITH THE WEST 1/2 LINE, 451.23 FEET; THENCE S89°40'51"E PARALLEL WITH THE NORTH LINE OF SECTION 1 AS REMONUMENTED, 132.00 FEET; THENCE S00°21'27"W PARALLEL WITH THE WEST 1/2 LINE, 41.57 FEET; THENCE S89°31'57"E PARALLEL WITH THE NORTH LINE OF SECTION 1, 165.00 FEET; THENCE N00°21'27"E PARALLEL WITH THE WEST 1/2 LINE, 250.00 FEET TO THE NORTH LINE OF SECTION 1; THENCE S89°31'57"E ALONG THE NORTH LINE OF SECTION 1, 303.33 FEET TO THE POINT OF BEGINNING. (PER MEMORANDUM OF LAND CONTRACT L. 1567 P. 1180)

AND

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 1, TOWN 14 NORTH, RANGE 1 EAST, CITY OF MIDLAND, PORTIONS OF WHICH HAVING BEEN FORMERLY IN HOMER TOWNSHIP AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 1; THENCE S89°31'57"E, ALONG THE NORTH LINE OF SECTION 1, 1326.33 FEET; THENCE S00°21'27"W, ALONG THE WEST 1/2 LINE, 1072.50 FEET TO THE POINT OF BEGINNING; THENCE S89°31'57"E, PARALLEL WITH THE NORTH SECTION LINE, 165.44 FEET; THENCE N00°19'55"E, 274.12 FEET; THENCE S89°31'57"E, PARALLEL WITH THE NORTH SECTION LINE, 240.63 FEET; THENCE S00°19'55"W, 330.02 FEET; THENCE N89°42'40"W, ALONG THE NORTH 1/2 LINE AS MONUMENTED, 406.09 FEET; THENCE N00°21'27"E, 57.16 FEET TO THE POINT OF BEGINNING. (PER WARRANTY DEED L. 1575 P.417)

**FLOOD PLAIN**

PORTIONS OF UNITS 6 THRU 10 AND 24 THRU 26 ARE LOCATED IN SPECIAL FLOOD HAZARD AREA ZONE A, AS SHOWN IN F.E.M.A. F.I.R.M. NO. 26110C068 WITH EFFECTIVE DATE MAY 4, 2004. BASE FLOOD ELEVATION IS UNDETERMINED BY FEMA. FEMA ISSUED AN UPDATED FLOOD INSURANCE STUDY 26110C000B DATED JANUARY 16, 2013 (F.I.R.M.S HAVE NOT BEEN UPDATED) THE FLOOD PLAIN SHOWN IS BASED ON HEC-RAS MODEL. THE 1% BASE FLOOD ELEVATION = 619.80 TO 619.92 NAVD88  
 = 620.40 TO 620.52 NGVD29(USGS)  
 = 621.70 TO 621.82 CITY MIDLAND DATUM

**BENCHMARKS**

BM1: SET NAIL AND DISK IN NORTH SIDE POWER POLE ALONG SOUTH SIDE OF WACKERLY STREET AND 79 FEET EAST OF WEST PROPERTY LINE. CITY OF MIDLAND DATUM EL=628.51  
 BM2: SET NAIL AND DISK IN SOUTHWEST SIDE OF 30' COTTONWOOD TREE LOCATED 60 FEET WEST OF DRAIN AND 250' SOUTH OF THE STATE DRAIN. CITY OF MIDLAND DATUM EL=628.61  
 BM3: SET NAIL AND DISK IN NORTH SIDE 15' MAPLE TREE LOCATED 20 FEET NORTH OF SOUTH PROPERTY LINE AND 260 FEET WEST OF EAST PROPERTY LINE. CITY OF MIDLAND DATUM EL=630.88  
 BM4: FOUND NAIL AND DISK IN NORTH SIDE 20' PINE AT SOUTHWEST CORNER OF THE PROPERTY. CITY OF MIDLAND DATUM EL=632.61  
 BM5: SET NAIL AND DISK IN SOUTH SIDE 20' COTTONWOOD AT 250 FEET SOUTH OF THE STATE DRAIN AND 420 FEET WEST OF EAST PROPERTY LINE. CITY OF MIDLAND DATUM EL=628.69

DATUM NOTE:  
 SITE DATUM BASED ON CITY OF MIDLAND DATUM.  
 THE CITY OF MIDLAND DATUM IS 32 FEET HIGHER THAN USGS (NGVD 29) AND 1.90 FEET HIGHER THAN NAVD88.

ENGINEER'S SEAL AND SIGNATURE ARE IN BLUE INK. IF NOT, THEN THIS PLAN IS A REPRODUCTION, AND APEX ENGINEERS P.L.L.C. IS NOT RESPONSIBLE FOR ITS CONTENT.

PREPARED FOR:

FOR:

DESIGNED BY  
 CHECKED BY  
 DRAWN BY  
 SCALE  
 1" = 60'  
 DATE  
 MAY 30, 2017  
 CAD FILE NO.  
 Construction\_Plans.dwg  
 JOB NO.  
 15E0021  
 SHEET NO.  
 C-2

10-10-19	JWL	REMOVE RETENTION POND
1-6-20	JWL	ESTABLISH HEC-RAS F.P. LINE
5-9-19	JWL	EXTEND TOPO NE W/MIDLAND CO GIS
NO.	DESCRIPTION	DATE
BY	ISSUE/REVISIONS	

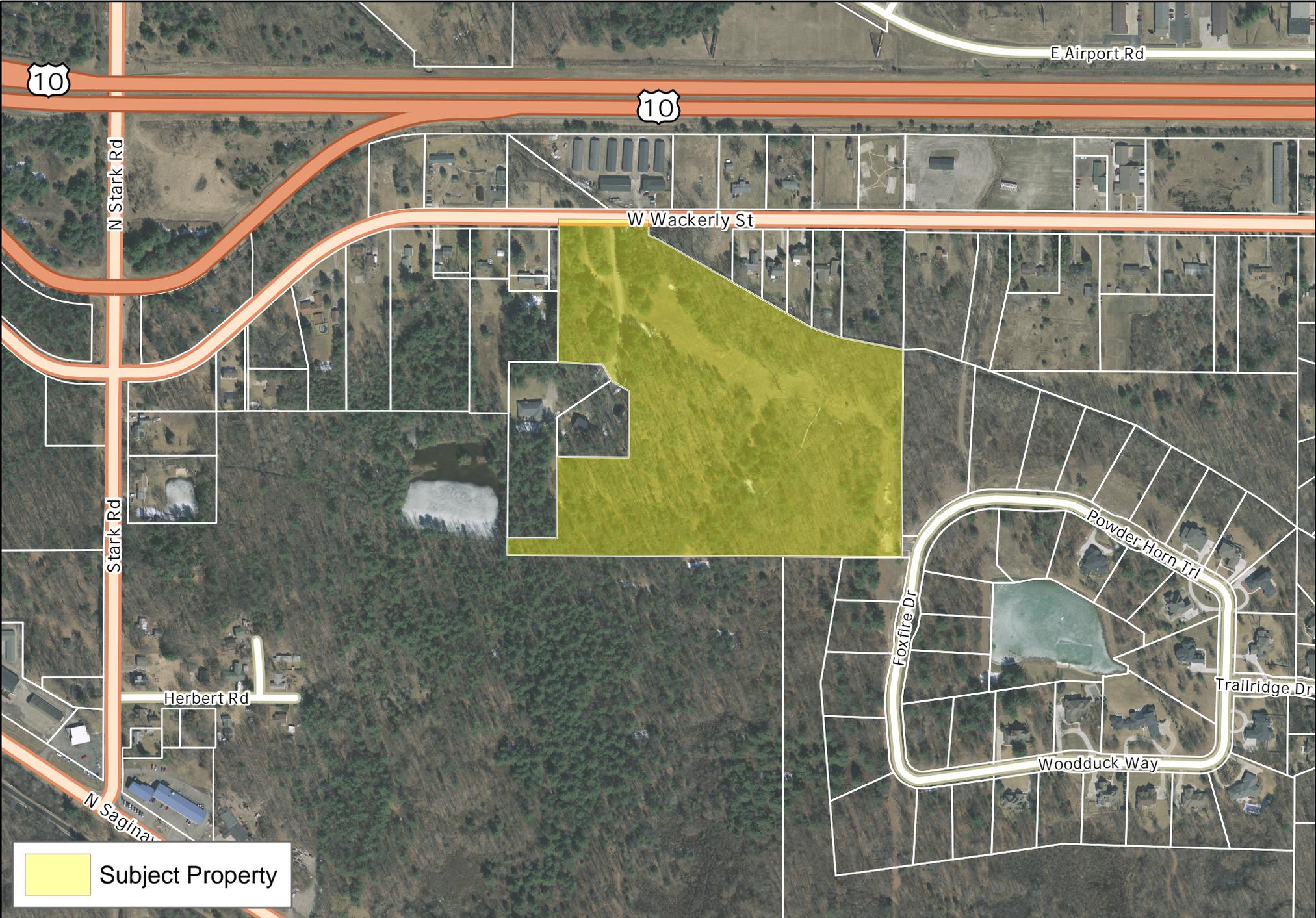
APEX ENGINEERS P.L.L.C.  
 820 SOUTH HURON ROAD (71-B)  
 LINDAWOOD, MICHIGAN 48634  
 PHONE: (989) 835-6965  
 FAX: (989) 697-2593

GREYSTONE HOMES LLC  
 6408 WEST WACKERLY STREET  
 MIDLAND, MICHIGAN 48642  
 PH: (989) 835-6965

100 YEAR FLOOD DETERMINATION FOR GREYSTONE WOODS SITE CONDOMINIUM  
 WACKERLY STREET, MIDLAND, MICHIGAN 48642  
 NW 1/4, SEC 1, T14N, R1E, CITY OF MIDLAND, MIDLAND COUNTY

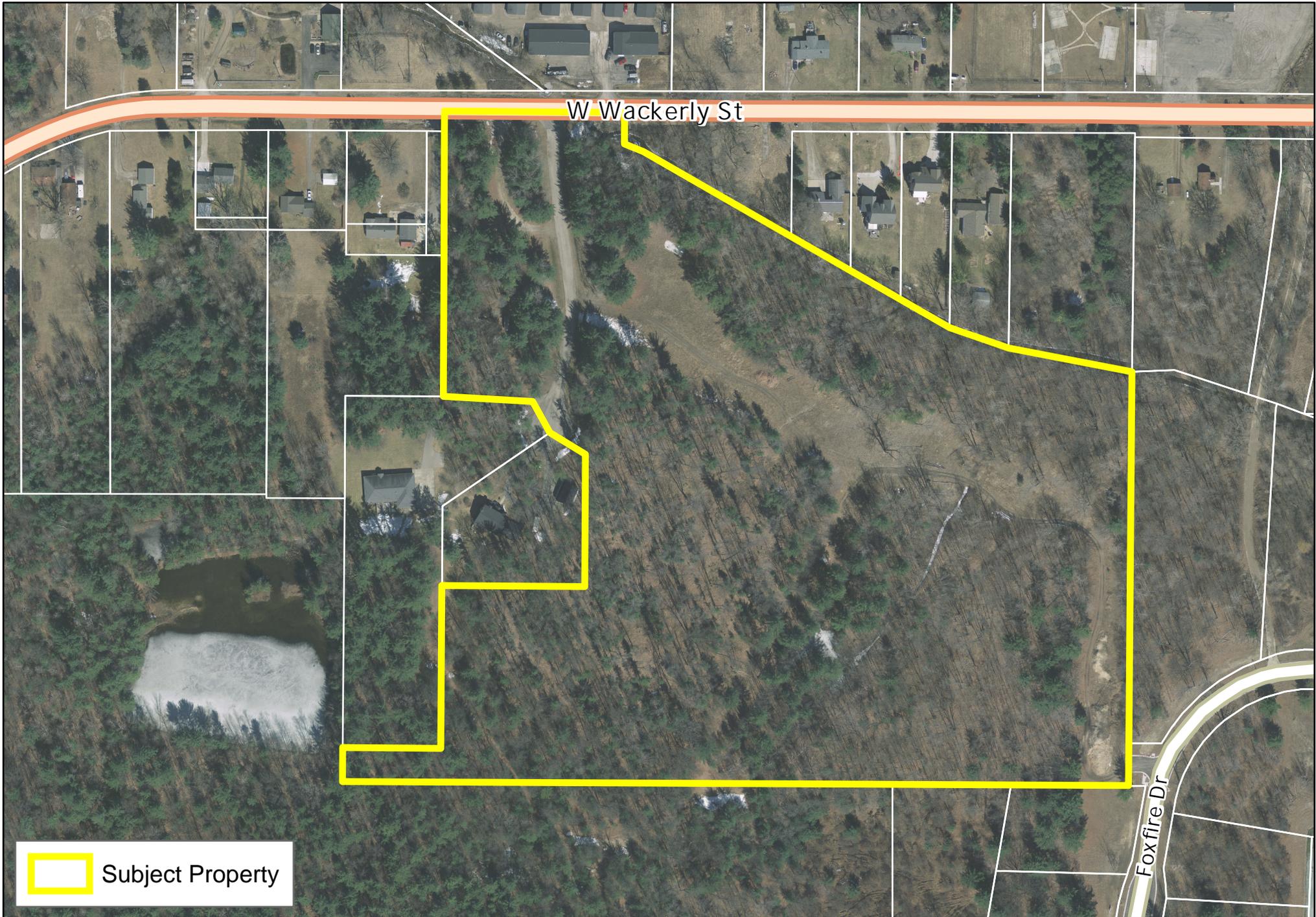
# Site Plan # 403 | Greystone Woods Condominium Phase II

> 6201 W Wackerly Street



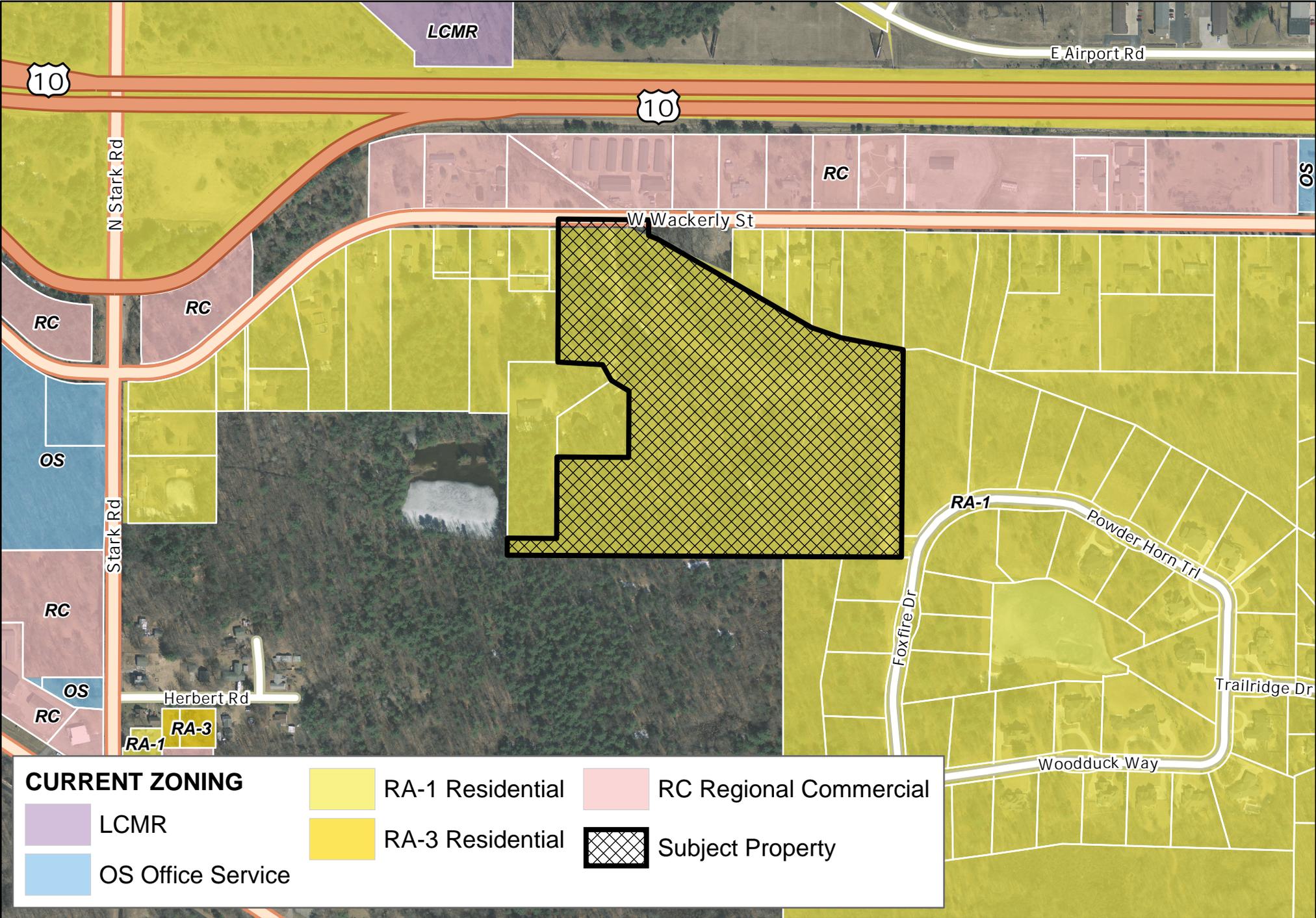
# Site Plan # 403 | Greystone Woods Condominium Phase II

> 6201 W Wackerly Street



# Site Plan # 403 | Greystone Woods Condominium Phase II

> 6201 W Wackerly Street





STATE OF MICHIGAN  
 DEPARTMENT OF  
 ENVIRONMENT, GREAT LAKES, AND ENERGY  
 BAY CITY DISTRICT OFFICE



GRETCHEN WHITMER  
 GOVERNOR

LIESL EICHLER CLARK  
 DIRECTOR

February 11, 2020

Mr. Kelly Wall  
 6408 West Wackerly Street  
 Midland, Michigan 48642

Dear Mr. Wall:

SUBJECT: Department of Environment, Great Lakes, and Energy (EGLE)  
 Submission Number HNR-3WGW-94MT6

The EGLE's Water Resources Division (WRD) has completed the review of your application/plans filed with this office for your proposed project. The review indicates that there is no new proposed work within regulated areas. Therefore, the proposed project does not require a permit under the State's Floodplain Regulatory Authority found in Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

The Submission did include a hydraulic analysis and report for the Inman Drain at the project location. That analysis and report has been reviewed and approved by the WRD. The 100-year flood elevation for the project is 622.0 feet City of Midland Datum (620.1 feet NAVD88) at the upstream limit of the project to 621.7 feet City of Midland Datum (619.8 feet NAVD88) at the downstream limit of the project. An estimated floodplain boundary is shown in the modified enclosed plans which are based on the plan set titled "2020-01-06\_MDEQ\_Plan\_C2.pdf". The plans were modified to remove work authorized under Permit WRP011032 v.1 and the photolog numbers for clarity.

The 100-year flood elevation for each lot in or near the 100-year floodplain is listed in the table below. These flood elevations supersede the flood elevations included in Permit WRP011032 v.1.

Lot 1	622.0 feet City of Midland Datum
Lot 24	622.0 feet City of Midland Datum
Lot 25	621.8 feet City of Midland Datum
Lot 26	621.8 feet City of Midland Datum
Lot 27	621.8 feet City of Midland Datum
Lot 28	621.8 feet City of Midland Datum
Lot 6	621.8 feet City of Midland Datum
Lot 7	621.8 feet City of Midland Datum
Lot 8	621.8 feet City of Midland Datum
Lot 9	621.7 feet City of Midland Datum
Lot 10	621.7 feet City of Midland Datum

Mr. Kelly Wall  
Submission HNR-3WGW-94MT6  
February 11, 2020  
Page 2

No structures within the 100-year floodplain are authorized under Permit WRP011032 v.1 and/or authorized by this letter. This letter does not authorize filling, grading and/or construction not included in Permit WRP011032 v.1.

This letter does not obviate the necessity of obtaining permits under the provisions of Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or permits from other governmental units. If you have any questions, please feel free to contact me.

Sincerely,



Joy I. Brooks, P.E.  
Bay City District Office  
Water Resources Division  
989-280-1632

Enclosure

cc/enc: City of Midland Clerk  
City of Midland Building Official  
City of Midland Floodplain Administrator  
Midland County Drain Commissioner  
Midland County CEA  
Apex Engineers, PLC  
Mr. James Ensign, Bergmann Associates  
Mr. Davis Roeser, EGLE









WEST WACKERLY STREET

303.33'

S89°31'57"E

S00°28'03"W

52.96'

S67°55'19"E

34.57'

S01°03'19"E

24

25

26

27

132' STATE DRAIN EASEMENT

2

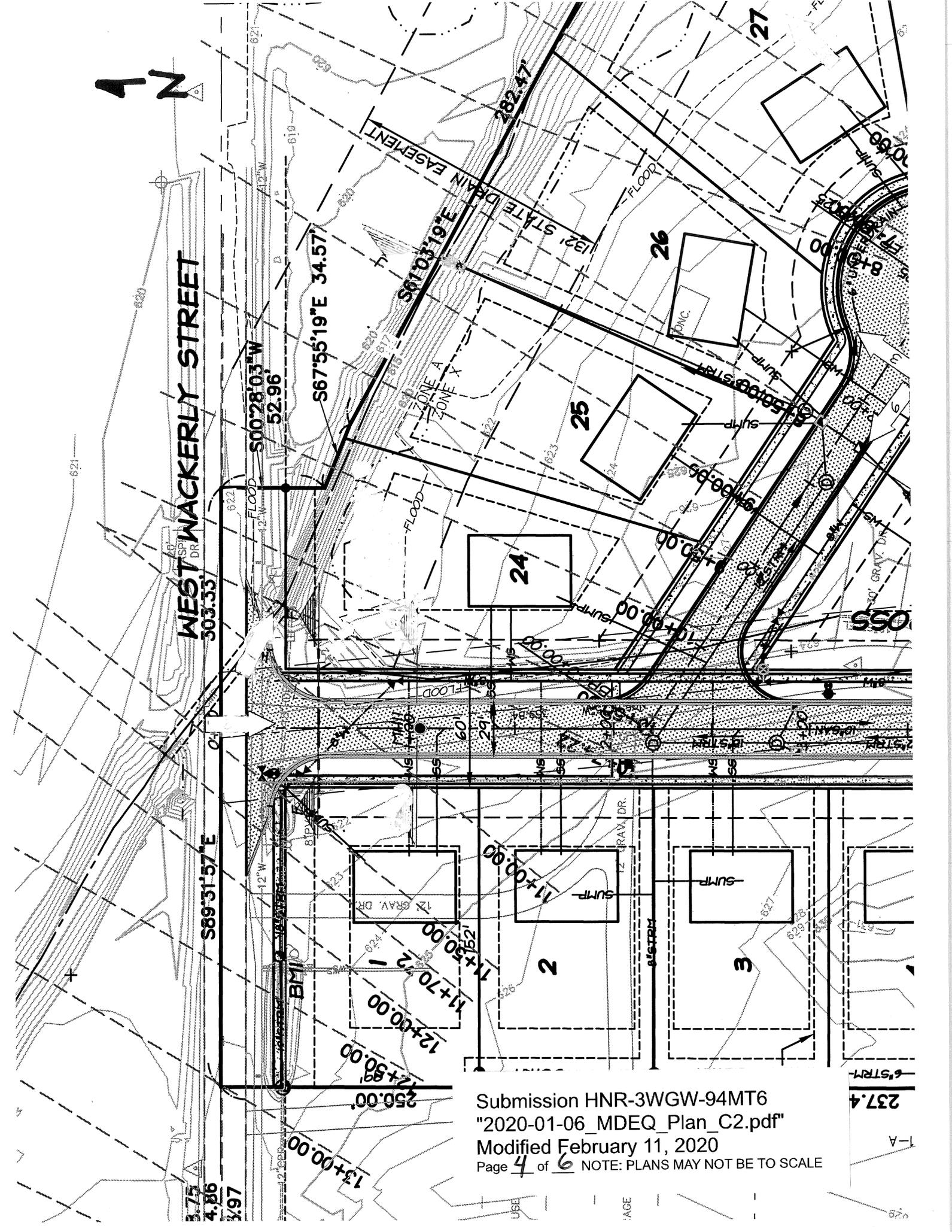
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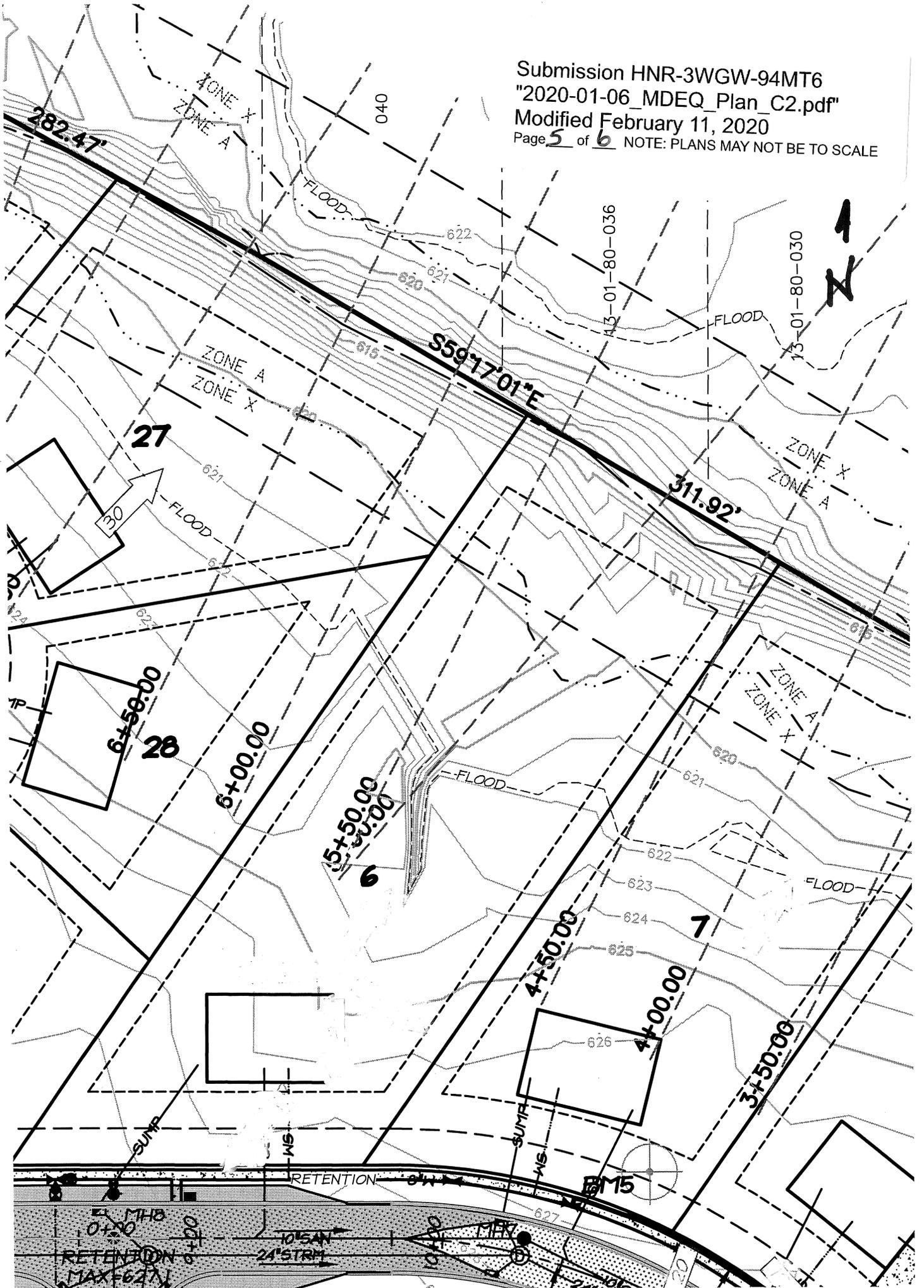
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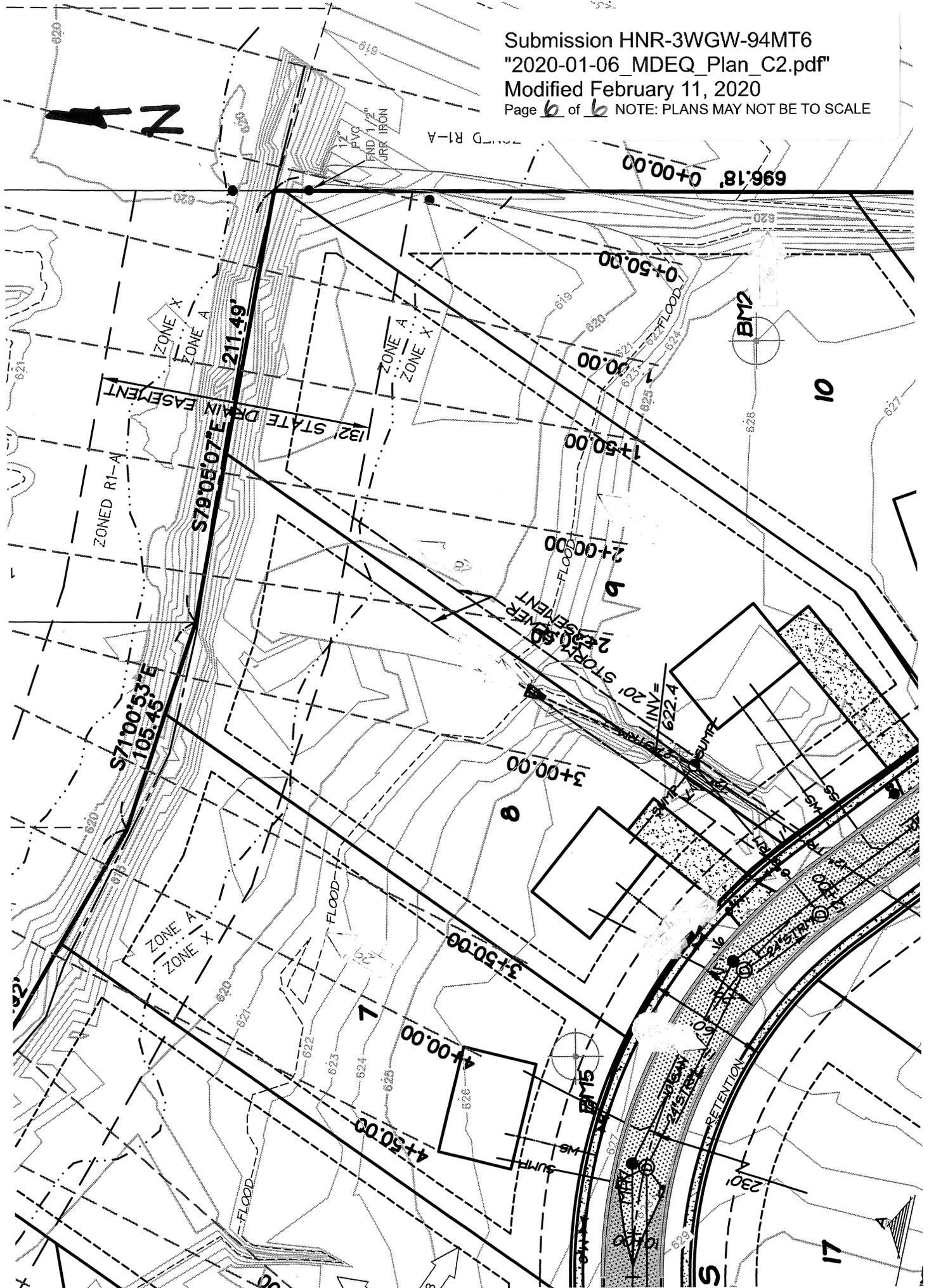
Submission HNR-3WGW-94MT6  
"2020-01-06\_MDEQ\_Plan\_C2.pdf"  
Modified February 11, 2020  
Page 4 of 6 NOTE: PLANS MAY NOT BE TO SCALE

237.4

T-A







# PUBLIC HEARING NOTICE

## City of Midland

### SITE PLAN

Please take notice that the Midland City Planning Commission will conduct a public hearing on Site Plan No. 403, the request by Greystone Homes for site plan review and approval of Phase II of the site condominium known as Greystone Woods. The proposed addition is for eight (8) single-family residential units located at 6201 W Wackerly Street.

As required by Article 30, Section 30.03(A) of Ordinance No. 1585, said hearing is scheduled to take place on **Tuesday, August 25, 2020** at 7:00 p.m. and will be held virtually due to the Coronavirus pandemic.

To access to virtual meeting utilizing Zoom go to <https://zoom.us/join> or dial US: +1 646 558 8656 or +1 301 715 8592  
**Webinar ID:** 873 9767 7267 and **Password:** 391215

A copy of the site plan may be reviewed at the Planning Department, City Hall. If you have any questions, contact the Planning Department at 837-3374.

Midland City Planning Commission



Grant Murschel  
Director of Planning & Community Development

### Site Plan # 403 | Greystone Woods Condominium Phase II

> 6201 W Wackerly Street





**Department of Planning  
& Community Development**

**STAFF REPORT TO THE PLANNING COMMISSION | August 21, 2020**

Subject: Zoning Petition #632 (Rezoning Request)

Applicant: Nickie Ross

Location: 4203 Bay City Road

Area: Approx. 6.18 acres

Existing zoning: RB Multiple Family Residential

Proposed zoning: RC Regional Commercial

Adjacent Zoning: North: RB Multiple Family Residential  
 South: CC Community Commercial & AG Agricultural  
 East: RB Multiple Family Residential  
 West: RB Multiple Family Residential

Adjacent Development: North: Wooded land  
 South: Single-family residential home and medical office  
 East: Wooded land and single-family residential homes  
 West: Wooded land and single-family residential homes

**REPORT**

Zoning Petition No. 631, initiated by Nickie Ross to rezone property located at 4203 Bay City Road from RB Multiple Family Residential to RC Regional Commercial. There are no conditions offered by the applicant; therefore, the full content and permitted uses within the RC Regional Commercial zoning district must be considered.

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

**BACKGROUND**

This parcel is located on the north side of the Bay City Road between the railroad crossing and Rockwell Drive. Currently, the property is wooded and absent of any development. The property has 418 feet of frontage on Bay City Road, making it the widest parcel on the north side of Bay City Road between the railroad and Rockwell Drive.

In the surrounding vicinity, there are sparse residential uses mixed with large wooded, vacant areas of the land. To the south of the property, across Bay City Road, is a medical office facility and a single-family residential home. This portion of the Bay City Road corridor has been transitioning from a mixture of agricultural, wooded and sparse residential uses to one of a mixture of commercial, high-tech industrial, and office uses.

The Bay City Road corridor is a main arterial for traffic into the eastern portions of the city. Bay City Road contains a full vehicle interchange at U.S. 10 to the east of the subject site. To the west of the subject

site, across the railroad, there is a collection of medium and high density residential neighborhoods. These uses are connected by the Bay City Road corridor which is a five-lane profile street.

## 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?**

Primarily, yes. The Future Land Use map of the Master Plan designates this property as split between Commercial and Light Industrial. The vision of the Master Plan in this portion of the city is for commercial uses adjacent to Bay City Road with high-tech industrial or other light industrial uses setback from the corridor and adjacent to the active railroad.

While the entirety of the property is not designated as commercial, the exact location of the split between commercial and light industrial was never intended to be definite. Rather, it was understood that this line would provide a contextual understanding that commercial uses should front the corridor with industrial uses set behind.

**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."*

In staff's opinion, the proposed rezoning would promote the basic intent of the zoning code through reclassification of the parcel as stated (outlined above) in the City's Zoning Ordinance, especially as it relates to establishing commercial uses adjacent to heavily trafficked corridors.

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

Yes. This area has begun a transition from agricultural and sparse residential to a mixture of commercial, high-tech industrial and office uses over the last few decades. Most recently, additional big box retail development has happened on property to the southeast and a new high-tech industrial headquarters is begin developed to the east at Rockwell Drive.

In 2018, this portion of the Bay City Road corridor, between the railroad crossing and the U.S. 10 interchange, received special attention during the Master Plan updating process. At that time, public comment received in combination with detail study of the nature of the corridor, resulted in a change in the Future Land Use map designations of these lands. The Future Land Use map was amended to remove the high density residential designations and replaced it with a combination of commercial and light industrial.

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

No, the immediate area, there is a mixture of commercial, office-service and medium to high density residential uses. While this particular property is designated as High Density Residential within the Future Land Use Map of the City's Master Plan, the property is also within a commercial node and alongside a high traffic and high speed automotive corridor.

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

No. The zoning amendment will continue a pattern of zoning that is consistent with the general pattern of development in the area and in a manner that would not be considered exclusionary. The specific zoning request has been fashioned as an introduction of the RC zoning district which is a consistent zoning district within the commercial corridor between the railroad crossing to the west and the vehicle interchange at U.S. 10 to the east.

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

No. The proposed amendment is not grounds for an inappropriate precedent as the proposal is aligned with many desires and objectives contained within the City's Master Plan.

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

Primarily, yes. Surrounding lands exhibit a pattern of mixed use and mixed zoning. The surrounding properties are zoned RB Multiple Family Residential to the north, west and east, and CC Community Commercial and AG Agricultural to the south.

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

Primarily, yes. The current Master Plan, most recently updated in 2018 established the subject site and the immediate lands surrounding as a transitional area between commercial and industrial uses. Future zoning of this area is envisioned to be a mix of commercial and industrial.

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

Yes, the subject parcel meets all requirements of the RC Regional Commercial zoning district.

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

Yes. As mentioned above, the trends in land development in the general vicinity have been moving away from agricultural and sparse residential towards a mixture of commercial, high-tech industrial, light industrial, and office uses. These changes have taken place over the last few decades and have been encouraged to continue through other recent rezoning approvals and updates to the City Master Plan.

**ADDITIONAL STAFF COMMENTS**

No written comments have been received at this time.

**STAFF RECOMMENDATION**

Per the staff comments above, this application does not satisfy every one of the criteria that are to be considered during a zoning petition. That said, a positive response to every criteria is not necessary. With that in mind, and considering the totality of the criteria, staff recommends approval of the rezoning petition for the following reasons:

- RC Regional Commercial zoning district is a reasonable application of a zoning district that is envisioned by the Master Plan.
- The Future Land Use Map of the Master Plan establishes this area as a transitional zone between commercial and industrial land uses.
- The proposed zoning district is considered appropriate given current and anticipated future development patterns in the area.
- The proposed zoning district is appropriate considering the adjacent high traffic, high speed, and increasingly commercial nature of the Bay City Road corridor.

**PLANNING COMMISSION ACTION**

Staff currently anticipates that the Planning Commission will hold a public hearing on this request during its regular meeting on August 25, 2020 and will formulate a recommendation to City Council thereafter. If recommended to City Council the same evening, we anticipate that on September 14, 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 October 5, 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.

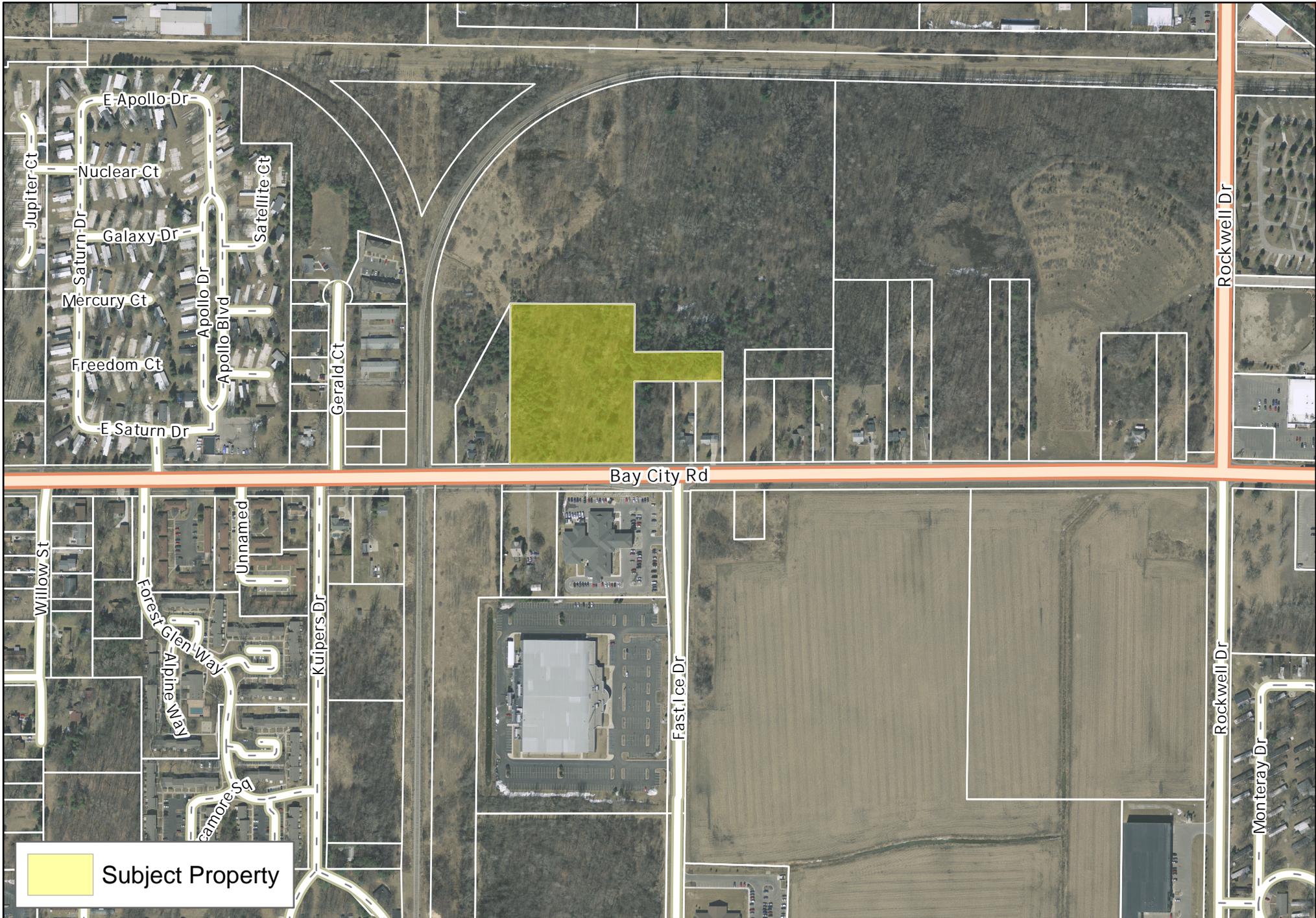
Respectfully Submitted,

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

Grant Murschel  
Director of Planning & Community Development

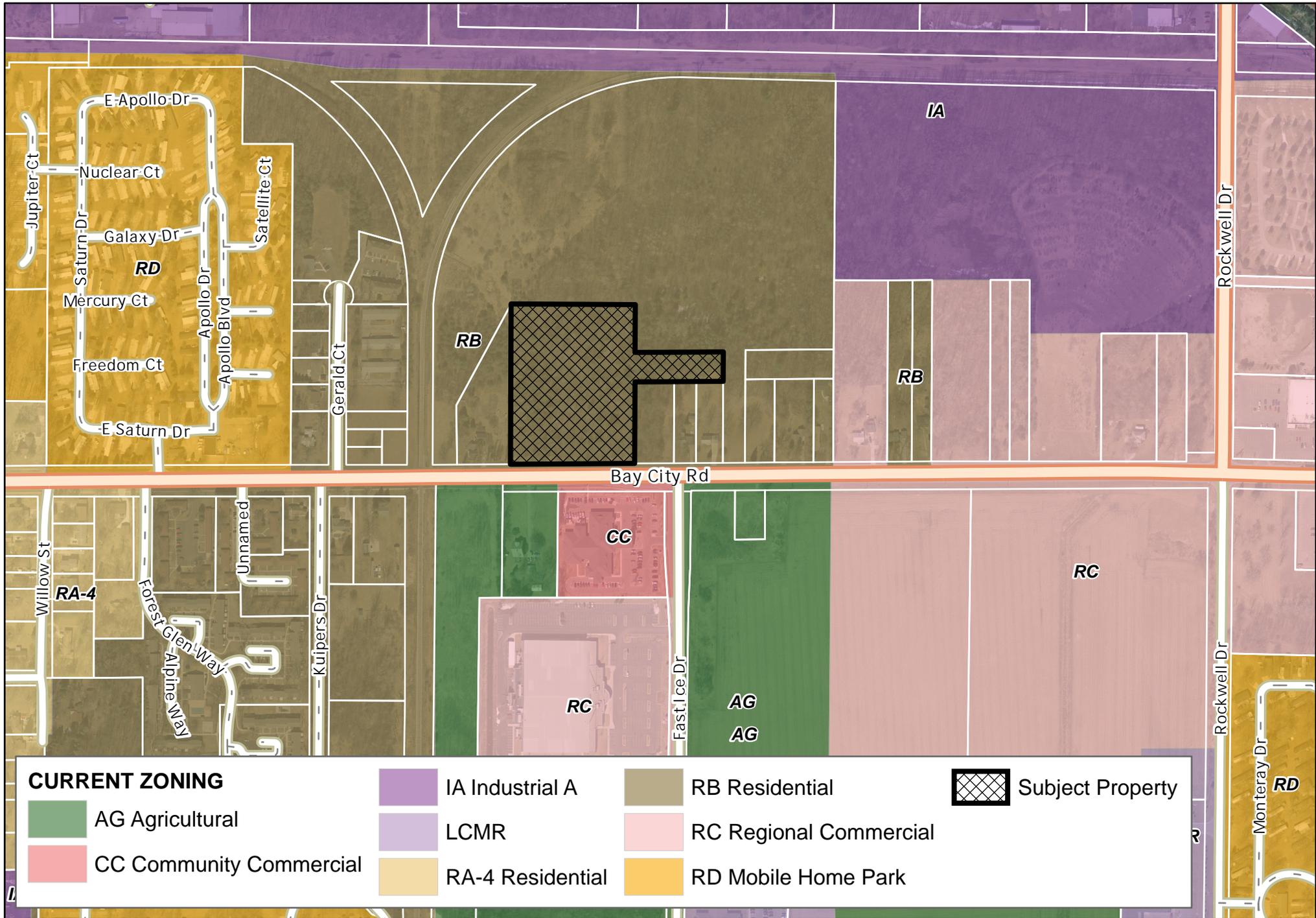
# ZP # 632 | 4203 Bay City Road

> RB Multiple Family Residential B to RC Regional Commercial



# ZP # 632 | 4203 Bay City Road

> RB Multiple Family Residential B to RC Regional Commercial



# ZP # 632 | 4203 Bay City Road

> RB Multiple Family Residential B to RC Regional Commercial

