

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
September 27, 2010**

APPROVED

**5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.**

PRESENT: Chair Reicosky, Vice-Chair Deits, Commissioners Beyea, Goodale, Goldsberry (7:04 P.M.), Honicky, Jackson, Jorkasky, Wilcox
ABSENT: None
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Chair Reicosky called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Wilcox moved to approve the agenda. Seconded by Commissioner Honicky.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

Commissioner Honicky moved to approve the Work Session Minutes of September 20, 2010. Seconded by Commissioner Wilcox.

VOICE VOTE: Motion carried 8-0.

Commissioner Honicky moved to approve the Regular Meeting Minutes of September 20, 2010. Seconded by Commissioner Wilcox.

VOICE VOTE: Motion carried unanimously.

4. Public Remarks

Chair Reicosky opened and closed the floor for public remarks.

5. Communications

- A. Mr. & Mrs. Harold Nyquist, 2934 Mount Hope Road, Apt. 110, Okemos; RE: Opposition to SUP #10121 (DTN) & MUPUD #10014 (DTN)
- B. Norma E. Ray, 2934 Mt. Hope, Apt. 111, Okemos; RE: Opposition to SUP #10121 (DTN) & MUPUD #10014 (DTN)

6. Public hearings

- A. Mixed Use Planned Unit Development #10014 (DTN), a request to develop a MUPUD consisting of 41 multiple family units and an approximate 9,500 square foot office building on approximately 4.47 net acres addressed as 2946 Mt. Hope Rd, 2950 Mt. Hope Rd. and 4528 Hagadorn Road and
- B. Special Use Permit #10121 (DTN), a request to develop a group of buildings more than 25,000 square feet in area associated with MUPUD #10014

Chair Reicosky opened the concurrent public hearings at 7:06 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)

- Summary of subject matter
Principal Planner Oranchak summarized the mixed use planned unit development and special use permit requests as outlined in staff memoranda dated September 23, 2010.

- Applicant
Allen Russell, 1690 Mack Avenue, Haslett, representative for DTN Management Company, spoke to the purpose and intent of the MUPUD as it applies to this proposed development. He stated it is redevelopment of a former medical site for mixed use. Mr. Russell noted this is an estimated \$6 million project. He stated it is DTN's intent to heavily landscape and noted the pervious/impervious ratio is at 60%. Mr. Russell noted the proposed setback on Mt. Hope Road is 59 feet and a setback of 85 feet on Hagadorn Road. He added the setback on Mt. Hope Road is ten feet more than the current setback for the Hamptons of Meridian and the setback for Hagadorn Road is seven (7) feet more than the current setback for the Hamptons.

Mr. Russell indicated that one of the reasons for the breezeway was to make the development inviting so individuals would not need to walk around the building to find the main entrance. He added that DTN manages and has an ownership interest in Berry Tree Apartments to the east and Glenwood Apartments to the north on Hagadorn (formerly Twickingham). Mr. Russell noted the balconies have been placed on the street side away from neighbors and there are no windows on the end of the apartment building facing north or east. He clarified the driveway along the north side is an existing driveway at this time; however, there has been discussion with neighbors regarding moving the driveway further south in line with a straight exit drive.

Mr. Russell stated a traffic survey was conducted for one week at the Hamptons after the university school year started. He indicated there was an average of ten (10) cars operated by residents which left the site between 6:00 a.m. and 9:00 a.m. Comparatively speaking, Mr. Russell noted there would be 17 departures in the same three hour period by residents within the proposed site. He also addressed the second most contested issue which was noise. He indicated if people look at Berry Tree Apartments, the Hamptons and Glenwood, they would find a quiet residential community with well kept landscaping.

- Public
Laura Cottrell, Chateau Condominiums, 2926 E. Mount Hope, Unit 203, Okemos, offered her tentative support for this development as she believed the issues of traffic and noise have been addressed by the developer. She expressed concern with potential water run-off when the parking surface is in place.

Dawn and Dan McCune, Chateau Condominiums, 2934 Mt. Hope Road, Unit 112, Okemos, spoke in opposition to the proposed mixed use planned unit development (MUPUD), believing the impact of this development would be detrimental to them. She expressed concern with overloading an already overused drainage system. Ms. McCune believed Mount Hope Road has an existing traffic volume challenge and the proposed development would burden the current situation. She also voiced concern with excessive noise from Berry Tree Apartments and believed this development would only add more of the same to their living conditions at Chateau Condominiums.

Mike Peters, 2989 Briarcliff Street, East Lansing, stated he lived next to the proposed drive cut onto Hagadorn Road. He spoke in general support of the proposed project while expressing concern with the setback which is ten (10) feet from his lot line. Mr. Peters indicated his driveway and garage are at an angle on his property and believed it would feel like cars were “driving” into his garage. He indicated he spoke with DTN and if they will increase the setback and ensure an adequate green screen and a solid fence, he and his wife would be supportive of the proposal. Mr. Peters noted he received a variance several years ago to build an eight (8) foot fence along his lot line and requested if the existing fence is torn down and a new fence constructed, it must be substantial and asked that it be maintained at the eight (8) foot level. He stated if his requested changes are implemented, the proposed development is preferable to the current condition of the subject property.

Nancy Debbink, Chateau Condominiums, 2934 Mt. Hope Road, Unit 210, Okemos, stated she lives at the driveway on the west end and requested the trees present on the property be kept to maintain the integrity of Chateau Condominiums. She believed there may not be “enough” green on the property. Ms. Debbink expressed appreciation for the improved plan over the one presented a few years ago.

David Imig, 2990 Briarcliff Street, East Lansing, expressed opposition to the proposed development. He urged the Planning Commission to thoughtfully and strategically approve special use permits, using the Master Plan as a guide. Mr. Imig noted professional office zoning was seen as a buffer to the Briarcliff neighborhood and believed that neighborhood is being extinguished with development surrounding the street.

Mr. Imig noted it can be challenging and difficult to exit his street with the amount of bicycle and vehicular traffic. He believed the intent of special use permits was to have them in different places throughout the township; not to have student housing all in one spot. Mr. Imig questioned if there was a real need for this development given the student housing being constructed within the Lodges of East Lansing. He noted Briarcliff Street floods every time there is a heavy rainfall and urged the Planning Commission to redirect water flow away from Briarcliff.

Matt Fenton, 2961 Briarcliff Street, East Lansing, expressed opposition to the proposed development as it does not follow the Master Plan.

Sidney Fenton, 2961 Briarcliff Street, East Lansing, expressed opposition to the proposed development, noting concern with her privacy. She was also opposed to the increased traffic this development would bring. Ms. Fenton noted concern with continued flooding of her street.

Lauretta Fortune, 2894 Mt. Hope Road, Okemos, expressed concern with density, traffic and noise from the proposed development. She asked for the compelling reason to issue a special use permit instead of retaining the present zoning and hope for future development as professional and office.

- Planning Commission discussion:
Commissioner Honicky noted there are red and silver maple trees 10-12 inches in diameter which he believed would be cut down in order to accommodate the proposed development. He inquired if there was drainage sufficient to take water from the rain gardens and inquired what diameter of storm sewer would be draining the rain gardens if there was so much surface in the proposed development which would not be collecting water.

Commissioner Honicky noted the entire building is student housing with a separate building for office. He expressed concern with the 59 foot setback from Mt. Hope to the balconies. He requested modification of the layout to have sufficient setbacks to allow planted trees to come to full foliage and block the view of the three story building. Commissioner Honicky believed the best method to accomplish this would be to move the set of structures back off of Mt. Hope Road.

Allen Russell responded the only commercial would be the office building on the corner. Mr. Russell gave a history of the setbacks for The Hamptons of Meridian. He indicated the first site plan he presented was a traditional site plan. Mr. Russell stated that, in working with staff, he was informed that part of the core of the design criteria for mixed use was to move the building up; and that interaction with staff was how the buildings ended up where they are presently located. He reiterated that the proposed development is further back from Mt. Hope Road than The Hamptons while acknowledging there may be room to place them further back from Mt. Hope Road and still maintain the integrity of the project. Mr. Russell stated the applicant will look at the south drive, but there comes a point when trade off between parking and setbacks has value in multiple areas.

Mr. Russell deferred to Greg Minshall, Fitzgerald Henne & Associates, Inc., 3125 Sovereign Dr, # D, Lansing, to address the pervious and impervious surfaces and related drainage issues.

Mr. Minshall noted the existing site which had office buildings with commensurate parking is entirely undetained. He explained the flooding problems on this site are also due to the fact the drain handles a significant portion of MSU Farms' water. Mr. Minshall indicated he was told by the Drain Commissioner's Office there is also blockage downstream and the mentioned solution of rerouting the water to the blocked area would only cause back-up onto this site. He indicated the developer has created a layout where there will be less paved area, the islands will function as detention, the buffer on the east side will also serve as detention and rain garden, and create a detention basin in the low area in the northeast corner which may be wet or dry. Mr. Minshall stated the existing drain is a ten-inch tile and believed when the project is completed it will be restricted to less than the maximum capacity of that ten-inch tile.

Mr. Minshall addressed the parking issue by stating it is his experience with DTN properties that adequate parking is sought, but that residents take the bus, car pool, work locally, etc.

Chair Reicosky commented there is a federal standard that any runoff on a given site must be controlled at the same rate post development as pre development.

Commissioner Deits asked the developer for specifics on the berm which is proposed to surround the property on the east and north sides of the property.

Mr. Minshall indicated because the property slopes in that direction, in order to detain some of the water, the berm must be built to meet the existing grade and hold the water back so it can be detained.

Commissioner Deits inquired if the Planning Commission or the Zoning Board of Appeals (ZBA) would grant the waiver for the window areas.

Principal Planner Oranchak responded the window requirement has gone before the ZBA in the past; however, she would research the Capstone development project to see how it was handled for that property. She added the setback waivers are generally included as part of site plan approval during the mixed use planned unit development process.

Commissioner Deits stated the goal of the MUPUD ordinance is to allow flexibility to fit a project on a site which would otherwise be intrusive in the neighborhood or not fit well. Commissioner Deits noted that originally, when half of this property was intended to be rezoned as multi-family residential, the applicant would have been allowed by right to move the buildings to the north side of the property and next to neighbors. The Planning Commission would no longer have had control over that portion of the development.

Commissioner Deits inquired if this property was developed as professional and office (PO), would there be more traffic than the proposed development.

Principal Planner Oranchak responded in the affirmative.

Commissioner Deits pointed to the fact that the proposed development actually reduces the amount of traffic over development as PO.

Commissioner Deits noted the driveway on Hagadorn Road needs to be moved to the south and, in general, there are too many parking places. He added that if those parking spaces are removed, the land could be used for flexibility in design; specifically, it would no longer be necessary to have such small setbacks.

Commissioner Deits expressed concern with the statement in the application which indicated the office building would be constructed within 24 months of the project's approval. He believed the developer was at risk making the statement because if the Planning Commission sets a condition upon that statement and it is not met, the project "goes away." He indicated the amenities are not significant enough. Commissioner Deits stated the design is a significant improvement over the previous plan.

Commissioner Wilcox asked the developer if there was intent to have four (4) unrelated persons live in a unit, instead of the standard of three (3) unrelated individuals.

Mr. Russell responded it was not. He indicated there are 40 three (3) bedroom apartments and one four (4) bedroom apartment. He added they could make the fourth bedroom in the one unit a den.

Commissioner Goldsberry asked the developer to define his phrase, "exceptional greenspace."

Mr. Russell stated he will present documentation in a clearer form to the Planning Commission as he believed the set of drawings given to staff delineated the pervious and impervious surface. Mr. Russell clarified earlier public comment regarding the bus stop by stating it was his intent to move the bus stop to align with the pass through on the site. He indicated DTN would be responsible for the maintenance, upkeep, cost of moving the stop, creating the shelter, etc.

Commissioner Goldsberry noted the staff report contained information which stated the amount of impervious surface was calculated by the applicant to be 60%, not including patios. She asked the applicant to estimate the percentage including the patios.

Mr. Minshall responded the hardscape is included in the computation. He defined “exceptional greenspace” to mean the developer has not maximized building on the site, as is typically done. He noted DTN has “backed off” of maximizing the site to create more greenspace through reconfiguration of the parking, listening to comments and relocating the drive. Mr. Minshall added the additional greenspace also contributes to a solution for the drainage issues.

Commissioner Goldsberry requested the developer reduce parking, create more common areas and provide additional bicycle parking areas.

Mr. Russell confirmed the variance request for the 50% window coverage on the street façade for the residential portion of the Capstone project did come before the ZBA.

Chair Reicosky commended the developer for considering placement of the buildings in relation to the surrounding neighbors. He expressed concern whether the project actually qualifies as a MUPUD as the office portion is in a separate building from the apartments.

Commissioner Deits noted two areas in the township currently fit the same scenario; Capstone Development and the project on the corner of Okemos and Hamilton Roads.

Chair Reicosky suggested reduction in the parking on the west side and additional landscaping for the vast number of cars which travel past the intersection of Mt. Hope and Hagadorn Roads on a yearly basis. He spoke to the need for sound barrier fencing near the northwest corner to alleviate noise from waste disposal pickup. Chair Reicosky believed there was opportunity as the development moves forward to “get a bigger bang for the buck.” He recommended the Engineering Department, Michigan State University, the Ingham County Drain Commissioner and the developer meet to find a permanent solution to the total drainage problem in that area. He expressed concern with the right turn on red at the intersection. Chair Reicosky also requested an adequate green barrier to ensure privacy of the apartments.

Commissioner Beyea stated one key issue of importance is that there are two proposals being brought forward: one for the MUPUD and one for special land use. He indicated the intensity of the proposed use must be examined as it is different from an office use and creates a different set of concerns. Commissioner Beyea believed there are a separate set of conditions on this site which are not present on The Hamptons, mainly the surrounding uses. He requested the site be more integrated so there is greater synergy between the office and residential use, possibly through on-site non motorized pathways.

Commissioner Beyea inquired about the statement in the staff report indicating the front of the apartment building must face Mt. Hope Road.

Principal Planner Oranchak responded it was staff interpretation of the MUPUD standards.

Mr. Russell noted the genesis of the pass through was to invite the public onto the site. He noted as plans were constructed, moving the buildings forward and parking placement on the other side allowed people to enter through parking lots. He also spoke to handling of a two phase project and offered language amenable to all parties to ensure the office component moves forward.

Commissioner Deits noted The Hamptons has the back of its buildings facing Mt. Hope Road. He added placement of buildings on the north side of The Hamptons was to minimize encroachment on the railroad right of way.

Commissioner Jorkasky asked if residents would be allowed to grill on the patio area.

Mr. Russell indicated the lease prohibits grilling on the patio and balcony areas. He added DTN has historically provided for public grilling in a location which has a proper surface.

Commissioner Jorkasky stated her appreciation for a written commitment from the developer which ensured the office component would move forward.

Commissioner Goodale expressed concern with the issue of privacy for residents on Briarcliff and suggested an eight foot fence for privacy and noise control on the north and possibly east sides. He inquired of staff if the Township has a noise ordinance.

Principal Planner Oranchak responded it is part of the nuisance ordinance.

Commissioner Goodale suggested inclusion of noise control language in the lease and placement of signs at both the Mt. Hope and Hagadorn Road entrances indicating the noise ordinance will be strictly enforced. He believed additional bicycle parking was essential. Commissioner Goodale suggested the applicant's attorney draft language for Planning Commission approval relative to building of the office component in relation to the apartments.

Commissioner Jackson asked about the building entry doors on the inside of the development.

Mr. Russell stated the entry doors lead to a fully enclosed hallway in which stairs to all three (3) levels are contained. The hallway on each level has an alcove with an apartment door on either side. He noted this plan is very similar to Burcham Place, near Alton Park.

Mr. Russell responded that as you enter through the front door, you enter into the living room and kitchen area and then proceeds all the way through. He added the bedrooms and laundry are off to the sides.

Commissioner Jackson asked what is corresponding to the door on the back side.

Mr. Russell responded it would be the balcony or patio.

Commissioner Goodale inquired as to the location of the entrance to the office building relative to the handicapped parking.

Mr. Russell responded they are adjacent to one another.

Commissioner Goodale noted all of the handicap parking spaces for the apartments were placed in the middle. He inquired if there was no entrance to the north.

Mr. Russell responded that there is, but they are stairwell entries. He added handicap parking is typically placed closest to the handicapped unit and the common services area (located in the center wing core on this site). Mr. Russell noted barrier free compliance is for ground floor units only, located next to the center core.

Commissioner Goodale asked if there are curb cuts to the north and/or the east in the event a handicap individual had to park in the middle section of the apartment complex.

Mr. Russell responded they typically “sprinkle in” two or three additional cuts beyond what is required, often on the end for convenience.

Chair Reicosky spoke to the proposed amenities in relationship to the commercial planned unit development (CPUD) ordinance currently being written. He noted that while the developer has complied with the current ordinance, the amenities requirement in the CPUD will be vastly different.

Mr. Russell clarified he believed the interpretation of the drawing relative to bicycle parking is incorrect but assured Planning Commissioners there will be adequate bicycle parking. He expressed surprise with the statement that too much parking has been provided and indicated they would find a suitable “trade-off” to enhance some of the other areas, specifically buffers and landscaping.

Commissioner Reicosky inquired of staff how residents could follow the information flow regarding this project from the Township.

Principal Planner Oranchak responded this proposal should be back before the Planning Commission at its next meeting on October 11, 2010, dependent upon the applicant providing the requested information. She indicated if the information is received, it would be available in the Department of Community Planning and Development prior to the meeting.

Chair Reicosky closed the public hearings at 9:10 P.M.

7. Unfinished Business

A. Resolution in support of Tri-County Regional Planning Commission’s Greening Mid-Michigan Plan

Planning Commission and staff discussion:

- One Planning Commissioner review of the website is that Greening Mid-Michigan is a comprehensive plan with specifics in regards to ordinances and recommended ordinances, one of which is infill development
- Tri-County Regional Planning Commission (TCRPC) is working with other groups to implement the Greening Mid-Michigan Plan (two-sided poster)
- The Planning Commission can support the plan by offering a resolution and by using it to advance the goals within the plan that are consistent with the goals and policies of Meridian Township
- Toolkit incorporates suggested ordinances
- Greening Mid-Michigan Plan is only a guide that governmental entities may use
- Meridian Township has already implemented many of the suggestions through its Land Preservation Program and our environmental protection ordinances
- Meridian Township is “ahead” of many other communities which may need to have a more thorough toolkit than the township
- There may be elements in the toolkit which Meridian Township has not implemented and that information can be utilized to incorporate into its Master Plan or ordinances
- Meridian Township is not adopting any item in the toolkit through passage of the proposed resolution
- Ramifications of using the toolkit
- Meridian Township is ahead of many communities with its Land Preservation Program
- By having a regional vision, Meridian Township would be in a position to apply for trust fund monies which would aid in the point process

- The regional network helps facilitate connections between communities and their Master Plans
- The resolution endorses the process and the need to connect to a regional plan

Commissioner Beyea moved [and read into the record] NOW, THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN declares its support for the Greening Mid-Michigan Plan and Toolkit. Seconded by Commissioner Goodale.

Planning Commission discussion:

- The resolution supports the Plan and the Plan includes regional cooperation
- By inference, the resolution makes a statement that the Township supports regional cooperation and working with the Tri-County Regional Planning Commission

ROLL CALL VOTE: YEAS: Commissioners Beyea, Deits, Goldsberry, Goodale, Honicky, Jackson, Jorkasky, Wilcox, Chair Reicosky

NAYS: None

Motion carried unanimously.

- B. Zoning Amendment #10050 (Planning Commission), a request to amend sections of Chapter 86 Zoning, Article VII, Signs and Advertising Structures, of the Code of Ordinances to permit signs designating parking spaces reserved for “take-out” patron parking at restaurants in commercial zoning districts

Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated September 23, 2010.

Planning Commission and staff discussion:

- Proposal before the Planning Commission does not address the issue which precipitated the ZBA request to the Board regarding these types of signs
- Passage of the proposed zoning amendment would present enforcement issues as signs of this size (under six (6) square feet) do not require a building permit
- Township attorney clarification needed to determine if there could be a prohibition placed on signs which included the name of a business
- Concern that many of these types of signs are not on posts, but attached to building fronts
- Bigger issue is with the parking regulations in the smaller strip centers which house multiple businesses (usually including a restaurant) and there is a parking space “crunch” during specific times of the day
- Request by staff for Planning Commission clarification and guidance on this complicated topic
- Request for staff who worked on the specific ZBA case to narrowly define what was the specific issue
- Planning Commission representative to the ZBA noted the case addressed the advertising on these signs as it related to the total advertising signage program
- Current sign ordinance requirements regulate free standing and wall signs by site
- Accessory signs include handicap parking signs which are mandated by federal law
- Historically, reserved parking signs were simply installed
- Examples of reserved parking signage: For pregnant women, pharmacy pick-up, senior citizens, employee of the month, etc.
- Take-out parking signs were the catalyst for reviewing how the Township needs to address these type of signs

- Concern with including reserved parking space regulations in the sign ordinance dealing with free standing signs
- Question of the logo was addressed at the ZBA
- Question of the signs themselves was sent to the Board by the ZBA
- Board is attempting to make an accommodation for these type of signs
- Need for the Planning Commission to know what problem is being addressed in order to formulate a response
- Two issues need to be addressed: name recognition/logo type signs and the proliferation of signs
- How the Township adds these types of signs to the zoning ordinance so that they are allowed signs and yet prohibit the business name on the sign
- Listing examples of acceptable terminology (e.g., take-out, prescription pick-up, etc.) for a specific reason would eliminate the business name application
- Simple statement that name recognition/logo type signs are allowed within the Township
- Suggestion for language to state: “Signs smaller than (insert minimum size in the sign ordinance) are permitted, up to five per establishment. Logos shall not constitute more than one-third of the sign size.”
- Suggestion to limit signs to two (2) per establishment without a restriction on their use
- Concern limiting the number of signs to two (2) would make existing businesses non-conforming sites

8. Other Business (None)

9. Township Board, Planning Commission officer, committee chair, and staff comment or reports (None)

10. New applications

- A. Special Use Permit #10131 (Meridian Township), a request to relocate the Haslett branch library into a Haslett Public Schools’ building addressed as 1585 Franklin Street

11. Site plans received (None)

12. Site plans approved (None)

13. Public remarks

Chair Reicosky opened and closed public remarks.

14. Adjournment

Chair Reicosky adjourned the regular meeting at 9:58 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary