# CHARTER TOWNSHIP OF MERIDIAN ZONING BOARD OF APPEALS MEETING AGENDA 5151 MARSH ROAD, OKEMOS, MI 48864-1198 (517) 853-4000 WEDNESDAY, MARCH 9, 2016 6:30 PM TOWN HALL ROOM

- A. CALL MEETING TO ORDER
- B. APPROVAL OF AGENDA
- C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES
  - o Wednesday, February 10, 2016
- D. UNFINISHED BUSINESS
- E. NEW BUSINESS
  - 1. ZBA CASE NO. 16-03-09-1 O'REILLY AUTO PARTS, 233 SOUTH PATTERSON, SPRINGFIELD, MO 65802

DESCRIPTION:

2703 Grand River Avenue

TAX PARCEL:

20-203-012

ZONING DISTRICT:

C-2 (Commercial)

The applicant is requesting a variance from the following section of the Code of Ordinances:

• Section 86-687(4)d., which states a freestanding sign greater than five feet in height shall not exceed 28 square feet in surface display area per side (with three square feet set aside for the street number of the structure).

The applicant is requesting a variance to allow for a freestanding sign with 48 square feet of surface display area, per side, for the O'Reilly Auto Store, to be located at 2703 Grand River Avenue, East Lansing.

- Variance requests may be subject to change or alteration upon review of request during preparation of the staff memorandum. Therefore, Sections of the Code of Ordinances are subject to change. Changes will be noted during public hearing meeting.
- F. OTHER BUSINESS
- G. PUBLIC REMARKS
- H. BOARD MEMBER COMMENTS
- I. ADJOURNMENT
- J. POST SCRIPT NO POST SCRIPT

Information regarding the request may be examined at the Department of Community Planning and Development, 5151 Marsh Road, Okemos, Michigan 48864-1198, between the hours of 8:00 am and 5:00 pm, Monday through Friday. Comments may be made in writing addressed to the Zoning Board of Appeals at 5151 Marsh Road, Okemos, MI 48864 or may be made at the hearing.

BRET DREYFUS, CMMC TOWNSHIP CLERK

#### ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

Persons wishing to address the topic of a scheduled public hearing are encouraged to present their remarks during the public hearing portion of the Zoning Board of Appeals meeting. If you do intend to speak before the Zoning Board of Appeals please sign in at the door. During a public hearing, the following order shall be used:

- 1. Township Staff Review
- 2. Comments by the applicant or applicant's designee(s)
- 3. Comments by other persons
- 4. Applicant rebuttal
- 5. ZBA members discuss the case. If necessary, the applicant may be asked to respond to questions from the ZBA members
- 6. Action by the ZBA

Persons wishing to appeal a decision of the Zoning Board of Appeals shall do so in accordance with Michigan Court Rules of Appeals to Circuit Court MCR 7.101.

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#### **CHARTER TOWNSHIP OF MERIDIAN**

#### **MEMORANDUM**

TO:

Zoning Board of Appeals Members

FROM:

Brandie Yates, Internship Coordinator

DATE:

December 29, 2015

RE:

Tentative 2016 Post Script Schedule

After most meetings, a Zoning Board Member participates in the HOMTV post-meeting interview session known as "Post Script." The following chart shows the tentative schedule for 2016. If you know you will be absent on one or more of your assigned dates, please contact me at 853-4208.

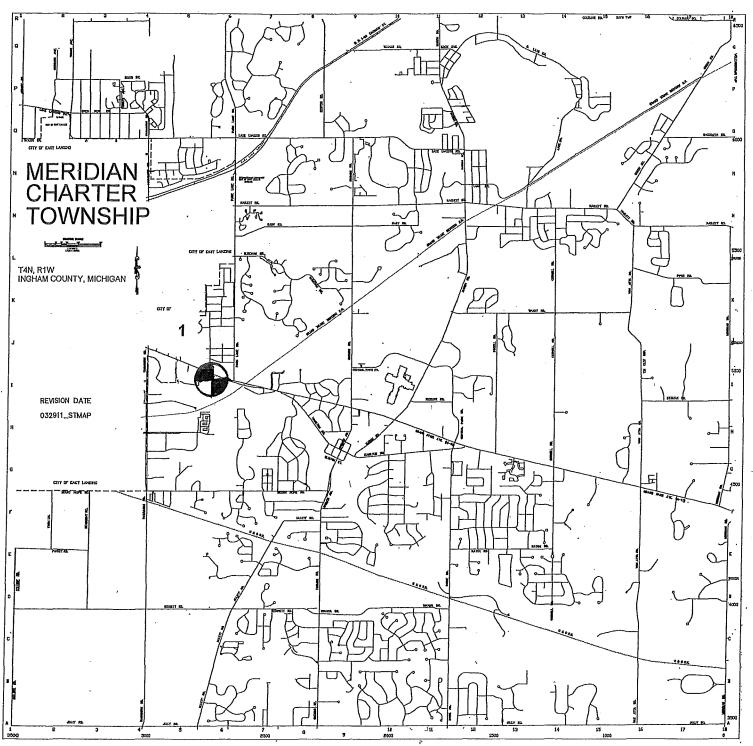
#### **POST SCRIPT SCHEDULE**

Meeting Date	Board Member	
January 13	Brian Beauchine	
January 27	Jim Hershiser	
February 10	Patricia Jackson	
February 24	Elizabeth LeGoff	
March 9	No Post Script	
March 23	Carol Ohlrogge	
April 13	Brian Beauchine	
April 27	Ken Lane	
May 11	No Post Script	
May 25	Patricia Jackson	
June 8	Elizabeth LeGoff	

Meeting Date	Board Member	
June 22	Carol Ohlrogge	
July 13	Brian Beauchine	
July 27	Ken Lane	
August 10	Patricia Jackson	
August 24	No Post Script	
September 14	Elizabeth LeGoff	
September 28	Carol Ohlrogge	
October 12	Brian Beauchine	
October 26	Ken Lane	
November 9	Patricia Jackson	
December 14	Elizabeth LeGoff	

Post Script interviews will not be produced during MSU breaks as noted on the schedule.

cc: Martha Wyatt, Associate Planner



**LOCATION MAP** 

1. ZBA CASE NO. 16-03-09-1

#### VARIANCE APPLICATION SUPPLEMENT

#### A variance will be granted, if the following Review Criteria are met:

- 1. Unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district.
- 2. These special circumstances are not self-created.
- 3. Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.
- 4. The alleged practical difficulties, which will result from a failure to grant the variance, would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
- 5. Granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.
- 6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
- 7. The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.
- 8. Granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance.

#### **Effect of Variance Approval:**

- 1. Granting a variance shall authorize only the purpose for which it was granted.
- 2. The effective date of a variance shall be the date of the Zoning Board of Appeals approves such variance.
- 3. A building permit must be applied for within 24 months of the date of the approval of the variance, and a Certificate of occupancy must be issued within 18 months of the date the building permit was issued, otherwise the variance shall be null and void.

#### Reapplication:

1. No application for a variance, which has been denied wholly or in part by the Zoning Board of appeals, shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions found by the Zoning Board of Appeals to be sufficient to justify consideration.

#### MEMORANDUM

TO:

Zoning Board of Appeals

FROM:

Associate Planner/Landscape Architect

DATE:

March 4, 2016

RE:

ZBA Case No. 16-03-09-1

**ZBA CASE NO.:** 

16-03-09-1 O'REILLY AUTO PARTS, 233 SOUTH PATTERSON,

SPRINGFIELD, MO 65802

**DESCRIPTION:** 

2703 Grand River Avenue

TAX PARCEL:

20-203-012

**ZONING DISTRICT:** C-2 (Commercial)

The applicant is requesting a variance from the following section of the Code of Ordinances:

Section 86-687(4)d., which states a freestanding sign greater than five feet in height shall not exceed 28 square feet in surface display area per side.

The applicant is proposing to redevelop the property at 2703 Grand River Avenue by razing the existing building (Paul Revere's Bar) and constructing an approximate 7,600 square foot O'Reilly Auto Parts store. The project received site plan review approval under Site Plan Review #15-06 on July 13, 2015, subject to revised plans being submitted to address several site issues. Revised plans have not been submitted for a formal review by staff. The plan provided by the applicant for this variance request has not been approved by the Director of Community Planning and Development. The applicant has been informed as such and has decided to proceed with only the sign variance request.

The proposed freestanding sign is shown on the west side of the entrance drive off Grand River Avenue. The sign meets the required 10 foot setback from the street right-of-way of Grand River Avenue, and is outside of the sight triangle. The 16-foot tall pole sign has a cabinet that measures four feet in height and 12 feet in width, for a total size of 48 square feet of surface display area per side. Per Section 86-687(4)d. a freestanding sign taller than five feet in height shall not exceed 28 square feet in surface display area.

Section 86-687(4)f. requires three square feet of the freestanding sign to accommodate the street number of the structure (business), thus the allowed surface display area for the business name portion of the freestanding sign is 25 square feet. The proposed sign does not include a street address.

Although the applicant has submitted building elevations showing wall signs with the application, the wall signs will be reviewed when the final set of revised drawings is submitted. As a result staff has not reviewed the proposed wall signs for compliance.

ZBA Case No. 16-03-09-1 March 4, 2016 Page 2

The applicant is requesting to construct a freestanding sign that exceeds the maximum allowed size of surface display are. The request is summarized below.

	ALLOWED	PROPOSED	VARIANCE
	SIZE (sq. ft.)	SIZE (sq. ft.)	REQUEST
Freestanding sign	25 sq. ft.	48 sq. ft.	23 sq. ft.

A street address will be required to be included on the freestanding sign as part of the building permit for the sign.

#### **Site History**

• The proposed redevelopment project for the construction of an approximate 7,600 O'Reilly Auto Parts store was approved on July 13, 2015 under Site Plan Review #15-06.

#### **Attachments**

- 1. Application
- 2. Site Location Map
- 3. Approval letter dated July 13, 2015 for Site Plan Review #15-06
- 4. Sign Package from Applicant
- 5. Site Plan

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#### CHARTER TOWNSHIP OF MERIDIAN PLANNING DIVISION 5151 MARSH ROAD, OKEMOS, MI 48864 (517) 853-4560

#### **VARIANCE APPLICATION**

A.	Address of Applicant 233 South 1		eld MO 65802	· · · · · · · · · · · · · · · · · · ·
		nail address: asolinger	@oreillyauto.c	
В.	Interest in property (circle one):  Site address/location 2703 E Gran	Owner Tenant	lansing, MI	Other
C.	Zoning district C-2  Nature of request (Please check all to Request for variance(s)		-02-02-20-203-0	
•	Request for interpretation of Ordinances Review an order, requirement charged with interpreting or extra Code of Ordinances	ts, decision, or a detern	nination of a Towns	hip official.
Zoning	Ordinance section(s) 86-687 (4)	(D)	•	
D.	Required Supporting Material -Property survey — -Legal description — -Proof of property ownership or approval letter from owner — -Site plan to scale	Supporting Material if A -Architectural s -Other	ketches FEB	0 9 2016 0 10 10 10 10 10 10 10 10 10 10 10 10 10
	-Written statement, which demonstrate next page)	es now all the review cri	teria will be met (Se	) sė
Saw	Ma Wilkinson Sai	inda Wilkinson	1/30/16	<u>.</u>
Signati Fee: _	to of Abblicatif	Received by/Date: ${rac{{{\mathcal{N}}_{\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!\!$	laithe KWY	att 2/9/16
Bo ex ati ind	we) hereby grant permission for memoral of Appeals, Township staff memorals the right to enter onto the abstached information) in my (our) abstached information) in the taking and will not affect any	embers and the Town love described property ence for the purposes d the use of photograph:	ship s representation of as described of gathering information of gathering information.	res or in the nation
_ <i>/_/_/_</i> Signat	www. Wilkinson  iure of Applicant(s)	Date //	30/16	·
Signat	ure of Applicant(s)	Date		

January 12, 2016

Charter Township of Meridian 5151 Marsh Road Okemos, MI 48864

Re: Sign Variance Application

Honorable Board Members;

O'Reilly Auto Parts respectfully petitions the Honorable Board for a variance from the Town Ordinance Sign Regulations to allow our 4'x 12'double faced internally illuminated freestanding pole sign at 16 feet for our new location at 2703 E Grand River Ave in East Lansing, MI.

The current ordinance allows for one freestanding sign per site, no taller than 16 feet with 25 square feet surface display area.

Due to the location of this site and the mature landscaping off Grand River Ave, it will be very difficult to see a 25 square foot pole sign. A 48 square feet freestanding pole sign is needed to gain visibility of motorist to the entrance of our property. By allowing placement of our freestanding pole sign it will also increase visibility from the main road. Granting this request is within the spirit of the ordinance to provide a positive business atmosphere which permits businesses to safely and effectively communicate with the public.

The ability to establish the identity of our store location is an important mechanism for attracting new customers and providing wayfinding for returning patrons, directly relating to and greatly determining our success. The requested signs fit with the area business aesthetics both in size and presentation.

O'Reilly Auto Parts store employs an average of 10 permanent employees who contribute in notable manner to their surrounding community in both taxes and community involvement. O'Reilly Auto Parts looks forward to becoming a contributing member of Meridian Township's business community.

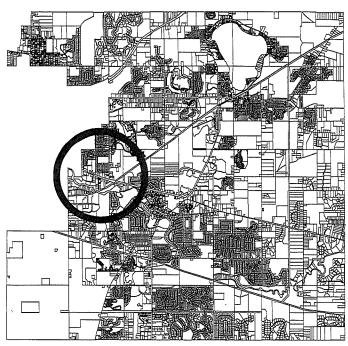
O'Reilly Auto Parts sincerely appreciates the Honorable Boards review and favorable consideration of this request.

Respectfully submitted,

Daundia Welkensen

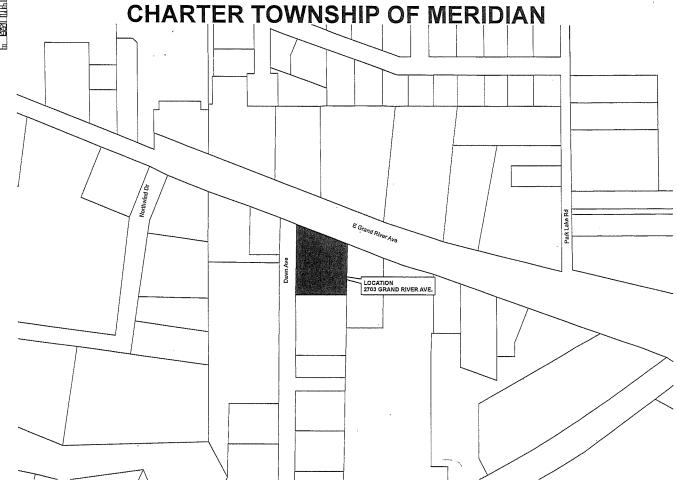
Saundra Wilkinson

Store Real Estate



## ZONING BOARD OF APPEALS (O'REILLY AUTO PARTS)

REQUEST TO ALLOW A
FREESTANDING SIGN TO
EXCEED MAXIMUM
ALLOWED SIZE OF 25 SQ. FT.
AT 2703 GRAND RIVER AVE.
(O'REILLY AUTO PARTS STORE)





### CHARTER TOWNSHIP OF MERIDIAN

Elizabeth Ann LeGoff Brett Dreyfus Julie Brixie Frank L. Walsh Supervisor Clerk Treasurer Manager



Milton L. Scales Ronald J. Styka John Veenstra Angela Wilson Trustee Trustee Trustee Trustee

July 13, 2015

Evan Neal Buddy D. Webb 3057 E. Cairo Springfield, MO 65803

RE: Site Plan Review #15-06 (Evan Neal) 2703 Grand River Avenue

Dear Mr. Neal:

Staff has reviewed the submitted site plans for the proposed redevelopment project at 2703 Grand River Avenue. The request is to raze the existing building and construct an approximate 7,600 square foot O'Reilly Auto Parts store. Site plan review approval is hereby granted subject to the following conditions:

- 1. Approval is granted in accordance with the site and landscape plans prepared by Buddy D. Webb, dated April 13, 2105 subject to the following conditions:
  - a. Sheet T1 shall be revised to list the correct parking calculations based on Section 86-755.
  - b. The site data chart on Sheet SV1 shall be revised to list the following:
    - o Maximum allowed and the proposed impervious surface coverage of the site
    - o Parking calculations (required and proposed number of parking spaces)
    - Required and proposed building setback on Dawn Avenue (25 feet from right-of-way)
  - c. Existing and proposed utilities and utility easements shall be shown on all sheets.
  - d. Tree protection fencing shall be installed around all trees to be preserved, to the dripline of the tree, per Section 22-179. The protective fencing shall be shown on all sheets.
  - e. A separate plan shall be submitted showing areas counted as pervious and impervious, using the guidelines in Section 86-402(17). The square footage of each pervious area shall be listed on the plan. Only 50% of a detention area is counted as pervious and parking islands that are a minimum 20 feet by 20 feet in area.
  - f. Two bicycle racks are required and shall be shown on the plans.



- g. Landscape requirements shall be listed on Sheet L1, based on the standards in Section 86-473; Section 86-756(11); Section 86-756(14); and Section 86-758.
- h. The four proposed Golden Rain trees shall be located in a linear configuration along the frontage of the site in order to count as street trees.
- i. All lawn areas shall be labeled.
- j. All landscaped areas shall be planted with a minimum 50% coverage of plant material. The parking island located north and west of the building does not meet this standard.
- k. Seven interior canopy trees are required for the parking area and five trees are proposed.
- 2. The following items shall be revised to meet the required standards of the code of Ordinances or the applicant shall apply for receive variances from the Zoning Board of Appeals:
  - a. The required number of parking spaces is 38 (minimum) to 42 (maximum) and 31 parking spaces are proposed (Section 86-755).
  - b. The required setback for a driveway at the property line is 20 feet (Section 86-402(5)g.) and the proposed setback is 16 feet for the entrance driveway off of Grand River Avenue.
  - c. The parking area is required to be screened on all sides with a minimum three foot high vegetation screen where a parking area or its associated internal access drive adjoins a public street (Section 86-756(11)), or where a parking area and its associated internal access drive adjoins the same nonresidential district (Section 86-756(14)). Several areas do not meet this standard.
  - d. A 20 foot wide landscaped area is required for a parking area as measured from the street right-of-way to the back of the curb of the parking area (Section 86-756(11)). The proposed landscaped area along Dawn Avenue does not meet this setback, as the proposed width is 8 feet at its closest point.
  - e. The subject site is located on two streets and has two front yards. The proposed dumpster enclosure is considered an accessory building which is not permitted in the front yard (Section 86-565(1)). Also, the required setback for a dumpster enclosure is the same as the required setback for a parking area is which is 15 feet, where adjacent to the same or nonresidential zoning district (Section 86-756(14)). The proposed setback for the dumpster is 5 feet along the south property line.
  - f. One loading/unloading space is required (12 feet by 25 feet) per Section 86-721(b) and is not provided on the plans.
  - g. The plans shall be revised to show a future access drive connection to the adjacent property east of the subject site.

- h. The plans shall be revised to meet the requirements of the Ingham County Road Department regarding the location of the entrance driveway on Dawn Avenue.
- 3. Approval is granted in accordance with the building elevations prepared by Buddy D. Webb, dated April 13, 2105, subject to the following conditions:
  - a. A sample board of building materials shall be submitted for review. The building materials are subject to the approval of the Director of Community Planning and Development.
  - b. All roof mounted HVAC units shall be properly screened on all sides. The building elevations show four roof-mounted HVAC units. The screening devices shall be shown on the building elevations.
  - c. The building elevations shall be labeled (east, west, north, and south).
  - d. Masonry products shall be used along the base of the building in place of the E.F.I.S. on the front (north) façade.
- 4. Approval is granted in accordance with the photometric plan and light fixtures as shown on the plan prepared by SGE, dated April 13, 2015, subject to the following required revision:
  - a. A scaled elevation drawing of the proposed light pole and base shall be provided on the photometric plan. The maximum total height of the base, pole, and light fixture is 30 feet.
- 5. All new utility service distribution lines shall be underground.
- 6. All mechanical, heating, ventilation, air conditioning, and similar systems shall be screened from view by an opaque structure or landscape material (if at street level) selected to compliment the building. Such screening is subject to approval by the Director of Community Planning and Development.
- 7. The applicant shall secure all necessary approvals from the Township Fire Department.
- 8. Utility and soil erosion and sedimentation control plans are subject to the approval of the Director of Public Works and Engineering.
- 9. There shall be no relocation of water mains, sanitary sewers, or fire hydrants unless approved by the Director of Community Planning and Development.
- 10. Prior to the issuance of any grading or building permit(s) for the proposed project, the applicant shall submit the following items to the Department of Community Planning and Development:
  - a. Revised plans as outlined in Condition #1, #2, #3, and #4 of this letter.

- b. The applicant shall receive all applicable variances from the Zoning Board of Appeals.
- c. Copies of all necessary approvals and permits from the Michigan Department of Transportation, Ingham County Road Department, Ingham County Drain Commissioner's office, and the Township Department of Public Works and Engineering, as applicable.
- 11. Prior to construction, the applicant shall schedule a meeting with the necessary agencies to establish a construction program.
- 12. Prior to the commencement of any grading, construction or land clearing activities, protective fencing shall be installed around all vegetation to be preserved to at least the drip line. The property owner shall schedule an on-site meeting with the Township staff to verify the protective fencing. Any and all plant material that dies from moving, relocation or as a result of construction activities shall be replaced with a similar type and size of plant species, subject to the approval of the Director of Community Planning and Development.
- 13. All guy wires installed on deciduous or conifer trees shall be removed by the property owner one (1) year after installation of the trees.
- 14. Once the proposed landscaping is installed per the approved plans, it is the on-going responsibility of the property owner to properly maintain the landscaped areas and plant material. All dead, diseased or, missing vegetation shall be replaced within 30 days or as soon as weather allows.
- 15. Site plan approval does not include approval of any wall, free-standing, or other site signs. Separate approvals and permits are required for any sign.
- 16. Upon completion of the landscape installation, as-built landscape plans, that exist in a computer format, shall be submitted to the Director of Community Planning and Development for review and approval. The as-built landscape plan shall be submitted prior to the issuance of a Certificate of Occupancy.
- 17. The approved site, landscape, and photometric plans, and building elevations shall be the official plans for the construction of the proposed building. It is the responsibility of the owner to provide a set of approved plans to the appropriate construction companies for said project. Copies of the signed and approved plans are enclosed for your files. Revisions, if necessary, to the approved site, landscape, or photometric plans or the building elevations shall be subject to the approval of the Director of Community Planning and Development.

Decisions by staff, regarding the site plan review approval, may be appealed to the Zoning Board of Appeals. Such an appeal would have to be made within ten (10) days of the date of staff action and must be in accordance with Section 86-186 of the Township Code of Ordinances. Consequently, your site plan review approval will not become valid until July 23, 2015. A building permit must be approved within 24 months of the effective date of the site plan, otherwise the site plan approval shall be void.

Evan Neal July 13, 2015 Page 5

If you have any questions, please contact me at 517-853-4580.

Sincerely,

Martha K. Wyatt

Associate Planner/Landscape Architect

Approved:

Mark Kieselbach

Director of Community Planning and Development

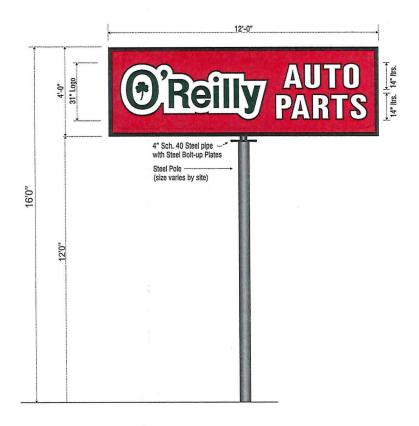
#### **Enclosures**

CC:

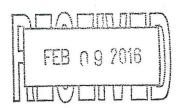
Molly Robb, Anderson Engineering, Inc. John Heckaman, Chief Building Inspector

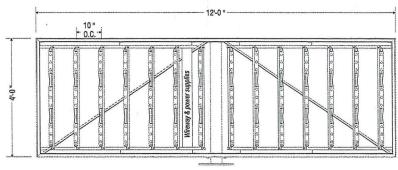
Younes Ishraidi, Chief Engineer Tavis Millerov, Fire Inspector

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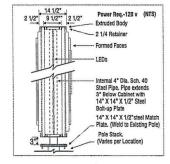
1 Pole Sign Scale: 3/8" = 1'-0"

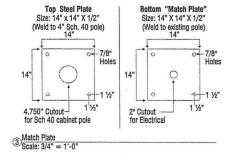




2 Layout Scale: 1/2" = 1'-0"

- 14-1/2" deep extruded cabinet with support structure and 2 1/4" retainers.
- (3) Internal 4" Sch. 40 steel pipe with external 14" x 14" x 1/2" steel bolt-up plate(s).
- GE-Tetra PowerStrip DS White LED's. Part #GEWHDSPS6 (7100k) 6 LED's per module (3 LED's per side) on GE-Tetra Mounting Rails. Part #GEDSRL08. Rails on 10" centers. 42 total modules.
- GE-Tetra Power Supplies. Part #GEPS24-180U 24 Volt 90-305VAC 50/60HZ Load capacity: 28 modules per power supply. Total of two (2) per display.
- (9 Fabricated aluminum internal power supply wireway.
- 6 Faces are formed out of lexan with 2" draw. "O'Reilly" graphics are double embossed, "Auto Parts" copy is single embossed with painted graphics on 2nd surface. Graphics to match PMS 200c Red, PMS 342c Green, Black and White.
- Extruded cabinet with 2 1/4" retainers, Internal 4" Sch. 40 steel pipe with external steel bolt-up plate(s).
   Vertical GE (GEWHDSPS6) White DS LED illumination . Paint cabinet to: Gloss Black . Internal pipe/cabinet exposure calculation: C80
- 6 Cabinet to be installed with 14" x 14" x 1/2" bolt-up plate(s). Paint to: Gloss Black







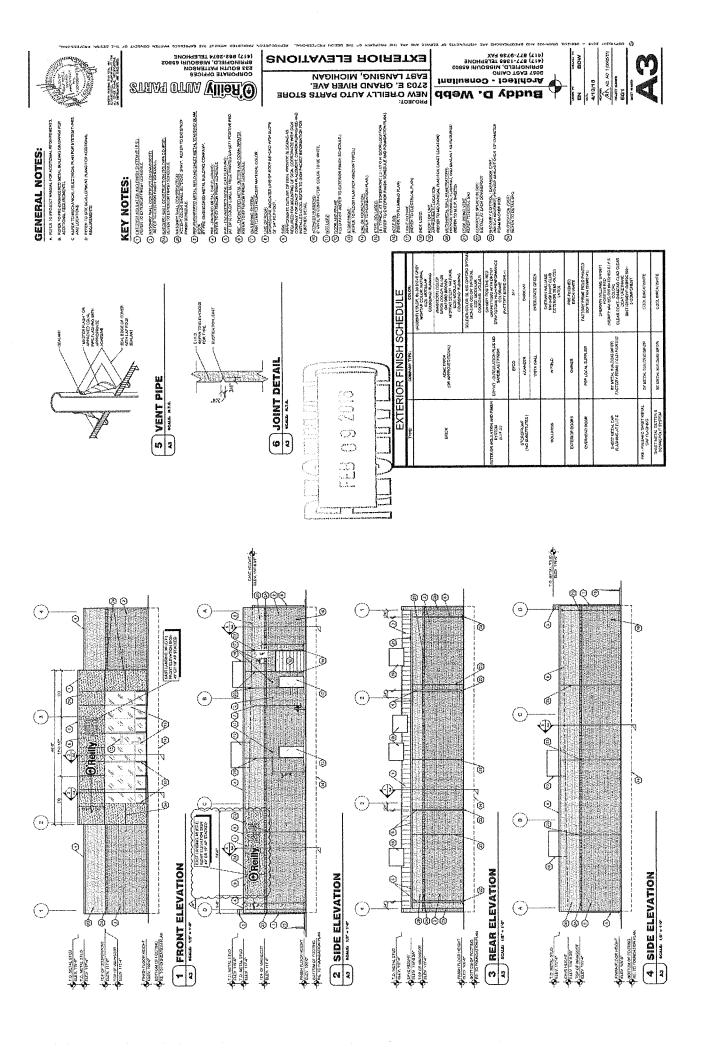
O'Rellly Auto Parts 233 Patterson St. Springfield, MO 65803

This original artwork is protected under Federal Copyright Lows, Make no reproduction of this design concept without permission.

> Property of O'Reilly Automotive Inc.

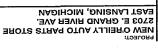
Colors on print may not accurately depict specific colors.

Standard Pole Sign Cabinet 4'-0" x 12'-0" Display 4\_12-SignCabinet-PE-DF 48.00 sq.ft.

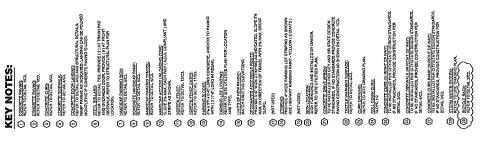


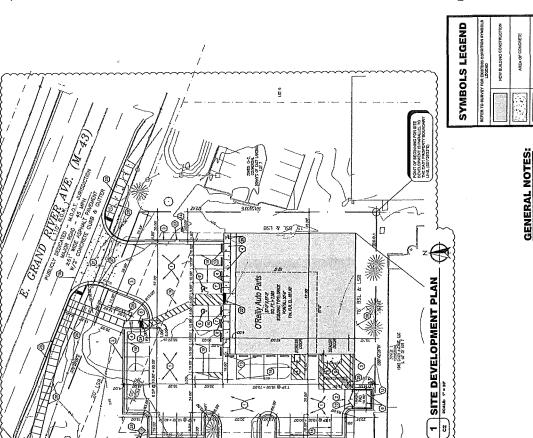












ВОЗИ) МІНОВ НОСТО ПЕВІДИМ ТОМИЗНІР

X

DVINN VAE

T C. GRAND RIVER AVE. TUFFY AUTO REPAIR EX. BUILDING

