

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
April 27, 2015**

APPROVED

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

PRESENT: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Scott-Craig, Tenaglia,
ABSENT: Commissioners Cordill, Van Coevering
STAFF: Principal Planner Oranchak, Associate Planners Martha Wyatt and Rick Brown

1. Call meeting to order

Chair Scott-Craig called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Ianni moved to approve the agenda. Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried 7-0.

3. Approval of Minutes

Commissioner Jackson moved to approve the Regular Meeting Minutes and Work Session Meeting Minutes of April 13, 2015. Seconded by Commissioner Ianni.

VOICE VOTE: Motion carried 7-0.

4. Public Remarks

Chair Scott-Craig opened the floor for public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, on behalf of the Liaison for Inter Neighborhood Cooperation (LINC), requested the Planning Commission deny the request from BBI Holdings LLC and Triestram and Dorener for a decision the same night as the public hearing.

Chair Scott-Craig closed public remarks.

5. Communications

A. Colleen McNamara, 4276 Tacoma Boulevard, Okemos; RE: SUP #15041 (Triestram & Dorner)

Communications distributed at the March 9, 2015 Planning Commission meeting and filed:

A. Kristin Beltzer, 5945 Buttonwood, Haslett; RE: Rezoning #15010 (Forsberg Family LLC)

B. Kris Nicholoff, 2445 Woodlake Circle, Okemos; RE: Rezoning #15010 (Forsberg Family LLC)

C. John Truscott, 920 Nicole Circle, Okemos; RE: Rezoning #15010 (Forsberg Family LLC)

6. Public hearings

A. Special Use Permit #15031 (BBI Holdings LLC), request to establish a child care center at 2172 and 2190 Association Drive with a request for a decision the same night as the public hearing.

Chair Scott-Craig opened the public hearing at 7:03 P.M.

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

- Summary of subject matter
Associate Planner Martha Wyatt summarized the special use permit (SUP) request as outlined in staff memorandum dated April 24, 2015.
- Applicant
Steve Witte, Project Engineer, Nederveld, 217 Grandville Avenue, SW, Suite 302, Grand Rapids, stated the application contains information on Gilden Woods Learning Centers. He offered highlights of the project on the proposed site, noting two entrances off Association Drive will provide an entrance and exit for “short” buses which drop children off in the afternoon. Mr. Witte added the playground east of the building will be used for small groups of children. He stated the traffic study indicated the project will not make conditions worse on Okemos Road. Mr. Witte noted the traffic study indicated a desire for a right-turn taper off Okemos Road onto Association Drive which will be installed if required by the Ingham County Road Department (ICRD).

Mr. Witte explained that due to the nature of the business, it is imperative for the childcare to be open prior to the beginning of school (late August). As such, he was hoping for a decision tonight, the same night as the public hearing.

- Public
Leonard Provencher, 5824 Buena Parkway, Haslett, inquired as to who will be using the facility relative to the traffic making left hand turns from Okemos Road onto Association Drive. He questioned how left hand turns would be handled from Okemos Road onto Association Drive and left hand turns out of Association Drive onto southbound Okemos Road during peak hours.
- Planning Commission and staff discussion:
Commissioner Deits inquired about the uses immediately to the north and northwest of the subject site.

Associate Planner Wyatt responded it was previously Cornerstone Church to the north and East End Condominiums to the northeast.

Commissioner Deits inquired as to who was noticed for this public hearing on the SUP request.

Associate Planner Wyatt responded that any property owner within 500 feet of the property line, which took into account the wetland use permit (WUP) as well.

Commissioner Deits asked if, in addition to the wetland mitigation process, there was a need for detention. He asked if both would be located on the same piece of land.

Associate Planner Wyatt responded there will be linear detention/mitigation and the applicant will be excavating the same amount as fill (approximately 12,000 square feet).

Commissioner Jackson asked if there is a requirement for automatic action by the ICRD/Michigan Department of Transportation (MDOT) after an intersection reaches a level of service (LOS) of F.

Associate Planner Wyatt replied the ICRD will provide a recommendation based on traffic data collected at the time of the request.

Commissioner Jackson asked for clarification on who will make the decision regarding the taper recommended by both traffic consultants.

Associate Planner Wyatt responded she believed it would be the ICRD.

Commissioner Honicky expressed safety concerns with vehicles traveling from Jolly Oak Road (from what he believed was the approved Forsberg project) cutting across Okemos Road to Association Drive to drop off children at the day care. He believed that not all of the contingencies have been thought through on how to navigate these roads, asking how the Township could have the ICRD look at the scenario he laid out.

Associate Planner Wyatt stated she would look into a way to address Commissioner Honicky's scenario with the ICRD.

Commissioner Tenaglia voiced support for the project as it meets the setback requirements and is a good use of the property in the area. She agreed that some of traffic traveling to and from the daycare will already be traveling on Okemos Road. Commissioner Tenaglia expressed hesitancy with "holding up" a project because of what may happen in the future. She stated this project cannot be held up because of the Forsberg project, which has not yet been approved.

Commissioner Ianni concurred with comments made by Commissioner Tenaglia, as the proposed Forsberg project is still in the rezoning phase. He noted it is unclear at this time whether the project will be approved and, if so, the timeline for construction. Commissioner Ianni did not believe a traffic study can be undertaken based on what may possibly happen in the future, but must be based on the present. He stated the traffic study showed the proposed development would not negatively impact traffic.

Commissioner Deits asked the applicant to explain the fencing around the site.

Mr. Witte responded the fencing will be a six (6) foot tall black vinyl coated chain link fence that begins in the northwest corner.

Commissioner Deits asked if it was the applicant's intent for a one way designation at the intersection.

Mr. Witte responded that was not the applicant's intent, but allow the flow of traffic to dictate movement.

Commissioner DeGroff believed it was the Planning Commission's job to take into account future development. He inquired as to how long the applicant has been working on the proposed project.

Mr. Witte responded the process commenced approximately three (3) months ago.

Commissioner DeGroff asked the applicant what steps would be taken over the next two (2) weeks if the Planning Commission granted approval of the SUP this evening.

Mr. Witte replied he would obtain the building permit and break ground once the permits were received.

Commissioner DeGroff inquired as to what it would mean to the applicant if they had to wait another two (2) weeks.

Mr. Witte responded it is his understanding the Township will not review and officially approve the site plan until the special use permit and wetland use permit are issued. He voiced concern that not opening the day care in August to coincide with the start of school will severely affect the business.

Commissioner DeGroff asked if the applicant could not open in August if a decision on the SUP was not made this evening.

Dan Boverhof, BBI Holdings, LLC, 7512 Unwind Drive, Middleville, stated his confusion over Meridian Township's approval process.

Associate Planner Wyatt outlined the steps within the process as follows:

- Approval of the SUP
- Ten (10) day appeal period after the SUP decision
- Published notice 15 days prior to site plan review (SPR) meeting
- Township staff has 30 days to review the SPR
- Ten (10) day appeal period after the SPR decision
- Building permit issuance

Commissioner DeGroff inquired if staff could begin the SPR portion to run concurrently with the SUP portion of the process.

Associate Planner Wyatt responded staff could discuss starting the SPR with the Director of Community Planning and Development.

Commissioner DeGroff noted the applicant is the entity who has the greatest opportunity to plan ahead and give notice. He believed it a good policy to adhere to in which the Township's allows that two-week period for residents to comment.

Commissioner Ianni questioned the benefit of the two (2) week delay, noting affected property owners have been properly notified. He stressed there is a time sensitivity factor for the applicant.

Commissioner Deits questioned what information would be received in the next two weeks which would affect Commissioners' decision on approval of the SUP.

Commissioner DeGroff acknowledged there possibly may be no new information which comes forward, but believed staff could move forward with the process in the interim, and no time would be lost in the approval process.

Commissioner Jackson inquired if the Fire Department had commented on fire truck maneuverability coming out of the parking lot at the edge of the cul-de-sac.

Associate Planner Wyatt responded the department did not offer any comment concerning a fire truck's ability to maneuver. She noted the Fire Department was supportive of the two (2) drives as it allowed two points of ingress and egress in the event of an emergency.

Commissioner Jackson inquired if the parking would have islands and trees.

Associate Planner Wyatt pointed out on the landscape plan the location of the parking islands and where street trees would be planted.

Chair Scott-Craig asked if the location of the six (6) foot tall fence behind the building was just past the five (5) foot sidewalk; in essence, six (6) feet from the building.

Associate Planner Wyatt responded in the affirmative.

Chair Scott-Craig noted the doors to the building open out, and was concerned with a potential safety issue for small children running back and forth in the fenced area.

Mr. Witte added the doors are made of glass so that individuals opening the door would be able to observe children in the fenced area.

Chair Scott-Craig offered a scenario which highlighted a safety concern that if something "happened" in the front of the building and exit was only accessible out the back, occupants could not move far enough away from the building.

Mr. Witte pointed out gates drawn on the plans.

Chair Scott-Craig inquired as to the existing LOS for turns onto Association Drive off Okemos Road. He inquired as to who would be paying for the taper.

Associate Planner Wyatt stated those questions will be answered during subsequent discussions with the ICRD.

Chair Scott-Craig inquired as to the percentage of traffic on Association Drive from this development as it was unclear in the traffic study.

Associate Planner Wyatt explained the existing peak-hour volumes as shown in Figure 4.

Chair Scott-Craig clarified that the majority of the traffic would be generated by this project.

Chair Scott-Craig addressed Planning Commission rationale for waiting two weeks to make a decision on the special use permit request. He inquired as to why staff cannot commence the SPR process prior to SUP approval by the Planning Commission.

Principal Planner Oranchak replied the process used by the Planning Department is to require SUP approval prior to initiating the next phase (published notice for the SPR hearing). She did offer staff could begin its review of the site plan prior to the SPR hearing.

Commissioner Deits believed it appropriate for Planning Commission members to consider extenuating circumstances on a case-by-case basis. He stated there is a clear practical economic reason why the applicant needs to open for business at a specific time and the up to two week delay is significant against that firm deadline. Commissioner Deits reiterated there has been no substantive concerns expressed with the design and the project has “almost no” neighbors who would object. He noted there is no public comment regarding the design of this project, despite being noticed of a possible decision during the meeting this evening.

Chair Scott-Craig closed the public hearing at 8:06 P.M.

- B. Wetland Use Permit #15-01 (BBI Holdings), request to impact regulated wetlands for the construction of a child care center at 2172 and 2190 Association Drive with a request for a decision the same night as the public hearing

Chair Scott-Craig opened the public hearing at 8:06 P.M.

- **Summary of subject matter**
Associate Planner Rick Brown summarized the wetland use permit (WUP) request as outlined in staff memorandum dated April 23, 2015.
- **Applicant**
Steve Witte, Project Engineer, Nederveld, 217 Grandville Avenue, SW, Suite 302, Grand Rapids, spoke to the low quality wetland located in the center of the two (2) lots created when Association Drive was constructed. He indicated the applicant’s wetland consultant has reviewed the wetland and created a new delineation. Mr. Witte stated the Township’s consultant has also reviewed the wetland, noting no problems with the request before the Planning Commission as the wetland is of low quality with primarily invasive species and reed canary grass.

Mr. Witte offered a depiction on the overhead projector of the building outline, the existing wetland to be filled in, the wetland to remain and the mitigation. He stated his intent to sheet flow the storm water from the northwest corner of the parking lot to the wetland in a bioswale for pretreatment. He noted that the roof water will be connected to an existing 12” stormline which flows into Association Drive but offered to have the roof water flow to the north and using another bioswale, thereby feeding the wetland. Mr. Witte stated the wetland is not needed for detention, as there is a large pond/lake at the northeast corner of Association Drive and Okemos Road where all the storm water from the subject site ends up in this pond.
- **Public**
Leonard Provencher, 5824 Buena Parkway, Haslett, voiced opposition to approval of the WUP as more than 50% of the building is “straddling” the wetland. He believed a greater proportion of the water will run down the street as a result of this development. Mr. Provencher voiced concern the lack of planning on the applicant’s part does not require urgent action on the part of the Planning Commission.
- **Planning Commission and staff discussion:**

Commissioner Honicky noted an initial soil boring went down approximately 16 feet before it struck water and the water leveled to eight (8) feet after approximately three (3) hours. He indicated another soil boring of 12 feet before it struck water and the water subsequently leveled to approximately six-seven feet. He voiced concern the applicant will “dig out” the wetland dirt and groundwater will be so close that it will affect the foundation.

Mr. Brown responded the question posed by Commissioner Honicky is best addressed by an engineer; however, when the Township’s wetland consultant reviews WUP requests, she recommends some of the soils from the existing wetland be used in the mitigation area to vegetate and seed the area. He noted there are ways in which to engineer for poor soils.

Mr. Witte showed the lowest part of the site is 885 feet above mean sea level, and the finished floor of the building will be 889 feet above mean sea level, four (4) feet higher than existing grade. He stated the soil borings mentioned earlier were performed in 2008 which showed water at 11 feet and at three (3) feet after boring. From a constructability standpoint, Mr. Witte stated the building will not be lower than the road. He added if there is any soggy material underneath the building, it will be removed and replaced with engineered or clean fill. Mr. Witte reiterated the flow of storm water on the property, adding he has received verbal approval of the storm water plan from Dave Love at the ICRD.

Commissioner Deits addressed the need for monitoring the mitigation wetland for (5) years and inquired about constructing the condition to allow for flexibility.

Chair Scott-Craig inquired about saving a tree line on the northern boundary of the property.

Mr. Witte replied all trees on the northeast would stay.

Chair Scott-Craig suggested the applicant remove all the trees which are no longer living.

Chair Scott-Craig closed the public hearing at 8:24 P.M.

- C. Special Use Permit #15041 (Triestram and Dorner), request to construct a deck in the 100-year floodplain at 4303 Tacoma Boulevard with a request for a decision the same night as the public hearing

Chair Scott-Craig opened the public hearing at 8:24 P.M.

- Summary of subject matter
Associate Planner Rick Brown summarized the SUP request as outlined in staff memorandum dated April 23, 2015.
- Applicant
Holly Triestram and Robert Dorner, 4303 Tacoma Boulevard, Okemos, stated six (6) 4” X 4” posts were removed and they desire to install three (3) posts to support the deck to the second floor. Ms. Triestram indicated the deck does not exceed the depth of the portion of the house that would block the water from removing the deck in the event of a flood.
- Planning Commission and staff discussion:
Commissioner Honicky inquired if the request is to place three 4” X 6” posts in the area.

Commissioner DeGroff indicated the only reason the applicant is before the Planning Commission is because of the location of the deck in the floodplain.

Chair Scott-Craig indicated three post holes would not change much on the property, noting the street drops off considerably from that point.

Associate Planner Brown replied the lot drops 16 feet right at Tacoma Boulevard to the water's edge.

Commissioner DeGroff stated he did not believe any one had an interest in a deck relative to the request to make a decision the same night as the public hearing.

Commissioner Deits added that although this is a minor project and not objectionable, there has been no reason presented to suspend the rules.

Commissioner Ianni believed businesses and homeowners should be held to the same standard in the process. He indicated there is no compelling reason to delay this project for another two (2) weeks.

Commissioner DeGroff clarified the only reason this applicant is before the Planning Commission is due to the deck's location in the floodplain and he failed to see anyone having a concern regarding the subject deck's location.

Chair Scott-Craig inquired of the applicant if the two week delay would have any effect on their ability to carry out the proposed project in a timely manner.

Ms. Trietstram replied two (2) weeks would not make a difference.

Chair Scott-Craig closed the public hearing at 8:35 P.M.

7. Unfinished Business

- A. Special Use Permit #15-83251 (Kroger), request to construct a gas station with a 254 square foot transaction kiosk and 8 fueling stations at 4884 Marsh Rd.

Principal Planner Oranchak summarized the special use permit request as outlined in staff memorandum dated April 23, 2015. She noted Kroger has provided an update on the traffic impact assessment in response to concerns expressed at the last Planning Commission meeting.

Stephen Webster, 37704 Hillstech Drive, Farmington Hills, clarified some of the mislabeled exterior elevations presented at the last meeting.

Commissioner Ianni moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Special Use Permit #15-83251 (Kroger) to construct a gasoline station at 4884 Marsh Rd. subject to the following conditions:

- 1. Approval of the special use permit is in accordance with the site plan prepared by The Project Collaborative received by the Township on February 19, 2015, subject to revisions as required.**

2. **Special Use Permit #15-83251 is subject to all conditions placed on the original special use permit to construct the Meridian Towne Centre shopping center (SUP #83521) and all subsequent amendments.**
3. **A minor amendment to SUP #83251 is required to amend the overall size of the shopping center which will run concurrent with site plan review.**
4. **Final site plan approval is subject to the Director of Community Planning and Development.**
5. **The applicant shall install a row of trees along the west property line, the exact number, size type, and location subject to approval by the Director of Community Planning and Development.**
6. **The applicant shall obtain all other necessary and applicable permits and approvals from the Township Department of Public Works and Engineering, the Michigan Department of Environmental Quality (MDEQ), and all other relevant entities.**
7. **Prior to construction the applicant shall obtain a building permit from the Township for the proposed gasoline station.**

Seconded by Commissioner Honicky.

Planning Commission and applicant discussion:

- Concern with the need for a stop sign immediately south of the Kroger building traveling west along the internal service drive
- Applicant indicated willingness at the last meeting to incorporate any internal traffic signage requested by the Planning Commission at site plan review
- Request is not controversial
- Effect of this development on the intersection of Newman Road and Central Park Drive
- LOS is C at the Newman Road/Central Park Drive
- Applicant obtained direction on the scope of work for the traffic study from the Township and the ICRD

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Chair Scott-Craig

NAYS: None

Motion carried 7-0.

- B. Special Use Permit #15031 (BBI Holdings LLC), request to establish a child care center at 2172 and 2190 Association Drive with a request for a decision the same night as the public hearing

Commissioner Deits moved to suspend Planning Commission Bylaw 6.4a to consider Special Use Permit #15031 the same night as the public hearing. Seconded by Commissioner Tenaglia.

ROLL CALL VOTE: YEAS: Commissioners Deits, Ianni, Tenaglia

NAYS: Commissioners DeGroff, Honicky, Jackson, Chair Scott-Craig

Motion failed 3-4.

- C. Wetland Use Permit #15-01 (BBI Holdings LLC), request to impact regulated wetlands for the construction of a child care center at 2172 and 2190 Association Drive

Commissioner Deits moved to table Wetland Use Permit #15-01. Seconded by Commissioner Jackson.

Planning Commission discussion:

- Process for approving the WUP without the corresponding SUP

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Chair Scott-Craig

NAYS: Commissioner Tenaglia

Motion carried 6-1.

- D. Special Use Permit #15041 (Triestram and Dorner), request to construct a deck in the 100-year floodplain at 4303 Tacoma Boulevard with a request for a decision the same night as the public hearing

Commissioner Jackson moved to suspend Planning Commission Bylaw 6.4a to consider Special Use Permit #15041 the same night as the public hearing. Seconded by Commissioner Ianni.

PC discussion:

- Letter of support from a neighbor
- Work in the floodplain for this deck would not have an impact on surrounding property owners
- Request for suspending the rules has less impact than the previous request
- No compelling reason to suspend the Planning Commission's bylaws for this request

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Ianni, Tenaglia

NAYS: Commissioners Deits, Honicky, Jackson, Chair Scott-Craig

Motion failed 3-4.

8. Other Business

- A. 2015 Planning Commission Meeting Schedule Amendment

Commissioner Deits moved [and read into the record] NOW THEREFORE BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby revises the 2015 meeting schedule by adding a work session meeting on Thursday, May 21, 2015. Seconded by Commissioner Ianni.

ROLL CALL VOTE: YEAS: Commissioners DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Chair Scott-Craig

NAYS: None

Motion carried 7-0.

9. Township Board, Planning Commission officer, committee chair, and staff comment or reports

Commissioner Deits reminded residents of the May 5th Special Election and urged voters to get out and vote.

Chair Scott-Craig announced a meeting to obtain public input on the Master Plan for Thursday, May 21, 2015 at 7:00 P.M. in the Town Hall Room. He noted that both he and Commissioner Jackson attended the April 21, 2015 Board meeting and invited Board members to participate as well.

10. New applications

- A. Mixed Use Planned Unit Development #15014 (Campus Village Development), request to establish a mixed use planned unit development at 2655 Grand River to include the existing multi-tenant commercial building and new construction consisting of 15,040 square feet of commercial space and 222 multiple family dwelling units
- B. Special Use Permit #15051 (Campus Village Development), request for a group of buildings greater than 25,000 square feet (approximately 236,000 square feet) consisting of an existing commercial building (approximately 55,000 square feet) and new construction (approximately 181,000 square feet) at 2655 Grand River
- C. Mixed Use Planned Unit Development Concept Plan at the Executive Office Park site (5020 Northwind Drive)
- D. Planned Residential Development #15-97015 (SP Investments Limited Partnership), request to amend the PRD layout for the unplatted portions of Ember Oaks preliminary plat located north of Jolly Road

11. Site plans received

- A. Site Plan Review #15-04 (MF Okemos), request to construct a retail building with drive-through window at 2049 Grand River Avenue

12. Site plans approved

- A. Site Plan Review #15-02 (Aaron Hanson), request to establish a brewery at 4903 Dawn Avenue

13. Public remarks

Chair Scott-Craig opened public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, indicated there was once a bank located between the entrance to Meridian Mall and Burger King which began crumbling because it was built on a wetland. He added that, relative to Wetland Use Permit #15-01, even the best laid engineering plans can “fail.” Mr. Provencher believed the proposed day care project (Special Use Permit #15031) is being built in the Smith Drain and there is currently a study underway of the Smith Drain for another project. He urged caution in developing this area moving forward.

Chair Scott-Craig closed public remarks.

14. Adjournment

Chair Scott-Craig adjourned the regular meeting at 9:07 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary