

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
July 8, 2013**

APPROVED

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

PRESENT: Commissioners Cordill, Deits, Ianni, Jackson, Norkin, Salehi (7:12 P.M.), Scott-Craig
ABSENT: Commissioners Hildebrandt, Honicky
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

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

2. Approval of agenda

Commissioner Cordill moved to approve the agenda. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 6-0.

3. Approval of Minutes

Commissioner Scott-Craig moved to approve the Regular Meeting Minutes of June 24, 2013 as amended. Seconded by Commissioner Ianni.

VOICE VOTE: Motion carried 6-0.

4. Public Remarks

Chair Jackson opened the floor for public remarks.

Mark Clouse, Eyde Co., 2852 Eyde Parkway, East Lansing, addressed changes to Mixed Use Planned Unit Development (MUPUD) #13014 made by the applicant as the result of Planning Commissioner and Board member comments.

Neil Bowlby, 6020 Beechwood Drive, Haslett, reiterated Board and Planning Commissioner comments made during the concept plan review of MUPUD #13014 (Capstone) and offered history on the various phases. He displayed pictures of standing water near the area relative to drainage concerns and addressed the current retail space available in the area.

Cindy Carson, 4714 Arapaho Trail, Okemos, expressed concern on behalf of her neighbor, Ron Behl, regarding standing water on his property. She indicated he was questioning whether the state had approved the opening of the North Hannah Drain so the flow to travel north into the Red Cedar River. Ms. Carson noted he was questioning if MUPUD #13014 was true mixed use or more high density student housing. She also stated over the last few years the amount of standing water in her back yard at the corner of Arapaho/Sequoia has dramatically increased. Ms. Carson expressed concern with any potential to open the road at the end of Indian Lakes subdivision.

Sharon Dimmer, 4583 Sequoia Trail, Okemos, expressed concern with "opening up" the area and believed property values are going down as a result of increased development in the area. She also spoke to standing water on her property.

Greg Petru, representative for Capstone, 2116 Haslett Road, Haslett, indicated the developer has committed to sidewalk connectivity along Hannah Boulevard from Hagadorn to the proposed

development and five (5) foot sidewalks along Eyde Parkway and Hannah Boulevard for uniformity. He noted the walkway now goes across through the right of way. Mr. Petru stated the proposed north entrance is no longer on the plan and the Fire Department's request for an emergency access has been complied with. He added the impervious surface has been reduced from 84.16% to 80.32%. Mr. Petru indicated agreement has been reached with the Ingham County Department of Transportation and Roads (ICDTR) for signs and sharrows on the road.

Chair Jackson closed public remarks.

5. Communications

- A. Brian Jackson, Coordinator, Lansing Community College East, 2827 Eyde Parkway, East Lansing; RE: Support for MUPUD #13014 and SUP #13081 (Capstone)
- B. Brett Katz, R & D Hannah Plaza, LLC, 3804 Hawthorn Court, Waukegan, Illinois; RE: Support for the Hannah Lofts
- C. E-mail from Mitch Irwin, Marriott Town Suites Hotel; RE: Support for the Hannah Lofts

6. Public hearings

- A. *Zoning Amendment #13030 (Planning Commission), to add adult day care facilities to Section 86-654(c)(6).

Chair Jackson opened the public hearing at 7:31 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 proposed zoning amendment as outlined in staff memoranda dated July 5, 2013.
- Public
Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in support of the proposed zoning amendment as it helps enforce the American value of keeping families together.

Danelle Lofton, 5130 Wexford Road, Lansing, requested the rules be suspended to take action on the proposed zoning amendment this evening. She assured the Planning Commission the proposed day care would operate in a safe Office of Services to the Aging (OSA) standard environment for the aging population and the surrounding community.

Susan Davis, 4772 Arapaho Trail, Okemos, inquired if this zoning amendment would make it easier to have a senior retirement center in Hannah Farms.

- Planning Commission discussion:
Commissioner Ianni reiterated the Planning Commission only has the authority to pass a zoning amendment tonight and cannot grant the special use permit this evening. He noted support for either the broad definition of Grand Blanc Township or the specificity of the Independence Charter Township language. He suggested the last sentence of the adult day care definition from Monterey Township be included if the Planning Commission chooses to use the Independence Charter Township definition.

Commissioner Cordill inquired whether the resolution on the zoning amendment and a working definition of adult day care center were two separate actions.

Chair Jackson clarified that in order to move the proposal forward, it would be necessary to agree upon a definition as part of the ordinance.

Principal Planner Oranchak added the definition would be part of the ordinance the Planning Commission is recommending to the Township Board.

Commissioner Deits asked if the Planning Commission passed an ordinance which included the words adult day care center in the ordinance, but dealt with the definition at a later date, if this issue could move forward.

Principal Planner Oranchak explained if the Planning Commission approves the resolution for this zoning amendment tonight, it would be sent to the Township Board. She noted the Planning Commission could make a recommendation that the Board add a definition of adult day care, but creating a definition later would start the process over again.

Commissioner Deits explained he was uncomfortable creating a definition “ad hoc” this evening, while believing there was enough descriptive characteristic in placing the language “adult day care center” into the resolution. He suggested working on the definition at the next Planning Commission meeting, while moving the request forward in order to approve the special use permit as quickly as possible.

Commissioner Cordill expressed concern with moving forward with the proposed zoning amendment without a definition.

Commissioner Salehi believed the Planning Commission should include a definition of adult day care center. He spoke to the allowance of adult day care centers in the commercial district.

Principal Planner Oranchak noted the Planning Commission could follow Commissioner Deits earlier suggestion as there are additional modifications that need to be made to the commercial districts. She indicated if the Planning Commission wishes to initiate that amendment this evening, it can be placed on an upcoming Planning Commission meeting. Principal Planner Oranchak added the possibility of the Township Board creating a definition of adult day care center when it reviews this request.

Commissioner Ianni reminded fellow Commissioners that approving this zoning amendment is only a recommendation to the Township Board

Commissioner Deits believed dealing with the creation of a definition would “hold up” the special use permit and, at the same time, will not benefit the Township dramatically as adult day care is already in the ordinance without a definition. He voiced support for the earlier comment regarding one possible suggestion by staff.

Commissioner Scott-Craig agreed with Commissioner Deits’ strategy on moving forward.

Chair Jackson noted there is already precedence for having an ordinance with the term “adult day care” in it and believed it a reasonable approach to define the term at a later date.

Commissioner Salehi noted Independence Charter Township’s definition explicitly excludes alcohol or substance abuse rehabilitation centers, residential centers for persons released from or assigned to a correctional facility. He inquired if those types of centers are presently allowed in commercial districts under an adult day care clause.

Principal Planner Oranchak responded they are not listed as types of uses allowed in a commercial district. She believed Independence Charter Township’s definition was based on other sections of the state act that specifically mention those types of uses. Principal Planner Oranchak indicated she will provide more background information at a future meeting where this issue is discussed.

Commissioner Deits noted that the aforementioned definition includes within itself exclusion for any other facilities which do not meet the definition.

Commissioner Norkin responded to earlier public comment by noting his belief that the Bennett Road adult day care center has no relevance to the future senior housing on Hannah Boulevard.

Chair Jackson clarified the question posed was if passing the ordinance makes it easier to provide the kind of facility the ordinance describes in that setting.

Principal Planner Oranchak added the land that is east of the drain is zoned residential and could be added to the list of possible uses allowed in residential districts under Section 86-654 Nonresidential structures and uses.

Commissioner Norkin explained his preference to add adult day care centers in the ordinance in order to make it easier for an applicant to apply within any residential zoning in the Township.

Chair Jackson closed the public hearings at 7:59 P.M.

7. Unfinished Business

Commissioner Ianni moved to suspend Planning Commission Bylaw #6.4a to make a decision regarding Zoning Amendment #13030 the same night as the public hearing. Seconded by Commissioner Norkin.

VOICE VOTE: Motion carried 7-0.

A. *Zoning Amendment #13030 (Planning Commission), to add adult day care facilities to Section 86-654(c)(6).

Commissioner Ianni moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #13030, to amend Section 86-654 of the Code of Ordinances in order to add adult day care centers as a use permitted in any residential zoning district subject to special use permit approval district. Seconded by Commissioner Norkin.

Planning Commission and staff discussion:

- Planning Commission recommendation to the Board on a definition of adult day care centers
- Need for a definition to be in place prior to applications being accepted
- Possibility of adding a statement to the resolution which indicates the Commission's intent to develop a definition
- Staff report could explain the situation
- Staff report for the Board could include the Planning Commission's intent for a definition recommendation

ROLL CALL VOTE: YEAS: Commissioners Cordill, Deits, Ianni, Norkin, Salehi, Scott-Craig, Chair Jackson

NAYS: None

Motion carried 7-0.

Commissioner Deits moved to initiate the process to develop a definition of adult day care centers for incorporation into the Code of Ordinances. Seconded by Commissioner Norkin.

Planning Commission discussion:

- Request for staff to provide a definition for the next Planning Commission meeting
- Concern with this type of service being offered in a private residence
- Preference to use language, in large part, from Monterey Township
- Concern with being overly restrictive on the number of adults to be cared for
- Number of clients which constitute a day care center
- Concern with limiting care to functionally impaired elderly persons
- Minimally invasive adult day care in single family residences
- Include this type of center in buildings permitted in nonresidential districts under the ordinance (e.g., churches, nursing homes, etc.)
- Preference for inclusion of language which complies with adult day care standards promulgated by the Michigan Office of Services to the Aging (OSA)
- Inspections, etc. are performed by OSA if the center received OSA funds
- Adult day care facilities v. elderly adult day care facilities
- Specifying a number of adults could determine a center v. care in a single family home
- Definition should make a distinction these types of facilities not be allowed in residential homes
- Use of the word center for child care is different than day care homes which are in private residences
- Language should not preclude three (3) or four (4) elderly people being cared for in a single family home
- Request for staff to provide additional examples of adult day care definitions

VOICE VOTE: Motion carried 7-0.

- B. Mixed Use Planned Unit Development #13014 (Capstone), request to develop Hannah Lofts, a mixed use planned unit development consisting of 12,824 square feet of retail space and 282 multiple family residential units in four buildings.

Commissioner Ianni moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Mixed Use Planned Unit Development #13014, subject to the following conditions:

1. The recommendation for approval is based on the cover sheet dated received by the Township on July 1, 2013, and site plans, elevations, and materials dated received by the Township on June 4, 2013, June 21, 2013, June 22, 2013 and July 3, 2013, subject to revisions as required.
2. MUPUD #13014 (Capstone) to construct a group of four buildings and a two-story parking structure are contingent on the approval of SUP #13081 (Capstone).
3. The applicant should submit materials such as a site analysis that influenced the design, a complete sign program, and comments from the Ingham County Drain Commissioner and the Ingham County Department of Transportation and Roads.
4. Approval is subject to one or more amenities. The applicant proposes the following amenities as identified on the Amenities Plan: park, street side planters, community center/clubhouse, bicycle racks, pool, fountain/plaza, foot sidewalks connecting to Township sidewalks.
5. The applicant and Eyde Company have indicated they will install “sharrows” with the approval of the Ingham County Department of Transportation and Roads. In support of the recently adopted Complete Streets Ordinance, the Township should commit to financing the maintenance of “sharrows.”
6. The Eyde Company representative offered to install five foot sidewalks along Hannah Boulevard west of Esoteric Way.
7. Unless building elevations are revised, the applicant will be required to receive a variance from the Zoning Board of Appeals for non-compliance with Section 86-440(f)(2)b.2. stating, “Buildings greater than 50 feet in width shall be divided into increments of no more than 50 feet through articulation of the façade.”
8. Masonry products should cover no less than 60 percent of building facades that are either visible from a public street or provide individual entrances to residential units. Other materials, such as vinyl, aluminum or other metal sidings should be avoided.
9. Design and location of site accessories such as railings, benches, trash compactors, trash and recycling receptacles, exterior lighting fixtures for streets and buildings, and bicycle racks should be considered for commercial quality, and being complementary with the building design and style.
10. A plan should be submitted clearly indicating all trees to be preserved on the subject site and consideration should be given to the location and type of street trees and landscaping materials proposed for the site.
11. Buried construction or other materials and debris found on the subject site, and debris resulting from clearing, grading, or construction activities related to the proposed project should be removed from the site and be properly disposed.

Seconded by Commissioner Norkin.

Planning Commission, staff and discussion:

- Belief this phase is market rate housing which will attract several types of people, including students
- Letters of support due to the positive economic impact this project will have on the area
- All current and proposed phases do not represent mixed use
- Need exists for housing for Michigan State University (MSU) students
- Largest piece of development in the community is MSU
- Appreciation to the developers for offering high caliber student housing
- Need for the Township to work with the developers, the Ingham County Department of Transportation and Roads (ICDTR), MSU and the City of East Lansing to fix the problems on Hannah and Hagadorn Roads
- Standing water in the area has existed for many years and this development has very little impact on those unresolved water issues
- Hannah Farms area contributes 3.5% of the stormwater which flows eastward through Indian Lakes Estates into the Red Cedar River
- Approval has been received from the Michigan Department of Environmental Quality (MDEQ) to reopen the direct connection from the Hannah Farm Drain going northward to the Red Cedar River
- After the project to reopen the connection is completed, 80% of the stormwater from the Hannah Farms area will be diverted directly to the north and the remaining 20% will remain in a southeasterly direction, comprising .026% of total overall stormwater contribution in the Herron Creek Drainage District
- Three (3) logjams have been removed and the water level has been reduced two (2) to three (3) feet
- Complete report of the logjam removal and the project to open the Herron Creek Drain to flow directly to the Red Cedar River will be available within two (2) to three (3) weeks
- Standing water in pictures shown this evening has receded since Spring
- Contribution of the Hannah Farms stormwater flow to flooding in the Indian Lakes area will be reduced by 99% once the Herron Creek connection is reopened
- Herron Creek Drain flows from south of the Township under Mount Hope Road through Indian Lakes to the Red Cedar River
- Hannah Farms did not create the water problem in Indian Lakes
- Maintenance of bicycle lanes (restriping) would be the responsibility of the Township
- ICDTR is not amenable to road diets in the Hannah Farms area
- ICDTR compromise is to allow sharrows (painted symbols on the lane which designate shared use by bicycles)
- Development should not be held up because of ICDTR's stance on road diets in the area
- Sharrows on the road are an improvements as the Planning Commission desired to remove the bicycles from traveling on the sidewalk

Commissioner Deits offered the following friendly amendment to condition #5:

- **Insert “and continue efforts to promote connectivity and non-motorized transportation throughout the development.” after “sharrows,”**

The amendment was accepted by the maker and seconder.

Continued Planning Commission discussion:

- Reinforced grass lane is pervious surface
- Impervious surface standards area generally waived for a MUPUD

- “The Big Picture” shows three (3) other parcels which will contribute additional impervious surface
- Planning Commission need to see written responses from Kebs, Inc. letter to the ICDC, ICDTR, the Township and the Meridian Fire Department
- Need for Commissioner’s to see the ICDC management plan as noted in the May 15, 2012 Board meeting
- Concern the Commissioners are not receiving the data necessary to make an informed decision
- Traffic as a result of this development is not being addressed
- Belief the placement of sharrows is not the answer to traffic concerns
- Five (5) foot sidewalks are inadequate and should be increased to seven (7) feet
- Request for an explanation for the color coding for sidewalks on the complete streets map
- Suggestion to make the sidewalks seven (7) feet wide along Esoteric Way
- Lack of data to determine the number of trips which will be generated as a result of this development
- Traffic deficiencies still exist with the right turn lanes going north on Hagadorn and the right turn lanes going west on Hannah Boulevard despite the new traffic light on Hagadorn Road as a result of multiple Capstone phases
- Complete traffic study should be performed once Lodges Phases 1 and 2 are functional and students are back in school
- Preference for upscale dense housing close to campus for students, grad students, and young professors
- Preference for sidewalks to be eight (8) feet to ten (10) feet in width
- Due to the large amount of impervious surface, one acre of open space is not adequate
- Preference for the applicant to provide information on land set aside as guaranteed open space for the total development of Hannah Farms
- Addition of a condition requesting the Township Board consider open space and traffic as part of the overall “big picture” instead of on a phase-by-phase basis
- Traffic problems will affect other businesses in the area
- Appreciation to the applicant for providing the Planning Commission with an overall larger view of Hannah Farms
- Difficulty in reading maps provided in the packet
- Impervious surface at Lodges 1 and 2 exceeds the underlying zoning district
- Lodges 1 and 2 were approximately 60-70% pervious due to the wetlands
- Planters will be placed in the island areas on the top of the parking structure
- Gathering areas, benches and statues around portions of the site
- Agreement by the applicant to change the sidewalk width to seven (7) feet around the Lofts as requested
- Cul de sac will not be opened
- Club house “flex space” should not be considered an amenity
- Amenities are in a fluid state before the Planning Commission, but will be required when this request comes before the Board

Commissioner Deits offered the following friendly amendment:

- **Amend condition #4 by removing the phrase “community center/clubhouse” from the list of amenities**

The amendment was accepted by the maker and seconder.

Continued Planning Commission and staff discussion:

- Proposed specified brick or stone products in condition #8, but the maker changed it to masonry products
- Concern with language in condition #3 which recommends the applicant should submit materials he is supposed to submit in the approval
- Language is recommending that the Board receives the documents listed before they approve the MUPUD

Commissioner Deits offered the following friendly amendment:

- **Amend condition #3 by deleting “The applicant should submit” and inserting “The applicant shall submit, prior to Board consideration”**

The amendment was accepted by the maker and seconder.

Continued Planning Commission discussion:

- Condition #3 requires comments from the ICDC and the ICDTR; no approval is necessary
- Appreciation that the applicant has applied smart growth principles for infill development
- Appreciation for the map showing the “big picture”
- Possibility of “undeveloping” some of the land to the west in the future as part of the “big picture”
- Appreciation for the developer’s responsiveness
- Foot and bicycle pathways are listed as an accessibility amenity in the ordinance
- Connection to Township sidewalks and bicycle pathways is the amenity
- Inclusion of covered bicycle parking

Chair Jackson offered the following friendly amendment:

- **Amend condition #4 by adding at the end of the condition “The sidewalks on Esoteric and Eyde Parkway will be seven (7) feet rather than five (5) foot as shown on the referenced plan.**

The amendment was accepted by the maker and seconder.

Chair Jackson offered the following friendly amendment:

- **Amend condition #8 by deleting “Masonry products” and inserting “Brick, stone or masonry products”**

The amendment was accepted by the maker and seconder.

Continued Planning Commission discussion:

- Ordinance allows clap board or Hardy board which is cement board material
- Proposed amendment would prevent the use of glass, et.c which is allowable in the MUPUD ordinance
- Inquiry if the intent of the condition was to discourage the applicant from using vinyl
- Vinyl is proposed for use on the back of the building facing the parking structure
- Language indicating at least 60 percent of building façade must be comprised of brick or stone
- Unrealistic at this point to expect the developer to provide a different configuration of greenspace for the 81 acre site
- Potential “cut out” for private bus stopping to pick up students and transport them to MSU
- Possible CATA reconsideration of including these phases on one of its routes

- One acre park includes the fountain
- This approval is not the place to address the issues which pertain to the entire 81 acre site
- Recommendations from the Planning staff on how the Planning Commission can communicate with the Township Board on characteristics of the entire MUPUD
- Concern the bigger picture “drops out” when the entire 81 acres are dealt with in an incremental fashion

ROLL CALL VOTE: YEAS: Commissioners Cordill, Deits, Ianni, Norkin, Scott-Craig,
Chair Jackson

NAYS: Commissioner Salehi

Motion carried 6-1.

Without objection, the Chair approved the exception contained in Bylaw 5.14 to allow introduction of agenda items after 10:00 PM.

C. Special Use Permit #13081 (Capstone), request to construct a group of buildings greater than 25,000 square feet in gross floor area.

Commissioner Ianni moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Special Use Permit #13081 (Capstone) to construct four buildings and a parking structure totaling more than 25,000 square feet in gross floor area subject to the following conditions:

1. **Approval of the special use permit is recommended in accordance with the cover sheet prepared by KEBS, Inc. dated received by the Township July 1, 2013, subject to revisions as required.**
2. **Special Use Permit #13081 is subject to approval and all conditions placed on Mixed Use Planned Unit Development #13014 (Capstone) by the Township Board.**

Seconded by Commissioner Scott-Craig.

Planning Commission discussion:

- Setbacks are consistent with the C-2 commercial district
- Opportunity for additional housing within the community that is of a different nature

ROLL CALL VOTE: YEAS: Commissioners Cordill, Deits, Ianni, Norkin, Scott-Craig,
Chair Jackson

NAYS: Commissioner Salehi

Motion carried 6-1.

Commissioner Deits offered the following motion:

- **The Planning Commission recommends that the entire Hannah Farms MUPUD be reviewed with respect to future land use, optional open and public spaces and other design elements (including walkability and transportation) before phases beyond the Hannah Lofts Project are approved.**

Seconded by Commissioner Norkin.

VOICE VOTE: Motion carried 7-0.

8. Other Business (None)

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

Commissioner Norkin inquired about progress of the Planning Commission's request for a joint meeting with the Board to discuss the urban services management area.

Chair Jackson responded she has had discussions with the Township Manager and the Board is considering the possibility of a committee of three (3) Board members, four (4) Planning Commissioners, and counsel to meet and begin the discussion. She requested volunteers to represent the Planning Commission in this closed session. Commissioners Deits, Ianni, Norkin and Chair Jackson volunteered their services.

10. New applications

- A. *Special Use Permit #13091 (ICDTR), work in the floodplain of the Jeffries Drain associated with improvements to Cornell Road

- B. *Wetland Use Permit #13-01 (ICDTR), impacts to regulated wetlands associated with improvements to Cornell Road

11. Site plans received (None)

12. Site plans approved (None)

13. Public remarks

Chair Jackson opened and closed public remarks.

14. Adjournment

Chair Jackson adjourned the regular meeting at 10:40 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary