

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
November 18, 2013**

APPROVED

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

PRESENT: Commissioners Cordill, Hildebrandt, Honicky, Ianni, Jackson, Norkin, Salehi (7:04 P.M.), Scott-Craig

ABSENT: Commissioner Deits

STAFF: Director of Community Planning and Development Mark Kieselbach, Principal Planner Gail Oranchak

1. Call meeting to order

Chair Jackson called the regular meeting to order at 7:02 P.M.

2. Approval of agenda

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

VOICE VOTE: Motion carried 7-0.

3. Approval of Minutes

Commissioner Scott-Craig moved to approve the Work Session Meeting Minutes of October 7, 2013, Regular Meeting Minutes of October 14, 2013 and Regular Meeting Minutes of October 21, 2013. Seconded by Commissioner Cordill.

VOICE VOTE: Motion carried 7-0.

4. Public Remarks

Chair Jackson opened and closed the floor for public remarks.

5. Communications

- A. Kelley Minnehan, 6108 Skyline Drive, East Lansing; RE: SUP 13-77021 (DTN Management)
- B. Ken O'Hara, Secretary, Delhi Charter Township Planning Commission, 2074 Aurelius Road, Holt; RE: Delhi Charter Township Master Plan
- C. Jan Schneider, 3095 Birch Row Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- D. Michael and Karla Hudson, 6009 Skyline Drive, East Lansing; RE: SUP #13-77021(DTN Management)
- E. Robert L. Francoeur, 6095 Horizon Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- F. Joshua Penrod, Vice President, Plasma Protein Therapeutics Association, 147 Old Solomons Island Road, Suite 100, Annapolis, Maryland; RE: SUP #13-77021 (DTN Management)
- G. Patrick Brazil, 4593 Sequoia Trail, Okemos; RE: SUP #13141 (Wooledge)
- H. Walter and Antje Benenson, 6111 Skyline Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- I. Barbara A. Reeves, 6181 Skyline Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- J. Donna Rose, 6207 Cobblers Drive, East Lansing; RE: SUP #13-77021 (DTN Management)

- K. Paul and Judy Kindel, 2915 Margate Lane, East Lansing; RE: SUP #13-77021 (DTN Management)
- L. Liaison for Inter Neighborhood Cooperation (LINC) , PO Box 40, Okemos; RE: SUP #13-77021 (DTN Management)
- M. Lori Corteville, 6146 Horizon Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- N. Neil and Elaine Adams, 6114 Horizon Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- O. Sheila and William Flynn, 6027 Skyline Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- P. Sharon Kinnock, 6084 Horizon Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- Q. Marcia Engelkes, 6343 Skyline Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- R. Jim and Monica Logan, 2767 Mt. Hope Road, Okemos; RE: SUP #13141 (Woledge)
- S. Robert Baldori, 2719 Mt. Hope Road, Okemos; RE: SUP #13141 (Woledge)
- T. Jerry and Loretta Halm, 2672 Mt. Hope Road, Okemos; RE: SUP #13141 (Woledge)
- U. Ruth Kositchek, 4560 Sequoia Trail, Okemos; RE: SUP #13141 (Woledge)
- V. Many and Errikos Constant, 4559 Sequoia Trail, Okemos; RE: SUP #13141 (Woledge)
- W. Gordon and Virginia Scarlett, 4621 Sequoia Trail, Okemos; RE: SUP #13141 (Woledge)
- X. Debra Lashbrook, 1703 Cranston Court, East Lansing; SUP #13-77021 (DTN Management)
- Y. William A Anderson, 2910 Crestwood Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- Z. Jeff Hudgins, 6290 Pine Hollow Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- AA. LaNita M. Campbell, 6049 Skyline Drive, East Lansing; RE: SUP #13-77021 (DTN Management)
- BB. David Bueche, 2689 Roseland, East Lansing; RE: C-PUD #13044 (Whole Foods)

6. Public hearings

- A. *Special Use Permit #13-77021 (DTN Management), request to operate a plasma center in the Carriage Hills Shopping Center located on the northwest corner of Lake Lansing Road and Hagadorn Road

Chair Jackson resumed the public hearing held open at the October 14, 2013 meeting of the Planning Commission.

Principal Planner Oranchak noted no additional information has been received from the applicant since the public hearing was opened during the October 14th Planning Commission meeting. She summarized the proposed special use permit (SUP) as outlined in staff memorandum dated November 14, 2013.

- Applicant
Allen Russell, DTN Management, 1690 Mack Avenue, Haslett, reemphasized that language in the Township's C-2 ordinance allowed for medical usage not specifically precluded. He noted CSL plasma centers are licensed by the Federal Drug Administration (FDA).

Sonya Williams, Senior Manager, Corporate Communications, Community Relations, CSL Plasma, 12336 Oakley Downs Road, Knoxville, Tennessee, offered an explanation of the automated process for plasma collection and its uses. She indicated CSL currently has 84 plasma collections in the United States and five currently in Michigan. Ms. Williams noted the vast majority of people who donate live within a five (5) mile radius of the center and will spend the money obtained through the plasma donation within the community. She added the proposed plasma center will employ 60-70 individuals when the business matures in approximately three (3) years, seeing 300 donors per day. Ms. Williams stated donors are paid for approximately 90 minutes of their time through a pre-paid VISA card.

Ms. Williams explained that licensed employees perform a health screening and brief physical exam each time a donor comes to the center. She added CSL's parent company gives back to the community in a variety of ways (e.g., matching United Way donations at 100%, community projects, food and clothing drives during holidays, etc.).

- Public

Debra Lashbrook, 1703 Cranston Court, East Lansing, spoke in opposition to SUP #13-77021 as it will adversely affect the service nature of Carriage Hills Shopping Center and negatively impact the residents in nearby neighborhoods. She expressed concern with increased vehicular and foot traffic and the proper handling of medical waste. Ms. Lashbrook believed this type of facility should not be located in a neighborhood setting.

Jeff Thompson, 6098 Skyline Drive, East Lansing, expressed concern with this type of facility in his neighborhood and close to an elementary school.

Neal Adams, 6114 Horizon Drive, East Lansing, expressed concern with a plasma center located in this residential neighborhood.

Roy Saper, 812 Applegate Lane, East Lansing, believed the type of business best suited for this location is one which serves the adjacent neighborhoods.

Erik Altmann, 702 Snyder Road, East Lansing, spoke to the proposed plasma center not being consistent with Goal 1 (strengthening and preserving residential neighborhoods) and Goal 1, Objective A, Strategy 4 (preventing encroachment of inconsistent uses) of the Master Plan.

Neil Bowlby, 6020 Beechwood Drive, Haslett, on behalf of Liaison for Inter Neighborhood Cooperation (LINC), stated it is important for the Planning Commission to do whatever it can to preserve, protect and revitalize neighborhood shopping centers to maintain the township as a viable residential community. He noted SUP criteria #4 and #5 states the project will not adversely affect or be hazardous to existing neighborhood uses and it will not be detrimental to the economic welfare of surrounding properties. Mr. Bowlby believed letters received by the Township contain "fear of the unknown" statements and indicated it is not good policy to make decisions based on fear and "fear of the unknown."

Pam Movolson, President, White Birch Condominiums Association, 3021 Birch Row, #2, East Lansing, believed the plasma center will affect property values of nearby residential homes as it is not a suitable business for the area. She requested the Planning Commission deny this SUP request. Ms. Movolson offered several examples of problems associated with plasma centers across the United States.

Bill Anderson, 2910 Crestwood Drive, East Lansing, spoke to the 256 petition signatures submitted from Carriage Hills residents and homeowners opposed to the proposed plasma center. He noted there were at least five (5) letters submitted from homeowner associations in opposition and 911 calls and crime maps for the two existing plasma centers in Lansing. Mr. Anderson voiced concern for the safety of nearby residents and the economic impact on property values. He believed a commercial plasma center in the Carriage Hills neighborhood is not consistent with the Township's Master Plan.

Donna Rose, 6207 Cobblers Drive, East Lansing, spoke from first-hand experience to the potential for loitering at the proposed center due to the need to wait for service. She spoke in opposition to the proposed plasma center in Carriage Hills Shopping Center.

Al Puzzuoli, 6070 Carriage Hills Drive, East Lansing, spoke to the need for Carriage Hills to remain a safe shopping center and voiced opposition to the proposed project.

Barbara Reeves, 6181 Skyline Drive, East Lansing, expressed opposition to a plasma center being placed in the Carriage Hills neighborhood. She addressed the safety of citizens who live in the nearby senior center and children who walk by the Carriage Hills Shopping Center to attend William Donley Elementary School.

James Harrison, 6054 Skyline Drive, East Lansing, representative of the Skyline Hills Neighborhood Association, spoke to the difference between a medical facility caring for patients and a plasma center which interacts with "customers". He expressed opposition to the proposed plasma center's proximity to two (2) elementary schools and voiced concern for the children's safety. Mr. Harrison believed the addition of a plasma center would be bad for other businesses in the shopping center.

Karla Hudson, 6009 Skyline Drive, East Lansing, spoke in opposition to the proposed plasma center in Carriage Hills, as it will adversely affect the existing neighborhood and will be detrimental to the economic welfare of the surrounding community.

Michael Hudson, 6009 Skyline Drive, East Lansing, spoke to purchasing his home 22 years ago by buying into a community which would be destroyed by the proposed plasma center. He noted the compromised bus schedule on the weekend will lead to loitering.

Bonny Klacking, 6230 Cobblers Way, East Lansing, expressed several concerns with the current plasma center operation on South Cedar. She did not believe the proposed plasma center is a good fit for the Carriage Hills Shopping Center or the neighborhood.

Bree Anderson, 2966 Colony Drive, stated that most residents of Carriage Hills moved to the area in order for their children to walk safely to school. She voiced concern with any type of medical waste being left on the ground, delayed bus schedules and loitering. She requested Planning Commissioners deny this special use permit request.

Edward Belles, 1730 Cranston Court, East Lansing, stated a Google Search revealed the Jolly/Cedar area in the top 10 for the number of police calls. He indicated no other plasma center researched on Google was located near a school and urged the Planning Commission to deny this SUP.

Chelsea Thornburg, 3021 Birch Row Drive, #14, East Lansing, spoke in opposition to SUP #13-77021 as the area is primarily residential and not conducive for inclusion of a plasma center. She voiced concern that residential property values will decline if a plasma center comes into Carriage Hills Shopping Center. Ms. Thornburg stated that even though a plasma center may be licensed by the FDA, it does not mean it has value to the neighborhood.

Joe Donohoe, 6233 Brookline Court, East Lansing, spoke in opposition to the proposed plasma center. He noted information obtained through the Internet indicate plasma centers love blighted strip malls.

Nicholas Gisholt, 798 Pebblebrook Lane, East Lansing, spoke in opposition to the proposed plasma center being located in the Carriage Hills Center.

Lanita Campbell, 6049 Skyline Drive, East Lansing, expressed opposition for the plasma center's potential to "destroy" an entire neighborhood.

Mark Blumer, 6120 Horizon Drive, East Lansing, moved to the Whitehills neighborhood to escape from the type of individuals he prosecutes in criminal court on a daily basis. He believed the plasma center will be devastating to the peace of the community and urged the Planning Commission not to allow this adverse change to the existing zoning.

Stephen Ivkovich, Whitehills Neighborhood Association, 1847 Dennison Road, East Lansing, expressed opposition to the proposed plasma center, as the business is not in keeping with the original shopping center plan and not compatible with the residential nature of the surrounding area. He believed DTN owns sufficient properties in East Lansing which are more fitting for the location of a plasma center.

William Venuti, 1981 Lake Lansing Road, Apt. 25, Haslett, opposed the proposed plasma center as he believed it would be unsafe for the children attending Whitehills and Donley schools. He indicated he is a crossing guard at William Donley Elementary School and believed the elderly in the neighborhood and the children attending school will be preyed upon by the people who come to the facility to donate plasma.

Jim Schimmel, 3053 Birch Row Drive, East Lansing, believed placement of a plasma center in Carriage Hills Shopping Center will result in the loss of a day care located across the parking lot.

Rachel Joseph, 6324 Skyline Drive, East Lansing, a former school teacher, believed a plasma center is an opportunity to prey upon children.

Stephen Pierce, 6146 Horizon Drive, East Lansing, spoke to the increased traffic which will result from a plasma center in Carriage Hills, adding the plasma center will not provide a local service to the neighborhood. Mr. Pierce addressed the issue of residents moving if the SUP is approved.

Vidyadhar Mandrekar, 6101 Skyline Drive, East Lansing, stated facts provided by the CSL Plasma representative do not seem plausible.

- Planning Commission discussion:
Commissioner Ianni inquired if property values were higher for occupied buildings regardless of use.

Principal Planner Oranchak responded in the affirmative.

Commissioner Salehi advised public speakers to take their concerns to the Township Board, as it will make the final decision.

Chair Jackson clarified that the Planning Commission is the decision making body for special use permits, but that decision can be appealed by the applicant or an aggrieved person to the Township Board.

Commissioner Norkin expressed appreciation to DTN Management for its contribution to the community. He spoke to an earlier conversation with Mr. Russell which indicated transit was crucial to the potential tenant while the new bus route from Hagadorn to Lake Lansing has been greatly reduced in frequency. Commissioner Norkin noted it will be a challenge for DTN to find a suitable tenant for the Carriage Hills Shopping Center, and urged DTN to approach the Planning Commission for a rezoning should a future project have the full support of the community.

Commissioner Hildebrandt did not believe the proposed plasma center will strengthen, enhance or preserve the neighborhood and believed it more suitable to locate within a commercial strip.

Commissioner Ianni did not believe the proposed plasma center could be characterized as a medical service and, subsequently, qualify as a use by right. He indicated an earlier statement by the applicant included a misreading of the Township's Code of Ordinances.

Commissioner Scott-Craig spoke to the unification of the neighborhood, indicating this business is not a good fit where proposed, while acknowledging a plasma center has value to society in general.

Commissioner Honicky spoke to the disconnect between statements made by the CSL Plasma representative and the observation he made this morning at the plasma center located at the Jolly-Cedar area.

Chair Jackson closed the public hearing at 9:10 P.M.

Chair Jackson recessed the meeting at 9:10 P.M.

Chair Jackson reconvened the meeting at 9:17 P.M.

- B. Commercial Planned Unit Development #13044 (Wolverine Building Group) Construct a Whole Foods store at 2758 Grand River Avenue

Chair Jackson opened the public hearing at 9:17 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 commercial planned unit development as outlined in staff memorandum dated November 15, 2013.
- Applicant
Mike Houseman, Wolverine Building Group, 4045 Barden SE, Grand Rapids, explained the Whole Foods concept of providing organic foods and listed its other core values, one of which is giving back to the community by donating 5% of its profit to local charities and non-profit enterprises. He added the proposed building will be 35,000 square feet, approximately one-half the size of a Kroger store. Mr. Houseman indicated Whole Foods met with the neighbors to address their concerns regarding vehicular traffic, delivery trucks and their accompanying noise, landscaping, etc. He believed there would be no more than two trucks per day delivering goods between 6:00 AM. and 8:00 A.M. and displayed the route delivery trucks would use to exit the site.

John Walsh, Paradigm Design, 530 3 Mile Road NE, Grand Rapids, offered background on the decision to bring forth a Commercial Planned Unit Development (C-PUD) on the proposed property as the lot is irregular in shape. He spoke to the various waivers being requested to make the building work on the long, narrow lot (e.g., parking, setbacks, buffering, etc.). Mr. Walsh noted one parking space to 200 square feet of floor area is a standard retail parking ratio which would result in approximately 170 parking spaces and an appropriate number of spaces for the main parking area. He indicated a parking field was added on the west mainly to facilitate employee parking. Mr. Walsh addressed one of the main concepts for creating a C-PUD is to redevelop a distressed site and noted the mobile home park will be torn down and the land will be restored.

Mr. Walsh listed a fenced outdoor fireplace, improved handicap accessible pedestrian access, outdoor patio with seating, sidewalk planters, bicycle parking, interior islands, berm, etc. as proposed amenities in exchange for requested waivers.

Mr. Walsh indicated the building will have a brick look on all four sides with windows above the entries and a stack stoned fireplace to offer different textures for a more modern look.

- Public
Mike Froh, 2764 Leland Circle, East Lansing, spoke in support of Whole Foods locating on the proposed site but expressed concern with the increased traffic which will be generated by the proposed business. He believed the additional traffic poses pedestrian and neighborhood safety concerns. Mr. Froh requested traffic flow not be allowed to permeate onto Sirhal Drive and, subsequently, Brookfield Avenue.

David Finet, General Manager, East Lansing Food Co-Op, 219 Oakland Drive, East Lansing, also voiced concern with traffic. He spoke to the need for adherence of truck delivery times and expressed interest in the request for a sign variance. Mr. Finet believed the proposed use is too intense for the site and there are better locations along Grand River Avenue to the east.

Deb Mosher, 2880 Roseland Avenue, East Lansing, believed the area is currently “dangerous” for pedestrians, as vehicles speed through the nearby neighborhood in an effort to avoid the intersection of Grand River and Hagadorn. She believed construction of a Whole Foods on the proposed site would make the area more dangerous for pedestrians. She expressed concern that as the largest retailer of organic foods in North America, Whole Foods will drive out community-owned and employee-owned nearby businesses.

Eugene Hayhoe, 2880 Roseland Avenue, East Lansing, inquired if there were plans for north entrances/exits.

B. Ray Horn, 2790 Sirhal Drive, Apt. 115, East Lansing, expressed concern with potential late night deliveries to this business which is adjacent to Stratford Place, a senior living facility. He inquired if the proposed business will have a link to Sirhal Drive where trucks could exit.

- Planning Commission discussion:
Commissioner Ianni noted the application indicated improvements to the traffic signal on Grand River and inquired as to the accuracy of that statement.

Principal Planner Oranchak responded the recommendation contained in the traffic study was to have the Michigan Department of Transportation (MDOT) reevaluate the traffic signal timing after Whole Foods opens.

Chair Jackson indicated information contained in the November 13th letter from Paradigm Design noted MDOT has verbally accepted the concept of a fourth leg to the light.

Commissioner Scott-Craig asked if there were any plans for a connection between this parcel and Sirhal Drive.

Principal Planner Oranchak responded there is an existing connection which was installed as a secondary access for Stratford Place to access Grand River Avenue. She noted the access drive cannot be used for delivery trucks.

Commissioner Scott-Craig recommended blocking this access point with a gate which would allow access for emergency vehicles but eliminate traffic from the public.

Principal Planner Oranchak added that if the access is blocked as suggested, residents who live north of this site in the subdivisions would be forced to travel onto Grand River Avenue, making a left turn onto Grand River and then a left hand turn in the Whole Foods site.

Commissioner Scott-Craig indicated there are two (2) access points, the second being very near Sirhal and Jo Don Drive. He stated closing the current access drive would prevent traffic from traveling in front of Stratford Place. Commissioner Scott-Craig urged that C-PUD approval contain a condition to that effect.

Mr. Houseman added that situation was looked into and Stratford Place has a recorded easement for the subject access drive, noting it is for use by the senior facility. He added the turning radius will discourage trucks from pulling onto that road.

Commissioner Scott-Craig voiced his concern that vehicles exiting the site when there is traffic congestion will utilize the access drive and then traverse the neighborhood. He noted the easement was required as a condition of developing Stratford Place, and the owner of the subject site also owns Stratford Place. Commissioner Scott-Craig did not believe a gate at the access site would affect Whole Foods and would prevent traffic traveling in front of Stratford Place.

Mr. Houseman responded that he would speak with the owner to discuss the proposed option presented by Commissioner Scott-Craig.

Commissioner Scott-Craig inquired as to what type of fencing/barrier will be placed across the back of the store at the north property line.

Mr. Houseman responded there are no plans for a fence. He added there is a detention pond located in the area.

Commissioner Scott-Craig asked what type of pedestrian access will be placed on the north end of the property for neighbors and residents of Stratford Place to have the ability to walk to Whole Foods.

Mr. Houseman replied there is presently no plan for pedestrian access on the north but the applicant would be open to it.

Commissioner Salehi expressed concern with closing the access to Sirhal as residents coming from the north to the site would be forced to travel down Brookfield and turn left or cut into the parking lot behind Coral Gables.

Commissioner Salehi asked what time truck deliveries would take place.

Principal Planner Oranchak stated staff would recommend 7:00 A.M. until 10 P.M.

Commissioner Salehi asked if the delivery trucks would make a "back-up" beeping noise.

Mr. Houseman replied these semi-trucks will not beep when they back up.

Commissioner Cordill requested staff provide a larger map of the area which delineated the surrounding neighborhoods to aid Commissioners in the discussion of this C-PUD.

Commissioner Cordill asked if the applicant was unable to purchase the property proposed for the detention basin.

Mr. Houseman responded that the detention basin property will not be leased, as it is a detention basin to handle water in a larger area.

Commissioner Cordill inquired as to the days of the week trucks would be delivering product to the store.

Mr. Houseman responded he will clarify the specific delivery days with the applicant prior to the next meeting.

Commissioner Norkin clarified the roll of the Planning Commission as it relates to the application is not to ask for a better location, but must look at the criteria contained in the Master Plan to see if the proposed development adheres to it.

Commissioner Hildebrandt inquired as to the need for the additional parking spaces beyond what is required.

Mr. Houseman responded that is Whole Foods' business model.

Commissioner Hildebrandt asked if Mr. Houseman had insight into use of the same business model for the Ann Arbor location on Washtenaw Avenue.

Mr. Houseman believed the same model was used, but would need to ascertain how many parking spaces are at that location.

Commissioner Hildebrandt expressed disappointment the Whole Foods building was not at the front on Grand River, but in the back with parking in the front, especially given all the time which has been spent on placemaking and the Grand River Design Charette meetings.

Mr. Houseman responded placement of the building in front was looked at, but because of the need to align with Northwind Drive, traffic flows were too problematic.

Commissioner Scott-Craig iterated that in spite of concerns expressed, the neighbors welcome Whole Foods in the area.

Commissioner Salehi asked about the pond behind the building.

Mr. Houseman explained it is the storm water detention area, where water will be collected in the green spaces to be filtered. He added the system of cleansing is a Leadership in Energy & Environmental Design (LEED) concept.

Commissioner Salehi asked for the name of the property owner(s).

Mr. Houseman replied George Tesseris.

Commissioner Salehi inquired if Mr. Tesseris will continue to own the property.

Mr. Houseman replied in the affirmative, adding that the property owner is leasing the building to Whole Foods.

Commissioner Salehi inquired as to plans for the property to the north.

Mr. Houseman indicated there were no plans at the current time as he believed it to be residentially zoned.

Principal Planner Oranchak clarified that part is zoned C-2 and part is zoned RX (duplex).

Mr. Salehi asked if the applicant had plans to modify the Mobile Home Manor site as it is distressed and hazardous.

Mr. Houseman responded Mr. Tesseris would like the applicant to clean up the site, removing trailers, concrete blocks, water and sanitary sewer lines while saving trees where applicable.

Commissioner Salehi inquired as to the plans for the old Mobile Home Manor site once it has been cleaned up.

Mr. Houseman believed it will become greenspace.

Principal Planner Oranchak showed a map on the overhead projector which included areas surrounding the subject site.

Chair Jackson announced the Planning Commission will make a recommendation to the Board on the C-PUD project, including the waivers being requested.

Chair Jackson asked if the number of parking spaces being requested by the applicant constitute 170 parking spaces for customers and 26 for employees.

Mr. Houseman responded those specific numbers were not provided. He added it is customary for one parking space to be provided for every 200 square feet which computation resulted in slightly over 200 parking spaces. Mr. Houseman noted the parking designated for customers is within the Township's ordinance, while the separate parking area will be used primarily for employees.

Chair Jackson spoke to staff comment regarding the surfaces on the elevations being consistent. She inquired if the material on all four sides will be the same.

Mr. Houseman replied that the architect will follow that suggestion with the addition of steel and shading which are LEED concepts used to block the sun.

Commissioner Salehi inquired if Whole Foods would have the ability to change hours of operation in the future.

Principal Planner Oranchak responded in the affirmative.

Chair Jackson closed the public hearing at 10:27 P.M.

- C. Special Use Permit #13141 (Woledge), request to work and place fill in the 100-year floodplain at 2700 Mt. Hope Road

Chair Jackson opened the public hearing at 10:29 P.M.

- Summary of subject matter

Principal Planner Oranchak summarized the proposed special use permit as outlined in staff memorandum dated November 14, 2013.

- Applicant
Tim Mayotte, 1130 Hitching Post Road, East Lansing, representative for Jeff and Arianna Wooledge, clarified the parcel was split to facilitate the residential development of the subject parcel at a later date, adding the development is not part of this SUP request. He addressed expansion of the existing pond and construction of a berm directly east of the pond expansion. He indicated existence of the berm will not result in alteration of runoff patterns on the eastern boundary, nor will it impact the infrastructure or wetlands in the vicinity.
- Public
Tom Dietz, 4651 Sequoia Trail, Okemos, urged caution when dealing with wetland issues as these wetland areas are hydrologically troubled.

Sharon Dimmer, 4583 Sequoia Trail, Okemos, expressed concern with the development that has already taken place. She noted her property is adjacent to the subject parcel and believed there is risk to her home. Ms. Dimmer urged denial of the SUP request.

Donell Snyder, 4611 Sequoia Trail, Okemos, questioned the need for the berm and believed the water which normally accumulates in her backyard will not have the ability to flow out because of the berm and will flood her home. She requested the applicant make a public declaration that it will be liable for any flood damage incurred by the neighbors as a result of this project.

Charlie Bokemeier, 4601 Sequoia Trail, Okemos, expressed opposition to the berm, stating it will cause flooding in his basement as his property is at the lowest point in the area.

Jie Huang, 4573 Sequoia Trail, Okemos, expressed concern that the property owner did not obtain permission to alter the 100-year floodplain, despite the Michigan Department of Environmental Quality (MEDQ) requirement to do so.

- Planning Commission discussion:
Commissioner Ianni inquired if the applicant was filling in wetlands or floodplain.

Mr. Mayotte responded the applicant is not filling in wetlands, but some work will be performed in the 100-year floodplain.

Commissioner Ianni inquired if the project would increase flooding.

Mr. Mayotte responded that it should not, as there is going to be a 1,200 cubic yard compensating cut for the berm. He explained the mathematics, in total, which consists of 2,700 cubic yards, 1,400 of which is above the high water mark of the pond of 835 feet above mean sea level, resulting in an increase in floodplain volume facilitated by the pond expansion.

Commissioner Hildebrandt indicated there is a difference between cut and fill if you are blocking access to the fill. She believed the berm for privacy purposes to be aesthetic and does not merit risk to the neighbors' property.

Mr. Mayotte responded by stating the placement of the berm will not restrict the escape of floodwaters should a flood event occur. He added the berm will not trap the flood of water.

Commissioner Cordill suggested that the applicant provide a better map to use with a pointer for reference to the various elements of topography.

Mr. Mayotte explained that the graphic was the site plan which accompanied the special use permit request.

Mr. Mayotte again explained the cut and fill process, adding 1200 cubic yards will be removed during the pond excavation with approximately 1,132 cubic yards actually consuming floodplain volume.

Commissioner Salehi inquired if the applicant had an analysis performed which showed a decrease in flooding on properties to the north.

Mr. Mayotte reiterated additional floodplain volume will be created through the project, albeit a marginal amount. On that basis, he stated there should not be any increase in the potential for flooding as a consequence of berm placement.

Commissioner Salehi inquired as to the topography of the land between the pond and the berm.

Mr. Mayotte responded the land between the pond and berm (approximately 200 feet) will be unchanged and offers, in effect, unrestricted flow around the berm back to the floodway under flood conditions. He added the Ingham County Drain Commissioner (ICDC) removed a decades old large tangle of brush in the Red Cedar River over the summer which had created a blockage which caused restriction of flow through the Red Cedar drainageway. Mr. Mayotte reiterated a statement made by the ICDC that such removal will “go a long way to significantly decrease flood potential” in that neighborhood and up the Heron Creek drainage basin.

Mr. Mayotte noted the yellow line on the overhead image would have represented the previous eastern boundary of the 39-acre parcel. He stated when the parcel was split, the ten acre eastern “quarter” was split off from the remainder of the parcel.

Commissioner Salehi asked if Principal Planner Oranchak could shed light on the acreage.

Principal Planner Oranchak pointed to the ten (10)-acre parcel that goes out to Mt. Hope Road and the remainder to the west.

Commissioner Salehi inquired as to why the work was done prior to the process being followed.

Jeff Hicks, consultant for Mr. and Mrs. Wooledge, 10889 Pointe West Boulevard, Grand Ledge, indicated the State of Michigan allows for after the fact permit applications in order to address work being performed prior to obtaining the proper permits. He stated there is no better determiner of whether any environmental effect will take place on this property than the State of Michigan's Department of Environmental Quality. Mr. Hicks noted the applicants have applied for permits under Part 31 and Part 301 state statutes, adding no state permits under Part 311 was required as no wetlands are effected.

Mr. Hicks noted the Planning Commission is required to condition its approval of this SUP upon all other permits being acquired, stating it is the Township's assurance that the project will be developed and completed in conformity with Part 31 and Part 301 state statutes. He added the State of Michigan has deemed this project to be minor, which entails a shortened period of review, and is the ultimate advocate for use of public resources. Mr. Hicks indicated the State of Michigan anticipates the average citizen does not understand all the state statutes under the Michigan Environmental Safety and Protection Act, so it allows for after the fact permit applications to take place.

Commissioner Cordill emphasized that no decision will be made on this SUP request this evening.

Commissioner Honicky asked if the SUP for work in the floodplain is the only permit being considered this evening.

Mr. Hicks responded in the affirmative.

Commissioner Honicky asked if the Planning Commission could separate out the berm and deny its construction.

Mr. Hicks responded that the Planning Commission has the authority to place whatever conditions are legally defensible.

Commissioner Ianni believed this project provides an increase in the floodplain , not increased flooding, as the cut will very slightly increase the amount of area in which the water can fill.

Chair Jackson stated the Planning Commission does not have any information regarding the topography of the subject site or the adjacent neighbors' property, which makes it impossible to see differences in height or the direction of the water flow.

Mr. Hicks led Planning Commissioners to the letter authored by the Township's Director of Public Works and Engineering which stated the project is feasible and gave his approval contingent upon receipt of all necessary permits.

Mr. Mayotte added that a side-by-side comparison of the alteration and run off patterns was included in the packet, which incorporated a vector analysis which roughly depicts the magnitude and direction of flow as a consequence of run off.

Chair Jackson inquired as to the events which will take place if both the Township and State of Michigan deny the requested permits.

Mr. Hicks answered that if one or both of the MDEQ permits were denied, the State will issue a restoration order.

Commissioner Salehi added that the Planning Commission can choose to deny the special use permit request despite what transpires at the state level. He noted the packet contained an invitation by the applicant to visit the property and would like to take the property owner up on that offer.

Commissioner Salehi asked what type of property is directly to the north of the subject site.

Mr. Hicks responded it is regulated wetland.

Commissioner Salehi asked if the berm was desired for cosmetic privacy only.

Mr. Mayotte responded in the affirmative adding that once completed, the berm would be planted with grass and various species of trees.

Mr. Hicks noted there has been communication between Township staff, the ICDC and the property owners regarding this project.

Commissioner Scott-Craig pointed to a response from the ICDC contained in the packet which states he has no issue with this project.

Chair Jackson closed the public hearing at 11:30 P.M.

7. Unfinished Business

- A. *Special Use Permit #13-77021 (DTN Management), request to operate a plasma center in the Carriage Hills Shopping Center located on the northwest corner of Lake Lansing Road and Hagadorn Road

Commissioner Norkin moved to request Township staff prepare a resolution to deny SUP #13-77021 (DTN Management's request to operate a plasma center in the Carriage Hills Shopping Center) to be considered at the next Planning Commission Meeting. Seconded by Commissioner Hildebrandt.

Planning Commission discussion:

- Planning Commissioner desire to welcome CSL to Meridian Township at a different location

VOICE VOTE: Motion carried 8-0.

- B. Rezoning #13050 (Planning Commission), rezone 1404, 1408, 1416, 1422, 1434, 1438, 1443 and 1449 Haslett Road from C-2 (Commercial) to RB (Single Family-High Density)
Principal Planner Oranchak summarized the proposed rezoning as outlined in staff memorandum dated November 14, 2013.

Commissioner Cordill moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #13050 to rezone 1404, 1408, 1416, 1422, 1434, 1438, 1443, and 1449 Haslett Road from C-2 (Commercial) to RB (Single Family-High Density) residential. Seconded by Commissioner Hildebrandt.

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

NAYS: None

Motion carried 8-0.

8. Other Business

A. 2014 Planning Commission Calendar

Commissioner Scott-Craig moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN as follows:

1. The Planning Commission will meet for regular meetings on certain Mondays, January through December in 2014 in the Town Hall Room of the Meridian Municipal Building, 5151 Marsh Road, Okemos, MI 48864, 517-853-4560.

2. The specific dates for meetings are as follows:

January	13 - regular meeting 27 - regular meeting
February	10 - regular meeting 24 - regular meeting
March	10 - regular meeting 24 - regular meeting
April	14 - regular meeting 28 - regular meeting
May	12 - regular meeting 19 - regular meeting
June	9 - regular meeting 23 - regular meeting
July	14 - regular meeting 28 - regular meeting
August	11 - regular meeting 25 - regular meeting
September	8 - regular meeting 22 - regular meeting
October	13 - regular meeting 27 - regular meeting
November	10 - regular meeting 24 - regular meeting

December **8 - regular meeting**
 15 - regular meeting

3. **Meetings will begin at approximately 7:00 p.m.**
4. **Special meetings of the Planning Commission may be called pursuant to the applicable statute.**
5. **Regular meetings may be canceled, recessed or postponed by members of the Planning Commission pursuant to the applicable statute.**
6. **A summary of this resolution stating date, place, and time shall be posted in the Meridian Municipal Building within ten (10) days after the first regularly scheduled meeting of the year in accordance with MCL 15.265.**

Seconded by Commissioner Hildebrandt.

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

NAYS: None

Motion carried 8-0.

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

10. New applications

- A. Special Use Permit #13151 (Boggio), request to construct a Flagstar Bank with three drive-through windows on the southeast corner of Grand River and Washington Heights

11. Site plans received (None)

12. Site plans approved

- A. Site Plan Review #13-03-13 (Kohl's), request to remove and replace two (2) trees on the adjacent property (Kroger, 4884 Marsh Road) along Newman Road, Okemos

13. Public remarks

Chair Jackson opened public remarks.

Sharon Dimmer, 4583 Sequoia Trail, Okemos, believed the property owners for the site which is the subject of Special Use Permit #13141 were deceitful, alleging they prevented Township staff from entering their property.

Leonard Provencher, 5824 Buena Parkway, Haslett, acknowledged the vast amount of public participation at tonight's Planning Commission. He expressed concern that a "spec" sheet for the bicycle rack was not provided for the Whole Foods proposal, nor did their plans site where the bicycle parking would be located. He addressed the document provided by Paradigm Design which denotes a 6.5 foot pedestrian bicycle pathway, while the Township's minimum standard width is seven (7) feet.

Jeff Hicks, 10889 Pointe West Boulevard, Grand Ledge spoke to alleged “malicious intent” of the applicant for SUP #13141. He explained the process he believed was utilized by the property owners.

Chair Jackson closed public remarks.

14. Adjournment

Chair Jackson adjourned the regular meeting at 11:51 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary