

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
July 23, 2012**

APPROVED

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

PRESENT: Commissioners Cordill, Hildebrandt, Honicky, Jackson, Norkin (7:03 P.M.), Scales, Scott-Craig
ABSENT: Commissioners Deits, Goodale
STAFF: Principal Planner Gail Oranchak, Director of Public Works & Engineering Ray Severy

1. Call meeting to order

Vice-Chair Jackson called the regular meeting to order at 7:01 P.M.

2. Approval of agenda

Commissioner Scales moved to approve the agenda. Seconded by Commissioner Cordill.

VOICE VOTE: Motion carried 6-0.

3. Approval of Minutes

Commissioner Scales moved to approve the Regular Meeting Minutes of June 25, 2012. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 6-0.

4. Public Remarks

Vice-Chair Jackson opened the floor for public remarks.

Vance Poquette, 2226 Kent Street, Okemos, expressed concern that the height of the Douglas J mixed use planned unit development (MUPUD) would represent a feeling of commercial encroachment into the Cedar Bend Heights neighborhood.

Neil Bowlby, 6020 Beechwood Drive, Haslett, announced Liaison for Inter-Neighborhood Cooperation (LINC) meets the third Thursday of each month at 6:45 P.M. in the Meridian Community Room of the Haslett Library. He requested the Planning Commission look at possible amendments to the MUPUD ordinance to review the interplay between the Planning Commission and the Township Board during the approval process.

Lynn Ochberg, 4383 Maumee Drive, Okemos, announced her write-in candidacy for Township Supervisor. She spoke to criteria in the MUPUD ordinance as it relates to amenities and urged Planning Commission members to include their opinions regarding the amenities when transmitting MUPUD's to the Board.

Simon Chou, 2120 Riverwood, Okemos, and owner of the building on the northwest corner of the proposed Douglas J project inquired as to how the project would impact current residents and tenants of the building. He expressed concern with several parking issues.

Will Tyler White, 2142-½ Hamilton Road, spoke in support of Special Use Permit #12031, Special Use Permit #12041 and Wetland Use Permit #12-05.

Vice-Chair Jackson closed public remarks.

5. Communications

- A. Will Tyler White, 2138 Hamilton Road, Okemos; RE: MUPUD #12024 (Douglas J)
- B. Leah Johnk, Eaton Rapids; RE: MUPUD #12014 (Douglas J)
- C. Kathleen Leach, Frankfort; RE: MUPUD #12014 (Douglas J)

6. Public hearings

- A. Special Use Permit #12031 (Public Works & Engineering), a request to work in the 100-year floodplain to construct an off-road pedestrian/bicycle pathway from Old Raby Road to the Interurban Pathway. The subject site is located east of Bayonne Avenue and south of Haslett Road and
- B. Wetland Use Permit #12-05 (Public Works & Engineering), a request to impact wetlands to construct an off-road pedestrian/bicycle pathway from Old Raby Road to the Interurban Pathway. The subject site is located east of Bayonne Avenue and south of Haslett Road

Vice-Chair Jackson opened the public hearings at 7:15 P.M.

- Introduction by the Vice-Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Principal Planner Oranchak summarized the special use permit (SUP) and wetland use permit (WUP) requests as outlined in staff memoranda dated July 19, 2012.
- Applicant
Ray Severy, Director of Public Works & Engineering, provided a section of the Master Plan on the overhead projector which showed the proposed connection to the interurban pathway. He indicated a low spot directly off the interurban pathway which needs to be filled in, and indicated a culvert would be installed underneath to allow drainage between the wetlands. Director Severy added the Township is proposing an off-site wetland mitigation location which was previously constructed for another project with an additional .6 acres of wetland bank which can easily be used.
- Planning Commission discussion:
Commissioner Honicky inquired as to the location of the compensating cut bank.

Director Severy responded west of Okemos Road, on the “old” Rysberg property.

Commissioner Honicky inquired if it was an open pond.

Mr. Severy answered in the affirmative.

Commissioner Honicky asked if there were plans to have the pedestrian/bicycle pathway lead somewhere else.

Director Severy stated the Township’s Master Plan shows the pathway continuing under Marsh Road to Haslett Road. He noted if the Township can receive approval from the Ingham County Department of Transportation and Roads and the railroad, the pathway could be constructed underneath the bridge between one of the bridge’s piers and an abutment to be constructed away from the railroad tracks.

Commissioner Scott-Craig inquired if use of other culverts would be necessary for water to flow across this pathway.

Director Severy responded in the negative, as the new pathway will be at the existing grade. He noted the pathway is at a low spot in the floodplain, and it will be underwater during flooding events.

Commissioner Scott-Craig inquired if there were repair issues with the existing segment which is a dead end.

Director Severy answered it is a paved pathway which is not heavily used and may need some slight repairs.

Commissioner Scott-Craig stated he had traveled the pathway and there is a tree lying across a portion of it. He added that a section of the pathway contains a wooden bridge and the pathway has sunk in that location, making it difficult for a bicyclist to traverse the bridge.

Director Severy responded that staff will open up those areas during construction of the pathway.

Commissioner Norkin inquired if pedestrian segregation had been considered, given the increased train traffic anticipated in the next few years.

Director Severy responded the existing pathway on the embankment has a fence and there is heavy brush between the pathway and the railroad tracks further west.

Commissioner Norkin asked if there were signs indicating no trespassing on the railway right-of-way.

Director Severy answered there are no signs at the present time.

Vice-Chair Jackson closed the public hearings at 7:31 P.M.

- C. Special Use Permit #12041 (Quatro), a request to operate an indoor swim club at 5135 Times Square Drive and make a decision the same night as the public hearing

Vice-Chair Jackson opened the public hearing at 7:31 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the special use permit (SUP) request as outlined in staff memorandum dated July 19, 2012.
- Applicant
Todd Quatro, 201 North Park, Ypsilanti, architect and builder for Goldfish Swim School, indicated the project will serve small children by teaching them how to swim. He added there are similar swim clubs in other cities throughout the state.
- Planning Commission discussion:
Commissioner Cordill inquired as to the applicant's rationale for requesting suspension of Planning Commission rules in order to render a decision tonight.

Mr. Quatro responded the CS zoning designation is not described in the Township's code of ordinances and believed that designation a misprint; rather, that it was an allowed use in commercial zoning. He added the applicant plans to begin construction on August 1st in order to be open for business on November 1st.

Commissioner Scott-Craig inquired if the parking would be sufficient to service the proposed clients, given there is no safe way for children to traverse the parking lot nearest Time Square.

Mr. Quatro stated parking for the Swim Club is adequate for the clientele.

Commissioner Hildebrandt inquired if parking was adequate for 'open swim.'

Mr. Quatro responded open swim is for members only.

Commissioner Hildebrandt inquired as to the location of the sign approved through the Zoning Board of Appeals' (ZBA) variance process.

Vice-Chair Jackson responded the applicant is allowed, by right, to place a sign over the entrance. She added the ZBA allowed a wall sign on the Marsh Road side of the building so the business could be identified from the road.

Commissioner Cordill inquired if there would be additional landscaping.

Mr. Quatro responded there is no additional landscaping planned.

Vice-Chair Jackson requested clarification on the public swim.

Mr. Quatro responded it is open swim for existing clients.

Commissioner Norkin expressed concern that voting on this issue at tonight's meeting would not allow members of the public time to express their concerns.

Vice-Chair Jackson indicated this is not the first time the public has had an opportunity to hear this issue, as the ZBA had previously voted on the sign variance. She added an applicant always has the opportunity to request a vote on an issue the same night as the public hearing.

Principal Planner Oranchak added that the legal notice placed in the paper and the letters sent to the neighborhood all indicate the request has been made and the Planning Commission may make a decision the same night as the public hearing.

Commissioner Norkin asked what would be the impact to the business if the Planning Commission waited to take a vote at the next regularly scheduled Planning Commission meeting.

Mr. Quatro responded it is primarily one of a financial nature. He added the owner was looking at two sites, and decided on the one in Meridian Township. Mr. Quatro noted the timeframe of the leasing agreement requires the business to be operational within a specified amount of time. He stated that if the property had been zoned commercial v. CS zoning, the applicant would not need a special use permit.

Commissioner Norkin inquired if staff had heard of objections from anyone regarding this project moving forward tonight.

Principal Planner Oranchak indicated staff had not heard of any objections.

Vice-Chair Jackson closed the public hearing at 7:50 P.M.

- D. Mixed Use Planned Unit Development #12024 (Douglas J), request to develop an approximate 1.5 acre site with two buildings, one with mixed residential and commercial uses, located on the northwest corner of Okemos and Hamilton Roads and
- E. Special Use Permit #12051 (Douglas J), request to construct two buildings totaling more than 25,000 square feet in gross floor area on approximately 1.5 acres located on the northwest corner of Okemos and Hamilton Roads

Vice-Chair Jackson opened the public hearings at 7:50 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the proposed mixed use planned unit development and special use permit requests as outlined in staff memoranda dated July 19, 2012.
- Applicant
Scott Weaver, 4663 Ardmore Street, Okemos, and co-owner of Douglas J, gave a brief overview of the project and availed himself for Planning Commission questions.

Ryan Henry, Kincaid Henry Group, 318 University, East Lansing, presented samples of the building materials to be used on the exterior of both buildings. He also offered information as to the location of these materials on each of the buildings.

Jamerson Ries, Kebs, Inc., 2116 Haslett Road, Haslett, clarified the applicant is not proposing any interconnectivity with the facility to the northwest as all parking will be contained on property owned by the Weaver family. He added both property lines will be screened with landscaping materials. Mr. Ries stated the applicant agrees with staff's parking calculations.

- Public
Bill Cawood, 2154 Methodist Street, Okemos, and owner of seven (7) properties on Methodist/Ardmore Streets, spoke in support of the project and believed it will be a major asset to the downtown Okemos area.

Martha Marcero, 2120 Riverwood, Okemos, owner of the office building adjacent to the site, expressed appreciation for improvement on this corner. She noted concern with potential infringement on her property relative to parking.

Indrek Wichman, 2236 Hamilton Road, Okemos, expressed appreciation for enhancement to the downtown area through this development. He requested the buildings have a semi-classical style for mixed use so that it does not quickly become outdated.

Will Tyler White, 2142 ½ Hamilton, Okemos, spoke in support of the project, but believed it better suited for the property across the street from the proposed location and adjacent to the applicant's current building.

- Planning Commission discussion:
Vice-Chair Jackson asked the applicant to define low emissive glass.

Mr. Henry responded it is a type of insulated glass system with a reflection to prohibit heat from entering the building.

Commissioner Hildebrandt spoke to improvement in the level of service (LOS) once this project is completed.

Principal Planner Oranchak indicated she did not see much change in the LOS contained in the traffic report.

Jamerson Ries added that the improvement in traffic would come as a result of recommended changes to the signal.

Commissioner Hildebrandt requested an explanation of plans for the area accessed by the drive off Hamilton Road, inquiring if it was a way to drive through the building.

Mr. Weaver explained that there is a possibility of a covered drop off area with valet parking.

Commissioner Hildebrandt expressed concern with the way the driveway 'plays' into traffic, and inquired if that was taken into account in the traffic study. She believed clients will not walk down to Okemos Road to cross the street, recommending that entrance be eliminated from that location and placed elsewhere, possibly in the back. She also believed the building looks imposing, and not conducive to walkability and placemaking.

Mr. Weaver responded there is a curb cut on Methodist Street and a curb cut on Okemos Road is being removed to eliminate backup. He reminded Commissioners that it is not the intent for this project to provide a greater volume of clients, but to expand services to the existing clientele. Mr. Weaver stated they have followed the MUPUD ordinance as passed by the Board, noting he has increased the setback with both buildings off of Hamilton Road.

Commissioner Hildebrandt believed bringing restaurant seating outside will create better place making.

Mr. Henry stated the applicant has been before the Economic Development Corporation, the Zoning Board of Appeals and held a special meeting with the Ingham County Department of Transportation and Roads, Ingham County Drain Commissioner, Consumers Energy and Township staff to create a better walkable downtown environment.

Commissioner Cordill inquired about relocating the Smiley House to the Meridian Historical Village.

Ryan Henry responded he had spoken with the Township staff regarding donating the building, and the Township was not interested in acquiring it. He noted he is considering using reclaimed materials from both the Smiley House and the Traveler's Club and use them as reincorporated materials into the two proposed buildings.

Commissioner Cordill inquired of staff as to how preservation of the Smiley House could come about, given the Meridian Historical Village is run by the Parks Department and has paid staff and volunteers.

Principal Planner Oranchak was unsure, but did indicate there is coordination with the Township. She noted consideration would need to be given to the condition of the building as well as the cost of moving the building and the Parks Department would need to be consulted.

Commissioner Cordill suggested this issue be looked into by staff, soliciting input from Jane Rose of the Historical Village.

Commissioner Norkin inquired as to how many new jobs this project will create.

Mr. Weaver added this project will keep the approximate 130 jobs from the existing building in the downtown area. He added the corporate offices will then be relocated to the existing salon with a potential to add 40-50 jobs in the community.

Commissioner Norkin inquired if there are plans to bring staff from their Douglas J location in Ann Arbor.

Mr. Weaver responded there are not. He added the corporate office positions in East Lansing will be moved to the existing salon and that building would become the corporate offices. Mr. Weaver stated a restaurant in the MUPUD would be an asset in the downtown area.

Vice-Chair Jackson spoke to the choices of design and materials as they relate to sustainability and requested the applicant clarify the rationale used.

Mr. Weaver responded the development would capture rainwater to be used as non-potable water for restrooms and irrigation within the facility. He added there will be pervious pavement which will assist with runoff. Mr. Weaver indicated this building will be Society of Environmentally Responsible Facilities (SERF) certified. He noted *Aveda*®, the exclusive line of products carried by Douglas J, performs an environmental audit for all of his facilities, scoring high marks each time.

Mr. Henry added the areas comprised of concrete have a solar reflective index reduction and both roofs are made of white membrane, which has a high rate of reflection to keep heat off the buildings. The green roof will contain potted trees and green flats. The development will utilize LED lights and offer electric car charging stations, low volume toilets and showers, recycle stations for recycled materials, etc.

Vice-Chair Jackson spoke to information contained in a communication regarding preservation of two 60 foot trees on the property over 150 years old. She indicated there does not appear to be any evidence that those trees will be preserved.

Mr. Henry indicated the engineer is looking at the possibility of preservation, dependent upon its location.

Vice-Chair Jackson inquired about the parking configuration for this development, noting there is parking counted on the new site, the old site and a parking agreement with the Masonic Temple.

Mr. Weaver responded in the affirmative, stating the existing parking lot is within the footage to be allowed in the calculation.

Vice-Chair Jackson inquired if the current shared parking agreements in place will last into perpetuity.

Principal Planner Oranchak responded staff needs to look at the shared parking agreement with the Masonic Temple. She added the current Douglas J building is not part of the MUPUD.

Vice-Chair Jackson inquired if the shared parking agreements will need to become part of the MUPUD.

Principal Planner Oranchak responded in the affirmative.

Mr. Weaver added the shared parking agreement is an 'endless' agreement and he would be happy to provide a copy for Planning Commissioners.

Commissioner Norkin asked if the applicant would be willing to enforce no parking on the neighbor's property and provide a gate or signage if needed.

Mr. Weaver responded they would certainly provide signage and urge clients to park in the appropriate locations.

Vice-Chair Jackson closed the public hearing at 8:53P.M.

- F. Special Use Permit #12061 (Sheikh), request to operate a group child day care home for up to 12 children at 2657 Roseland and make a decision the same night as the public hearing

Vice-Chair Jackson opened the public hearing at 8:54 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the special use permit request as outlined in staff memorandum dated July 19, 2012.
- Applicant
Anjum Sheikh, 2657 Roseland Avenue, East Lansing, offered rationale to increase her business to a group day care center as she has had several additional requests for care.
- Planning Commission discussion:
Commissioner Honicky inquired as to the age range of the children in her care.

Ms. Sheikh responded they are ages newborn to four (4) years of age

Commissioner Honicky expressed concern for the safety of children during pick up and drop off times when the amount of children will double and there is no sidewalk.

Ms. Sheikh indicated she has had no issue with pick up or drop off as those times are staggered. She added there will not always be 12 children as some are part-time and some are full-time.

Commissioner Honicky inquired as to the facility for sanitary disposal of diapers.

Ms. Sheikh responded she uses a diaper genie system of double bagging, with waste disposal provided by Granger.

Commissioner Honicky inquired if there has been any concerns expressed by neighbors in running her current operation.

Ms. Sheikh responded she has not received any complaints by neighbors. She added that she has discussed the proposed expansion with neighbors who expressed support for her project.

Commissioner Honicky asked if the applicant had a gate in the backyard which opened onto the athletic field.

Ms. Sheikh responded in the affirmative, noting the children are never unattended when in the back yard.

Commissioner Honicky inquired as to the number of care providers.

Ms. Sheikh responded if she has more than six (6) children, she must hire another individual. She added she has one assistant now who fills in when she is ill or on vacation.

Commissioner Honicky inquired as to her sick care policy.

Ms. Sheikh responded her sick child policy is similar to public schools. She added that if a child becomes sick while at her day care, he/she is segregated in a different room until the parent can pick them up.

Commissioner Cordill inquired of the applicant why she is asking for the Planning Commission to make an exception and vote on this special use permit this evening.

Ms. Sheikh responded this is the peak time of the year for parents who are looking for day care for the next school year. She added she must make application to the Department of Human Services to obtain her license.

Commissioner Cordill recommended placing a lock on the gate in the back yard which abuts the athletic field.

Commissioner Honicky expressed concern the applicant had not checked the box to allow Planning Commissioners access to walk the property.

Ms. Sheikh stated she placed a note on Part 9 of the application to call and set up an appointment at any time.

Vice-Chair Jackson inquired if her decision to expand her current center with six (6) children to twelve (12) children required her to obtain a special use permit from the Township and new certification from the State of Michigan.

Ms. Sheikh responded in the affirmative.

Commissioner Cordill stated that Township procedure required notice of the public hearing be sent to adjoining property owners. She added there did not appear to be concern by neighbors as none have attended this meeting.

Vice-Chair Jackson closed the public hearing at 9:12 P.M

7. Unfinished Business

Commissioner Scales moved to suspend Planning Commission Bylaw 6.4 to consider Special Use Permit #12041 the same night as the public hearing. Seconded by Commissioner Honicky.

VOICE VOTE: Motion carried 6-1 (Hildebrandt).

A. Special Use Permit #12041 (Quatro), a request to operate an indoor swim club at 5135 Times Square Drive and make a decision the same night as the public hearing

Commissioner Scales 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 #12041 subject to the following conditions:

1. Approval is subject to the site plans prepared by Robert Noe Architecture and Quatro

Construction, dated June 20, 2012, and the associated materials submitted as part of Special Use Permit #12041, subject to revisions as required.

- 2. The applicant shall obtain any applicable permits, licenses, and approvals from the Township and Ingham County prior to any work taking place on the site. Copies of all permits, licenses, and approvals shall be submitted to the Department of Community Planning and Development. Seconded by Commissioner Honicky.**

Planning Commission discussion:

- Swimming school will be a welcomed addition and will fill a void in the community
- Swimming school would have been a use by right in C-1 or C-2 zoned property
- Concern with setting a precedent by continuing to vote on an issue the same night as its public hearing
- Suggestion to have neighbors in support of a project come to the public hearing when requesting a vote be taken the same night

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

NAYS: None

Motion carried 7-0.

- B. Special Use Permit #12061 (Sheikh), request to operate a group child day care home for up to 12 children at 2657 Roseland and make a decision the same night as the public hearing**

Commissioner Scott-Craig moved to suspend Planning Commission Bylaw 6.4 to consider Special Use Permit #12061 the same night as the public hearing. Seconded by Commissioner Scales.

VOICE VOTE: Motion carried 6-1 (Hildebrandt).

Commissioner Scott-Craig 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 #12061 (Sheikh) with the following conditions:

- 1. Approval is based on the application materials submitted by the applicant subject to revisions as required.**
- 2. The applicant shall obtain and maintain all necessary permits, licenses and approvals from the State of Michigan Department of Human Services Bureau of Children and Adult Licensing and the Township.**
- 3. The maximum attendance for the group day care home shall be not more than 12 children at any one time.**
- 4. The hours of operation for the group day care home shall be limited to 7:30 a.m. to 5:30 p.m., Monday through Friday.**
- 5. A non-illuminated sign no larger than two square feet may be affixed to the front façade of the residence to identify the day care center.**

Seconded by Commissioner Scales.

Planning Commission discussion:

- Useful to have public comments from neighbors on these types of issues
- Area has an active new neighborhood association with a great deal of communication
- Knowledge that the neighbors immediately across the street and on both sides of the subject site are supportive
- Township ordinance provides for an appeal of the Planning Commission decision to the Township Board within a ten (10) day window
- Established Planning Department procedure to send the applicant a letter delineating the Planning Commission decision and including information regarding the ten-day appeal period

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

NAYS: None

Motion carried 7-0.

8. Other Business (None)

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

10. New applications

- A. Special Use Permit #12031 (Public Works & Engineering), a request to work in the 100-year floodplain to construct an off-road pedestrian/bicycle pathway from Old Raby Road to the Interurban Pathway. The subject site is located east of Bayonne Avenue and south of Haslett Road
- B. Wetland Use Permit #12-05 (Public Works & Engineering), a request to impact wetlands to construct an off-road pedestrian/bicycle pathway from Old Raby Road to the Interurban Pathway. The subject site is located east of Bayonne Avenue and south of Haslett Road
- C. Special Use Permit #12041 (Quatro), a request to operate an indoor swim club at 5135 Times Square Drive and make a decision the same night as the public hearing
- D. Mixed Use Planned Unit Development #12024 (Douglas J), request to develop an approximate 1.5 acre site with two buildings, one with mixed residential and commercial uses, located on the northwest corner of Okemos and Hamilton Roads
- E. Special Use Permit #12051 (Douglas J), request to construct two buildings totaling more than 25,000 square feet in gross floor area on approximately 1.5 acres located on the northwest corner of Okemos and Hamilton Roads
- F. Special Use Permit #12061 (Sheikh), request to operate a group child day care home for up to 12 children at 2657 Roseland and make a decision the same night as the public hearing

11. Site plans received (None)

12. Site plans approved

- A. Site Plan Review #12-78-22 (Robertson), new day care facility, 4133 Okemos Road (former Kinder Kare)
- B. Site Plan Review #12-95-10 (Graff Chevrolet), add a Hertz rental car facility to the Graff Chevrolet new and used car dealership, 1748 Grand River (associated with a minor amendment to SUP #84211)

- C. Site Plan Review #12-03 (Leasure Tyme LLC), construct an addition and reface the building occupied by Marvel Lanes/City Limits Bowling, 2120 E. Saginaw

13. Public remarks

Vice-Chair Jackson opened and closed public remarks.

14. Adjournment

Vice-Chair Jackson adjourned the regular meeting at 9:30 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary