

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
June 11, 2012**

APPROVED

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

PRESENT: Commissioners Cordill, Deits, Goodale, Hildebrandt, Honicky, Jackson, Norkin, Scales
(7:02 P.M.), Scott-Craig
ABSENT: None
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Chair Deits called the regular meeting to order at 7:01 P.M.

2. Approval of agenda

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

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

Commissioner Scott-Craig moved to approve the Regular and Work Session Meeting Minutes of April 23, 2012 and the Work Session Meeting Minutes of May 14, 2012. Seconded by Commissioner Hildebrandt.

VOICE VOTE: Motion carried unanimously.

4. Public Remarks

Chair Deits opened the floor for public remarks.

Neil Bowlby, 6020 Beechwood Drive, Okemos, requested that the Planning Commission agenda be available online the Friday before a meeting. He suggested that public comment be allowed during unfinished business.

Michael C. Powell, Powell Engineering & Associates, 4700 Cornerstone Drive, White Lake (civil engineer for Trilogy), availed himself for Planning Commission questions relative to Special Use Permit #12021 (Trilogy Health Services)

Chair Deits closed public remarks.

5. Communications

- Douglas Federeau, 5370 Okemos Road, East Lansing; RE: Non-compliance with the Building Ordinance
- Darrell Vaughan, 1614 W. Grand River Avenue, Okemos; RE: Wetland Use Permit #12-03 (Trilogy)

6. Public hearings

- A. Special Use Permit #12021 (Trilogy Health Services), request to construct a 91-bed assisted living/skilled nursing care center on approximately nine acres zoned RA and RD east of Central Park Drive

Chair Deits opened the public hearing at 7:08 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 special use permit (SUP) request as outlined in staff memorandum dated June 6, 2012.
- Applicant
Michael Powell, Powell Engineering & Associates, 4700 Cornerstone Drive, White Lake, noted no stormwater would leave the site, but placed in rain gardens on the west and north sides of the site, with the majority of the capacity in the eastern end of the site. He added the bottom of the rain gardens would have perforated storm sewer surrounded by stone, so the stormwater would perk into the ground and dissipate much like it does in its natural state. Mr. Powell indicated percolation for a 100 year storm requires 40,000 cubic feet of storage on the site and the stormwater calculations on the plan provide for 90,000 cubic feet, more than twice the capacity necessary to allow it to perk away. He stated the rain gardens around the north and west sides of the site are meant to be dry so the stormwater will perk through the soils and into the subdrain (i.e., French drain). He added this allows the stormwater to drain below the frost level in the winter for year round perking and allows the three (3) foot deep swale with stone lining to be covered in grass. Mr. Powell stated the detention area along the east side of the site will have wetland plant growth in approximately one foot of water at different levels.

Mr. Powell noted the water main will be picked up from Central Park Drive, run along the front of the site and loop around to tie into the stub for Central Park Estates, providing two water sources to serve the site. He stated the deepest sanitary sewer is a stub from Nassau. Trilogy's line will run along the northern portion of the property so that the remaining 30 acres will be served by sanitary extended by Trilogy.

Mr. Powell addressed the paved area along the northern portion of the property, pointing out a redesign to accommodate a 20 foot side gate for Fire Department access only. He stated the Fire Department asked for it to be paved and maintained from snow so the ladder truck could be used to fight a fire. Mr. Powell indicated the paved area will be marked for emergency vehicles only and he has proposed a mountable curb line be continued around the access point.

Mr. Powell displayed a landscape plan on the overhead projector which delineated the intent of the buffering along the north property line is to soften the appearance of the single story structure from residences in Central Park Estates. He added a six (6) foot high berm was created to shield the view of the adjacent neighbor directly to the north. Mr. Powell stressed there will be no vehicular traffic activity along the north side of the property.

Mr. Powell noted if single family two-story residences were built on this property, they could be constructed thirty (30) feet from the rear property line with accompanying bright lights, swimming pools, etc. He added that Nassau Street was designed as a through street for anticipated additional single family homes, and the existing residents in Central Park Estates would experience increased through traffic. In response to Planning Commissioner comments the last time this issue was before them, a seven (7) foot pathway from Central Park into and around the site, as well as bicycle parking and a tie of the pathway system all

around the building to the sidewalk into Central Park Estates, has been provided. Mr. Powell stated that representatives from the Central Park Estates Association expressed grave concern with allowing Trilogy personnel the potential to walk in front of their homes. He reminded the representatives that if 80-100 homes were constructed on this parcel, there would be accompanying cars, children and bicycles using the sidewalks in front of their residences.

Mr. Powell passed out 3-D representations of the site depicting the entire building with cupolas for the nursing stations made predominantly of brick. He also displayed photographs of an existing Trilogy site in Commerce Township.

- Public

Stephanie Sheffer, 2090 Ashland Avenue, Okemos, owner of lot #38 in the Central Park Estates subdivision, spoke in support of the project, expressing a desire for taller trees on the berm while maintaining the existing older trees on lots #37 and #39. She voiced concern with where employees and visitors would take smoke breaks given the connecting pathway. Ms. Sheffer believed the sidewalk along the main road would better serve employees and visitors and questioned the need for the connecting pathway, likening it to “nothing more than a shortcut.” She believed the quiet environment and well maintained landscape offered by the facility is ideal in comparison to other residential options which could be built on this property.

Kim Maylee, 4818 Nassau Street, Okemos, spoke in support of the project while opposed to the location, as single family homes would surround it. He also expressed concern with drainage as the soil is predominantly clay and runoff would not seep into the ground. Mr. Maylee feared what could happen if the business does not thrive and the building becomes vacant in the “middle” of the subdivision. He voiced his concern with the traffic coming out of this development onto the curve on Central Park Drive.

Gabriel Hausbeck, 4800 Nausau, Okemos, spoke in opposition to the proposed development, believing the land should be used for development of single family homes. He expressed concern with privacy, lighting, traffic, water runoff, flooding and the effect of this development on the adjacent wetland and existing wildlife.

- Planning Commission discussion:

Commissioner Goodale inquired if this development requires two access drives.

Principal Planner Oranchak responded she was not aware of any such requirement.

Commissioner Goodale inquired if the development is contingent upon the State of Michigan issuing a Certificate of Need (C of N).

Principal Planner Oranchak responded the C of N was already established when Trilogy proposed a project on the corner of Cornell Road and Grand River Avenue. She added she believed that C of N was still in place, but staff will verify this issue with the state.

Commissioner Goodale acknowledged this is a better location than the one originally proposed at the corner of Cornell and Grand River; however he expressed concern with the sidewalk adjoining into the adjacent residential neighborhood.

Commissioner Goodale requested the applicant explain the seeming disparity between the statement there were several alternatives considered for this location and a statement during a meeting several months ago which indicated this was the only location available.

Mr. Powell first explained that neither Meridian Township ordinances nor the Planning Department require two entrances to this site. He noted that when he met with the Fire Department, staff indicated the International Fire Code (IFC) mandates two entrances wherever this facility is constructed, and agreed to the limited entrance to the north. Mr. Powell clarified that Trilogy could not present a project to a local community until it had been approved by the State of Michigan and a C of N is in force.

Mr. Powell noted that in working with the current property owner, Roger Drobney of Newman Equities, all other configurations on the site were eliminated due to the location of the utilities along the north property line. He added that in order to have access to these utilities, it was necessary for the project to be located in the northwest corner of the Newman Properties. Mr. Powell noted that to do otherwise would require water main and sanitary sewer extension "crossways" through an open field for several hundred feet without knowing how the remainder of the property would be developed. He added that this specific location has far fewer technical engineering difficulties than any other site available in this area.

Commissioner Goodale inquired as to the five (5) foot sidewalk to the north and a seven foot sidewalk along Central Park Drive.

Mr. Powell spoke to the Township's Pathway Master Plan where the standard for areas which experience bicycling, walkers, etc. is seven (7) feet. He added there are two seven (7) foot pathway segments along Central Park Drive it was his intention to continue the same concept into the site and in the area where there would be visiting traffic. Mr. Powell noted that Trilogy expected very little use on the sidewalk to the north; instead choosing to have as much green remain as possible.

Commissioner Goodale expressed concern with the 20 foot gate in front of the drive to the north.

Mr. Powell indicated the 20 foot gate has not yet been designed.

Commissioner Goodale expressed concern with an earlier comment that cars would be able to "go around" the gate.

Mr. Powell explained his entire comment entailed that if an individual was familiar with traffic, once a gate is in place, the drives "around it" become wider over time. He stated the Fire Department requires a drive to be 16 feet in width, so the intent was to bring the berm up to the hinges of the gate so that cars cannot circumnavigate around the gate due to the terrain.

Commissioner Cordill inquired what the applicant considered as the front door to the project.

Mr. Powell responded the front is facing the south.

Commissioner Cordill expressed concern with the location of the loading area.

Mr. Powell stated that in an attempt to keep the noise and traffic shielded from the neighborhood to the north, it was placed in the southeast portion of the project, along with the trash dumpster and the emergency generator.

Commissioner Cordill asked the applicant what is contained inside the building around the U shaped loading area.

Mr. Powell responded it is the mechanical wing, the kitchen area and the employee entrance. He added all of the residences are located on the outer wings.

Commissioner Honicky stated the water runoff from the impervious surface will go into the rain gardens and the holding facility below the frost line. He asked if that water would travel to an aquifer.

Mr. Powell explained that the definition of an aquifer is groundwater that can be reached by a well and be drinking water. He stated the State of Michigan requires that it be no higher than 25 feet. Mr. Powell clarified that the water runoff will join the existing groundwater which moves laterally along the soils.

Given earlier public comment that the land was hard clay, Commissioner Honicky expressed concern with how the water would be absorbed.

Roger Drobney, Newman Equities, noted that the land west of the proposed site was pure sand, adding that the sand excavated when Toys R Us was built was used for a road project in another area.

Mr. Powell added that soil borings were performed and discovered to be a loamy material (with lenses of clay) and has a perk rate.

Commissioner Scales expressed continued concern with the walkway to the north which would connect with the neighborhood to the north. He inquired as to the necessity for this walkway.

Mr. Powell responded that when the applicant initially presented the plan to the Township's Planning Department, the walkways were contained around the building as well as a driveway tied to the north. He indicated in subsequent discussions with the Planning Department, the applicant removed all driveways, parking and sidewalk connection to the north. Mr. Powell stated that as a result of a Planning Commissioner's request at an earlier meeting that the project be tied to the north, the sidewalk was reinstated. He noted Trilogy has no problem with removing the sidewalk.

Commissioner Hildebrandt indicated her preference for the project to be moved to the south so that it abuts nearby commercial developments. She expressed concern with the road "spur" going out to Powell Road and a potential tie into Powell.

Mr. Powell stated the subject site is approximately 800-900 feet of Powell Road and there are no plans for a road tie-in to Powell Road. He added the drive along the south side was specifically designed to be used as a "T" turn and serve the thirty remaining acres.

Commissioner Hildebrandt expressed her desire for a road diet for Central Park Drive which would include a three (3) lane road with a left turn to alleviate concerns with possible accidents for traffic turning into various businesses on Central Park Drive.

Commissioner Scott Craig noted the applicant indicated on its drawing there are plans for a vegetative barrier on the north and south borders of the property. He inquired as to Trilogy's plans for barriers to the east in the event homes are built there.

Mr. Powell responded there will be vegetation to the east along the sides of the rain gardens. While not the applicant's intent since there currently isn't any development directly adjacent to the east, he will speak to the landscape architect to work on a buffer to the east for future homeowners.

Commissioner Scott Craig stated since traffic will be circulating around the driveway at the drop off point on the eastern side, lights will also be an issue for potential homeowners in that direction.

Commissioner Scott Craig found it difficult to grasp that where this has been sited on the property is the only solution. He noted that the water comes from two directions, one which is from the west (which is immediately available to all the land to the south). He inquired if the applicant's concern was the sewage.

Mr. Powell responded in the affirmative, adding an additional concern is the required second source of water.

Commissioner Scott Craig indicated if the project is moved into the southern part of the site, there is water and sewer available from Grand River Avenue.

Mr. Powell indicated there is no access to the water and sewer along Grand River, as all the properties on that road are developed.

Commissioner Scott Craig inquired if sidewalks are in the Central Park Estates development.

Mr. Powell answered that when a home is built in the subdivision, the sidewalk is put in.

Commissioner Scott Craig inquired how it is known where the rainwater goes that currently falls on the subject site.

Mr. Powell responded that rainwater flows two ways. He noted if the rain falls at a faster rate than can be absorbed, it follows the slope of the ground (west to east towards Powell Road), adding that once the water gets down below the grade and joins the existing groundwater (6-10 feet below the surface), it then moves in the same direction it currently moves.

Commissioner Jackson spoke to an assessment for the need of this type of facility in Meridian Township. She requested the applicant share with the Planning Commission the supporting information as to why Meridian Township needs this type and size of facility.

Mr. Powell indicated Trilogy developed the case, submitted its documentation to the State of Michigan and the state determined the need. He indicated Trilogy would be happy to share that information with the Planning staff and the Commission.

Commissioner Jackson also expressed concern with the drive being in the middle of the curve on Central Park Drive. She believed shift changes would be the times in which one could expect to have the most conflict with traffic entering and exiting the site and inquired as to the times of those shift changes, as she recalled they would avoid peak hours.

Mr. Powell responded the times of shift change are 6:00 A.M. (30 employees), 2:00 P.M. (15 employees) and 10:00 P.M., all of which avoid conflict with peak hour traffic.

Mr. Powell clarified that in meeting with the Ingham County Department of Transportation and Roads, the speed limit on Central Park Drive required the applicant to have a 460 foot line of sight in each direction, which the proposed location provides. He noted the trees will remain, but the ground brush will be eliminated.

Commissioner Norkin requested information on why this site was the only viable option. He requested that either a Trilogy representative be available for the next meeting where this issue is taken up, or provide Mr. Powell with the requested information. Commissioner Norkin noted that none of the existing nursing homes in Meridian Township are an "island" within an RA zoning district and for good reason. He expressed concern that in the event Medicare and Medicaid rules change and this business does not thrive, it would be difficult to lease this type of "winged" facility to another tenant. Commissioner Norkin also asked that Jim McGrath be invited to speak to the Planning Commission relative to the effect the proposed development will have on the wildlife and surrounding wetlands.

Chair Deits asked what steps will be taken to keep soil infiltration out of the French drains.

Mr. Powell responded that when the intent is to lower groundwater in an area, the French drain is typically lined with a filter fabric to avoid bringing the soil particles from around the drain into the stone and the pipe. He added that when water is being placed into a French drain and you want the water to leave, it is important not to have filter fabric in place. Mr. Powell elaborated that the fine particles which follow the rain water would mat the surface and would become an impervious barrier over time. He added that since the water on the subject site would need to leave, there would be no filter fabric lining, noting stone will be placed below.

Chair Deits clarified that an ambulance would always use the primary entrance off Central Park Drive unless there was an emergency and the main road was physically blocked for access.

Chair Deits expressed a desire for a complete streets evaluation of Central Park Drive, which he believed could improve traffic flow and capacity. He reiterated his previous suggestion to change the "T" turn into a cul de sac for better traffic flow

Chair Deits also did not like the connecting sidewalk to the north, as he believed there was a potential for the sidewalk to become overflow parking for the facility.

Chair Deits asked where the smoke break area was located.

Mr. Powell responded that all Trilogy facilities and properties are smoke free zones. He noted that removing the sidewalk would eliminate access to the adjacent subdivision and would preclude the ability of staff to smoke.

Chair Deits asked the applicant's representative to speak to public concern regarding the mature trees on the north border which might be shared across the property.

Mr. Powell responded that a landscape architect will design the landscape berm, incorporating every single tree worth preserving.

Chair Deits reminded fellow Commissioners that a similar project on Okemos Road abuts single family homes. He also noted that if this facility is located anywhere on the property, there will be RA zoned land adjacent to it. Chair Deits did not believe this one issue should be the sole reason to veto the project, if the proposal fits onto the site.

Commissioner Norkin expounded that other similar facilities in the Township are contiguous to commercial districts.

Commissioner Hildebrandt believed this type of project is a better fit to abut commercial property than to be surrounded by residential.

Commissioner Honicky noted his recollection of an earlier meeting where the concept of community was discussed and that the connectivity of a community is the exchange of people. He envisioned the elderly would enter this community and the residents would wander into the extended care facility as a way to become acquainted, with the sidewalk to the north being the avenue for this exchange.

Mr. Powell stated that Trilogy does not desire to have their facilities in commercial districts; rather, they seek a quiet place for residents to enjoy. He indicated occupancy for Trilogy facilities are 20% Medicare and 80% private residents. Mr. Powell noted that 36 beds will be assisted living (more elderly) and 55 beds are skilled care.

Commissioner Jackson inquired as to the rationale for 2.6 parking spaces per bed.

Mr. Powell responded there needs to be sufficient parking spaces for shift change. He indicated there were 30 parking spaces included above the ordinance and shift change requirements.

Commissioner Goodale inquired if the site was moved south behind Panera Bread and the Tuxedo Shop, would water and sanitary sewer be available from Grand River.

Mr. Powell answered the applicant has no legal right to force owners of property on Grand River to allow it to dig for water and sewer connections on their parcels in order to connect the proposed site.

Commissioner Goodale inquired if the higher roof line elevations were the cupolas for the nurses stations.

Mr. Powell responded in the affirmative.

Commissioner Goodale expressed concern with lighting from the cupolas shining through windows onto the neighboring properties during the night.

Mr. Powell responded there may be some muted glow from lighting down in the nurses station, but would not compare to the spotlights in back yards of residential homes.

Commissioner Goodale expressed concern with the noise of ambulance sirens emanating into the neighborhood. He inquired as to the distance from where an ambulance would enter the facility to the nearest home.

Mr. Powell responded that according to Trilogy, 90% of its ambulance runs do not use sirens. He added that Trilogy stated use of an ambulance once approximately every three (3) months, and only 10% of those runs use sirens. Mr. Powell estimated the total distance of 190 feet away from the nearest home, reminding Commissioners that a single family home could be 30 feet from the north property line.

Commissioner Scales stated his mother is in the Evergreen Health and Living Center, part of William Beaumont Hospital, located in Oakland County. He noted that during his visits, he frequently witnesses ambulances arriving at the facility, and has never seen one arrive with sirens turned on. Commissioner Scales believed this is due to the age of the facility's residents, and the ambulances are careful not to disrupt either the elderly patients or the neighborhood. He asked the applicant's representative to refresh his memory by elaborating on the changes made for garbage pickup.

Mr. Powell stated locations for the garbage pickup were looked at; one of which was next to the loading/unloading zone. Since the Township ordinance does not allow a trash dumpster to be placed in the front yard, he stated that configuration could not be used. Mr. Powell indicated the proposed location allows the truck to drive in, collect the trash, and leave the site the same way as they entered. He reminded Commissioners that several months, sometimes years, of planning and analysis goes into a site configuration before it reaches the Planning Commission.

Chair Deits urged caution that "perfect" can be the enemy of the good. He believed substantial progress has been made on this project since it was originally presented in a different location. Chair Deits expressed appreciation for Trilogy's willingness to come back to Meridian Township with another proposal.

Commissioner Norkin asked for an explanation of the process from this point forward as he would like the opportunity to receive the history on this project.

Chair Deits noted the application by Trilogy for a wetland use permit will not move forward. He indicated the next stage for this project is to place it on the Planning Commission's agenda for a vote, which would allow for additional public input.

Principal Planner Oranchak indicated staff will have a resolution prepared for the next meeting, which can be enacted upon should the Planning Commission desire.

Commissioner Cordill calculated that approximately 45 homes with two (2) to three (3) cars per house could be placed on this site. She believed the proposed use on this site is subdued by comparison.

Commissioner Norkin expressed concern that the special use permit would carry with the land, irrespective of the use of the property and building in the event the building was no longer used as a nursing facility.

Principal Planner Oranchak clarified the special use is for a nursing home only and any other use would have to come back before the Planning Commission.

Chair Deits closed the public hearing at 9:09 P.M.

7. Unfinished Business (None)

8. Other Business (None)

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

Chair Deits reported his enjoyment of the Sustainable Communities' workshop held last week where a great deal of material was covered.

10. New applications

- A. Special Use Permit #12021 (Trilogy Health Services), request to construct a 91-bed assisted living/skilled nursing care center on the on approximately nine acres zoned RA and RD east of Central Park Drive
- B. Wetland Use Permit #12-02 (Trilogy Health Services), impact wetlands to construct a driveway for Trilogy Health Services proposed assisted living/skilled nursing care center

11. Site plans received

- A. Site Plan Review #12-92-05 (Gilmour), façade refacing for the Nissan dealership, 1728 Grand River
- B. Site Plan Review #12-78-22 (Robertson), new day care facility, 4133 Okemos Road (former Kinder Kare)
- 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
- D. Site Plan Review #12-10-06 (DTN), 300 sq. ft. addition to the Waterbury Place apartment building, 2950 Mt. Hope, to accommodate two mechanical rooms and to install an outdoor patio adjacent to Community Service Center (associated with minor amendments to MUPUD #10014 and SUP #10121)
- E. 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)

12. Site plans approved

- A. Site Plan Review #12-92-05 (Gilmour), building façade refacing for the Nissan dealership, 1728 Grand River
- B. Site Plan Review #12-10-06 (DTN), 300 sq. ft. addition to the Waterbury Place apartment building, 2950 Mt. Hope, to accommodate two mechanical rooms and to install an outdoor patio adjacent to Community Service Center (associated with minor amendment to MUPUD #10014 and SUP #10121)

13. Public remarks

Chair Deits opened and closed public remarks.

14. Adjournment

Chair Deits adjourned the regular meeting at 9:12 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary