

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
July 25, 2011**

APPROVED

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

PRESENT: Commissioners Cordill, Goodale, Jackson, Norkin, Scales
ABSENT: Commissioners Beyea, Deits, Honicky, Scott-Craig
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Vice-Chair Jackson called the regular meeting to order at 7:05 P.M.

2. Approval of agenda

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

VOICE VOTE: Motion carried 5-0.

3. Approval of Minutes

Commissioner Scales moved to approve the Regular Meeting Minutes of June 13, 2011, the Work Session Meeting Minutes of June 13, 2011 and the Work Session Meeting Minutes of July 11, 2011. Seconded by Commissioner Norkin.

VOICE VOTE: Motion carried 5-0.

4. Public Remarks

Vice-Chair Jackson opened and closed the floor for public remarks.

5. Communications

- A. Laryssa Kaufman, 6212 Reynolds Road, Haslett; RE: Support for SUP #11011 (Drobney)
- B. Robert & Barbara Popp, 6218 Columbia Street, Haslett; RE: Support for SUP #11011 (Drobney)
- C. Michael S. Brenton, 6220 Columbia, Haslett; RE: Support for SUP #11011 (Drobney)
- D. Marvin Johansen, 6236 W. Reynolds, Haslett; RE: Support for SUP #11011 (Drobney)
- E. Joseph Mcguire, President, Wolverine Development Corporation, 1350 East Lake Lansing Road, East Lansing; RE: Support for SUP #11031 (Omega Architects)
- F. Tina Reynolds, 2898 Colony Drive, East Lansing; RE: Request for Planning Commission examination of increased traffic generated by SUP #11031 (Omega Architects)

6. Public hearings

- A. Special Use Permit #11031 (Omega Architects), request to develop 3010 E. Lake Lansing Road for use as a gas station, drive-through restaurant and convenience store.

Vice-Chair Jackson opened the public hearing at 7:09 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 proposed special use permit as outlined in staff memorandum dated July 21, 2011.

- Applicant

Joe Grochowalski, President, Omega Architects, 4301 Canal Avenue, SW, Grandville, noted this is a redevelopment site and is aware of variances which will be requested from the Zoning Board of Appeals. He indicated there will be a Tim Horton's restaurant at this location containing 750-800 net square feet with a maximum of six (6) chairs.

Mr. Grochowalski added that, based upon the initial response from the Planning Department, he cut off the corner to be traversed by vehicles in the drive-through lane and straightened the access to the trash receptacle straight up from the south. He noted there are no plans for the convenience store to be open 24 hours. Mr. Grochowalski noted his willingness to work with Michigan Department of Transportation standards on the south E. Lake Lansing Drive.

Mr. Grochowalski indicated the fuel tanks will be taken out and moved due, in part, to the fact the tanks have raised lids and would impede drivability for cars in the drive-through lane. He indicated the fuel truck will enter the southwest drive on E. Lake Lansing, make the turn to drop fuel and go out the southeast driveway on Hagadorn Road. Mr. Grochowalski acknowledged that a lot is being placed on this site to redevelop the old Marathon station, but this was the only route for the fuel truck to safely maneuver the site and stay away from most of the other traffic on the site.

Craig Hoppen, owner, J & H Oil, 2696 Chicago Dr SW, Wyoming, stated he performed due diligence prior to purchasing the gas station by testing for contamination and the Michigan Department of Environmental Quality (MDEQ) indicated the site is clean. He added the fuel tanks are close to thirty (30) years old and in the wrong place, so it is his desire to "redo" the tank farm and install new lines to maintain the clean site.

- Planning Commission discussion:

Commissioner Cordill asked if the applicant could construct a smaller building so the site does not have elements that are "shoehorned" on it.

Mr. Hoppen indicated the site is smaller than what his company typically builds. He added there is a reason why the site has been vacated in the past as the building's size and format is obsolete and doesn't work. Mr. Hoppen stated they looked at remodeling the building, but the footprint is not conducive to remodeling efforts. He acknowledged that the site is "tight" and that the solid block building directly behind the lot line makes it visually appear even tighter. Mr. Hoppen indicated the property owner to the west has built on the property line.

Commissioner Cordill inquired if the building could be shifted to the south to allow for a pass-through lane to the north of the drive-through lane.

Mr. Hoppen responded the fourth pump being installed is in line with the canopy post and once a car is parked there to receive fuel, space as designated on the plan is necessary to have any type of flow to navigate traffic.

Commissioner Cordill noted she would like to see the pine trees to the north remain, while acknowledging they are not on the subject property.

Mr. Hoppen added he believed the pine trees were close to the end of their life expectancy and indicated the opportunity to place something newer in that space can be explored.

Commissioner Cordill indicated she would like to see the site "greened up."

Commissioner Norkin inquired if the applicant was working with the neighbors to the north, west and the Carriage Hills property.

Mr. Hoppen responded that, to his knowledge, there has not been any contact as of yet.

Commissioner Norkin indicated traffic waiting for gas during rush hour can back up onto Hagadorn coming out of the adjacent neighborhood. He inquired as to "Plan B" if this project is approved and traffic backs up on Hagadorn.

Mr. Hoppen responded he believed such a scenario is the reason for only one pump under the canopy on the far east side of the property. He indicated the demographics and the numbers from the site made it questionable whether his company would move ahead with the project and indicated he did not have a "Plan B" answer.

Commissioner Norkin asked the applicant to explore the possibility of obtaining an easement to the main entrance and exit of Carriage Hills from Lake Lansing Road as it would open up traffic flow and justify the closure of the eastern driveway from E. Lake Lansing Road to this property. He expressed concern making a left hand turn onto Lake Lansing Road from the site can be challenging as it is close to the intersection. Commissioner Norkin noted that this site is part of the Carriage Hills Development and from a Planning Commission perspective must be viewed as such.

Commissioner Norkin inquired as to the possibility of a parking arrangement with the neighboring DTN property.

Mr. Hoppen believed there was sufficient parking on site. While acknowledging that he was unsure of the Township's stand on this issue, entities on the west side of the state count the spots by the pump as parking spaces as well. He noted most patrons pull into a pump, park, fuel and then go into the convenience store for any purchase.

Commissioner Norkin inquired as to the number of employees.

Mr. Hoppen responded two employees for the gas station, and possibly two for Tim Horton's as well.

Commissioner Norkin spoke to how "tight" the site is, and felt it necessary to have an exploratory "Plan B."

Commissioner Scales expressed appreciation to the applicant for the redevelopment project, while expressing serious concern with no bypass lane for the drive-through area. He believed it necessary to address this problem. Commissioner Scales also noted two (2) doors located on the south side of the building, one presumably for Tim Horton's and one for the convenience store. He inquired if there was parking located in front of these doors.

Mr. Hoppen responded the parking is off to the side.

Commissioner Scales stated patrons will park in front of the doors, regardless of whether there are parking spaces or not.

Mr. Hoppen indicated this scenario was one of the reasons why space is needed between the pumps and the building.

Commissioner Scales inquired as to the location of handicap parking.

Mr. Hoppen responded it is the first space off the southeast corner of the building.

Commissioner Scales asked staff if one handicap parking space met state requirements.

Principal Planner Oranchak responded it met the state requirement of one handicap parking space for every 25 parking spaces on the site.

Commissioner Scales expressed his desire to see the building moved to the south to allow for a bypass lane at the northern edge of the site behind the drive-through lane.

Mr. Hoppen noted that visual contact must be maintained between the building and the vehicles purchasing gasoline, so it was their intent to "paint out" the area identified by Commissioner Scales to alert patrons they cannot park in those areas.

Commissioner Scales inquired if the tanks which the applicant indicated are 30 years old would have been replaced in the 1990s.

Mr. Hoppen responded there are tanks in the ground 55-60 years old; however, his company does not own any tanks older than 26 years old as they are harder to insure. He added the existing tanks on site are double walled fiberglass tanks and believed they would look very new when pulled out of the ground.

Commissioner Scales inquired if the applicant placed the monitoring wells on the site.

Mr. Hoppen noted that he hired someone to perform a baseline assessment.

Commissioner Goodale also expressed concern with the lack of a bypass lane and cited an example of a car breaking down while in the drive-through lane. He asked the applicant if any thought had been given to moving the building along the west property line.

Mr. Hoppen responded the proposed building location works best for marketability purposes due to the layout of the canopies. He added that moving it to the west side, there would be setback problems and lost sight of the pumps at the far canopy.

Related to the drive-through lane, Mr. Hoppen inquired if the ordinance stated there must be a bypass lane for a minimum of three (3) cars.

Principal Planner Oranchak responded there must be a bypass lane and, typically, the drive-through and bypass lanes are side by side. She explained the ordinance states a minimum of three (3) cars for the window and an additional three (3) cars for the menu board.

Mr. Hoppen stated when the plan was drawn, the architect was looking at the three (3) car minimum.

Commissioner Goodale also suggested placing the building on an angle from north to west to allow space for the bypass lane and 16 parking spaces.

Mr. Hoppen was concerned placing the building on that angle would further restrict the drive-through lane, given the space needed for an enclosed garbage area.

Commissioner Goodale inquired if there were problems for the previous gas station with children walking to school who needed to cross the southeast exit lane.

Principal Planner Oranchak indicated she was not aware of any such problem. She acknowledged that in all situations like this, both the Township and the Ingham County Road Commission (ICRC) are anxious to reduce the number of driveways because the more driveways on a road, the more traffic is slowed down. She added this can lead to traffic being backed up into an intersection.

Vice-Chair Jackson inquired if the monitoring wells stay with the tanks.

Mr. Hoppen stated that once the tanks are excavated, the monitoring wells will be removed as well. He noted the one spot which can't be checked on a tank is the bottom. Mr. Hoppen gave history of ownership, indicating that representatives from ExxonMobil and Marathon will be present when the tanks are removed to ensure the site is clean.

Vice-Chair Jackson asked the applicant if he had any comments on the ICRC's recommendation to restructure the curb cut on E. Lake Lansing Road.

Mr. Hoppen believed the ICRC's recommendation is a good one, as the fuel truck must use this driveway and needs as much space possible to make the turn.

Commissioner Scales inquired as to the location of the storm sewer and sanitary sewer in relationship to the tanks.

Don Vandenberg, Priority Construction, stated the sanitary sewer "comes in" from Hagadorn behind the building.

Commissioner Norkin inquired if there is a parking spot for customers of Tim Horton's to move to while waiting for their food order.

Mark Kelleberger, Tim Horton's, stated the company's speed of service is very quick but, if needed, patrons could pull forward and use the first parking spot on west side for temporary parking.

Commissioner Norkin did not believe there was room for the patron to pull forward and have cars come from behind and bypass them.

Mr. Kelleberger reiterated that Tim Horton customers very seldom have to wait and turn over time is quick; so much so that the company does not plan for those situations as they are not encountered very often.

Commissioner Norkin inquired if sandwiches are on the menu.

Mr. Kelleberger responded that breakfast sandwiches are on the menu.

Commissioner Norkin asked if the breakfast sandwiches are cooked to order.

Mr. Kelleberger answered they are cooked to order with pre-cooked ingredients held in a hot holding unit. He stated that in his years of employment with Tim Horton's, the company has never had to provide parking spots for patrons waiting for their food order.

Commissioner Scales inquired as to Tim Horton's hours of operation.

Mr. Kelleberger responded that Tim Horton's hours of operation would mirror those of the gas station.

Mr. Grochowalski added the hours of the gas station will be 6:00 a.m. until 11:00 P.M.

Commissioner Scales inquired as to what Tim Horton's will serve after the breakfast hour(s).

Mr. Kelleberger responded there is a lunch menu; however, lunch is less than ten (10) percent of their business.

Commissioner Scales reminded the applicant other things are occurring at the window, e.g., finding money, making change, etc. He added these other issues contribute to the length of time a drive-through customer would be sitting at the window.

Mr. Kelleberger stated Tim Horton's goal for speed of service is 25 seconds for a customer's time at the drive-through window.

Commissioner Norkin inquired if this would be a cash only business.

Mr. Kelleberger responded in the negative, stating credit cards would also be accepted. He added the process for credit cards is that the customer does not have to sign a receipt for any purchase under \$25.00. He indicated credit cards are "almost" simpler than making change.

Commissioner Scales asked if the gas station would require pre-pay at the fuel pumps.

Mr. Grochowalski responded in the affirmative.

Commissioner Scales expressed confusion with earlier comment by the applicant's representative that the reason the building could not be moved was that staff would lose sight of the pumps. He did not believe that would be a problem if the pumps were pre-pay.

Mr. Grochowalski responded state law requires fuel pumps to be visible by the cashier.

Mr. Grochowalski asked staff for the width required by ordinance for the drive-through lane with an adjacent bypass lane.

Principal Planner Oranchak responded either eleven (11) or twelve (12) feet per lane.

Mr. Grochowalski inquired of staff if a variance for a tighter lane than required by ordinance for the bypass would be more achievable than attempting passage without a bypass lane.

Mr. Grochowalski noted that, during discussion, Tim Horton's drive-through operation was compared to that of a McDonald's. He pointed out that Tim Horton's has a 25-30 second time frame for service and does not have the volume of a McDonald's. He expressed concern that sliding the building to the south as suggested by some Planning Commissioners would create more congestion in the area of the gas pumps. Mr. Grochowalski noted there is now 32 feet between the sidewalk and the first fuel pump, which would allow for a car at the pump, and traffic in both directions. He believed moving the building south would consequently reduce that footage and create traffic congestion.

Mr. Grochowalski noted there are a combination of things in varying degrees which can be done to achieve redevelopment on this site. He addressed the need for a landscape buffer on the north property line, given the fact the building on the adjacent property to the north is just off the property line. He noted not being required to have a landscape buffer would provide additional space for the bypass lane.

Mr. Grochowalski requested guidance from the Planning Commission in the form of conditions on the approval in order to secure the special use for the restaurant. He spoke to the economies of scale to make the site viable. He inquired if a 19-20 foot wide lane north of the building would be adequate to serve as a drive-through lane and a bypass lane, knowing a variance for the width would be requested from the Zoning Board of Appeals.

Commissioner Scales inquired of staff if the width of either 22 or 24 feet would be needed for the drive-through lane and the bypass lane.

Principal Planner Oranchak believed there have been instances where two (2) ten (10) foot wide lanes have been installed. She noted installation of these lanes will depend upon the geometry of navigating around the corner.

Commissioner Scales inquired as to the applicant's willingness to reduce the building on the north side by two (2) to three (3) feet and what kind of impact that would have on the site.

Mr. Grochowalski indicated he would need to talk with the owner, but that would reduce the building to 38 feet in the north/south direction.

Commissioner Scales noted the proposed building is larger than what previously existed on the site. He indicated his support for the project if there was a bypass lane and the recommendation of the ICRC was followed.

Commissioner Norkin expressed support for making the project economically viable for the community, while requesting the architect provide the Planning Commission with some "wobble room." He inquired if the architect had considered building up or reducing the pump on the Hagadorn side of the site while still making this a safe and attractive property.

Commissioner Norkin noted that while the applicant intends to have Tim Horton's as a food establishment on the property, there may be a time in the future when another food establishment is in that designated space. He explained this is the only time the Planning Commission has an opportunity for input on this site and asked the applicant, as experts, to be creative in best use.

Vice-Chair Jackson summarized the Planning Commission's greatest concern as one of safety while indicating it is the Commissioners' desire to see a redevelopment of this property with a viable operation. She explained the special use permit process for the applicant.

Mr. Grochowalski inquired as to the timeline if he were to redesign the site based on Planning Commission discussion.

Principal Planner Oranchak responded the applicant would need to provide a new site plan in the week prior to the next Planning Commission meeting

Vice-Chair Jackson closed the public hearing at 8:25 P.M.

7. Unfinished Business (None)

8. Other Business (None)

- 9. Township Board, Planning Commission officer, committee chair, and staff comment or reports**
Commissioner Scales publicly expressed his gratitude to the Meridian Police and Fire Departments for saving his life Thursday night by reviving him at his home.

10. New applications

- A. Zoning Amendment #11060 (Planning Commission), request to amend Section 86-2, Section 86-368(b), Section 86-403(d), Section 86-404(d), Section 86-405(d) and Section 86-435(b) of the Code of Ordinances to permit using, dispensing and growing medical marihuana in specified zoning districts

11. Site plans received

- A. Site Plan Review #11-00-03 (Parolero), addition to an office building at 1536 Haslett Road.

12. Site plans approved (None)

13. Public remarks

Vice-Chair Jackson opened and closed public remarks.

14. Adjournment

Vice-Chair Jackson adjourned the regular meeting at 8:30 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary