

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
September 26, 2011**

APPROVED

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

PRESENT: Commissioners Cordill, Deits, Goodale, Honicky, Jackson, Norkin (7:08 P.M.) Scales,
Scott-Craig
ABSENT: None
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Chair Deits called the regular meeting to order at 7:04 P.M.

2. Approval of agenda

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

VOICE VOTE: Motion carried 7-0.

3. Approval of Minutes

Commissioner Scales moved to approve the Regular Meeting Minutes of September 12, 2011 and the Work Session Meeting Minutes of September 12, 2011. Seconded by Commissioner Honicky.

VOICE VOTE: Motion carried 7-0.

4. Public Remarks

Chair Deits opened the floor for public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke to the flag size and flagpole height increase being appropriate as proposed in Zoning Amendment #11050. He noted his preference would be for no limitation on flag size.

Chair Deits closed public remarks.

5. Communications (None)

6. Public hearings

A. Special Use Permit #11011 (Drobney), request to work, place fill, and provide a compensating cut in the 100-year floodplain at 6210 W. Lake Drive

Chair Deits opened the public hearing at 7:07 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 special use permit as outlined in staff memorandum dated September 23, 2011.
- Applicant

Chris Drobney, 1582 Hickory Island Drive, Haslett, indicated the single-family dwelling previously located at 6210 W. Lake Drive was destroyed in a storm last year and he wishes to construct a new owner-occupied home. He added that while the proposed energy efficient new construction is larger than the previous non-conforming house, he tried to achieve minimum impact on the neighborhood environment. Mr. Drobney indicated there are only 41 cubic yards of fill placed in the floodplain, strategically located on the lot. He indicated the home was placed in its proposed location on the lot for several reasons: it minimizes the amount of fill in the floodplain, it is the highest area in the lot, the average depth of fill in the floodplain is seven (7) inches and it allows for the compensating cut to be placed outside of the buildable area.

As a point of comparison, Mr. Drobney indicated the footprint of the existing home is 1,090 square feet, the footprint of the proposed home will be 1,928 square feet and the footprint of the home to the north (built entirely in the floodplain) is slightly over 3,900 square feet. He indicated extensive engineering was utilized relative to run-off. Mr. Drobney stated his intent was to improve drainage/minimize any impact by maintaining the natural drainage into the Pine Lake Drain. He indicated none of the run-off from the house will go into Lake Lansing. Mr. Drobney met with the Ingham County Drain Commissioner's (ICDC) office who informally concluded the proposed home was probably not in the floodplain for Lake Lansing, but for the Pine Lake Drain. He indicated the proposed home meets all the use by right requirements for the RB zoning district, with the exception of the fill and the Michigan Department of Environmental Quality (MDEQ) permit.

- Public

Paul Pratt, Deputy Ingham County Drain Commissioner, 707 Buhl, Mason, referred to the ICDC's letter dated September 22, 2011 and included in the meeting packet. He noted the proposed home touches one of the easements to the dam which services Lake Lansing. He added ICDC's mandate is to administer court ordered lake levels, which will require use of the easement for maintenance in either 2012 or 2013.

Tony Schmidt, 6200 W. Reynolds, Haslett, and property owner directly to the north of the proposed construction, indicated run-off from the proposed development would directly affect his property. He noted his front yard, not his home, is within the floodplain. Mr. Schmidt was concerned with the amount of run-off from the proposed home which is over three (3) times the size of the previous structure, as well as increasing impervious surface by extending the length of the driveway. Mr. Schmidt also expressed concern that soil conditions were not included in Mr. Drobney's proposal.

Mr. Schmidt noted the photographs reveal the water has no place to go, as there is no drain on the east side of Marsh Road or Lake Drive until it reaches his property. He requested more precision in any necessary engineering work to build in the 100 year floodplain. Mr. Schmidt, who once attempted to build a home on this site, indicated his engineering report for this property has a different buildable area than the one currently presented. He suggested the Planning Commission allow Mr. Drobney to build "up" on the existing footprint rather than create a "mess" further than what has already been allowed by the neighbor to the north.

Ralph Yates, 307 N. Sycamore Street, Lansing, spoke to the use of plum sized rocks, twelve (12) inches of fine aggregate limestone topped with permeable concrete pavers which would allow water to seep into the area, acting like a septic field.

- Planning Commission discussion:

Commissioner Honicky visited the subject property yesterday, meeting with Mr. Schmidt who outlined his concerns. He added that while walking the roadway, he viewed that the “hump” of the road drains toward Lake Lansing and the run-off travels down Mr. Drobney’s gravel driveway, washing the gravel into the floodplain. Commissioner Honicky added that the land where the footprint of the house is to be constructed is “squishy,” as the underlying ground near a lake does not have a chance to run-off. He believed the issue much more complex than currently envisioned.

Commissioner Cordill inquired who determined the building envelope size.

Principal Planner Oranchak responded the building envelope is based on the zoning ordinance and setbacks.

Commissioner Cordill asked about the drainage issue.

Principal Planner Oranchak noted sites are graded to eliminate drainage onto other properties. She indicated, as stated by the Township engineer, drainage is one of the elements taken into consider when the site is designed, to consider the impact to the adjacent neighbor to the southwest, the direction in which the drainage will flow.

Commissioner Jackson expressed concern with public comment that no permits have been issued for this project; however, the packet contains information that the MDEQ has issued the applicable floodplain, inland lake and stream permits for the project.

Commissioner Cordill noted the ICDC’s standard for floodplain fill is 2-3 to 1, cut to fill ratio, which is higher than the state standard. She inquired which ratio would prevail.

Principal Planner Oranchak responded that the Township standard prevails.

Commissioner Scott-Craig asked staff for a definition of the floodway and floodway fringe.

Principal Planner Oranchak indicated the floodway fringe is like the back water and the floodway is the active stream for the floodplain. She clarified the location of the building is in the floodway fringe. Ms. Oranchak reminded Commissioners that all of the work has to be certified both before and after construction.

Commissioner Jackson asked if the building envelope for the present structure is non-conforming.

Principal Planner Oranchak responded the existing structure is totally outside of the building envelope, and the majority of it is also in the floodway fringe.

Chair Deits asked Mr. Pratt what the easement is for.

Mr. Pratt responded it is for access, maintenance and construction.

Chair Deits inquired as to the width of the easement.

Mr. Pratt responded it is approximately ten (10) feet.

Chair Deits requested clarification if the concern of the ICDC is the fact that the southwest corner of the house directly impinges into the easement.

Mr. Pratt responded in the affirmative, noting there is a meeting scheduled with Mr. Drobney to see what accommodations can be made on the site to ensure ICDC access to the easement. He added Mr. Drobney has been very willing to discuss these issues.

Commissioner Scott-Craig inquired as to the function of the easement between the two properties.

Mr. Pratt responded that it is an access easement from Lake Drive to the dam.

Principal Planner Oranchak added the easement along the lake was shown on the plans, but there is uncertainty as to the status of the construction easement along the south side of the property. She noted it was staff's understanding that the construction easement is not currently in place, but has expired.

Chair Deits noted the applicant has discussed his intent that the run-off from the house roof would flow southwest into the swale. He expressed concern an additional impervious surface would be created and the run-off would flow off the property.

Principal Planner Oranchak responded the Township engineer believed there would be less run-off in that direction and there was a way to work out the drainage to the southwest. She added she would obtain clarification before the next meeting.

Chair Deits indicated the run-off from the increased impervious surface remaining on the property should be addressed as a condition of approval.

Commissioner Honicky indicated nothing would alter the flow of the run-off and can't imagine the amount of water that would come from the proposed home.

Chair Deits closed the public hearing at 7:59 P.M.

7. Unfinished Business

- A. Zoning Amendment #11070 (Township Board), amend Section 86-687 of the Code of Ordinances to establish regulations for murals in commercial zoning districts.

Commissioner Scales moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #11070, to amend Section 86-2 and Section 86-687 of the Code of Ordinances to establish regulations for murals. Seconded by Commissioner Norkin.

Planning Commission and staff discussion:

- Supreme Court decision regarding free speech declared sign regulations must remain content neutral so the proposed ordinance has no reference to content
- Previous conversation that logos, trade names and brand names are not allowed on signs
- Artist's signature on the mural would be acceptable

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

NAYS: None

Motion carried 8-0.

- B. Zoning Amendment #11050 (Township Board), amend Section 86-402(3) pertaining to the size of flags and height of flagpoles in commercial zoning districts.

Commissioner Honicky moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #11050 to the Township Board. Seconded by Commissioner Scott-Craig.

Planning Commission discussion:

- 40 square foot flag is readily available

Commissioner Jackson offered the following friendly amendment:

- Amend the fifth and sixth WHEREAS clause to change the flag size from 60 square feet to 40 square feet
- Amend Sec. 86-402 (3) B. to change the flag size from 60 square feet to 40 square feet

The friendly amendment was not accepted by the maker.

Commissioner Jackson offered the following amendment:

- Amend the fifth and sixth WHEREAS clause to change the flag size from 60 square feet to 40 square feet
- Amend Sec. 86-402 (3) B. to change the flag size from 60 square feet to 40 square feet

Seconded by Commissioner Goodale.

Planning Commission discussion:

- Increase of flag size to 60 square feet would not create a form of business advertisement
- Flag size of 60 square feet would be considered an “intermediate” size
- Unnecessary to change the Planning Commission’s original recommendation

ROLL CALL VOTE: YEAS: Commissioners Cordill, Goodale, Vice Chair Jackson, Chair Deits

NAYS: Commissioners Honicky, Norkin, Scales, Scott-Craig

Motion fails 4-4.

ROLL CALL VOTE YEAS: Commissioners Cordill, Honicky, Norkin, Scales, Scott-Craig, ON THE MAIN Chair Deits

MOTION: NAYS: Commissioner Goodale, Vice-Chair Jackson

- C. Zoning Amendment #11080 (Township Board), amend Section 86-686 to increase the maximum free-standing sign size from 25 square feet to 28 square to include the site address; and, to permit free-standing directional signs in the PO (Professional and Office) district

Principal Planner Oranchak summarized the setbacks and dimensions contained in the ordinance as outlined in staff memorandum dated September 23, 2011.

Commissioner Scott-Craig moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #11080, to amend Section 86-686 of the Code of Ordinances in order to allow directional signs and additional square footage for the address to be included on a free-standing sign, as well as providing additional standards for free-standing signs in the PO zoning district. Seconded by Commissioner Norkin.

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

NAYS: None

Motion carried 8-0.

- D. Zoning Amendment #11090 (Township Board), amend section 86-687 to provide standards for signs (banners) for outdoor sports fields in C-3 (Commercial) and RP (Research Park) zoning districts

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 Zoning Amendment #11090, to amend Sections 86-687 and 86-688 of the Code of Ordinances in order to allow temporary signs to be installed on the perimeter fencing of a sports facility in the C-3 and RP zoning districts. Seconded by Commissioner Scott-Craig.

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

NAYS: None

Motion carried 8-0.

8. Other Business

- A. Mixed Use Planned Unit Development Concept Plan Review: Phase II Lodges of East Lansing Principal Planner Oranchak summarized the concept plan for Lodges of East Lansing Phase 2 MUPUD as outlined in staff memorandum dated September 22, 2011.

Principal Planner Oranchak summarized the MUPUD concept plan review as outlined in staff memorandum dated September 22, 2011.

Mark Clouse, CFO and General Counsel, Eyde Co., 4660 S. Hagardorn Road, Suite 660, East Lansing, displayed a drawing of what is currently placed on the site. He offered a brief history of this mixed use site to date. Mr. Clouse suggested Planning Commissioners visit the site, first parking their cars and then walk through the current Capstone development. He added his company's long range plan is the same as when this MUPUD was first proposed in 2008.

John Acken, Senior Vice-President, Capstone Development, 431 Office Park Drive, Birmingham, AL, spoke to the accomplishment of creating a pedestrian friendly neighborhood for students in Phase I. He added Phase I properties are over 99% leased. Mr. Acken encouraged Planning Commissioners to walk the property to get a sense of the pedestrian atmosphere through the use of street trees and the grid network. He stated that his company created a grid network of streets to encourage pedestrian flow throughout the development and continued that concept in Phase 2. He explained the rationale for building placement to allow for large green areas and amenities. Mr. Acken outlined the plan for a larger pool, gym, clubhouse with social rooms and another common area. He pointed out while the unit mix is very conceptual and more market research is required, the plan is for 1, 2, 3 and 4 bedroom units as well as 1 bedroom efficiencies and a few two bedroom units with larger bedrooms, closets and bathrooms. He clarified these two bedroom units would allow two students to share the room to be more cost effective.

Planning Commission, staff and applicant discussion:

- MUPUD allows for setbacks to be waived based on the site plan
- MUPUD provides for a mix of uses on the site
- Conditional rezoning allows for the residential component to be by itself
- Rezoning did not specify a minimum or maximum amount of retail

- Concern this site has nine (9) acres of climatic forest
- Inquiry if there are significant sized trees on the site
- Tree survey has been completed, but not completely analyzed
- Review and approval processes by the Planning Commission and the Township Board will determine if only the residential component(s) of the MUPUD are built first
- Staff has not evaluated the site plan for setbacks on this property as if it was a typical apartment structure
- This property abuts local roads and the setbacks are relaxed
- Appreciation that parking has a lower impact within the development
- Observation that there is not much lawn “block to block”
- Approval of the conditional rezoning in 2008 showed 1100 units
- 220 units in Phase 1, and 151 units in Phase 2
- Area for the conceptual senior housing development is currently being worked on, although it was not part of the MUPUD
- Phase 1 and Phase 2 as proposed are complimented by the retail at the Hannah Center
- Appreciation to the developer for investing in private mass transit for the site
- Appreciation to the developer for a very “high-end” complex
- Request for Commissioners to have permission to walk the site, since there are no trespassing signs posted
- Belief the no trespassing signs are an effort to avoid hunting on the property, as well as construction taking place
- Legal representative of the property owner will provide a letter giving Planning Commissioners permission to walk the site
- Possibility of fewer parking spaces in Phase 2
- Capstone continues to monitor parking with Phase I as those residents continue to bring cars and are buying cars locally
- Phase 1 parking ratio was 1.035 parking spaces per bed
- .9 parking spaces per bed for Phase 2 gives a balanced ratio with Phase 1 of approximately 1 parking space per bed
- Private mass transit provides two bus routes; one every 20 minutes during the day to the heart of MSU campus and another route every 30 minutes Thursday through Saturday night from the clubhouse to downtown East Lansing
- Concern with the amount of impervious surface on the site
- South and east sides of the site are either wetland and floodplain
- Inquiry as to plans for run-off mitigation
- The Hannah Drain is a stormwater detention basin and will be used for this project
- Plans are to pretreat first flush stormwater on site
- Concern with choices which may be required down the road with two phases of high-density residential in place
- Commercial component near the front of the 81 acres logistically makes the most sense
- No contact by the Ingham County Parks Department in over a year relative to a pedestrian bike path as part of the trail system along Hannah Blvd.
- Need for bicycle lanes to be addressed separately from pedestrian paths
- Reminder that as roads on the MSU campus are reconstructed, bicycle lanes are being added
- Possibility of working with the Ingham County Road Commission (ICRC) to reduce Hannah Boulevard to two lanes and add bicycle lanes
- All internal roads in Phase I have markings on the pavement for shared car/bicycle use
- Phase 1 resulted in almost no change in the traffic pattern within the area
- Multi-family housing across the street from a C-2 property can be a good mix

- .5 acre zoned RAA is part of the site and should not be included in the MUPUD request unless it is rezoned
- Staff and the property owner will work together for a solution on the .5 acre RAA property
- Property owner's desire to keep the .5 acre RAA land as part of the site
- Feedback from the Planning Commission and the Board during the initial stages of the plan is very helpful to the applicant
- Suggestion by the owner/applicant that a joint Board/Planning Commission meeting for the conceptual discussion would be the most helpful, as each body has different ideas

B. Resolution of Appreciation – Wayne Beyea

Commissioner Jackson 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:

The Planning Commission of the Charter Township of Meridian, by means of resolution, extends to Wayne Beyea grateful thanks for his voluntary effort on behalf of all residents of the community during this period of dedicated service on the Planning Commission. Seconded by Commissioner Honicky.

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

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 #11-86291 (St. Luke Church), minor special use permit amendment to reestablish approval to construct 36 new parking spaces as originally proposed and approved under SUP #05-86291.

11. Site plans received

- A. Site Plan Review #11-04 (Douglas J), Landscape renovation at 4663 Ardmore Avenue
- B. Site Plan Review #11-06-05 (St. Luke Church), new parking area at 5559 Van Atta Road.

12. Site plans approved (None)

13. Public remarks

Chair Deits opened public remarks.

Chris Drobney, 1382 Hickory Island Drive, Haslett, clarified earlier statements regarding drainage onto adjacent property relative to Special Use Permit #11011. He offered to meet with Planning Commissioners and walk his property with them.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed disappointment that the public did not have an opportunity to offer comment during the MUPUD concept plan review.

Chair Deits closed public remarks.

14. Adjournment

Chair Deits adjourned the regular meeting at 9:37 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary