

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
April 27, 2009**

APPROVED

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

PRESENT: Chair Wilcox, Secretary Jorkasky, Commissioners Deits, Domas, Honicky, Jackson,
Klemans, Reicosky
ABSENT: Commissioner Beyea
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Chair Wilcox called the regular meeting to order at 7:00 P.M.

2. Approval of agenda

Commissioner Honicky moved to approve the agenda. Seconded by Commissioner Deits.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

**Commissioner Honicky moved to approve the Regular Meeting Minutes of April 13, 2009.
Seconded by Commissioner Jackson.**

VOICE VOTE: Motion carried 8-0.

4. Public Remarks

Chair Wilcox opened and closed the floor for public remarks.

5. Communications

- Township Board Update for the Regular Board meeting of April 21, 2009 was given by Principal Planner Oranchak

6. Public hearings

- A. Special Use Permit 09-08041 (Delta Dental), a request to work in the 100-year floodplain to expand and reshape the existing pond; add wetlands; construct a bridge, boardwalk/dock/observation deck; and, provide compensating cut for the proposed fill.

Chair Wilcox opened the public hearing at 7:04 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 April 23, 2009.

- Applicant or Applicant's Representative
Michael Colpetzer, Spicer Group, Inc., 230 S. Washington Avenue, Saginaw, pointed to the cut and fill areas Delta Dental intends for this project. He added it was necessary to conduct a 2007 hydraulic analysis of the 100-year floodplain (HEC-RAS study) to show there would be no adverse impact to the floodplain or floodway.

Shawn Middleton, Spicer Group, Inc., 230 S. Washington Avenue, Saginaw, stated he performed the hydraulic analysis. He noted Delta Dental was required to obtain a state floodplain permit due to the fact work was being conducted in a stream with a contributing area of more than two (2) square miles. Mr. Middleton indicated that because part of the project included installation of a new bridge in the floodway and regrading around the floodplain areas, a Conditional Letter of Map Revision (CLOMR) was also required. He highlighted the following findings during the hydraulic analysis:

- Letter of Map Revision (LOMR) was prepared in 2003 for the stretch of the Smith Drain which starts at Sycamore Creek and goes upstream past the railroad tracks, across Delta Dental's property, across Okemos Road and well beyond the limits of the site
 - Spicer Group analyzed from FEMA's Cross Section B downstream of the railroad tracks to Cross Section F
 - FEMA requires a duplicate effective model of the previous study to which an applicant takes the current data obtained (survey data, field investigations, etc.), applies it to the current model and then it becomes a corrected duplicate effective model
 - Corrected duplicate effective model is then compared to the proposed conditions to create a base line
 - Difficulty in recreating a duplicate model as the railroad culvert is more narrow in the center than reported in the previous study
 - Use of the existing culvert to create the duplicate effective model revealed an existing condition which is two (2) feet higher than what is in the current flood insurance study
 - Net effect of both placing a very large three span culvert for the bridge section and excavation work was that proposed project did not change the floodplain
 - Change was the result of discovering a discrepancy in the previous study
- Planning Commission, staff and applicant discussion:
Commissioner Honicky inquired as to the floodplain elevation downstream past the railroad culvert under consideration.

Principal Planner Oranchak responded there was no impact to the other side of the railroad bridge.

Commissioner Honicky asked if the floodplain elevation for the Red Cedar downstream from the culvert is 839.5 feet.

Principal Planner Oranchak responded she was unsure of the floodplain elevation on the other side of the railroad culvert.

Commissioner Honicky asked if, in the event of a 100-year flood, everything west of the railroad culvert would be impacted.

Principal Planner Oranchak responded the applicant's comment was that there is virtually no change in the flood elevation, since the constriction has been there for an indeterminate amount of time. She noted there is an incorrect floodplain elevation on the current maps which is now being corrected as a result of the hydraulic analysis.

Mr. Honicky inquired of the applicant if 839.5 feet is the floodplain elevation of the Red Cedar River downstream of the railroad culvert.

Mr. Middleton responded that 839.5 feet is the floodplain elevation at some location downstream of that culvert.

Commissioner Honicky indicated his understanding of the resistance to flow is proportional to the cube of 4 times the diameter of the culvert.

Mr. Middleton answered it is not a linear relationship between the area and the conveyance capacity.

Commissioner Honicky requested an estimate of the flow differential between a five (5) foot culvert and the current culvert.

Mr. Middleton responded that he could not estimate without doing some calculations, but that at the same flow rate, it takes two (2) more feet of head to push the water through. He indicated that it would be two (2) feet deeper on the upstream side to push the same flow rate through the culvert. Mr. Middleton added that as you continue to put more head in the culvert, it will push more water through it, using a curved linear relationship.

Commissioner Honicky inquired at what point it would need to rain to flood Okemos Road and back up into the houses.

Mr. Middleton indicated a five hundred year event does flood over the top of the railroad tracks, submerging Okemos Road by two (2) feet.

Commissioner Honicky inquired where the present level of water is in relation to the one hundred and five hundred year flood event.

Mr. Middleton responded the invert of the private road culvert is an elevation of approximately 848 feet. The one hundred year floodplain elevation is approximately 857.5, 9.5 feet above the current level. He added the one hundred year floodplain on the Red Cedar River is four (4) feet below the railroad track culvert.

Commissioner Deits posed a hypothetical regarding management of the pond level if the railroad decided in the future to renovate the track and put in the correct culvert size.

Mr. Colpetzer answered the culvert on private property regulates the elevation, and Delta Dental has control of it.

Commissioner Deits asked how far upstream are the implications for the west side floodplain designations due to the fact the culvert narrows in the center.

Mr. Middleton responded in a one hundred year event, the slightly more than two feet differential becomes smaller as you move upstream. He added Spicer "ran" the model to determine that between 2,500 and 3,000 feet upstream of Okemos Road is where the differential "petered" out.

Commissioner Deits summarized there is a big discrepancy in the current floodplain map in the first one-quarter mile west of Okemos Road. He asked staff if this was something the Planning Commission needed to address.

Principal Planner Oranchak stated that the floodplain, as currently mapped, is actually beyond the lines shown. She added the maps are conservative and no construction has taken place in those areas.

Mr. Middleton added that from an elevation standpoint, there is increase. He stated it will be important information for residents along the Smith Drain, and they will be notified as part of the CLOMR process. Mr. Middleton noted that although the project does not change the elevation, the change in study does. He added that because of older techniques used in mapping the limits of how far the floodplain “goes out”, the poor topography and use of higher flow rates resulted in a wider floodplain shown on the maps.

Principal Planner Oranchak stated that although the office building on the west side of Okemos Road may have more of its parking lot in the floodplain, it did not appear there were any projects further south which were impacted.

In response to a statement from Commissioner Reicosky regarding the change in location for geese, Mr. Middleton stated the high native grasses along the edge deter the geese from landing due to its ability to hide predators.

Commissioner Reicosky inquired if it would be possible to use the decking area as an outdoor classroom activity for school children.

Brian McCarthy, Facilities Manager, Delta Dental, 4100 Okemos Road, Okemos, indicated Delta Dental is planning to be certified by the Wildlife Habitat Council where certain projects would involve its employees and members of the communities to set up different habitat improvement areas. This program could certainly include school children.

Commission Jackson inquired if the bridge was solely for vehicular use.

Mr. Middleton responded it has a sidewalk for use by pedestrians.

Chair Wilcox closed the public hearing at 7:54 P.M.

- B. ¹Special Use Permit #09021 (Johnson Sign Co.), a request to install a changing message sign at 2104 Hamilton Road.

Chair Wilcox opened the public hearing at 7:54 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the proposed special use permit as outlined in staff memorandum dated April 23, 2009.
- Applicant
John Miller, Corrigan Oil Sales, representing Johnson Sign Co. noted it is the intent of Woods Marathon to replace the existing sign with one which is 40 square feet, one price LED lit and lower the sign to bring it within the maximum height allowed by ordinance. He added the age of the existing sign presents safety issues for employees of the gas station.
- Planning Commission discussion:
Commission Deits inquired as to the height of the proposed sign.

¹ Please note the Planning Commission may make a decision regarding SUP #09021 and CR #09023 the same night as the public hearing.

Principal Planner Oranchak responded the height of the proposed sign will be over two (2) feet shorter than the current sign.

Commissioner Jackson asked if the new sign would only have one grade of fuel.

Mr. Miller responded there would be one grade of fuel on each side of the sign.

Commissioner Jackson inquired as to marketing rationale for lowering the height of the sign.

Mr. Miller responded it is being done to comply with Meridian Township's ordinance.

Commissioner Jackson asked if the current sign is a non-conforming sign.

Principal Planner Oranchak responded in the affirmative, as it is eighteen (18) feet in height, and sixteen (16) feet is the maximum height for a pole sign.

Commissioner Jackson asked for the rationale of providing the price for only one grade of fuel on each side of the sign.

Mr. Miller responded the cost of LED signs is expensive, and additional numbers increase the size of the sign.

Commissioner Reicosky asked staff if the issue of the sign's brightness is part of the review process in order to assure it meets Township standards.

Principal Planner Oranchak responded staff typically looks at that issue during the review process.

Commissioner Jorkasky asked if it is a requirement for the address to be on the sign.

Principal Planner Oranchak responded the sign ordinance was updated for the commercial district to require three (3) square feet of the sign be set aside to accommodate the address.

Commissioner Jorkasky asked the applicant if consideration was given to make the sign smaller to fit the address on it or was the size a standard used by Marathon.

Mr. Miller responded Marathon issues three different sized signs for use and the selected sign was closest in size to Meridian Township's requirements. He added there was not a smaller size which could be used for a single product price sign for a single pole mount.

Chair Wilcox closed the public hearing at 8:05 P.M.

Commissioner Honicky moved to suspend Rule #6.4A of the Planning Commission's Bylaws which states: "A decision on a special use permit zoning request or ordinance will not be made on the date of the public hearing considering such item." Seconded by Commissioner _____.

VOICE VOTE: Motion carried 8-0.

Commissioner Honicky moved to amend the agenda to include Agenda Item #7B in Agenda Item #6B. Seconded by Commissioner Jorkasky.

VOICE VOTE: Motion carried 8-0.

B(a). *SUP #09021 (Johnson Sign Co.), a request to install a changing message sign at 2104 Hamilton Road

Commission Honicky moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves the special use permit for the installation of a changing message sign on an existing freestanding sign pole at 2104 Hamilton Road, subject to the following conditions:

- 1. Approval is granted in accordance with the materials submitted by the applicant dated March 17, 2009.**
- 2. Only one freestanding changing message sign shall be allowed for the site.**
- 3. The special use permit shall only apply to the portion of the freestanding sign displaying the price of gasoline.**
- 4. The changing message sign displaying the price of gasoline shall not flash, scroll, or otherwise move. Movement shall only occur to display a change in the price of gasoline.**

Seconded by Commissioner Jackson.

Planning Commission discussion:

- Possible need to include a condition to obtain a variance from the Zoning Board of Appeals

Commissioner Jorkasky offered the following friendly amendment:

- **Add condition #5: The applicant shall either modify the size of the sign cabinet to comply with the ordinance or seek a variance from the Zoning Board of Appeals (ZBA).**

The maker and seconder accepted the amendment.

ROLL CALL VOTE: YEAS: Commissioners Deits, Domas, Honicky, Jackson, Jorkasky, Klemans, Reicosky, Chair Wilcox

NAYS: None

Motion carried 8-0.

C. *Commission Review #09023 (Township Board), a request for Section 61 review of location, character, and extent to construct a river overlook/outdoor classroom project at the Harris Nature Center, 3998 Van Atta Road.

Chair Wilcox opened the public hearing at 8:14 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the commission review as outlined in staff memorandum dated April 23, 2009.
- Applicant:
Jane Greenway, Parks and Land Management Coordinator, indicated the Harris Nature Center is one of the Township's most popular parks. She added the overlook will expand the capacity of the center and will allow proper access to the river. Ms. Greenway explained this project is the first fundraising endeavor of the Harris Nature Center Foundation She stated the

foundation has applied for a grant through the Capital Regional Community Foundation for a portion of the necessary funds, and the remaining funding will come from the Parks millage and other funds raised through a silent auction.

- Planning Commission discussion:
Commissioner Klemans inquired as to how this overlook would serve a different purpose than the nearby overlook deck to the east on the paved trail.

Ms. Greenway responded it is closer to the Harris Nature Center and much larger than the one to the east. She added it is intended to “catch the eye” of visitors to the Harris Nature Center and encourage them to further explore the area.

Commissioner Klemans asked if the overlook would be closer to the ground.

Ms. Greenway answered that it will be flush with the ground for access and cantilevers slightly before a steep drop into the river floodplain area.

Commissioner Honicky noted the marked area includes a large white pine and inquired if this tree would be removed.

Ms. Greenway noted the white pine will remain, although it will be trimmed on the edge to open up the view over the river.

Commissioner Deits posed a hypothetical if the deck cantilevers extends over the floodplain.

Principal Planner Oranchak thought that would not be an issue since it does not displace the flood elevation, but that the subject will be looked at as the project progresses in the design process.

Commissioner Reicosky inquired if there would be an opportunity to leverage a canoe launch for those traveling on the Red Cedar River.

Ms. Greenway responded she believed there is current discussion for a canoe launch on the west side of Van Atta Road.

Chair Wilcox urged staff to remove the fir tree contained within the roped area.

Chair Wilcox closed the public hearing at 8:29 P.M.

7. Unfinished Business

A. Public Remarks

Chair Wilcox opened and closed the floor for public remarks.

- C. *Commission Review #09023 (Township Board), a request for Section 61 review of location, character, and extent to construct a river overlook/outdoor classroom project at the Harris Nature Center, 3998 Van Atta Road.

Commissioner Honicky moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN approves the location, character and extent of the proposed project to install a deck and paved path that will serve as a river overlook and outdoor classroom at the Harris Nature Center, located at 3998 Van Atta Road. Seconded by Commissioner Jorkasky.

Planning Commission discussion:

- Preservation of the white pine tree contained within the roped area
- Removal of the fir tree contained within the roped area

ROLL CALL VOTE: YEAS: Commissioners Deits, Domas, Honicky, Jackson, Jorkasky, Klemans, Reicosky, Chair Wilcox

NAYS: None

Motion carried 8-0.

8. Other Business (None)

9. Announcements (None)

10. New applications

- A. Special Use Permit #09031 (Charter Township of Meridian), a request to work and place fill in the 100-year floodplain to construct a sidewalk along the east side of Nakoma Drive.
- B. Rezoning #09030 (Township Board), a request to amend sections 86-2, 86-403, 86-404, 86-405, and 86-432 of the Code of Ordinances to allow massage therapy and physical therapy as permitted uses in the C-1, C-2, C-3 (Commercial) and PO (Professional and Office) zoning districts.

11. Site plans received (None)

12. Site plans approved

13. Public remarks

Chair Wilcox opened and closed public remarks.

14. Adjournment

Chair Wilcox adjourned the regular meeting at 8:40 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary