

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
February 9, 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, Honicky, Jackson, Klemans,
Reicosky
ABSENT: None
STAFF: Director of Community Planning and Development Mark Kieselbach, Principal Planner
Gail Oranchak

1. Call meeting to order

Chair Wilcox called the regular meeting to order at 7:02 P.M.

2. Approval of agenda

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

VOICE VOTE: Motion carried unanimously.

3. Approval of Minutes

**Commissioner Jorkasky moved to approve the Regular Meeting Minutes of January 12, 2009.
Seconded by Commissioner Klemans.**

VOICE VOTE: Motion carried unanimously.

4. Public Remarks

Chair Wilcox opened the floor for public remarks.

Bob Anders, Verizon Wireless, 27009 Timber Trail, Dearborn Heights, provided pictures as requested by the Planning staff similar to the sound attenuated material which will be used to build the proposed enclosure for Special Use Permit #08-91121.

Chair Wilcox closed public remarks.

5. Communications

- Township Board Update for the Regular Board meeting of February 3, 2009 was given by Principal Planner Oranchak

6. Public hearings

- A. Mixed Use Planned Unit Development #09014 (Capstone), a request to develop a mixed use planned unit development consisting of 229 multiple family residential units in seven buildings.
- B. Special Use Permit #09011 (Capstone), a request to place fill in the floodplain of the Red Cedar River and Hannah Farm Drain and to construct a group of buildings greater than 25,000 square feet in gross floor area.

Chair Wilcox opened the public hearings at 7:05 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 mixed use planned unit development as outlined in staff memorandum dated February 5, 2009.
- Applicant
Mark Clouse, Chief Financial Officer and General Counsel, Eyde Co., 4660 S. Hagadorn Road, Suite 660, East Lansing, gave an overview of the long range plans for this site over the last two (2) years.

John Acken, Capstone Development Corporation, 431 Office Park Drive, Birmingham, Alabama, offered that the overriding concern in the development of this student complex was a village concept.

Mr. Acken indicated there are three (3) levels to create a community:

- Neighborhood which has three (3) fundamental components:
 - They are complete
 - All daily needs are provided within walking distance or short driving distance
 - All amenities are within one-third mile from this site
 - On-site amenities include clubhouse and town square in the center of the development
 - Bus stop and bike racks in the center of the town square
 - Temporary ice skating rink during the winter months then pulled for the summer months to serve as either a grass field or hardscape plaza
 - Defined green spaces within the development through use of the buildings
 - Placement of trash compacter in the southwest corner of the property allows student to deposit trash when they leave using the “exit only” exit
 - They are connected
 - Covered transit stop is in the middle of the development and architecturally
 - Two main north/south thoroughfares and three (3) east/west thoroughfares which are the principal grid for traffic to move through the development
 - Bulk of parking is behind the buildings with ample on-street parking for guests
 - Covered and uncovered bicycle racks scattered throughout the development
 - Open breezeways under the steps allow for bicycle storage
 - Pedestrian thoroughfares
 - They are compact
 - Allows as many students as possible to access mass transit
 - The higher the density, the safer the area
- Streetscape level
 - Make each street its own small community
 - Balconies all face the street and create social interaction
 - Windows facing the street makes it safer
 - Buildings placed on the west create a wind screen for the main streets
 - Buildings facing a westerly, easterly and southerly direction create a sun screen
 - Great streets visually engages the walker
 - Working with CATA to provide public transportation which is located in the middle of the development

- Building level
 - Balconies and windows face the street to create “eyes” on the street
 - Relationship between building height and street width of 2 to 1 for comfort
 - Invite walking through creation of a “pedestrian lane”
 - Construction of buildings to provide light on both sides of all units
 - Building construction eliminates all interior hallways and allows for larger living areas

A. J. Patrick, KEBS, Inc., 2116 Haslett Road, Haslett added his company met with the Ingham County Drain Commissioner who indicated there was an overall detention pond created in the 1980’s to handle the Hannah Farms/Hannah Plaza Development.

Mr. Patrick added the following information regarding pre-treatment of the water before it is discharged to the drain. He indicated permeable concrete will be used, “tipping” the streets so that runoff hits the permeable concrete, goes into the ground into a perforated pipe or stone network before filtering into the ground. It then flows into a storm sewer network which eventually discharges to either the Hannah Farms Drain, Branch #2 Drain or Branch #3 Drain.

Mr. Patrick added there are four (4) small wetlands in the center of the site which would be filled. He added the three (3) floodplain areas on the east, south and north sides would be filled and a compensating cut would be provided.

Mr. Patrick indicated the Ingham County Road Commission (ICRC) expressed concern with the need for a 25 foot setback for the western one-way access. He stated the applicant is working to obtain property from the neighbor to provide the needed footage. Mr. Patrick added the one-way access was created to allow residents access to the trash compactor through a key card/pad breakaway gate which can also be utilized for fire and emergency services.

Mr. Patrick noted that the development has been geared toward student housing and the traffic which will be created from this portion of the development is not typical apartment complex traffic. He believed the majority of students will walk, bicycle or ride public transportation and not use their cars during typical peak traffic time.

- Public
 - Len Charcut, 4609 Comanche Drive, Okemos, expressed concern with possible unintended consequences of future traffic which may traverse through Indian Lakes Subdivision.

Allison Stanley, 4718 Arapaho Trail, Okemos and an Indian Lakes subdivision resident, expressed concern with possible traffic which may travel through Indian Lakes in the future.

- Planning Commission discussion:
 - Commissioner Reicosky inquired where the chiller plant for the ice arena was located on the adjacent property to the west.

Principal Planner Oranchak responded the ice arena is fairly close to the east property line, but she will need to research where the chiller plant is located, if one exists.

Commissioner Reicosky noted there appeared to be no opportunity for screening and transition zones between the residential component and the ice arena.

Principal Planner Oranchak responded there is approximately ten (10) feet for screening along the west property line of this project which can be utilized for landscaping/screening. She indicated the screening will be worked out during the Site Plan Review process.

Commissioner Reicosky stated the front yard setback in the southwest corner of the project is too close to the street and he would like to see that section of the building removed from the plan.

Commissioner Reicosky inquired as to the distance of the proposed setback from the railroad track on the north end.

Principal Planner Oranchak responded the current ordinance setback requirement is 175 feet, which would eliminate Building #1 and a significant portion of Building #2.

Commissioner Reicosky inquired if there was a pathway along the northern access.

Mr. Acken clarified the current plan allows for sufficient room to connect.

Commissioner Reicosky inquired if the first floor was above the floodplain level.

Mr. Acken responded in the affirmative, noting the street side of the buildings would be 18" above street level, while the back of the buildings would be at grade.

Commissioner Reicosky expressed concern that there are no commercial areas in this MUPUD project.

Mr. Acken responded that this is only a residential component of a much larger development and is being constructed first.

Commissioner Reicosky expressed concern with the water control process which would handle salt that filters through pervious pavement.

Commissioner Jackson asked Mr. Clouse to reiterate the Master Plan for the MUPUD.

Mr. Clouse stated the front third of the 81-acre project would have high density commercial with residential above and residential in the back third. He added a project of this magnitude would take several years to complete and would be constructed in phases.

Commissioner Jackson inquired as to the purpose of paint striped islands in the parking area.

Mr. Acken indicated the paint striped islands were meant to create the sense of a hardscape plaza.

Commissioner Jorkasky expressed appreciation for the village feel of the development. She inquired if consideration could be given to planting trees in the turnaround areas. She inquired as to the width of the sidewalks.

Mr. Acken indicated it changes, as the front of the balcony to the edge of the curb is 8.5 feet. He added throughout that, the tree wells are four (4) foot in depth, and would not align with the balconies. Mr. Acken noted this design was intentional as it makes residents relate to the buildings.

Commissioner Jorkasky inquired if the applicant had constructed other developments with

only one trash compactor and expressed concern there may be problems with trash disposal.

Mr. Acken answered that management would be a key aspect, and there would be four (4) employees to service the property who would fine residents who leave trash in any other area.

Commissioner Jorkasky inquired if there was any treatment of runoff at the outlet.

Mr. Acken indicated treatment is provided by the permeable concrete and the stone underneath which would extend below the permeable pipe.

Commissioner Deits noted this is the highest density project presented during his tenure on the Planning Commission. He added that there is no ability for a person to use any bathroom without first going through a bedroom, testimony to the fact this portion of the development was created solely to house students. Commissioner Deits expressed concern with the closeness of the northwest corner of the MUPUD to the railroad track.

Commissioner Honicky stated he walked the site and noted the surrounding area of Wetland Area B was a dumpsite for building debris. He expressed concern with the setback from the railroad and backwash from the Red Cedar River. Commissioner Honicky asked where the surface water would flow when the Red Cedar River was at flood stage.

Mr. Patrick responded the flood elevation of the Red Cedar River was calculated at 842.2 feet above mean sea level. He indicated there is a culvert between the river and the Hannah Farms Drain that creates enough obstruction so the flood elevation is higher on the south side of the Red Cedar River at 842.5 above mean sea level. He added the elevation of the parking lot is approximately 848 on the east side up against the drain then all the way to 852-854 feet on the west side so that everything slopes toward the drain. Mr. Patrick indicated the intent is to have the storm pipe four (4) feet below the ground surface and slope toward the drain. He estimated the surface water would be at approximately 843 – 844 feet above mean sea level when it discharged into the drain.

Commissioner Honicky asked what diameter of pipe would be used for the drain into the Red Cedar River.

Mr. Patrick responded there would be three connections: a 21-24 inch diameter pipe connection to an existing 42 inch diameter pipe on the south; a 12" pipe connecting to a 24 inch pipe which currently crosses the site and a 15 inch pipe connecting to an existing 24 inch pipe at the culvert which connected the Red Cedar River and Hannah Farm Drain.

Commissioner Honicky asked about the cost differential if the pipe connections were kept at the same size as the existing pipes for temporary storage.

Mr. Patrick responded approximately \$50 per foot and offered that with the intent of the permeable concrete, all the pipes are boxed in stone that is wrapped in fabric. He added this allows the stone to act as another pathway in the event the pipe is unable to take the water.

Commissioner Honicky asked the cost of laying permeable concrete.

Mr. Patrick responded the ratio is approximately six (6) times more than regular concrete.

Commissioner Honicky stated he is looking for comparative costs between rain gardens and permeable concrete.

Commissioner Honicky stated he believed the wildlife currently on the site will disappear and inquired if there will be substitute wildlife which may ultimately live in the area.

Mr. Acken responded that he will look into it.

Commissioner Jackson inquired where the compensating cut will be located and the fill come from.

Principal Planner Oranchak responded twelve (12) cubic yards of fill will be placed around the access drive and 392 cubic yards of fill at the western most access point of the south end of the site. She added the compensating cut would take place in the floodway fringe of the Red Cedar River in the northeast corner of the site.

Commissioner Deits inquired as to the guarantee that permeable pavement will suffice.

Ms. Oranchak responded that the permeable pavement will be used for pretreatment as the drainage system is already in place.

Commissioner Deits inquired as to the engineering principles and information staff would rely on to ensure permeable pavement is a viable solution on this site.

Principal Planner Oranchak responded following past mixed use planned unit development approvals, requirements will include a report to prove the applicant's design will operate properly. The report would be submitted to the Township engineer for review and approval. The second phase places a staff engineer on site during construction, and also a maintenance agreement or program with the applicant who would file a report twice per year on the condition of the permeable pavement.

Commissioner Deits inquired if performance bonds would be required.

Principal Planner Oranchak responded she was unsure, but believed the issue to be worthy of consideration.

Commissioner Jorkasky inquired of the applicant if they had considered starting the project with less parking spaces.

Mr. Acken answered that it is common for student housing to have 1.1 parking spaces per resident.

Commissioner Reicosky inquired as to the Township standard for compensating cuts.

Principal Planner Oranchak responded the Township standard is a ratio of 1:1.

Commissioner Reicosky inquired about the noise impact and sound reverberation for this type of development.

Mr. Acken responded they would look into the noise impact for these buildings as no noise studies have been conducted.

Commissioner Reicosky requested a legal opinion on Township liability in the case of train derailment.

Commissioner Jorkasky inquired if there would be a way to erect barriers to protect buildings

in the event of a train derailment.

Principal Planner Oranchak responded she would look into it and report back to the Planning Commission.

Chair Wilcox noted some of the parking spaces are smaller than the normal 200 square feet and asked for their location.

Mr. Patrick responded the smaller parking spaces are the parallel parking spaces along the street, perpendicular and angled parking.

Chair Wilcox expressed concern that housing is within 60 feet from the railroad track and spoke to parents' expectation that the Township protect the safety of their children. She requested the applicant make an effort to "pull back" more than 60 feet from the tracks for public safety purposes.

Mr. Clouse summarized that there would be no direct access into the Indian Lakes subdivision. He added the Township ordinance which requires a 175 foot setback from the railroad tracks is for residentially zoned districts and would not apply to this PO zoned mixed use parcel.

Mr. Clouse stated the applicant is working with the Ingham County Parks Department to ensure this property can be used for the pathway from Lake Lansing through campus and on to downtown Lansing.

Mr. Clouse responded to earlier comment regarding the density of the site by noting the applicant is utilizing infill development to create an urban feeling.

Chair Wilcox closed the public hearing at 9:12 P.M.

8. Unfinished Business

- A. Special Use Permit #08-91121 (Verizon Wireless), request to amend a condition of the original special use permit to install an above-ground generator in the existing lease area of a cellular tower site located on the Club Meridian Apartments site.

Principal Planner Oranchak summarized the proposed special use permit as outlined in staff memorandum dated February 6, 2009.

Bob Anders, Verizon Wireless, 27009 Timber Trail, Dearborn Heights, added that he contacted Nextel who stated they were not interested in participating in a shared use generator.

Mr. Anders indicated his firm sent the noise requirements (50 dba at the building) to an engineering firm who produced the submitted drawings which show the attenuated enclosure will allow the generator to perform at the proper noise level.

Commissioner Deits 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 #08-91121, a request by Verizon Wireless to install an above-ground emergency generator at the existing telecommunication site at the Club Meridian Apartments, subject to the following conditions:

- 1. Approval is granted in accordance with the site plans prepared by Midwestern Consulting, dated January 14, 2009, subject to revisions as required.**
- 2. The final site and landscape plans shall be subject to the approval of the Director of**

Community Planning and Development.

3. **The applicant shall apply for and receive all necessary variances from the Zoning Board of Appeals or revise the plans to comply with the Code or Ordinances.**
4. **A special use permit is required for the existing cellular tower site per Section 86-438 (Wireless Overlay District). A special use application is required for any future improvements to the cellular tower site.**
5. **The applicant shall obtain all necessary permits and approvals from the Ingham County Drain Commissioner's office. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.**
6. **The routine monthly testing of the generator shall occur any weekday Monday through Friday, and shall not occur prior to 10:00 a.m. nor later than 3:00 p.m.**
7. **A copy of the site plan information that exists in a computer format for the development project and construction plans shall be provided to the Township Engineering staff in an Auto Cad compatible format.**
8. **All applicable conditions of Special Use Permit #91121 shall remain in effect.**

Seconded by Commissioner Honicky.

Planning Commission discussion:

- Sound attenuating enclosure serves as a sound deadening wall

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

NAYS: None

Motion carried unanimously.

- B. Wetland Use Permit #09-08-01 (METC), request to amend a condition of approval for Wetland Use Permit #08-01 (METC)

Commissioner Jorkasky moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN, pursuant to Article 4 of Section 22 of the Township Code of Ordinances, hereby approves Wetland Use Permit #09-08-01, a request by METC to eliminate the remaining years of wetland mitigation monitoring. Seconded by Commissioner

_____.

Planning Commission discussion:

- Concern with area going through one growing season before amending the wetland use permit
- Township environmental consultant's report that the wetland is established
- Invasive yellow nuts edge could be overcome by other taller plant material
- Mitigation area is 50 feet adjacent to 23.42 acre Wetland #35-2A
- Mitigation soil was taken from the adjacent wetland

ROLL CALL VOTE: YEAS: Commissioners Deits, Jorkasky, Klemans, Chair Wilcox

NAYS: Commissioner Honicky, Jackson, Reicosky

Motion carried 4-3.

- C. Commission Review #09013 (Planning Commission), amendment to the Planning Commission Bylaws (formerly Rules of Procedure)

Planning Commission discussion:

- Thorough explanation of changes discussed
- Staff to provide a resolution for passage at the next meeting

9. Discussion

- A. Mixed Use Planned Unit Development #09014 (Capstone), a request to develop a mixed use planned unit development consisting of 229 multiple family residential units in seven buildings.
- B. Special Use Permit #09011 (Capstone), a request to place fill in the floodplain of the Red Cedar River and Hannah Farm Drain and to construct a group of buildings greater than 25,000 square feet in gross floor area.

Planning Commission discussion:

- Mixed use planned unit development is a design based standard
- What is not forbidden is not necessarily allowed by right
- Possible need to revisit the Code of Ordinances to address the railroad setback issue
- Original concept presented included housing for alumni

10. Other Business (None)

11. Township Board, Planning Commission officer, committee chair, and staff comments and reports

Commissioner Reicosky requested the Planning Commission establish a working meeting on the Redevelopment PUD ordinance once the Commission receives direction from the Township Board.

12. New applications

- A. Mixed Use Planned Unit Development #09014 (Capstone), a request to develop a mixed use planned unit development consisting of 229 multiple family residential units in seven buildings.
- B. Special Use Permit #09011 (Capstone), a request to place fill in the floodplain of the Red Cedar River and Hannah Farm Drain and to construct a group of buildings greater than 25,000 square feet in gross floor area.

13. Site plans received

- A. Site Plan Review #09-01 (Meridian Retail Management, LLC), request to raze a gas station and construct a 6,820 square foot addition on the building addressed as 4901 Okemos Road.

14. Site plans approved (None)

15. Public remarks

Chair Wilcox opened public remarks.

Mark Clouse noted there is a difference within the Township ordinance where the 175-foot setback from railroad tracks is applied and where it isn't. He added the student housing component discussed tonight will not be the only housing component to be developed on the 81 acre area.

Chair Wilcox closed public remarks.

16. Adjournment

Chair Wilcox adjourned the regular meeting at 10:00 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary