

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, DECEMBER 3, 2013 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra
(6:01 P.M.), Wilson
ABSENT: None
STAFF: Township Manager Frank Walsh, Director of Community Planning & Development
Mark Kieselbach, Director of Public Works and Engineering Ray Severy, Fire Chief
Fred Cowper

1. CALL MEETING TO ORDER
Supervisor LeGoff called the meeting to order at 6:00 P.M.
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS
Supervisor LeGoff led the Pledge of Allegiance.
3. ROLL CALL
The secretary called the roll of the Board.
4. PUBLIC REMARKS
Supervisor LeGoff opened Public Remarks.

Christine Tenaglia, 2551 Bruin, East Lansing, home owner in Meridian Township and liaison for the Meridian Economic Development Corporation (EDC), spoke in support of CPUD #13044 (Whole Foods). As the Meridian EDC liaison, Dr. Tenaglia addressed the importance of continuing to work in a positive way with Whole Foods and also to a concern about adequate signage expressed by Whole Foods.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke to the need for bicycle parking to be appropriately located on the proposed site for Whole Foods. He addressed several line items on his winter tax bill. Mr. Provencher inquired if hunting on the Township's land preserves is driving wildlife into residential areas.

Mike Froh, 2764 Leland Circle, East Lansing, spoke in support of C-PUD #13044 (Whole Foods), noting the residents of Stratford Place are concerned about increased pedestrian and vehicular traffic into the neighborhood. He suggested the access drive on Sirhal be gated and locked or heavily signed to prevent Whole Foods traffic from entering the adjacent neighborhood.

Supervisor LeGoff closed Public Remarks.

5. SPECIAL RECOGNITION– David Caszatt, Resolution of Volunteer Appreciation
Treasurer Brixie moved [and read into the record] NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN extends its best wishes to David Caszatt and expresses gratitude for his service to the community. Seconded by Trustee Veenstra.

VOICE VOTE: Motion carried unanimously.

6. TOWNSHIP MANAGER REPORT
Manager Walsh reported on the following:
 - Staff meeting with developers of the Douglas J project to discuss obstacles
 - Okemos Library renovation project is very near completion
 - Manager and Police Chief's attendance at a benchmarking seminar today at the Lansing Center
 - Planning Commission has not yet made a recommendation on the new central fire station, so the project will likely come before the Board in late January or early February

- Last of eight (8) bargaining unit contracts is on tonight's agenda for Board approval

7. BOARD COMMENTS & REPORTS

Treasurer Brixie announced winter tax bills were mailed last weekend and specified the variety of ways in which taxpayers can make payment.

Clerk Dreyfus noted with interest the proposed large multi-use redevelopment project of the Trowbridge Plaza area in East Lansing will require a special use permit and has virtually no greenspace included.

Trustee Scales attended the last Haslett School Board meeting as well as the last two Planning Commission meetings where a decision on the proposed plasma center was reached.

Trustee Styka announced Friends of Historic Meridian activities on December 8th with tree lighting at 4:00 P.M. He reported his attendance at the Okemos Education Foundation annual banquet with Treasurer Brixie and Manager Walsh, where several educators were honored.

Trustee Veenstra reported his attendance at the regular meeting of Tri County Regional Planning Commission (TCRPC) on November 21st.

Trustee Wilson reported her attendance at the last Lansing Economic Area Partnership (LEAP) meeting for 2013 and that the organization reported 2,010 permanent new jobs in the Lansing region within 2013. She noted LEAP received a \$500,000 incubator grant from the Michigan Economic Development Corporation (MEDC) and in conjunction with TCRPC, a \$250,000 regional prosperity grant. Trustee Wilson also reported that a new private sector wet lab incubator may be located on Dawn Avenue in Meridian Township due, in part, to assistance from LEAP.

8. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda as amended. Seconded by Trustee Styka.

VOICE VOTE: Motion carried unanimously.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

Treasurer Brixie moved to adopt the Consent Agenda. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

A. Communications

(1) Board Information (BI)

BI-1 Debra Lashbrook, 1703 Cranston Court, East Lansing; RE: Opposition to a Plasma Center locating in the Carriage Hills neighborhood within Meridian Township

BI-2 Clifford Seybert, Superintendent, East Lansing Public Schools, 501 Burcham Drive, East Lansing; RE: Concern with location of the proposed plasma center in the Carriage Hills Shopping Center

BI-3 John P. Gardner, Senior Manager, Government Affairs, Comcast, 1401 E. Miller Road, Lansing; RE: Schedule of video-related price changes effective January 1, 2014

Treasurer Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

B. Minutes

Treasurer Brixie moved to approve and ratify the minutes of the November 19, 2013 Regular Meeting as submitted. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

C. Bills

Treasurer Brixie moved that the Township Board approve the Manager's Bills as follows:

Common Cash	\$226,508.15
Public Works	\$141,832.98
Total Checks	\$368,341.13
Credit Card Transactions	\$5,366.59
Total Purchases	<u>\$373,707.72</u>
ACH Payments	<u>\$ 50,157.81</u>

Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

D. Appointment to the Lake Lansing Watershed Advisory Committee

Treasurer Brixie moved that Curtis Armbruster be appointed to the Lake Lansing Watershed Advisory Committee to complete Marvin Johansen's term, which ends April 30, 2014. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS

A. Commercial Planned Unit Development #13044 (Wolverine Building Group) – Whole Foods Store, 2758 Grand River Avenue

Supervisor LeGoff opened the public hearing at 6:30 P.M.

Director Kieselbach summarized the proposed commercial planned unit development (C-PUD) as outlined in staff memorandum dated November 26, 2013.

- Applicant
Jim Reyers, Wolverine Building Group, 4045 Barden SE, Grand Rapids, availed himself for Board questions.

- Public
Christine Tenaglia, liaison for the Meridian EDC, expressed appreciation for the landscape barrier on the east and north to address visibility and noise for the adjacent neighborhoods.

Mike Froh, 2764 Leland Circle, East Lansing, expressed appreciation for closing off the access drive to Sirhal Drive through landscaping. While voicing support for the project, he articulated concern with short-cut traffic generated by the development which will likely traverse through the adjacent neighborhoods.

Supervisor LeGoff closed the public hearing at 6:44 P.M.

12. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

Jeff Kyes, KEBS, Inc., 2116 Haslett Road, Okemos, spoke in support of CPUD #13034 (Meridian Mall), noting the difficulty in offering amenities to an existing site which is not being redeveloped. He spoke to additional benches proposed for the existing bus stop. Mr. Kyes addressed the potential for the permanent open space to be used as activity space in the future. He explained the pervious/impervious ratio by indicating some of the greenspace is shown on the plan as developed as it is the maximum which would be constructed in the future. Mr. Kyes stated it is the applicant's intent to have a "base" C-PUD approved and then come before the Board with another project which will include major amenities. He believed the mall itself is the amenity.

Supervisor LeGoff closed Public Remarks.

- A. Property and Casualty Insurance Renewal with the David Chapman Agency
Trustee Veenstra moved to approve the 2014 property and casualty insurance policy with the Michigan Township Participating (PAR) Plan, administered by the David Chapman Agency in the amount of \$146,979 (\$84,979) from General Fund Account 101-170.173.812.000 and \$62,000 from Motor Pool Account 661-000.000-812.000. Seconded by Treasurer Brixie.

Board members discussed the following:

- Savings of over \$100,000 for coverage from the previous insurance company

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

- B. 2013 Assistance to Firefighters Grant Program
Trustee Scales moved to authorize the Fire Department to apply for and accept an Assistance to Firefighters Grant through the Department of Homeland Security in the amount of \$18,450 with the Township's 10% share (\$1,845) coming from the Fire Department's 2014 budget for machinery and equipment (Account 101-300.336-979.000). Seconded by Trustee Styka.

Board members discussed the following:

- Desirability to always state the amount of grant funds, amount of the local match and the total

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

- C. Commercial Planned Unit Development #13034 (Jeff Kyes) – Request to Establish the Meridian Mall C-PUD

Treasurer Brixie moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves Commercial Planned Unit Development #13034, subject to the following conditions:

- 1. Approval is based on the updated Existing Amenities Plan dated October 10, 2013, Current Pervious/Impervious Plan, Current Parking Totals Plan, Site and Utility Plan, Storm and Grading Plan, Demolition and Landscape Plan dated September 10, 2013; prepared by KEBS, Inc.; and an elevation plan and a photometric plan dated September 13, 2013 prepared by Herschman Architects Inc., subject to revisions as required.**
- 2. Approval is subject to one or more amenities. Existing amenities include the CATA transit stop, pedestrian access to Marsh Road and Central Park Drive, public seating benches, bike racks, and underground utilities. Proposed amenities include public seating benches near the new addition on the north side of the building and under the building overhang near the transit center on the west side of the building, covered bike racks, planter and pavers, and open space for future activities.**
- 3. The waiver requested for light pole height is hereby granted provided LED lighting is used for new or relocated poles and when fixtures are replaced.**
- 4. The waiver requested to reduce the number of required parking spaces is hereby granted by establishing the ratio of parking spaces to gross leasable area at 4.54 parking spaces per 1,000 square feet of gross leasable floor area.**
- 5. The character and quality of the building materials and general architectural design shall be compatible with the most recent additions to the mall building.**
- 6. Brick, stone or masonry products shall cover no less than 60 percent of the building addition's façade that provides the main entrance to the building.**
- 7. Site accessories such as benches, trash and recycling receptacles, exterior lighting fixtures for streets, parking lots and buildings, and bicycle racks shall be of commercial quality, and complement the building design and style.**
- 8. Where new landscaping, including street trees, is installed, it shall be subject to the approval of the Director of Community Planning and Development and the Ingham County Road Department, as applicable.**
- 9. Any future building addition or expansion shall require modification to the Commercial Planned Unit Development #13034.**
- 10. All mechanical, heating, ventilation, air conditioning, and similar systems shall be screened from view by an opaque structure or landscape material (if at street level) selected to complement the building. Such screening is subject to approval by the Director of Community Planning and Development.**
- 11. The applicant shall obtain all necessary permits and approvals from the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.**

12. **The utility, grading, and storm drainage plans for the site shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with the Township's Engineering Design and Construction Standards.**
13. **Buried construction or other materials, debris found on the subject site, and debris resulting from clearing, grading, or construction activities related to the proposed project shall be removed from the site and be properly disposed.**
14. **A copy of the site plan information and construction plans that exist in a computer format for the project shall be provided to the Township Engineering staff in an Autocad compatible format.**

Seconded by Trustee Veenstra.

Board members discussed the following:

- Addition to the mall is a positive direction for Meridian Township
- Meridian Mall is a large draw for people coming into the Township to spend money at businesses in and around the mall
- Health of Meridian Mall is important to the health of Meridian Township
- C-PUD makes the application process for the addition easier than the previous process
- Appreciation for the change made from the permanent open space
- Input received from participants during the Michigan/Grand River Avenue charettes showed a strong community desire for the bus rapid transit to end up at Meridian Mall
- Motion approves a 19,000 square foot addition to the mall and the Township's first C-PUD
- C-PUD will allow for greater flexibility for the mall in the future and make the approval process easier when making modifications or additions
- Appreciation for the addition of benches at the new north entrance and under the bus stop overhang on the west side of the mall
- Appreciation for covered bicycle parking and the use of LED lighting

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

- D. Police Supervisory Unit, Fraternal Order of Police Agreement
Trustee Veenstra moved to approve the 2014-2016 collective bargaining agreement as tentatively agreed to and further ratified by the Meridian Township Police Supervisory Unit, Fraternal Order of Police, Capitol Lodge No. 141. Seconded by Trustee Scales.

Board members discussed the following:

- If all of the department authorized hand guns are 40 caliber, the ammunition must be the same
- Three main points of the agreement are the same as the other seven (7) collective bargaining units
- Appreciation that all contracts were settled without the use of labor counsel

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Dave Otis, 1404 Haslett Road, Haslett, on behalf of his mother who owns two of the subject parcels, requested Board approval to return these homes back to residential. He noted several of the homes on these parcels have been used as residences for a century, and the proposed rezoning will allow homeowners to have control over their property.

Mr. Tesseris indicated he worked with the neighborhood to limit (to the extent possible) traffic which travels in that direction. He stressed the importance Whole Foods has placed on necessary signage, indicating Whole Foods had agreed to a monument sign which matches the material of the exterior of the building.

Supervisor LeGoff closed Public Remarks.

A. Commercial Planned Unit Development #13044 (Wolverine Building Group) – Whole Foods Store, 2758 Grand River Avenue

Board members and the applicant's representatives discussed the following:

- Sirhal Drive paved easement can be used as the bicycle and pedestrian connection to the north
- Seven (7) foot sidewalk on Coral Gable properties could be used by pedestrian and bicycle traffic
- Request that if a curb exists, it be cut to prevent a barrier for wheelchairs
- Requested parking is 25% above the Township's maximum and will require a variance
- Proposed parking is less than for the comparable square footage building in Ann Arbor
- Preference for the bicycle parking to be more conveniently located next to the building by the front door
- Board member request for Whole Foods to provide two locations for bicycle parking
- Board member preference to have the bicycle parking remain located as proposed as it is next to outdoor seating
- Original request was for a 56 square foot pole sign
- Given the speed limit and width of Grand River Avenue, a larger sign is reasonable
- Board member concern that deviation from the sign ordinance will create visual clutter
- The public will still "find" Whole Foods with a sign which adheres to the Township's sign ordinance
- Concern making an exception with sign size will set a precedent
- Township's sign size is too small and preference would be to allow this applicant a 56 square foot monument sign
- Suggestion to have a larger monument sign than allowed by ordinance but not 56 square feet
- Applicant's willingness to give up some right-of-way to allow for the pathway to be moved back from Grand River Avenue to provide a nine foot buffer between the pathway and curb
- Industry does not yet have a good interior LED light
- Appreciation for exterior LED lights in the parking lot
- Board member belief this project will not promote drive through traffic into the adjacent neighborhoods
- Applicant has worked with the constraints of the site to produce a good project
- Concern there is no sidewalk from Grand River and the bus stop to the store and many customers and employees will utilize the bus as a means of transportation
- Preference to place street trees between the sidewalk and the street for friendly pedestrian and bicycle usage
- Proposed store will have 210 feet of building frontage
- Wall sign for this project can be 210 square feet
- Size of the sculpture in the Hamilton/Marsh roundabout is approximately 17 feet by 8 feet
- Based on the square footage of the building, Whole Foods can have a monument sign sized at 38 square feet
- Board member preference to protect and preserve the Township's existing sign ordinance
- With the Board's permission, the property owner will suggest a 48 square foot monument sign to Whole Foods
- At the last EDC meeting, a report given by the Planning Department's liaison to the business community contained information that business owners believe the Township's sign ordinance is an obstacle
- Salvation Army/Foods for Living received sign variances in 2011 for 48.75 square feet
- Sign for the shopping center at the northwest corner of Park Lake and Grand River is 53 square feet
- Relative to bicycle parking, the entrance to the 210 foot building is toward the east side of the front of the building and the outdoor seating is located at the west corner of the front of the building

- Sidewalk was pushed back from Grand River Avenue because of the right turn lane, so the main traffic flow is away from it
- Applicant will check with MDOT to see if the applicant is allowed to place buffer between the roadway and sidewalk as there may be a sight distance concern

It was the consensus of the Board to place this item on for action at the December 10, 2013 Board meeting.

- B. Rezoning #13050 (Planning Commission) – Haslett Road, PO (Professional and Office) and C-2 (Commercial) to RB (Single Family-High Density)
Director Kieselbach summarized the proposed rezoning as outlined in staff memorandum dated November 26, 2013.

Board members and staff discussed the following:

- Single family homes on these lots have been a non-conforming use for decades
- Planning Commission was unwilling during the last Master Plan revision to amend the Future Land Use designation to address this type of situation within the oldest areas of the Township
- Potential Planning Commission plans to update the Future Land Use Map to resolve these types of long-standing issues
- Two lots immediately west of the church on the south side of Haslett Road are being rezoned from PO to residential
- Next lot west on the southeast corner of Haslett Road and Babbitt was granted a special use permit to be used as an office
- Request would correct a 50+ year-old zoning error
- Process requires an introduction and publication prior to final adoption

The consensus of the Board was to place this item on for action at the December 10, 2013 Board meeting.

14. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Beatrice Otis, property owner of 1408 Haslett Road, Haslett, noted she has had a leak in her roof since August and is unable to perform repairs because the property is zoned PO and, therefore, non-conforming.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Treasurer Brixie inquired if there was an ability for someone to begin the building permit application process after the introduction of Rezoning #13050 so that all the paperwork would be in place when the rezoning became effective.

Director Kieselbach responded his department would work with any applicant who wished to do so.

Trustee Veenstra expressed concern that one of the Township ordinances prohibits repair of a leaking roof on a non-conforming property and the ordinance needs to be changed.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 8:08 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS
TOWNSHIP CLERK

Sandra K. Otto, Secretary