



CITY OF GRAND LEDGE

Zoning Administrator

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Established 1893

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Grand Ledge, MI 48837

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NOTICE

The Grand Ledge Planning Commission will conduct its regular meeting on **Thursday, June 2, 2011 at 7:00 p.m.** The meeting will be held at Grand Ledge City Hall, 200 E. Jefferson St., Grand Ledge, MI.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Approval of the Agenda
4. Approval of minutes of regular meeting held May 5, 2011
5. Notice of Agenda Item Conflicts

Business from the Floor

6.

New Business

7. Public Hearing – Request from Tim McClung to rezoning the property at 600 Spring Street from “R-HD” Multiple Family Residential to “CBD” Central Business District
8. Zoning Ordinance Review, Accessory Structure Ordinance Amendments

Other Business

9. Zoning Administrator's Report
10. Zoning Board of Appeals Representative's Report
11. Council Representative's Report
12. Mayor's Comments
13. Comments from Commissioners
14. Chairman's Report

MEMO

TO: Planning Commission

FROM: Susan Stachowiak
Zoning Administrator

DATE: May 31, 2011

RE: Ordinance Violations May, 2011 (UPDATED)

Marvin Burke 718 Spring Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Michael Warren 704 W. Main Street	Violation of Ord. 138 Tall Grass/Weeds	Owner still has time to comply
John & Nancy Rapson 421 West Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Paul Monaco 506 S. Bridge Street	Violation of Ord. 138 Tall Grass/Weeds	Mowed by city
Danielle Adkins 438 W. Main Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Rob Therrian 411 W. Main Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Blake Ewing 202 Greenwood Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
CSX Transportation Railroad Property	Violation of Ord. 138 Tall Grass/Weeds	Owner still has time to comply
James Fleming 657 Spring Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Bill Uribe 138 McMillan Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Kristine Thatcher 500 S. Bridge Street	Violation of Ord. 138 Tall Grass/Weeds	Mowed by city
Marjorie Hall 321 W. South Street	Violation of Ord. 138 Tall Grass/Weeds	Mowed by city
Bank Owned Property 200 N. Clinton Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied

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Bank Owned Property 124 E. Scott Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Bank Owned Property 609 Liberty Street	Violation of Ord. 138 Tall Grass/Weeds	Mowed by city
Mooney Oil 825 W. Jefferson Street	Violation of Ord. 138 Tall Grass/Weeds	Owner still has time to comply
Mark & Patricia Lewis 406 Union Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Jeffrey Bone 835 W. Jefferson Street	Violation of Ord. 138 Tall Grass/Weeds	Owner has complied
Bank Owned Property 412 Booth Street	Violation of Ord 220-57 Junk Vehicle	Owner has not complied Final notice has been sent
Chris & Jessica Ladd 1125 Jenne Street	Violation of Ord 124-3 Unlawful Accumulation of Junk	Owner has complied
Michael & Diane Baxter 465 Booth Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has not complied Final notice has been sent
Suzanne Vandegriff 227 Ingersoll Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has complied
Mark Moline 226 Ingersoll Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has complied
Jeffrey & Paula Titmus 111 W. Washington Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner is complying
Kent Yaney 700 Jenne Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner has complied
Keith & Beverly Rugg 308 Union Street	Violation of Ord. 124-3 Unlawful Accumulation of Junk	Owner is complying
Grand Ledge Shell 1016 E. Saginaw Hwy.	Violation of Ord. 220-78 Temporary Signs	Owner has complied
Michael & Diane Waldo 424 E. Jefferson Street	Violation of Ord. 220-78 Temporary Signs	Owner has complied
Pizza Hut 600 E. Saginaw Hwy.	Violation of Ord. 220-78 Temporary Signs	Owner has complied

City of Grand Ledge Planning Commission Meeting

Minutes from Meeting Held on
Thursday, May 5, 2011

Chairman Mike Stevens called the meeting to order at 7:01 p.m.

Attendance: Mike Stevens, Ann Lawrence, Bob Doty, Bill Kane, Jamie Malecki, Steve Baribeau, Todd Gute & Ron Graber. Also present: Zoning Administrator Sue Stachowiak & Council Representative Jon Bonofiglio. Absent: Don Murray

Pledge of Allegiance - Mr. Graber led those present in the pledge of allegiance.

Approval of the Agenda - Mr. Doty requested to add two items to the agenda, 8a "MDOT Update" and 8b "Trees" under new business. Mr. Kane moved to approve the agenda as amended, Mr. Doty seconded the motion. Motion carried.

Approval of the Minutes - Mr. Baribeau made a motion to approve the minutes from the regular meeting held on March 3, 2011. Mr. Gute seconded the motion. Motion carried.

Notice of Agenda Items Conflicts - None

Business from the Floor - None

New Business

Site Plan Review - Tim Horton's Restaurant - 860 E. Saginaw Hwy

Ms. Stachowiak reported that the proposed 2,750 square foot building is for a Tim Horton's and Coldstone Creamery. It is proposed to be located immediately east of the Doty Professional building. Ms. Stachowiak said that she spoke to MDOT and they have approved the proposed driveway. She said that everything seems to be in good shape. She said that the review from the City Engineer noted some technical issues that need to be addressed, although nothing that would alter the layout of the site. The review from the Department of Public Service addresses some utility issues and the review from the Fire Department has not been received. Ms. Stachowiak stated that she is recommending approval of the site plan. She said that one issue Mr. Kane brought up was the existing trees on the site and the possibility of saving some of them.

Jim Foster, Ziemnick Foster Engineering, stated there is an 8 inch and a 24 inch Maple tree in front of the building. The 24 inch Maple can not be saved due to the layout of the drive, however, it is possible that the 8 inch Maple could be saved. Mr. Foster reviewed a new sketch to show the commissioners where the trees are located on the site.

Mark Kellenberger, representing Tim Horton's stated they will do whatever they can to save the 8 inch tree.

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Mr. Stevens stated that we have had multiple site plans in the past where every effort was made to save the trees but because of the close proximity to the drive/parking lots, the trees did not survive which ended up making it look worse. He said that if the 8 inch Maple is saved, the curb should be adjusted to give it a better chance of surviving.

Mr. Doty asked if there are any other buildings that contain both Tim Hortons and the Coldstone Creamery.

Mr. Kellenberger stated that there is one in Holt, Jackson, and Bay City. He said that it has worked well, particularly since Tim Horton's is busiest in the morning to late afternoon while the Cold Stone Creamery is busiest in the evenings. They compliment each other very well.

Ms. Stachowiak stated as noted in review the proposed ground sign complies with the maximum height limitation of 6-feet and the area limitation of 60 square feet. However, the facade elevations show 5 wall signs on the building. The ordinance allows one wall sign on each building facade with road frontage. Since Tim Horton's and the Coldstone Creamery will have separate entrances to the building, each business will be permitted to have one wall sign on the front (north) wall of the building. The wall sign will be limited in size to 10 percent of the area of the wall of the building upon which the sign is placed. All signs require a sign permit.

Mr. Kane indicated that its unfortunate that there isn't an offset of a couple feet or so from the Tim Horton elevation to the Coldstone Creamery location. They are on the same plane. He said that it would have been nice if that front elevation had been stepped back just a little bit. Mr. Kane suggested that Mr. Kellenberger mention this to his architect.

Mr. Kellenberger stated that both businesses will use the same counter space as it will be one owner with two separate franchises. The staff, including management, are all cross-trained and the cash registers are interlinked.

Mr. Graber asked if there was any chance to change the architecture of the building to include the off-set that Mr. Kane mentioned?

Mr. Kellenberger stated no because they are using a prototypical building.

Mr. Graber stated that the Tim Horton's are very plain looking buildings and it would be nice if they had more of a design to them.

Ms. Lawrence asked what is the projection for number of new jobs?

Mr. Kellenberger stated approximately 30 jobs, both part time and full time.

What are the hours of operation?

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Mr. Kellenberger stated that it is a 24 hour operation at all of locations, unless restricted by ordinance. He said that they bake throughout the day so everything is always fresh. The ice cream usually starts around 11 a.m. and the store will be wi-fi accessible.

Mr. Gute asked Mr. Kellenberger to explain how the dumpster will be accessed since the enclosure is perpendicular to the path of traffic.

Mr. Kellenberger stated that there will be 2 full size dumpsters and he demonstrated on the site plan how the trucks will access the dumpsters. He stated that the dumpster enclosures will match the siding of the building.

Mr. Gute asked Mr. Kellenberger to explain the underground stormwater storage, and if Tim Horton's has used this system in the past.

Mr. Kellenberger stated they like smaller sites because they cannot afford large pieces of property, and because the buildings fit on smaller parcels of land. However, with smaller sites, there is less room for above ground stormwater storage. He said that they have never had any issues with the underground storage system in the past.

Mr. Foster stated that they hold 43,850 gallons of water.

Mr. Gute asked if they have looked at porous pavement?

Mr. Kellenberger said that they have looked at pervious pavement but have not used it because of budget restraints. He also said that contractors are concerned about insuring pervious pavement because there is a lot of concern about whether it will hold up to Michigan temperatures going up and down so rapidly.

Ms. Stachowiak stated the City Zoning Ordinance doesn't even allow it. It has to be asphalt or concrete.

Mr. Gute explained how pervious pavement works. He said that it is a parking lot (ex. MSU recycling center) that allows water to go through the pavement. It also serves as underground storage for storm water. Mr. Gute stated that it is the parking lot of the future.

Mr. Gute asked about the lighting plan. He said that based on the plan, a fair amount of light will spill over the property lines. He said that they will need to be shielded to prevent glare off site.

Mr. Kellenberger stated that he believes they are cut off fixtures.

Ms. Stachowiak stated that it is slightly over what it should be, so please get back with us.

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Mr. Gute stated that the drive through lane is very close to the east property line which means the speaker will only be 14 feet away from the property line. He said that he is concerned about the noise since this is a 24 hour drive through?

Ms. Stachowaik stated anything that would develop to the east could not be residential.

Mr. Gute stated that there will be sidewalk along Saginaw Hwy., with the exception of the Doty office building?

Ms. Stachowiak stated that sidewalk along the Doty property is required as part of the Walgreens site plan approval and must be completed before they can get a certificate of occupancy.

Mr. Gute stated at one point in time our master plan called for a drive to the south access. This development looks like it could connect to something?

Ms. Stachowiak said that the south access road would be south of Ace Hardware. This property does not connect to it.

Mr. Kellenberger stated that they intentionally designed the site for future connection to the property to the south.

Mr. Stevens asked if the rear access agreement is being worked on with the owners of the Doty building.

Mr. Kellenberger stated that the attorneys are working on it and it will be resolved before they come in for a building permit. Mr. Kellenberger stated if the site plan is approved tonight, they will go out for bids after Jim Foster makes a couple of revisions to the site plan.

Mr. Kane stated that there is a light pole on the southwest corner of the lot that might interfere with the proposed tree in the same location.

Mr. Kellenberger stated that they could do a dwarf decorative crab tree because it would not get as large of a canopy on it and would therefore, not conflict with the light.

Mr. Kane asked if the 6 proposed trees are 2 ½ inch caliper.

Mr. Kellenberger replied that they are 2 ½ inch caliper trees. He said that their landscape budgets are quite big.

Mr. Kane expressed concern about the length of the drive-through lane because there is no escape.

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Mr. Kellenberger stated that they have run into this issue from time to time but it has never really been a problem from a practical standpoint. He said that they simply do not have enough room to add an escape lane.

Ms. Stachowiak stated our ordinance does not require a by-pass lane.

Mr. Foster stated that he did sit down with Chief Godlewski and went over fire hydrant locations and the drive through and he was o.k. with the layout .

Mr. Kellenberger stated that they have a 90 day process from when the shovel hits the ground till they are serving coffee.

Mr. Gute made a motion that the City of Grand Ledge Planning Commission approve the site plan for a new Tim Horton's/Coldstone Creamery building with related site improvement, at 860 E. Saginaw Highway, as depicted on the site plan prepared by Ziemnick Foster Engineering, LLC, dated April 13, 2011, conditioned upon compliance with the applicable items contained in the staff report and the following:

- 1. The applicable items contained in the City Engineer's letter,**
- 2. The applicable items contained in the Public Service Director's letter,**
- 3. The applicable items contained in the Fire Department's letter,**
- 4. The exterior lighting is brought into compliance with the standards of the Zoning Ordinance,**
- 5. The conflict between the light pole and the tree at the southwest corner of the site be resolved, and**
- 6. The 8 inch Maple tree be preserved if at all possible.**

Mr. Doty seconded the motion. On a roll call vote, the motion carried unanimously.

Ordinance Review - Accessory Structures

Ms. Stachowiak reviewed the proposed ordinance language. She said that the current ordinance does not define what constitutes a garage vs. a storage structure. Ms. Stachowiak said that she did a lot of research and what she is proposing is that a garage be defined as a "structure which is used primarily for the parking of motor vehicles. A private garage has access through an overhead door and has a driveway leading to the structure." She said that it has to meet both criteria to be considered a garage.

Mr. Kane stated that he would like to change "overhead door".

The consensus was to change it to "vehicle access" door.

Mr. Stevens under item E. 18 feet is not much. If you have a 24 foot garage with a 12/12 pitch it would be more like 21 feet in height.

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Mr. Gute stated that it could say that in no case shall it exceed the height of the principal structure.

The Commission was in consensus to increase the height to 21 feet.

Ms. Stachowiak asked if the Commission prefers to hold a public hearing on this matter or wait until the entire ordinance can be reviewed for more possible amendments.

The Commission was in agreement to work on reviewing the entire zoning ordinance. Ms. Stachowiak will amend the language for the accessory structures as discussed tonight.

MDOT Update

Mr. Doty stated that he contacted MDOT in regards to the traffic light at Willow and Clinton and a bike lane on Jefferson. He got a reply from Mr. Dubay, dated 3/5/11. By striping the existing 4 lanes as a 3 lane section it will provide a 4 feet paved shoulder on each side of the road. They do not intend to mark or sign the shoulder as an official bike lane. It will just be a paved shoulder. If bicyclists decide to ride in the shoulder it should be wide enough to safely do so. They are going to look in to marking the crosswalk in front of the May Pole Park. With regard to the traffic light at Willow and Clinton, MDOT's response is as follows: "According to our files, the intersection of M-100 and Willow was last studied in 2007. The traffic data obtained at that time showed the traffic signal warrants were not met for any hour of the day. In fact, left turning vehicles would need to be more than double before it would even be in the ball park. Based on this information, a traffic signal would not be appropriate at the intersection."

Trees

Mr. Doty stated that the 2 ½ inch caliper tree requirement is too small. The Meijer trees have been there 5 years and they haven't amounted to anything. If you make them put some money into the trees they are going to take care of them. He said that he would like this addressed in the ordinance.

Ms. Stachowiak stated that she will look into it and see what other communities require. She will also get some costs on 3 inch verses 2 ½ inch caliper trees.

Mr. Doty stated at the Planning Commission meetings, they should take a section of the zoning ordinance and review it to determine if any revisions are in order.

Zoning Administrator's Report - Ms. Stachowiak said there was nothing at this time.

Zoning Board of Appeals Representative's Report - Mr Graber stated that working on the accessory structure ordinance will help the Zoning Board of Appeals.

Comments from Commissioners

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Mr. Doty stated that from 2000 to 2010, the number of occupied homes in the City of Grand Ledge went up by 395 to a total of 3,654. The population went down from 7806 to 7786.

Mr. Baribeau asked the other commissioners if they saw the island after the rain. He asked if there are any problems, considering Victorian Days and other events are going to be coming up.

Mayor Smith commented that we have had issues with the electrical system on the island.

Mr. Kane - none

Mr. Gute - none

Ms. Malecki stated that the packet could be emailed or she can pick it up in order to save on postage.

Mr. Stevens agreed with Ms. Malecki. He said that his packet could be emailed as well. He said that a couple weeks ago, he had the honor of getting a tour of the Accident Fund building in downtown Lansing. The Mayotte Group had their hand in that project. Mr. Stevens said that the tour was a day before the Accident Fund moved in and what has happened in that building is amazing. He said that this building has changed the dynamic of downtown Lansing. Mr. Stevens said that with that type of vision, Sawdon School could be reused for a new city hall. Mr. Stevens said that he will attend a May 12th master plan visioning meeting at Delta Township and will report back on how that meeting goes.

Mayor's Comments - Mayor Smith reported that the City had an information gathering meeting on Greenwood school. Mr. Todd Gute and 2 representatives from Clark Construction were there to provide information and numbers. The numbers were about \$2.5 million which would include everything. This is for City Hall, Police, and other parts of the community. There is enough space for a couple of rooms to be able to be used in some way for a non profit. The Historical Society has asked if they could use and/or store items at this site. They have great items that could be displayed. Mayor Smith said that he hopes the city will move fairly quickly in making a decision. One of the major things the city will probably know soon is how much the city can borrow and how much they will have to pay annually. The DDA will be an important part of this. The school can give the building to the city at a very reasonable cost, however, if they sell it there are some issues they will have to deal with because of the bond. Mayor Smith said that he does not know all of the details. The other issue with the building is maintenance. Grand Ledge has had a history of building public things on the cheap and then not taking care of them at all (ex: City Hall, Scout Building, etc.) A normal school has a full time janitor, which is something the City has never done.

Mr. Gute commented that Sawdon is larger than what the city needs and would take more money to maintain. He said that what his firm does with clients is have a contractor bid what needs to be done to complete the project and then provide a cost for 2 years of preventative maintenance on the major systems. Mr. Gute said that they have provided a project budget for Greenwood and it contains 3 components. Construction cost that has contingencies, construction soft fees (architectural fees, permits), and the third component is the owners direct costs (chairs, desks, file cabinets). This

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building would have 3 community based meeting rooms, council chambers (current library), computer lab (meeting or training room), and then on other side is a smaller board room for more meeting space. There are also 3 classrooms which are 900 feet square feet each which could be rented to community service type groups.

Mr. Graber stated that he is on the Friends of Library Group and they just voted to give the Library \$6,600 to digitize all of the historical newspapers.

Mr. Doty stated that after that is done, the library would pick up 20% more space.

Mr. Kane stated that he wants to make sure we do it right and do it once. We've talked about the post office, library, Sawdon, museum, etc. He said that the tax payers are funding all of this and he would like to make sure that we do not just solve City Hall and/or Police Department space problem but also the historical museum. Mr. Kane said that Greenwood is great, but what does that do to the traffic circulation in the City. City Hall would be tucked away in a residential area which might not be the best situation in the long run for the City. He said that the city should do a similar study on Sawdon.

Mayor Smith stated that it is extremely expensive to move all the computer stuff that is in Sawdon school right now.

Mr. Gute stated that the plan is to take the playground equipment and move it to the east and still maintain a park and playground for the neighborhood. There is a considerable amount of parking on the streets.

Mr. Stevens stated it seems that Sawdon would have more public space than Greenwood.

Mr. Baribeau stated that Sawdon is tucked into a residential area also.

Mr. Gute stated that part of the project is to add a 4 car garage with bike storage for the Police Department. He said that the city has tried to account for everything. They have used the Hannah Community Center of East Lansing as a basic level of finish. They have tried to set up a tour, but haven't worked out schedules yet.

Mr. Graber stated there might be some impact on the neighborhood with either school.

Mayor Smith stated most of the people that he has spoken with in the area think it is a real plus. The city has not thoroughly explored everything yet.

Mr. Baribeau stated that from the perspective of someone who lives in the neighborhood, there are always kids over there playing. The neighborhood would support something happening to that building, however, the vast majority of people are not wanting to bring fast traffic into the residential area.

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Mr. Gute stated the cost totals about \$85 a square foot for Greenwood which is a great price.

Mayor Smith stated that the school wants to know if the city is interested so if not, they can figure out what to do with the building.

Mr. Stevens stated that being a lover of old buildings, if he had to pick between the two, he would pick Sawdon.

Mayor Smith stated in an ideal world and if money were not an issue, he would agree that Sawdon is the better choice.

Mr. Graber agreed with Mr. Stevens.

Mayor Smith stated the city will take all of this under advisement. He said that so far it is just being discussed in a Committee setting.

Mr. Kane stated that he also likes the Sawdon building and would like the city to put the same effort into Sawdon as it has put into Greenwood.

Mayor Smith reported that the filing deadline for the City election is Tuesday at 4 p.m. It appears that he is going to be running unopposed since no one else took out petitions. The second ward will have Chris Bartholomew and Pete Manina. Keith Mulder and Don Willems are running unopposed in their respective wards also. Mray Smith reported that Victorian Day is Saturday. He also reported that Michigan Week is shaping up and going to be interesting. He said that on Saturday alone the city is going to have a Michigan wildflower walk, the farmers market is going to be open and the city is going to unveil the new mural. They are also going to have the "thank the troops picnic" and a benefit concert for the Ledges Playhouse. Mayor Smith said that Sunday is historical day. The Youth Art exhibit starts on Monday which is becoming increasingly popular. It starts on the 21st. The Garden Club is doing the Tree dedication service on Tuesday. They have a record number of trees this year. Wednesday is Government Day but he is not sure what the city is doing this year. Thursday is Senior Day. The city will not have an awards breakfast on Friday. The number of people coming to these things has been declining so the city decided to give it a break this year. The Concert on the Grand is on Friday, May 27th. Saturday is the Memorial Day parade, rededication of the WWII memorial and dedication of the Vietnam Veterans memorial. Mayor Smith said that he believes that Grand Ledge is the only city in the State that still does this.

Ms. Lawrence made a motion, seconded by Mr. Doty to adjourn the meeting at 9:20 p.m. Motion carried.

Submitted By:

Amee King
Assistant City Administrator

Ann Lawrence, Secretary
Planning Commissioner