

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
August 9, 2010**

APPROVED

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

PRESENT: Chair Reicosky, Vice-Chair Deits, Commissioners Beyea, Goodale, Wilcox
ABSENT: Secretary Goldsberry, Commissioners Honicky, Jackson, Jorkasky,
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

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

2. Approval of agenda

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

VOICE VOTE: Motion carried 5-0.

3. Approval of Minutes

Commissioner Beyea moved to approve the Regular Meeting Minutes of July 12, 2010. Seconded by Commissioner Goodale.

VOICE VOTE: Motion carried 5-0.

4. Public Remarks

Chair Reicosky opened the floor for public remarks.

Joni Fixel, attorney for All Shapes & Sizes, LLC, 3631 Allium Drive, Holt, addressed concerns raised by an adjacent hair salon owner relative to Special Use Permit (SUP) #10091, a request to operate a canine day care facility at 1640 Haslett Road.

Becky Fixel, 19952 Elkhart, Harper Woods, availed herself for Planning Commission questions regarding SUP #10091.

Cathy Steele, 1377 W. State Road, Lansing, spoke in support of the SUP request for All Shapes & Sizes, LLC.

Chair Reicosky closed public remarks.

5. Communications

- A. Carol Ann Giacin, 110 Wind-N-Wood Drive, Okemos; RE: SUP #10091 (All Shapes & Sizes)
- B. Donald Sawyer, 2031 Tomahawk, Okemos; RE: SUP #10091 (All Shapes & Sizes, LLC)
- C. Missy Crandell, Abbott Road Animal Clinic, 6180 Abbott Road, East Lansing; RE: SUP #10091 (All Shapes & Sizes, LLC)
- D. John Truscott, 920 Nicole Circle, Okemos; RE: SUP #10091 (All Shapes & Sizes, LLC)
- E. Garry Kregelka, Kregelka Law Firm, 1650 Kendale Blvd., Suite 100, East Lansing; RE: SUP #10091 (All Shapes & Sizes, LLC)
- F. Marie Matyjaszek, Law Office of Robert Matyjaszek, 740 West Michigan, Jackson; RE: SUP #10091 (All Shapes & Sizes, LLC)
- G. Dr. & Mrs. Alan Neiberg, 2873 River Pointe Drive, Holt; RE: SUP #10091 (All Shapes & Sizes)
- H. Collin H. Nyeholt, 900 Long Blvd., #632, Lansing; RE: SUP #10091 (All Shapes & Sizes, LLC)
- I. Denise Rymer, European TanSpa, 1727 W. Grand River, Okemos; RE: SUP #10091 (All Shapes & Sizes, LLC)

- J. Nicole McGaugh, 5405 Blue Haven Drive, East Lansing; RE: SUP #10091 (All Shapes & Sizes, LLC)
- K. Kathy Buzby, 186 Newman Road, Williamston; RE: SUP #10091 (All Shapes & Sizes, LLC)
- L. Suzanne Dickerson (address unknown); RE: SUP #10091 (All Shapes & Sizes, LLC)
- M. Susan Steinke, 2307 Hamilton Road, Okemos; RE: SUP #10091 (All Shapes & Sizes, LLC)
- N. Elizabeth Johnston (address unknown); RE: SUP #10091 (All Shapes & Sizes, LLC)
- O. Diana Walker (address unknown); RE: SUP #10091 (All Shapes & Sizes, LLC)
- P. Jenny S. Babbitt (address unknown); RE: SUP #10091 (All Shapes & Sizes, LLC)
- Q. Donna Kregelka, 895 Walker Road, Dansville; RE: SUP #10091 (All Shapes & Sizes, LLC)
- R. Nora Macaluso, 4787 Quarton Road, Williamston; RE: SUP #10091 (All Shapes & Sizes, LLC)

6. Public hearings

- A. Special Use Permit #10-64121 (Haslett Community Church), a request to amend an existing special use permit to install a Volunteers of America donation box at 1427 Haslett Road.

Chair Reicosky opened the public hearing at 7:10 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 August 5, 2010.
- Applicant
Ruth Linneman, representative for the Haslett Community Church, 1154 Teakwood Circle, Haslett, spoke to the value of a Volunteers of America donation box on the premises of the church. She felt this would be a solution to the unsolicited donations being placed at its front door as well as a source for recycling unwanted clothing items. Ms. Linneman noted this would be the only Volunteers of American donation drop-off box within Meridian Township.
- Planning Commission discussion:
Commissioner Deits noted that the location of the box is 38 feet from the northeast property line. He inquired what would be entailed in order for it to be in compliance with the forty (40) foot requirement.

Principal Planner Oranchak responded the box is on a concrete pad with a curb immediately in front. She believed the church would not be able to move the box the necessary two (2) feet in order to be out of the forty (40) foot setback area and would need to request a variance if it wishes to maintain the donation box at its current location.

Commissioner Deits observed that the Township's recycling center does not currently have the ability to accept clothing donations and inquired if staff had any ideas on how to allow recycling of clothing there.

Principal Planner Oranchak believed such consideration would be a totally different direction from the current operation.

Commissioner Goodale requested clarification on which entity is responsible for monitoring and maintaining the donation box.

Principal Planner Oranchak responded the church has the ultimate responsibility.

Commissioner Beyea believed the donation box is similar to requirements for dumpsters in terms of screening and setbacks in residential areas. He expressed concern with the visual aspect of the donation box for nearby residential property owners.

Principal Planner Oranchak believed this type of use would preclude the same criteria for screening of dumpsters, i.e., screening on all four sides. She added location of the box will be discussed during site plan review, where screening will be discussed.

Chair Reicosky asked how long an organization can use or modify a special use permit before it needs to apply for a new one.

Principal Planner Oranchak responded it is perpetual unless modification is requested.

Chair Reicosky expressed concern with use of verbal agreements and believed a clear line of demarcation in writing is needed in terms of responsibility for the donation box.

Principal Planner Oranchak stated approval of the special use permit can be conditioned upon the church having ultimate responsibility for site maintenance. She noted the same box does not always remain on the site; Volunteers of America changes it out periodically.

Chair Reicosky expressed concern with drop-offs during late night hours.

Commissioner Deits stated a box already exists on the site and believed if there were drop-off concerns in the middle of the night, neighborhood residents would have already complained.

Commissioner Goodale indicated he visited the site and believed the location shown in the staff memorandum was the best for the donation box

Chair Reicosky closed the public hearing at 7:32 P.M.

7. Unfinished Business

- A. Special Use Permit #10091 (All Shapes & Sizes, LLC), a request to operate a canine day care facility at 1640 Haslett Road.

Principal Planner Oranchak offered an update on this special use permit since the last meeting where this request was on the agenda.

Commissioner Deits 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 operation of a canine day care facility at 1640 Haslett Road, subject to the following conditions:

- 1. Approval is granted in accordance with the materials submitted by the applicant dated June 1, 2010, July 1, 2010, and July 21, 2010.**
- 2. All activities related to the use shall only be carried on indoors, outdoor activities are prohibited.**
- 3. Overnight boarding of dogs or other animals shall be prohibited.**
- 4. The tenant space occupied by the applicant shall be kept in a sanitary and healthy condition.**

5. Prior to occupancy the applicant shall install appropriate soundproofing measures or demonstrate the space is adequately soundproofed, subject to the approval of the Director of Community Planning and Development.

6. The number of dogs on the site at any one time shall be limited to 30.

Seconded by Commissioner Wilcox.

Planning Commission discussion:

- Concern with having this type of business in a single building with multiple tenants, one of which is in the food industry
- A veterinary clinic in the same location would require a conditional use
- Concern with co-mingling food and animal care should be addressed in the ordinance
- Belief that tenant dispute should be addressed by the building's landlord
- Dog owners must provide a complete yearly health record for each dog
- Sick dogs are asked to leave immediately
- Planning Commission should look only at the zoning issue, not public health issues which are handled through the Ingham County Health Department
- Belief that public health, safety and welfare is a legitimate zoning concern
- Previous tenant was a pediatrician's office which serviced ill children with communicable diseases
- Three conditions in the ordinance placed on veterinary clinics:
 - Building shall be adequately soundproofed and constructed so there is no emission or odor or noise detrimental to surrounding properties
 - Boarding of small animals shall be permitted as an accessory to the principal use, except all boarding shall be conducted within a wholly enclosed building
 - A veterinary clinic or hospital may provide one apartment within the building for a live-in caretaker
- This request is a new type of use not explicitly identified in the Township's ordinance

ROLL CALL VOTE: YEAS: Commissioners Deits, Wilcox

NAYS: Commissioners Beyea, Goodale, Chair Reicosky

Motion failed 2-3.

8. Other Business

A. C-PUD Process Update

Principal Planner Oranchak offered an update on the two proposed forums to be held on August 30, 2010 and September 13, 2010.

Planning Commission discussion:

- Information sent out to organizations which would represent individuals involved in commercial development and redevelopment
- Information referred to the forum scheduled for August 30th as a round table discussion

B. Planning Commission Calendar Revision

Commissioner Beyea moved [and read into the record] NOW THEREFORE BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby revises the 2010 meeting schedule by adding a special meeting on August 30, 2010, changing the September 13, 2010 regular meeting to a special meeting and adding a regular meeting on September 20, 2010. Seconded by Commissioner Deits.

ROLL CALL VOTE: YEAS: Commissioners Beyea, Deits, Goodale, Wilcox, Chair Reicosky
 NAYS: None
 Motion carried 5-0.

C. Master Plan Review

Principal Planner Oranchak summarized background information on and procedures for a possible update to the Township's Master Plan as outlined in staff memorandum dated August 4, 2010.

Planning Commission discussion:

- Determination if there is sufficient change in the Township to move forward with the process
- Effect of the current economy on the community as it relates to the impact on a future planning study
- Planning Commission reliance on census information for a total picture of the community
- Concern updated economic and demographic analyses from the 2010 Census will not be available for two (2) to three (3) years
- Procedural steps to amending the Master Plan
- Township Board approval of the Planning Commission's draft prior to distribution to other agencies and a public hearing
- Planning Commission look at how the zoning policies as stated in the Master Plan align with the recently revised Board ends
- Meridian Township as a regional commercial shopping "hub" which provides more in commercial services than meets the needs of its population
- Suggestion to begin looking at the commercial components of the Master Plan
- Difficulty in the Planning Commission's previous attempt to move existing classifications of land to what it felt would be future land use for the Township
- Previous Board discussion regarding sewer capacity in rural residential areas
- Branch out into aesthetic land use planning in the Master Plan
- Planning Commission ability to open only specific sections of the Master Plan
- Suggestion for staff to review portions of the Master Plan which do not need demographic and economic information from the 2010 Census
- Current Planning Commission schedule would preclude partial review of the Master Plan until mid-November

9. Township Board, Planning Commission officer, committee chair, and staff comment or reports

Commissioner Deits indicated it was reported at last week's Downtown Development Authority (DDA) meeting that installation of the streetlights will begin in the near future. He noted the DDA Artwalk was reasonably successful, with attendance increasing by approximately one-third.

Commissioner Deits moved to initiate a zoning amendment to forbid animal care facilities in buildings which also include grocery and food service, or personal human care facilities.

Supported by Commissioner Wilcox.

Planning Commission discussion:

- Support for staff recommendation to begin the initiation of a zoning amendment to address this specific use
- Need for staff clarification on intent of "wholly enclosed building" in the ordinance regarding veterinary clinics
- Suggestion for staff to prepare a report which takes into account the different types of uses for pet grooming and day care facilities that are not currently in the ordinance
- Staff should also consider guard dogs for commercial buildings as well as pet stores

- Staff does not have the responsibility to ensure Planning Commission votes are “appropriate”
- Necessary for staff guidance to ensure the Planning Commission provides clear standards to the Board for approval
- Concern with the use of “forbid” in the motion

Commissioner Deits offered the following amendment to his previous motion:

- **Initiate a zoning amendment to consider changes with respect to animal care facilities in buildings which also include grocery and food service or personal human care facilities.**

The amendment was accepted by the seconder.

Continued Planning Commission discussion:

- Belief the proposed amendment is limiting and does not allow staff an opportunity to explore other considerations

Commissioner Deits offered the following amendment to his previous amendment:

- **Add at the end of the amendment “and other considerations.”**

The amendment was accepted by the seconder.

VOICE VOTE: Motion carried 5-0.

10. New applications

- A. *Commission Review #10103 (Township Board), request for Section 61 review of a Land Preservation purchase located on the north side of Grand River Avenue west of the Red Cedar River and Meridian Road and approximately eight acres in area.
- B. *Special Use Permit #10101 (Rhodes), request to construct an addition to a building greater than 25,000 square feet at 1839 Grand River Avenue.

11. Site plans received (None)

12. Site plans approved (None)

13. Public remarks

Chair Reicosky opened and closed public remarks.

14 Adjournment

Chair Reicosky adjourned the regular meeting at 8:36 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary