

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
September 14, 2009**

APPROVED

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

PRESENT: Chair Wilcox, Commissioners Beyea, Deits, Domas, Honicky, Jackson, Klemans,
Reicosky
ABSENT: Secretary Jorkasky
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 Jackson.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

Commissioner Honicky moved to approve the Regular Meeting Minutes of August 24, 2009. Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried 8-0.

4. Public Remarks

Chair Wilcox opened the floor for public remarks.

Ronald Shavey, Ingham County Probate Court Personal Representative for the estate of Kenneth Smith, 16400 Upton Road, East Lansing, requested the Planning Commission initiate a rezoning at 1586 Haslett Road from C-1 to RN.

Rick Hays, 1371 Mapleleaf Lane, Howell, listing realtor for the property at 1586 Haslett Road, voiced his support to have the Planning Commission initiate a rezoning at 1586 Haslett Road from C-1 to RN in order to make the property saleable.

Ann Alchin, 2227 Hamilton Road, Okemos, spoke to the Planning Commission subcommittee's work on a redevelopment ordinance, specifically addressing setback requirements. She expressed concern with Zoning Amendment #09060, an amendment to permit outdoor cafes by right in the C-1, C-2 and C-3 (Commercial) districts as it relates to property in the Grand River Avenue/Okemos Road area. She suggested looking at outdoor cafes on an individual redevelopment project basis.

Chair Wilcox closed public remarks.

5. Communications (None)

6. Public hearings

A. Zoning Amendment #09040 (Township Board), an amendment to permit extensions of special use permits and site plan reviews

Chair Wilcox opened the public hearing at 7:16 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 zoning amendment as outlined in staff memorandum dated September 10, 2009.
- Planning Commission discussion:
Commissioner Honicky inquired as to the original intent of the time frame for special use permits which allow 24 months to begin construction and three years for completion.

Principal Planner Oranchak responded the intent was to allow the applicant sufficient time to go through the site plan review process, obtain any other approvals necessary, financing, construction drawings, engineering plans, building permit and begin construction. She added the Township is attempting to provide a period of time which would allow the applicant to accomplish all steps necessary, while not allowing too much time to transpire which could result in ordinance changes that would affect the project.

Commissioner Deits requested clarification on the proposed language regarding imposing new conditions to ensure the special use remains conforming to the previously approved special use.

Principal Planner Oranchak explained the language is to ensure consistency is maintained throughout the extension as minor changes may be made during the process.

Commissioner Deits suggested inserting the word “Only” at the beginning of the sentence where it currently states “One extension may be granted for a period...”

Commissioner Deits believed there is not a lot of relief written into the language as the developer is working against the 36-month deadline. He believed the developer would be better served with 36 months to begin construction and four years for completion.

Principal Planner Oranchak stated there have been only a few instances where the applicant had to reapply and go through the process again.

Commissioner Deits stated there are no criteria in the proposed language as a basis for approval for disapproval.

Principal Planner Oranchak stated the language is modeled after the platting procedure.

Commissioner Deits asked if a plat extension request has ever been denied.

Principal Planner Oranchak answered if the applicant applies for approval before the deadline, it is usually automatic. She added, however, there have been additional conditions placed on the plat.

Commissioner Jackson asked if staff experience has been that the applicant only needs a few months beyond the 24 month period to complete the permitting process.

Principal Planner Oranchak responded not necessarily, as the length of time for financing is difficult to predict.

Commissioner Reicosky inquired if there is a way for staff to distinguish between procrastination and a need for extension.

Principal Planner Oranchak responded she believed it was a decision which comes before the Planning Commission when an applicant applies for an extension. She indicated the applicant would need to provide an explanation for the extension request.

Commissioner Beyea inquired as to a staff statement that one of the reasons to have the extended policy is that ordinances could change. He believed that reason troubled him as rationale for an extension. Commissioner Beyea believed the Township needs to make certain that approved projects are built within a reasonable timeframe which reflects current thinking and conditions which exist. He believed pushing the time frame further out will not fix the problem, and was concerned with limiting the ability to revisit projects once the time frame has expired. Commissioner Beyea added the extension is a compromise while acknowledging the Township will never be able to come up with a date that will satisfy every applicant.

Commissioner Reicosky expressed concern that approval of an extension is beyond the purview of the Planning Commission.

Principal Planner Oranchak explained that the body who made the decision is the one who reviews whether an extension is an appropriate request. She noted the proposed language allows the body to take into account issues which may have changed over the two-year period the approval was in place.

Chair Wilcox noted that in the past she has seen complex special use permits which required considerable thought before an extension was approved.

Commissioner Klemans inquired as to the review criteria for approving or denying a special use permit extension.

Principal Planner Oranchak stated the same criteria used for the original request would be valid to use for the extension.

Commissioner Klemans inquired if there would be an opportunity for a public hearing on the extension.

Principal Planner Oranchak stated she was unsure but would check into it, as she did not see any language in the zoning amendment which spoke to a procedure for a public hearing.

Commissioner Klemans asked if there would be an application fee for an extension request.

Principal Planner Oranchak responded there may be. She added fees are not in the zoning ordinance but in a fee schedule.

Commissioner Domas inquired if the Planning Commission would need to refer to specific criteria contained in the ordinance as a basis for denial.

Principal Planner Oranchak stated that because the Planning Commission would be using the same special use permit criteria, that would be the basis for preparing reasons for denial.

Chair Wilcox requested staff provide review criteria for deliberation at the next meeting.

Chair Wilcox closed the public hearing at 7:47 P.M.

7. Unfinished Business

- A. Zoning Amendment #09050 (Township Board), an amendment to permit medical offices by right in the RP (Research Park) zoning district
Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memorandum dated September 10, 2009.

Planning Commission discussion:

- Medical office parking would need to be increased only if a single use building
- Broad category for health care facilities
- Health care facility not defined in this zoning amendment
- Building setback in RP from residential is 100 feet, 60 foot setback from residential for a transition landscaping strip along the side and rear property boundaries

Commissioner Deits moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #09050 (Township Board) to allow the offices of licensed professionals treating human patients and medical clinics by right in the RP (Research Park) zoning district. Seconded by Commissioner Klemans.

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

NAYS: None

Motion carried 8-0.

- B. Zoning Amendment #09060 (Township Board), an amendment to permit outdoor cafes by right in the C-1, C-2 and C-3 (Commercial) districts

Planning Commission discussion:

- Concern with establishments which serve liquor
- Concern that specific outdoor café standards will be eliminated and only general site plan review standards will apply
- Staff would evaluate each outdoor eating area request on a case-by-case basis using the existing standards

Commissioner Honicky moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Zoning Amendment #09060 to allow an outdoor café as a permitted use in the C-1, C-2 and C-3 (Commercial) zoning districts by amending Section 86-402(10), Section 86-403(c)(6), Section 86-403(d)(2), Section 86-404(c)(10) and Section 86-404(d)(4). Seconded by Commissioner Klemans.

Commissioner Domas offered the following friendly amendment:

- Delete all references to “outdoor café” and insert “outdoor eating area”

The maker and seconder accepted the amendment.

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

NAYS: None

Motion carried 8-0.

8. Other Business

Commissioner Jackson moved that the Planning Commission initiate a rezoning for 1586 Haslett Road from C-1 to RN as requested. Seconded by Commissioner Honicky.

Planning Commission discussion:

- Recent process where individual commercially zoned residential parcels were reviewed did not include this parcel
- Concern with Planning Commission review v. Board review of this parcel
- No background information available at this time
- Property currently a legal non-conforming use and can remain the same unless more than 50% of the building is destroyed
- Property listed as commercial on the Future Land Use map
- Zoning Board of Appeals does not have the authority to grant land use variances

Commissioner Reicosky offered the following friendly amendment:

- **Amend the motion to state: moved that the Planning Commission recommend to the Board the initiation of a rezoning for 1586 Haslett Road from C-1 to RN**

The maker and seconder did not accept the amendment.

Continued Planning Commission discussion:

- Planning Commission initiated rezoning v. applicant initiated process
- Parcel currently zoned the same as surrounding non-conforming properties
- Difficulty in placing this parcel in context with the rest of the community without the benefit of information from staff
- The Planning Commission becomes the applicant if it initiates the request
- Fee involved to initiate a rezoning request
- Option for the individual to request the Township Board initiating the rezoning at its next meeting

The maker withdrew her motion to initiate the rezoning request.

The consensus of the Planning Commission was to direct staff to provide information on the context in which it is being asked to initiate the rezoning.

Chair Wilcox noted the report from the Director of Community Planning and Development on the Grand River Corridor review and expressed appreciation for the context that the project is in its visioning infancy.

Commissioner Deits added there is a citizen survey available as part of the process for residents to comment, either by posting to www.migrtrans.org or from a link on the Meridian Township home page.

9. Announcements

Commissioner Deits reported the Township has produced a report from the findings by the consulting firm which looked at one vision of how to develop a downtown Okemos area. He emphasized the statements made in the document are only visionary. Commissioner Deits noted suggestions by the consultant included development of new zoning categories.

Commissioner Honicky requested clarification on the issue of electronic packets.

Principal Planner Oranchak responded the Planning Department will continue to produce an electronic packet when only staff reports are needed.

10. New applications

- A. Special Use Permit #09-71081 (Court One), minor amendment to an existing special use permit to build a baseball field on a 1.44 acre vacant parcel north of the clubhouse and parking lot at 2291 Research Circle

11. Site plans received

- A. Site Plan Review #09-95-17 (Court One), request to amend an existing site plan to build a baseball field on a 1.44 acre vacant parcel north of the clubhouse and parking lot at 2291 Research Circle

12. Site plans approved (None)

13. Public remarks

Chair Wilcox opened and closed public remarks.

14. Adjournment

Chair Wilcox adjourned the regular meeting at 8:48 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary