

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
AGENDA**

**WORK SESSION MEETING
AND
REGULAR MEETING**

September 28, 2015

**Meridian Municipal Building
5151 Marsh Road, Okemos, MI 48864**

Work Session Meeting – Administrative Conference Room

1. Call meeting to order at approximately 6:00 p.m.
2. Approval of agenda
3. Discussion
 - A. Economic Development Corporation Sign Policy Review Committee Report
 - B. Request for Proposals
4. Public Remarks
5. Adjournment

PLEASE NOTE: The work session may be recessed and reconvened in the Town Hall Room after the regular meeting

Regular Meeting – Town Hall Room

1. Call meeting to order at approximately 7:00 p.m.
2. Approval of agenda
3. Approval of minutes
 - A. September 14, 2015 Work Session Meeting
 - B. September 14, 2015 Regular Meeting
4. Public remarks
5. Communications
 - A: Robert J. Deans
6. Public Hearings

RE: SUP #15-14051 (Parks Dept.)

Planning Commission Agenda

September 28, 2015

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- A. Rezoning #15030 (Sumbal), request to rezone approximately 1.4 acres addressed as 1998 Jolly Road from RR (Rural Residential) to RA (Single Family, Medium Density) with the offer of a condition to retain RR zoning if a variance for a shared driveway is not granted by the Zoning Board of Appeals
7. Unfinished Business
 - A. Rezoning #00150 (St. King), request to rezone 4660 Marsh Road from RC (Multiple Family, Medium Density) to PO (Professional and Office)
 - B. Zoning Amendment #14010 (Township Board), request to amend the zoning ordinance to establish definitions and standards for the medical use of marihuana
 8. Other Business
 9. Township Board, Planning Commission officer, committee chair, and staff comment or reports
 - A. Future Projects/New Applications
 - i. Rezoning #15050 (McCurdy), request to rezone 5458 Okemos Road from RAAA (Single Family Low Density) to RR (Rural Residential)
 - ii. Special Use Permit #15131 (Pairolero), request to construct a non-residential use in a residential district (optometry clinic) on two undeveloped platted lots located on the east side of Marsh Road north of Haslett Road
 - iii. Zoning Amendment #15070 (Planning Commission), amend Section 86-2 Definitions and Section 86-438 Wireless Communication Facilities Overlay District to comply with federal and state regulations
 - B. Update of Ongoing Projects
 - i. Site Plans Received – NONE
 - ii. Site Plans Approved
 - SUP #15-14-071 (Department of Parks & Recreation), replacement of the Wonch Park Pavilion and portions of the internal sidewalk at 4555 Okemos Road, Okemos
 10. Public Remarks
 11. Adjournment

Post Script: Holly Cordill

The Planning Commission's Bylaws state agenda items shall not be introduced for discussion or public hearing that is opened after 10:00 p.m. The chair may approve exceptions when this rule would cause substantial backlog in Commission business (Rule 5.14 Limit on Introduction of Agenda Items).

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Persons wishing to appeal a decision of the Planning Commission to the Township Board in the granting of a Special Use Permit must do so within ten (10) days of the decision of the Planning Commission (Sub-section 86-189 of the Zoning Ordinance)

**TENTATIVE
PLANNING COMMISSION AGENDA**

**Work Session Meeting
and
Regular Meeting
October 12, 2015**

**Meridian Municipal Building
5151 Marsh Road, Okemos, MI 48864**

Work Session Meeting – Administrative Conference Room

- A. 2005 Master Plan Update

Regular Meeting – Town Hall Room

1. Public Hearings

- A. Rezoning #15040 (Mayberry Homes), request for conditional rezoning of approximately 25.5 acres located on the east side of Powell Road from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family-Low Density. Decision the same night as the hearing.
- B. Rezoning #15050 (McCurdy), request to rezone 5458 Okemos Road from RAAA (Single Family Low Density) to RR (Rural Residential).
- C. Special Use Permit #15131 (Pairolero), request to construct a non-residential use in a residential district (optometry clinic) on two undeveloped platted lots located on the east side of Marsh Road north of Haslett Road.
- D. Zoning Amendment #15070 (Planning Commission), amend Section 86-2 Definitions and Section 86-438 Wireless Communication Facilities Overlay District to comply with federal and state regulations.

2. Unfinished Business

- A. Rezoning #15030 (Sumbal), request to rezone approximately 1.4 acres addressed as 1998 Jolly Road from RR (Rural Residential) to RA (Single Family, Medium Density) with the offer of a condition to retain RR zoning if a variance for a shared driveway is not granted by the Zoning Board of Appeals.

3. Other Business

MEMORANDUM

TO: Planning Commission

FROM: 

Peter Menser
Associate Planner

DATE: September 23, 2015

RE: Regulations for signs in commercial zoning districts

In establishing a work plan for 2015, the Township Board identified revising the sign regulations as a top priority. To address this objective Planning staff convened two meetings of a subcommittee made up of EDC board member Adam Carlson, Planning Commission Vice-Chair Pat Jackson, and Planning Commissioner Christine Tenaglia. The committee met twice, once on March 12, 2015 and again on March 27, 2015. The first meeting of the subcommittee was a general review of the Meridian Township sign ordinance. The second meeting focused specifically on provisions related to wall signs in commercial zoning districts.

Meridian Township has regulated different types of signage since the adoption of zoning in 1948. Over the years, revisions have occurred to specific provisions of the sign ordinance but a detailed review of the general sign policy has not occurred since at least the mid 1990's. At this time, the EDC subcommittee is focusing only on sign policy as it applies to commercially zoned properties, those in the C-1, C-2, C-3, and C-S zoning districts. Sign policy for other zoning districts can be reviewed after commercial signs are addressed.

There are many types of signage available to businesses, and even more opinions on how signs should be regulated, if at all. When reviewing the commercial sign ordinance one important point to remember is government cannot regulate sign content, an ordinance can restrict only the size, location, and number of signs on a property. Generally, the primary purpose behind sign regulations is to allow signs, but regulate the size, placement, and number permitted. Avoiding visual clutter and distractions for motorists are the underlying tenets of the policy.

It is up to each municipality to determine just how restrictive sign regulations should be, a lot of which depends on the characteristics of the community and desires of the residents. Sign policies in other communities in the region and around the country vary greatly, from extremely restrictive to no policy at all. Generally, the more urbanized an area, the more restrictive the sign policy. Drafting sign regulations is a balancing act between the needs of the business community to advertise their location and services and the desires of residents to have an aesthetically pleasing streetscape.

Planning Commission (September 28, 2015)

Commercial sign policy review

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Some informal feedback received about the commercial sign provisions here in Meridian Township are as follows:

- Policies make businesses hard to find, reducing visibility, i.e. "no one can find us"
- Desire for larger signs
- Desire for greater number of signs
- Not enough sign types available
- Grand opening signage too limited
- Special event, sales, and temporary signage too limited
- General lack of knowledge about sign regulations

After reviewing and discussing the existing commercial sign policy provisions, the subcommittee has identified a series of potential revisions to the ordinance. The primary goals behind the recommendations are to deliver clear, easy to understand ordinance language and provide flexibility for businesses. Coupled with these goals is a strong desire to maintain aesthetically pleasing business districts and avoid larger highway-oriented sign types.

Recommendations

1. Conduct sign policy survey – The EDC may be interested in conducting a survey of business owners to ascertain existing issues and feedback on potential new or revised provisions.
2. Improve ordinance language – Make the language in the zoning ordinance easier to read and understand wherever possible. Include graphics when appropriate to depict sign types and how sign area is measured.
3. Address new types of signs – The zoning ordinance does not address newer types of signs that have gained prominence in recent years such as digital signs, menus on doors, and vehicle wraps.
4. Update and improve brochure – A sign brochure explaining sign policy was drafted in 2012 and needs to be updated and improved to better illustrate regulations. Utilize the talents of the Township Communications Department on the brochure to improve the product.
5. Remove provision requiring ten (10) foot setback from road right-of-way – Freestanding signs are currently required to be set back ten feet from the edge of the road right-of-way (ROW). This requires the business/property owner to provide a survey of the property to ascertain the sign meets this setback. Surveys are expensive and can discourage an owner from improving or replacing a sign. Additionally, the width of the right-of-way can vary. Roadways in Meridian Township are under the jurisdiction of Ingham County, which does not require the setback, only that signs are not placed within the right-of-way.
6. Public Information Campaign – To verify the business community is aware of sign regulations the EDC, with help from the Township Communications Department, could lead a public information campaign to explain and promote the regulations.

7. Review and possibly amend allowed sizes for wall signs – Current regulations limit the size of wall signs to one square foot of sign area for each linear foot of space occupied by the business. There may be a desire to increase this ratio, a study of wall signs is necessary to make a decision. The EDC may also be interested in allowing businesses to install a second wall sign on the wall of their choice beyond the one permitted currently.
8. Eliminate special use permit requirement for changing message signs – Existing provisions require any sign that moves in any way, including both digital and mechanical changing messages (such as reader boards) receive special use permit approval (SUP) from the Planning Commission. It may be prudent to remove the SUP requirement and draft standards to control these signs instead of having them go through the SUP process, which is costly and time consuming.
9. Draft stand-alone sign application – Township staff currently uses the building permit application for sign permits. The building permit application has fields not relevant to signs and may be confusing. The addition of a checklist to clarify the information required and the expected approval process could improve the process for both staff and applicant.
10. Eliminating the variable sizes for free-standing signs five feet or less in height – Current regulations allow larger structures to have larger free-standing signs as long as they are five feet or less in height. Structures with gross floor area of up to 25,000 can have 28 square feet of surface display area, structures between 25,001 to 150,000 square feet can have 38 square feet, and structures with 150,001 square feet and above can have up to 43 square feet. Eliminating this provision may simplify regulations.
11. Eliminate provision requiring freestanding sign must be in front yard only – Some properties may be situated in such a way that a freestanding sign in a side or rear yard is preferable.
12. Eliminate permit fee for grand opening signs – The current fee for a grand opening sign is \$60. The fee could be eliminated as a gesture of goodwill for new businesses.
13. Increase approval period for grand opening signs from 15 to 30 days – This could allow new businesses to make a bigger initial impact upon opening.
14. Revise fee schedule to standardize costs and eliminate square foot surcharge – The fee schedule requires the Township charge one dollar per square foot for any wall sign greater than 100 square feet and freestanding signs greater than 25 square feet. The one-dollar surcharge could be considered unnecessary and complicated. The Township Board establishes the fee schedule.
15. Add provision for temporary sale/event signs – Temporary sale or event signs are not permitted in the Code of Ordinances, however the Planning Department allows by policy one sign no larger than 35 square feet in size to be issued in conjunction with a temporary outdoor use permit. New regulations could establish a size, approval period, and number of times for year permitted for these types of signs.

Planning Commission (September 28, 2015)

Commercial sign policy review

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16. Eliminate window sign coverage provisions – Window signs are permitted on the condition they do not cover more than 40 percent of the surface area of the window in which they are displayed or 10 percent of the building face of which the window is a part.

The EDC Board is requesting the Planning Commission to review the recommendations and provide feedback. The EDC Board is also requesting the Planning Commission share any potential sign policy amendments not addressed in the above recommendations. Next steps will be determined based on comments from Planning Commissioners.

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
WORK SESSION MINUTES**

DRAFT

September 14, 2015

**5151 Marsh Road, Okemos, MI 48864-1198
Town Hall Rom, 517-853-4560**

PRESENT: Chair Scott-Craig, Vice-Chair Jackson, Commissioners Deits, Honicky, Ianni, and Van Coevering
ABSENT: Commissioners Cordill, Tenaglia, and De Groff
STAFF: Principal Planner Gail Oranchak

1. Call meeting to order

Chair Scott-Craig called the work session meeting to order at approximately 6:10 P.M.

2. Approval of agenda

Commission Deits moved to approve the agenda. Seconded by Vice-Chair Jackson.

Voice vote. Motion carried unanimously

3. Discussion

A. Chair Scott-Craig reminded commissioners about the new round of Citizen Planner classes to be held at Michigan State University with an application deadline of October 8.

B. 2005 Master Plan Update –Request for Proposals

- Committee to schedule a meeting to discuss preparation of the RFP with Director Kieselbach and staff
- Commissioners present were asked to identify their top three candidates from the six responses to the Request for Qualifications
- Commissioners unanimously agreed to send Requests for Proposals to LSL Planning, McKenna Associates, and Clearzoning
- Next step will be to construct the Request for Proposals document
- Commissioners commented on qualities of a new Master Plan: interactive, user friendly, ease of navigation, shorter, include an appendix, readable, internet and paper copies, searchable, editable
- Consultant will not be asked to rewrite the goals and objectives
- The document must include implementation strategies and metrics, recommend changes to the Future Land Use Map, sustainable and smart growth objectives, recommend strategies for reaching goals, strategies and identification of areas ripe for land preservation, urban service boundary, potential for purchase of development rights,
- High priority: the framework, “nice box”
- Provide general suggestions of items to include in “the box”
- Allow completion in stages

6. Adjournment

Chair Scott-Craig adjourned the meeting at approximately 6:55 p.m.

Respectfully Submitted,

Gail Oranchak, AICP
Principal Planner

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
September 14, 2015**

DRAFT

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

PRESENT: Commissioners Cordill (7:03 P.M.), DeGroff, Deits, Honicky, Ianni, Jackson, Scott-Craig, Tenaglia, Van Coevering
ABSENT: None
STAFF: Principal Planner Oranchak

1. Call meeting to order

Chair Scott-Craig called the regular meeting to order at 7:02 P.M.

2. Approval of agenda

Commissioner Ianni moved to approve the agenda. Seconded by Commissioner DeGroff.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

Commissioner Tenaglia moved to approve the Work Session Minutes and Regular Meeting Minutes of August 24, 2015. Seconded by Commissioner Ianni.

VOICE VOTE: Motion carried unanimously.

4. Public Remarks

Chair Scott-Craig opened the floor for public remarks.

Ron Calhoun, Meridian Investment Group, 1427 W.Saginaw, East Lansing, availed himself for Planning Commission questions on Mixed Use Planned Unit Development (MUPUD) #15034 and Special Use Permit #15121.

Ken Stockwell, Stockwell Development Group, 4277 Okemos Road, Okemos, availed himself for Planning Commission questions regarding Rezoning #15050.

William Miller, 627 Earliglow Lane, Haslett, availed himself for Planning Commission questions on Rezoning #00150.

Chair Scott-Craig closed public remarks.

5. Communications

Communications received and distributed at the August 24, 2015 meeting and placed on file:

Marian and Jack Fordyce, 4815 Arapaho Trail, Okemos; RE: SUP #15111 (Williams)

6. Public hearings

A. Rezoning #00150 (St. King), request to rezone 4660 Marsh Road from RC (Multiple Family, Medium Density) to PO (Professional and Office)

Chair Scott-Craig opened the public hearing at 7:08 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 rezoning request as outlined in staff memorandum dated September 10, 2015.
- Applicant
Judith St. King, 5180 Madison Avenue, B-2, Okemos, stated she purchased the subject site in 1996 and first requested this rezoning in 2000.

Dr. Miller, 627 Earliglow Lane, Haslett, stated a special use permit request to enlarge the clinic was granted in 1997. He believes the opportunity to be fully leased could be achieved with a PO zoning designation. Dr. Miller noted prospective tenants have had to be turned away because their type of business did not meet the health care designation. He explained one area in the lower level has a separate entrance and could have a different use. Dr. Miller stressed that additional traffic would be minimal and not have an impact on the surrounding area. He addressed the PO zoning designation as a buffer between the commercial core area and the residential along Marsh Road.

- Planning Commission discussion:
Commissioner Deits inquired as to any substantive changes to the application since it was originally filled out in 2000.

Principal Planner Oranchak responded she was not aware of any substantive changes.

Commissioner Deits requested staff make a comparison to provide to the Planning Commission at its next meeting.

Commissioner Deits inquired if the optometrist's office located on the corner of the roundabout is zoned institutional.

Principal Planner Oranchak replied it is zoned residential, the same as surrounding land. She noted there is a small piece designated Institutional on the Master Plan which is part of the Ingham County Road Department's (ICRD) right-of-way.

Commissioner Deits indicated there was discussion during the hearing in 2000 whether the subject site was conforming for a PO designation relative to setback.

Principal Planner Oranchak responded there was a comment made that a 50 foot setback would be required for the building, which she believed is non-conforming.

Commissioner Deits asked if a variance would be required to address that non-conformance.

Principal Planner Oranchak replied she did not believe a variance would be required since it is an existing building, but staff will look into the issue.

Commissioner Deits addressed the nearby duplex, believing it will become an "orphan" residential use. He inquired if the property is of a size which will allow it to have any other use located on it.

Principal Planner Oranchak indicated the frontage is fairly shallow so the opportunity for the required parking seems improbable, although staff has not researched it for that purpose. She

believed the site appeared to be tight and was unsure if there was sufficient space to get around the building to place parking in the rear.

Commissioner Deits inquired if the property which houses the nearby duplex was noticed for this public hearing.

Principal Planner Oranchak responded in the affirmative.

Commissioner Deits stated he was puzzled by the applicant's statement that certain prospective tenants could not locate there and asked staff for an explanation.

Principal Planner Oranchak replied tenants in a health clinic have to be associated with some type of health activity.

Commissioner Deits asked if the restriction that a business must be associated with some type of health activity was one placed by the Township.

Principal Planner Oranchak stated it is part of the ordinance relative to a non-residential use in a residential district.

In response to a previous question regarding substantive changes in the application from 2000 until now, Principal Planner Oranchak explained the applicant's now provide responses to address the criteria for decision making within the application.

Commissioner Deits requested staff provide those responses to the Planning Commission.

Commissioner Jackson addressed the adequacy of parking after the zoning changes from RC to PO. She inquired if there was sufficient space to provide the number of parking spaces in addition to what is currently on site to satisfy a different type of PO use.

Principal Planner Oranchak responded parking is determined on the type of use. She noted the applicant would have had to identify sufficient parking for an office use, when the request was initially made, staff will provide the difference in general office to medical office if it is zoned PO.

John Scott-Craig asked about the small cinder block building on the property close to the boundary on the back.

Principal Planner Oranchak explained accessory structures can be as close as five (5) feet from the property line.

Chair Scott-Craig inquired if the applicant had mentioned the possible use of the vacant property to the north.

Principal Planner Oranchak replied the applicant has not indicated a desire to remove the accessory structure.

Commissioner Jackson inquired as to the year the roundabout was constructed.

Principal Planner Oranchak stated the roundabout was constructed after the application in 2000.

Commissioner Jackson believed there is a consideration of changing conditions for this request as traffic has changed considerably in the area due to the roundabout.

Principal Planner Oranchak added the traffic has much better flow in the area because of the roundabout and travels through the area at a slower rate of speed.

Commissioner Jackson indicated consideration of the appropriateness of RC type by right development in this location should be given as opposed to development prior to the construction of the roundabout.

Commissioner Van Coevering asked staff if there was a difference in the parking requirements for office v. medical office.

Principal Planner Oranchak responded she believed straight office is 4-4.5 per 1,000 and medical office is 5-5.5 per 1000. She was unsure if the parking standards would be changed if rezoned to PO, as there is an existing medical component on site, but stated staff will evaluate parking needs at the appropriate time.

Commissioner Deits pointed out the optometrist on the northeast corner of Marsh and Hamilton was not an office use in 2000, but was a residential structure, which speaks to the change in character of the area. He spoke in general support for the rezoning while expressing concern whether the request will be conforming and, if not, whether variances would be requested. Commissioner Deits believed the rezoning request to be consistent with the status of the general area.

Chair Scott-Craig closed the public hearing at 7:35 P.M.

- B. SUP #15-14051 (Department of Parks & Recreation), request to impact the 100-year floodplain associated with replacing the Wonch Park Pavilion and portions of the internal sidewalk at 4555 Okemos Road, Okemos.

Chair Scott-Craig opened the public hearing at 7:35 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 special use permit request as outlined in the staff memorandum dated September 10, 2015.
- Applicant
Director of Parks and Recreation LuAnn Maisner offered history to date on improvements to Wonch Park and this request is to replace the current pavilion with one closer to the existing parking lot. She noted the impervious surface and cut and fill will remain the same.

Planning Commission discussion:

Commissioner Deits asked for the rationale behind demolishing the existing pavilion.

Director Maisner explained evaluation of the pavilion determined it to be in a very dilapidated condition as the current wood is rotting and the existing concrete is broken. She added this improvement was part of the 2008 Master Plan planning process.

Commissioner Jackson inquired as to why the pavilion was being constructed closer to the parking lot.

Director Maisner responded park users desired to be closer when carrying picnic items into the park.

Chair Scott-Craig asked if there was a compelling reason for requesting a decision the same night as the public hearing.

Director Maisner replied approval would allow the footings and foundation to be poured this year and then the soils testing and order of the pavilion could commence.

Commissioner Van Covering believed the proposed project to be a great addition to Wonch Park.

Chair Scott-Craig closed the public hearing at 7:42 P.M.

Commissioner DeGroff moved to amend the agenda to place SUP #15-14051 on as Agenda Item #7A-1.

Seconded by Commissioner Van Coevering.

VOICE VOTE: Motion carried unanimously.

7. Unfinished Business

A-1. SUP #15-14051 (Department of Parks & Recreation), request to impact the 100-year floodplain associated with replacing the Wonch Park Pavilion and portions of the internal sidewalk at 4555 Okemos Road, Okemos.

Commissioner Deits moved to suspend Planning Commission Bylaw 6.4a to consider Special Use Permit #15-14051 the same night as the public hearing. Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried unanimously.

Commissioner Jackson 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 #15-14051 subject to the following conditions:

- 1. Approval is subject to the revised Pavilion Layout Plan dated September 4, 2015, and the related materials submitted as part of Special Use Permit #15-14051, subject to revisions as required.**
- 2. The applicant shall obtain all permits and approvals from the Michigan Department of Environmental Quality (MDEQ) and the Township prior to any work taking place related to the project. A copy of all permits and approvals shall be provided to the Department of Community Planning & Development.**
- 3. In no case shall the impoundment capacity of the floodplain be reduced.**
- 4. Fill placed in the floodplain as part of the project shall be protected against erosion**

pursuant to a soil erosion permit from the Department of Public Works & Engineering.

5. The applicant shall properly dispose of all excess materials from the removal of the existing pavilion and sidewalk to an upland off-site location subject to the approval of the Director of Community Planning & Development.
6. The materials disposed at an off-site location shall be protected from erosion and re-seeded subject to the approval of the Director of Community Planning & Development.

Seconded by Commissioner DeGross.

Planning Commission discussion:

- No change in the capacity to hold water for water to flow
- Improvement to the pavilion adds to the nearby new pedestrian bridge and the new pathway within the park to make the entire area more attractive

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGross, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- A. Special Use Permit #15111 (Williams), request to work in the floodplain to construct a deck at 2568 Tekonsha

Commissioner Tenaglia 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 #15111 subject to the following conditions:

1. Approval is subject to the plans and application materials submitted as part of Special Use Permit #15111, subject to revisions as required.
2. If required, the applicant shall obtain a soil erosion and sedimentation control permit from the Department of Public Works & Engineering prior to any work taking place related to the deck project. A copy of the permit shall be provided to the Department of Community Planning & Development.
3. In no case shall the impoundment capacity of the 100-year floodplain be reduced by the deck and stairs.
4. The applicant shall properly dispose of all excess materials from the post holes and the removed sunroom to an appropriate off-site location subject to the approval of the Director of Community Planning & Development.

Seconded by Commissioner Jackson.

Planning Commission discussion:

- Applicant has complied with all necessary requirements
- Improvement to the applicant's quality of living without further impinging on the waterflow

Commissioner Deits offered the following friendly amendment:

- Amend the second WHEREAS clause to read: **WHEREAS, a special use permit is required pursuant to Section 86-436(l)(5) of the Conservancy District of the Code of Ordinances; and**

The friendly amendment was accepted by the maker of the motion.

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGross, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- B. Rezoning #15040 (Mayberry Homes), request for conditional rezoning of approximately 25.5 acres located on the east side of Powell Road from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family-Low Density)

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 Rezoning #15040 to rezone approximately 25.5 acres located on the east side of Powell Road, north of Grand River Avenue from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family Low Density) with the voluntary offer to condition the rezoning on not more than one dwelling unit per acre. Seconded by Commissioner Ianni.

Planning Commission and applicant discussion:

- Parcels are located outside of the proposed urban services management area (USMA)
- Extending sewer lines would promote adjacent upzoning to the east
- Applicant is not requesting to install sewer lines
- Rezoning is consistent with the Master Plan
- Requested soil report is more appropriate at the time the applicant presents the preliminary plat, which is the next step in the process

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGross, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- C. Rezoning #15050 (Stockwell Development Group), request to rezone two parcels totaling approximately nine acres located on the northwest corner of Grand River Avenue and Powell Road from PO (Professional and Office) to C-3 (Commercial)

Commissioner Tenaglia moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #15050 to rezone two parcels totaling approximately nine acres located on the north side of Grand River Avenue, west of Powell Road from PO (Professional and Office) to C-2 (Commercial). Seconded by Commissioner Ianni.

Planning Commission discussion:

- Applicant has compromised from the original request
- Overabundance of PO currently exists in the Township
- Applicant is amenable to the C-2 zoning designation

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

Commissioner Deits moved to amend the agenda as follows:

- Add Agenda Item #11 titled Adjournment
- Add Agenda Item #12 titled Postscript – Commissioner Deits

Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried unanimously.

D. Mixed Use Planned Unit Development #15034 (Meridian Investment Group), request to redevelop 4970 to 5030 Northwind Drive by replacing five office buildings with one mixed use building and three apartment buildings

Commissioner Ianni moved [and read into the record] **NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Mixed Use Planned Unit Development (MUPUD) #15034, subject to the following conditions:**

1. The recommendation for approval is based on the Cover Sheet, Amenities Plan, and Proposed Impervious/Pervious Plan, prepared by KEBS, Inc., dated August 31, 2015; Site Rendering Plan (dated August 31, 2015) and Building Elevations (dated July 31, 2015), prepared by Progressive AE, subject to revisions as required.
2. MUPUD #15034 (Meridian Investment Group, LLC), a request to redevelop an existing office park and establish a mixed use planned unit development with one mixed use building and three apartment buildings, consisting of two, three, and four bedroom apartment units, with a total of 112 apartment units, plus retail space in the mixed-use building, shall be contingent on the approval of Special Use Permit (SUP) #15101 (Meridian Investment Group, LLC).
3. Approval is subject to one or more amenities. The applicant proposes the following amenities as identified on the Amenities Plan (Sheet 6): rehabilitation of a degraded site; site recycling of trash; foot and bicycle pathways connecting to the Township pathway system; covered bicycle storage on site; outdoor gathering resource; seating plazas visible to the street; and LED exterior lighting.
4. Waivers shall be granted for those sections of the Code of Ordinances as follows: building setbacks for Building 1 (Section 86-402(1)(b.)) and (Section 86-432(d)(3)b.); building setback for Building 2 (Section 86-432(d)(3)c.); parking area and recycling center setbacks (Section 86-756(14)); and number of parking spaces (Section 86-755).
5. Any future building additions or expansions to the buildings will require modification to the MUPUD #15034 and SUP #15101.
6. Building materials should respect the preferences of the MUPUD ordinance which include, but are not limited to, wood, brick, clapboards, glass, and stone. Other materials, such as vinyl, aluminum, and other metals should be avoided. The character and quality of the building materials and general architectural design of the buildings shall be consistent on all four sides of each building.

7. The final building elevations and building materials shall be subject to the approval of the Director of Community Planning and Development.
8. Apartments may be occupied by a family or no more than two unrelated persons may occupy the two bedroom units, no more than three unrelated persons may occupy the three bedroom units, and no more than four unrelated persons may occupy the four bedroom units.
9. The applicant shall apply for and receive all applicable variances from the Zoning Board of Appeals.
10. All utility service distribution lines should be installed underground.
11. The final design of the two recycling enclosures shall be subject to the approval of the Director of Community Planning and Development.
12. Site accessories such as railings, benches, trash and recycling receptacles, exterior lighting fixtures, and bicycle racks shall be of commercial quality, and complement the building design and style. Final design and location shall be subject to the approval of the Director of Community Planning and Development.
13. Landscaping shall generally comply with the provisions of the Code of Ordinances, including the mixed use planned unit development standards as outlined in Section 86-440(f)(4) and other applicable sections of the Ordinance pertaining to landscaping.
14. Site and building lighting shall comply with Article VII in Chapter 38 of the Code of Ordinances and shall be subject to the approval of the Director of Community Planning and Development, including the height of any new parking lot light pole.
15. A final sign program shall be submitted as part of site plan review and shall be subject to the review and approval of the Director of Community Planning and Development.
16. 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.
17. The applicant shall combine the three parcels into one tax parcel.
18. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Transportation and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.
19. 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 Engineering Design and Construction Standards.
20. 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 AutoCAD compatible format.

Seconded by Commissioner Tenaglia.

Planning Commission discussion:

- Applicant has attempted to address Planning Commission concerns
- Applicant has reduced the impervious surface to below the maximum allowed in PO and C-2
- Applicant has connected the project with other nearby commercial areas to make it more walkable
- Applicant has increased the number of covered bicycle spaces
- Condition regarding unrelated occupants was included as the standards for all multiple family districts isn't followed for MUPUDs and they do not carry through to MUPUDs
- Multi-family language speaks to no more than three (3) unrelated persons in one (1) unit
- Staff modifies the occupancy based on the design of each project before the Township

Commissioner Jackson offered the following friendly amendment:

- **Amend the first sentence in condition #6 by deleting "should" and inserting "shall"**

The friendly amendment was accepted by the maker of the motion.

Commissioner Van Coevering offered the following friendly amendment:

- **Amend the first sentence in condition #6 by deleting "respect" and inserting "be consistent with"**

The friendly amendment was accepted by the maker of the motion.

Commissioner DeGroff offered the following friendly amendment:

- **Amend the second sentence in condition #6 by deleting "should" and inserting "shall"**

The friendly amendment was accepted by the maker of the motion.

Continued Planning Commission and applicant discussion:

- Units are being marketed as apartments, not beds
- There are no one bedroom apartments in the development
- Applicant's traffic consultant is working with the Michigan Department of Transportation (MDOT) and Meridian Township's traffic consultant
- Concern the date of the traffic study in May was not when students were attending Michigan State University with a full class load and is not accurate
- Traffic numbers obtained from the traffic study have been accepted by MDOT and the Township's traffic consultant
- Onsite stormwater treatment system is private
- Applicant will be required to treat the first inch of stormwater onsite
- Planning Commissioner belief a site next to the river should be particularly protected
- Appreciation that the applicant has reduced the impervious surface below acceptable Township standards

Commissioner Cordill offered the following friendly amendment:

- **Amend condition #6 by adding "exterior" in front of "building materials" in 1st and 2nd sentence.**

The friendly amendment was accepted by the maker of the main motion.

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- E. Special Use Permit #15121 (Meridian Investment Group), request for a group of buildings greater than 25,000 square feet in gross floor area at 4970 to 5030 Northwind Drive

Commissioner Cordill moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Special Use Permit #15121 (Meridian Investment Group) for a group of four buildings totaling more than 25,000 square feet in gross floor area subject to the following conditions:

- 1. Approval of the special use permit is recommended in accordance with Cover Sheet, prepared by KEBS, Inc., dated August 31, 2015 and Building Elevations prepared by Progressive AE, dated July 31, 2015, subject to revisions as required.**
- 2. Special Use Permit #15121 is subject to all conditions placed on Mixed Use Planned Unit Development #15034 (Meridian Investment Group, LLC) by the Township.**
- 3. The gross square feet of all buildings on the site shall not exceed 125,000 square feet unless the applicant applies for and receives an amendment to Special Use Permit #15121 (Meridian Investment Group, LLC).**

Seconded by Commissioner Jackson.

Planning Commission discussion:

- SUP allows for buildings which total more than 25,000 square feet
- Buildings total 41 feet less than the 125,000 square feet requested to allow for marginal “breathing room”

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

[Chair Scott-Craig recessed the meeting at 8:37 P.M.]

[Chair Scott-Craig reconvened the meeting at 8:44 P.M.]

- F. Zoning Amendment #14010 (Township Board), request to amend the zoning ordinance to establish definitions and standards for the medical use of marihuana
Chair Scott-Craig offered a brief history of this zoning amendment to date.

Planning Commission discussion:

- Planning Commission must either make a recommendation to the Board to approve or deny with rationale for denial
- Definitions of medical marihuana home occupation, primary caregiver, inclusion of a medical marihuana caregiver as a home occupation
- Definition of a medical marihuana caregiver grower and transfer facility as a permitted conditional use in commercial designations
- Last time this issue was before the Planning Commission was February, 2014 when there was

regulatory uncertainty at the state level

- Planning Commissioner preference for the Board not to take up this issue
- Protection of children was not within the purview of the Michigan Medical Marihuana Act (MMMA)
- Ordinance does not contain protections for children with regards to various locations (e.g., recreational parks and daycare) and second hand marihuana smoke
- Planning Commissioner belief second hand marihuana smoke has all the negative consequences of second hand cigarette smoke
- Many of the popular opinion statements are not factually correct
- Statement by the American Academy of Pediatrics there are “compassionate use” cases for use of medical marihuana by children who have uncontrollable seizures
- State legislature and US Congress may make edible forms of marihuana part of medical marihuana legislation which would allow patients to use medical marihuana without smoking it
- Planning Commissioner belief there is a need for Congress to reclassify medical marihuana from a schedule one to a schedule two drug so that it can be studied to determine if medical marihuana is an acceptable substitute for children
- Planning Commissioner belief the zoning amendment is flawed because the MMMA is flawed as there are no protections for children
- Concern with no limit in the number of caregivers in one home
- Concern with limiting the signage to only medical marihuana caregiver establishments and not all home businesses
- Proposed ordinance does not regulate the use of medical marihuana in Meridian Township
- Proposed ordinance regulates where medical marihuana can be grown
- Prohibiting/regulating second hand medical marihuana smoke is beyond the purview of the Planning Commission
- Concern the zoning amendment is arbitrary in limiting the distance of growing medical marihuana from K-12 schools but is silent on distance from pre-schools, day cares and parks
- Reminder that while the MMMA may be flawed, it is state law and the question is how the Township chooses to address that law
- Denying the zoning amendment does not deal with the issue
- MMMA was enacted by voter referendum through the ballot process which does not receive the same “refinement” as a legislative initiative which progresses through the process prior to enactment
- If the Township passes some form of a zoning amendment and the legislature acts differently on the medical marihuana issue, state statute will control
- Planning Commissioner preference for the Township to address this issue
- Security for dispensing a schedule one drug in pharmacies v. medical marihuana growing facilities
- Based on current state law, the only way the Township has influence in how medical marihuana is used within the community is through land use regulations associated with home occupations
- Ordinance is the only context in which the Township has an impact on how medical marihuana is brought into the community
- Township does not yet have regulations to effect the impact of medical marihuana use relative to schools, pre-schools, day care and parks
- Proposed ordinance is better than nothing in influencing how medical marihuana is used within the community
- Planning Commission does not have the ability to rewrite/amend the zoning amendment
- Township Board has the option to change the language in the zoning amendment based on rationale for denial given by the Planning Commission
- Rationale for denial:
 - Potential for expensive litigation

- Legislative landscape on this issue is likely to change
- Elements of the document such as restrictions in location and signage require revision
- Concern there is no land use restriction for a medical marihuana growing facility in a home next to a K-12 school
- Preference to hear from the Township's Police Department if there is evidence of the type of misuse of medical marihuana that the Township is attempting to prevent with this zoning amendment
- One feature of an ordinance is if there is an established need for it
- Board was concerned with recent armed home invasions where medical marihuana was grown
- Township Board felt an amendment to the home occupation ordinance would allow the neighboring members of the community a vehicle to call in potential violations to the police department
- Security of a facility where medical marihuana is grown is regulated at the state level
- Inquiry if the Township Board has been apprised of the Township attorney's comments on the proposed ordinance
- Board members will receive the attorney's comments when the zoning amendment comes back before it
- Planning Commission is grappling with the process
- MMMA does not grant an affirmative right but offers a defense in the event there is prosecution of a crime
- Board member belief home invasion (crime) follows medical marihuana growth as there is value in medical marihuana
- One parameter for medical marihuana security is "in an enclosed locked facility"
- Type of security for a medical marihuana growing facility is much different than at a pharmacy
- Planning Commissioner preference for the 1,000 foot restriction to include K-12 schools, state recognized day cares and recreational parks
- Offering a 1,000 foot requirement for a variety of places (schools, recreational parks and day cares) could have the effect of precluding medical marihuana growing and location of transfer facilities anywhere within the Township
- Concern the 1,000 foot requirement may prohibit the growers from doing what the state has enabled them to do
- Use means the caregivers use which is a location to grow and distribute
- Confusion is inherent in the way the definitions are written in the zoning amendment

It was the consensus of the Planning Commission to direct staff to prepare a resolution to deny the proposed zoning amendment, outlining the list of objections as discussed.

8. Other Business (None)

- 9. Township Board, Planning Commission officer, committee chair, and staff comment or reports**
 Commissioner Van Coevering announced a community forum will be held on Sept. 24th at 7:00 PM at Faith Lutheran Church, 4515 Dobie Road, on the topic of Race, Ethnicity and Culture. Additional information can be found at www.faithlutheranokemos.org.

Commissioner Tenaglia reported her attendance at the most recent Economic Development Corporation (EDC) meeting where she shared information on issues before the Planning Commission.

Commissioner Deits reported his attendance at this morning's Downtown Development Authority (DDA) meeting where the development of land which formerly housed the central fire station/MARC building was discussed. He noted the proposed project will include a restaurant and an apartment building, and the developer is being given a time certain for construction of the residential component. Commissioner Deits spoke to the success of the 2015 downtown Okemos event, adding

many hours of parks and recreation staff time went into ensuring its success. He indicated there was adamancy iterated that staff would not participate to such a degree in an Okemos only event next year and talk ensued over this event being relocated and becoming an annual Meridian Township event. Commissioner Deits noted that, to that end, there will be a special DDA meeting on Monday, October 5th at 7:30 AM to address this issue.

A. Future Projects/New Applications

B. Update of Ongoing Projects

i. Site Plans Received

1. Site Plan Review #15-07 (Campus Village Development), develop a mixed use planned unit development, the Square on Grand River (formerly The Avenue), consisting of existing and new buildings at 2655 Grand River

ii. Site Plans Approved - NONE

10. Public remarks

Chair Scott-Craig opened and closed public remarks.

11. Adjournment

Chair Scott-Craig adjourned the regular meeting at 9:34 P.M.

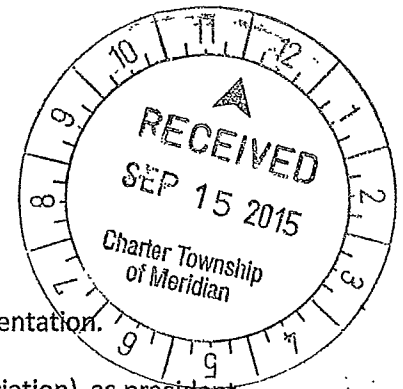
Respectfully Submitted,

Sandra K. Otto
Recording Secretary

Sept 14, 2015

Meridian Township Planning Commission ; Parks and Recreation

Re: Wonch Park Development Plans



I am writing because I have to be away from the area and cannot attend the presentation.

Some time ago I was involved in GOVRA (Greater Okemos Village Residents Association) as president and became closely involved in certain resident matters. One in particular was relevant to this current issue.

A resident that was located in the same flood plain area as Wonch park had just built a short slatted fence (about 3 to four feet high-- I think as a pet restrainer)..They had been contacted by the Township about this being illegal under recently initiated regulations pertaining to flood plain management and I was present at a meeting to discuss the problem. It was stated that there was a grandfather understanding on existing facilities and surfaces but that there could be no changes which would restrict water flow rate nor impede surfaces water absorption. They could not increase the size of existing structures nor pave surfaces. These residents were told to remove the fence and not procede with a plan to black top a path... which they did.

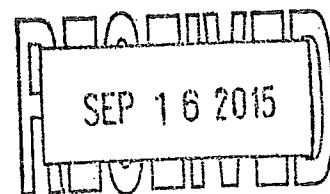
This concept is now understood by residents living in the flood plain/wave and has been used in their planning and living routines.

If the Parks and Recreation plan involves structure expansion and further paving of Wonch park ,then the Township should inform all residents located in the various flood plain classified areas that the mandates in place are no longer valid and that the concern over flooding incidence has been reduced and why.

With the national concern over environmental hazards, this seems to be not the time to be relaxing or enforcing flood water control and dissipation standards . This is no time for a double standard.


Robert J. Deans

2191 Clinton, Okemos



**Rezoning #15030
(Ghulam H. Sumbal)
September 24, 2015**

APPLICANT: Ghulam H. Sumbal
1998 Jolly Road
Okemos, MI 48864

STATUS OF APPLICANT: Owner

REQUEST: Rezone to RA (Single Family-Medium Density) with a condition which would allow the property to remain zoned RR (Rural Residential) if a variance is not obtained for a shared driveway.

CURRENT ZONING: RR (Rural Residential)

LOCATION: 1998 Jolly Road

AREA OF SUBJECT SITE: 1.4 acres

EXISTING LAND USE: Two single-family residences

EXISTING LAND USES IN AREA:
North: Single-family residences
South: Single-family residences and Agriculture
East: Hiawatha Elementary School
West: Single-family residences

CURRENT ZONING IN AREA: North: RA (Single Family, Medium Density)
South: Alaeidon Township
East: RA (Single Family-Medium Density)
West: RA (Single Family-Medium Density)

FUTURE LAND USE DESIGNATION: Residential 1.25-3.5 dwelling units per acre

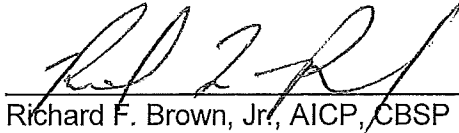
FUTURE LAND USE MAP: North: Residential 1.25-3.5 dwelling units per acre
South: Alaeidon Township
East: Residential 1.25-3.5 dwelling units per acre
West: Residential 1.25-3.5 dwelling units per acre

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM:


Richard F. Brown, Jr., AICP, CBSP
Associate Planner

DATE: September 24, 2015

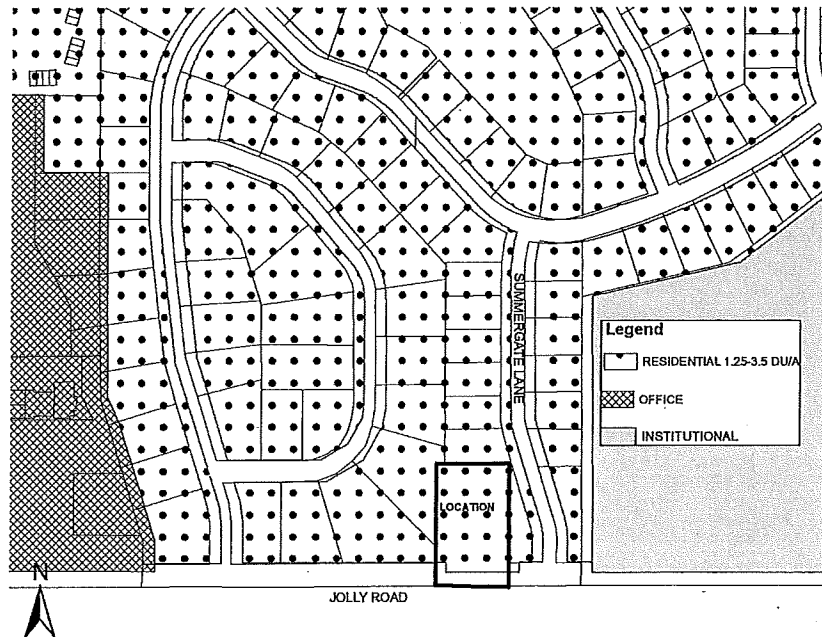
RE: Rezoning #15030 (Ghulam H. Sumbal) request to rezone approximately 1.4 acres located at 1998 Jolly Road from RR (Rural Residential) to RA (Single Family-Medium Density)

Ghulam H. Sumbal has requested the rezoning of a 1.4 acre parcel located at 1998 Jolly Road from RR (Rural Residential) to RA (Single Family-Medium Density). Two single-family dwellings are located on the subject site, though only one is occupied due to the lack of public utilities to the second dwelling. The Planning Commission recommended approval of Mr. Sumbal's request at its August 10, 2015 meeting. Subsequently, the applicant indicated he preferred having just one driveway serve the site and submitted a letter on August 13, 2015 requesting the rezoning be reconsidered with a condition included which would allow the property to remain RR (Rural Residential) if he should be unsuccessful in obtaining a variance to allow a shared driveway.

Master Plan

The 2005 Master Plan designates the subject site and all surrounding parcels in Meridian Township in the Residential 1.25 to 3.5 dwelling units per acre category.

FUTURE LAND USE MAP

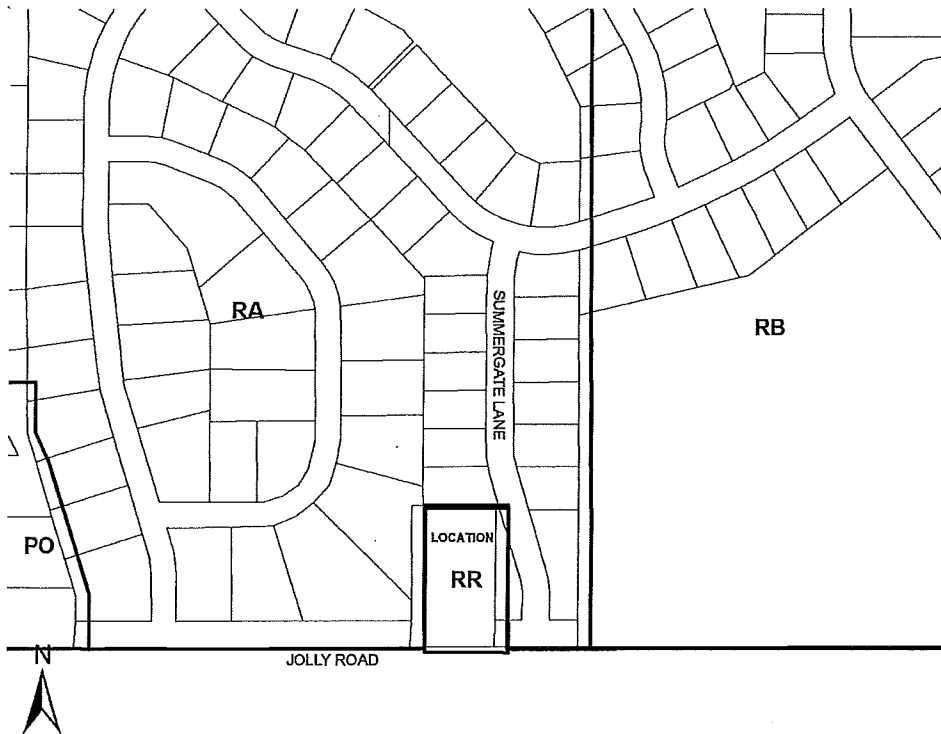


Zoning

The subject site is zoned RR (Rural Residential). From a review of past zoning maps, it appears the subject site has remained RR (Rural Residential) since 1960. Data on the standards for the existing and proposed zoning are provided in the following chart:

ZONING DISTRICT	LOT AREA	LOT WIDTH
RR (Rural Residential)	40,000 sq. ft.	200 ft.
RA (Single Family-Medium Density)	10,000 sq. ft.	80 ft.
1998 Jolly Road	60,984 sq. ft.	198 ft. on Jolly Road

ZONING MAP



Physical Features

The subject site is 1.4 acres in size and contains two single-family dwellings. Details regarding the structures are provided in the following chart:

STRUCTURE	YEAR BUILT	SQUARE FEET	FLOORS
Dwelling 1	1955	2,412	1 story+ basement
Dwelling 2	1955	828	1 story

Elevations on the site vary between 919 feet above mean sea level in the northwest corner to 927 feet above mean sea level in the southeast portion of the site.

No regulated wetlands, 100-year floodplain, or other natural features identified by the Greenspace Plan exist on the subject site.

AERIAL PHOTO



Soils

The following predominant soil types are found at the subject site:

SOIL ASSOCIATION	SLOPE	SEVERE LIMITATIONS
MaB – Marlette fine sandy loams	2 to 6 percent	Low strength
MaC – Marlette fine sandy loams	6 to 12 percent	Low strength
OsC – Oshtemo sandy loam	6 to 12 percent	Cutbanks cave and slope

Source: Soil Survey of Ingham County, Michigan 1992.

Streets and Traffic

Access to the site is available from Jolly Road. Jolly Road is classified as a Minor Arterial as shown on the map titled Street Setbacks and Service Drives, Section 86-367 in the zoning

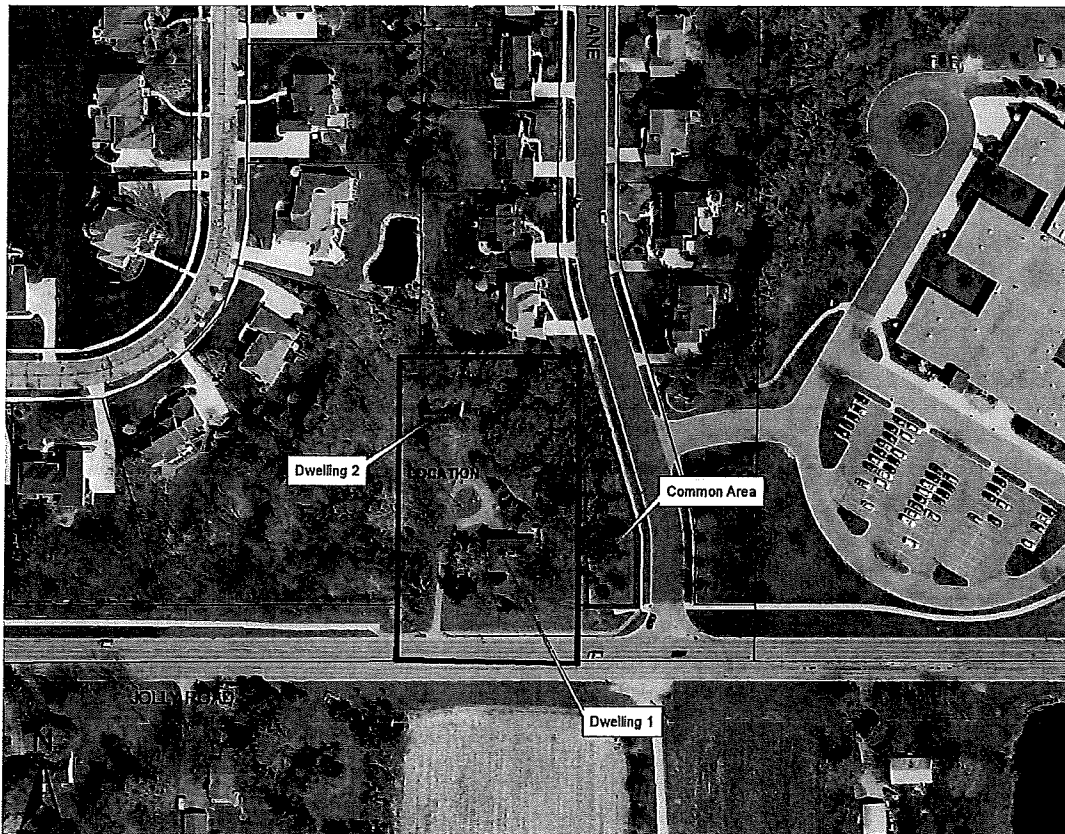
ordinance. Jolly Road consists of two eastbound and two westbound lanes. An asphalt pathway crosses the frontage of the subject site linking completed segments of concrete pedestrian/bicycle pathways on either side. The asphalt pathway is scheduled to be replaced by a traditional concrete pedestrian/bicycle pathway.

Utilities

Public sanitary sewer and water are available to the subject site. Dwelling 1 is currently served by both, while future service is available for Dwelling 2 should it be established on a separate parcel of land.

Staff Analysis

Two single-family dwellings on the same parcel of land is prohibited by current regulations within both the RR (Rural Residential) and the RA (Single Family-Medium Density) zoning districts. The applicant has approached staff in the past about potentially splitting the subject site into east and west parcels to better conform to the Code of Ordinances.



Under RR (Rural Residential) zoning, such a land division would be impossible without variances due to the site dimensions (198 feet wide x 330 feet deep) not complying with the minimum lot width of 200 feet along a public road and minimum lot area of 40,000 square feet. Meanwhile under the proposed RA (Single Family-Medium Density) zoning, there is the potential for both resulting parcels to be in compliance for lot width (80 feet) and for lot area (10,000 square feet).

Planning Commission Options

The Planning Commission may recommend approval or denial of the request or it may recommend a different zoning designation to the Township Board. A resolution will be provided for a future meeting.

Attachments

1. Application and supporting materials

CHARTER TOWNSHIP OF MERIDIAN
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
5151 MARSH ROAD, OKEMOS, MI 48864
PHONE: (517) 853-4560, FAX: (517) 853-4095

REZONING APPLICATION

Part I, II and III of this application must be completed. Failure to complete any portion of this form may result in the denial of your request.

Part I

A. Owner/Applicant GUYLAM H SUMBAL
Address of applicant 1998 JOLLY RD, OKEMOS, MI 48864
Telephone: Work 517-755-8481 Home 517-381-9808
Fax _____ Email _____

If there are multiple owners, list names and addresses of each and indicate ownership interest. Attach additional sheets if necessary. If the applicant is not the current owner of the subject property, the applicant must provide a copy of a purchase agreement or instrument indicating the owner is aware of and in agreement with the requested action.

B. Applicant's Representative, Architect, Engineer or Planner responsible for request:
Name / Contact Person _____
Address _____
Telephone: Work _____ Home _____
Fax _____ Email _____

C. Site address/location 1998 JOLLY RD.
Legal description (Attach additional sheets if necessary) _____
Parcel number 33-02-02-34-300 Site acreage _____

D. Current zoning R.R -002 Requested zoning RA

E. The following support materials must be submitted with the application:

1. Nonrefundable fee.
2. Evidence of fee or other ownership of the subject property.
3. A rezoning traffic study prepared by a qualified traffic engineer based on the most current edition of the handbook entitled *Evaluating Traffic Impact Studies: A Recommended Practice for Michigan Communities*, published by the State Department of Transportation, is required for the following requests:
 - a. Rezoning when the proposed district would permit uses that could generate more than 100 additional directional trips during the peak hour than the principal uses permitted under the current zoning.
 - b. Rezoning having direct access to a principal or minor arterial street, unless the uses in the proposed zoning district would generate fewer peak hour trips than uses in the existing zoning district.
(Information pertaining to the contents of the rezoning traffic study will be available in the Department of Community Planning and Development.)
4. Other information deemed necessary to evaluate the application as specified by the Director of Community Planning and Development.

Part II

REASONS FOR REZONING REQUEST

Respond only to the items which you intend to support with proof. Explain your position on the lines below, and attach supporting information to this form.

A. Reasons why the present zoning is unreasonable:

- 1) There is an error in the boundaries of the Zoning Map, specifically: ALL RESIDENTIAL LOTS SURROUNDING THE PROPERTY ARE ZONED RA
- 2) The conditions of the surrounding area have changed in the following respects: THE LOTS DEVELOPED AROUND THE PROPERTY ARE RA
- 3) The current zoning is inconsistent with the Township's Master Plan, explain: SAME AS ABOVE #1 & 2
- 4) The Township did not follow the procedures that are required by Michigan laws, when adopting the Zoning Ordinance, specifically: _____
- 5) The Township did not have a reasonable basis to support the current zoning classification at the time it was adopted; and the zoning has exempted the following legitimate uses from the area: _____
- 6) The current zoning restrictions on the use of the property do not further the health safety or general welfare of the public, explain: _____

B. Reasons why the requested zoning is appropriate:

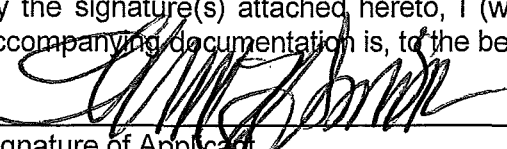
- 1) Requested rezoning is consistent with the Township's Master Plan, explain: _____
- 2) Requested rezoning is compatible with other existing and proposed uses surrounding the site; specifically: ALL PROPERTIES SURROUNDING ARE RA
- 3) Requested rezoning would not result in significant adverse impacts on the natural environment; explain: IT WOULD NOT CHANGE IMPACT ON ENVIRONMENT;
- 4) Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation or other public services; explain: ONE EXTRA FAMILY WOULD NOT HAVE MUCH OF AN IMPACT
- 5) Requested rezoning addresses a proven community need, specifically: I WILL DONATE 5 FEET FROM MY FRONT YARD TO MOVE SIDE WALK FURTHER FROM BUSY ROAD
- 6) Requested rezoning results in logical and orderly development in the Township, explain: THERE IS ALREADY EXIST HOME ON THE PROPERTY
- 7) Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services; explain: THE EXISTING HOME WOULD NOT BE WASTED. INSTEAD IT WILL GENERATE MORE PROPERTY TAX

Part III

I (we) hereby grant permission for members of the Charter Township of Meridian's Boards and/or Commissions, Township staff member(s) and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purpose of gathering information including but not limited to the taking and the use of photographs.

Yes No (Please check one)

By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate



Signature of Applicant

6/10/15

Date

Type/Print Name

Fee: \$700.00

Received by/Date: Paul Orndorff 6/10/15

A meeting of the Planning Board of
The Municipality was held on
July 27, 2015 on my application
on rezoning of my property
located at 1998 Tully Road
(Rezoning # 15030) from R20
RA so that I could use the
second home on:

The existing drive serve
both houses. With the lot
split, it will be almost
impossible to have another
drive to the main house, hence
the existing drive will be in
western lot.

As I indicated the Board
meeting, the only way I would
to rezone my property if I am
allowed to use the existing drive
for both houses, please approve
the rezoning conditionally so that
I can use the shared drive
Thank you PJO

A 8/13/15

Winn
D. J. Jones
SUMMER
GUILFORD, N. C.
1998 TOLL FREE
ORLANDO, FL 48864
517-381-9808

FOR: Mr. Jay Duquette

CERTIFIED SURVEY MAP

LIBER

6 PG 811

LEGAL DESCRIPTION: That part of the SW 1/4 of Section 34 and the SE 1/4 of Section 33, T4N, R1W, Meridian Township, Ingham County, Michigan described as: Beginning at the SE corner of said Section 33; thence S89°52'14"W 66.00 feet along the South line of said Section 33; thence N00°23'20"W 330.00 feet parallel with the East line of said Section 33; thence N89°52'14"E 66.00 feet parallel with said South line to a point on said East Section line; thence N89°51'20"E 132.00 feet parallel with the South line of said Section 34; thence S00°23'20"W 330.00 feet to a point on said South line of Section 34; thence S89°51'20"W 132.00 feet along said South line of Section 34 to the point of beginning; containing 1.500 acres more or less and subject to the rights of the public in Jolly Road.

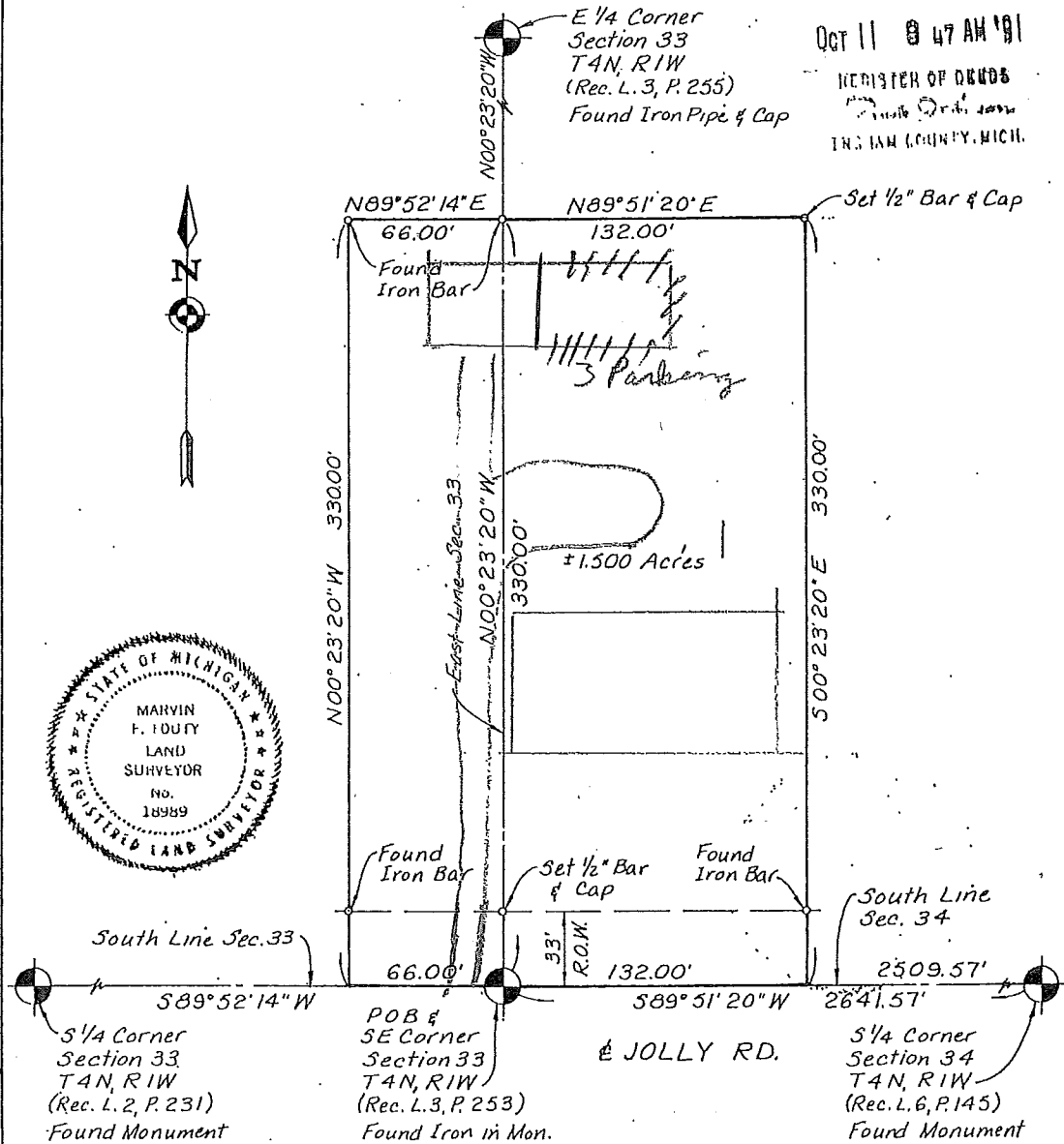
I hereby certify to the parties named hereon that we have surveyed the property described hereon and that we have found or set permanent markers at all corners of said parcel as shown. I further certify that this survey complies with the requirements of Public Act 132 of 1970 and was performed with an error of closure no greater than a ratio of 1 in 5000.

RECORDED

OCT 11 @ 47 AM '91

REGISTER OF DEEDS
 State of Michigan
 INGHAM COUNTY, MICH.

34-300-002



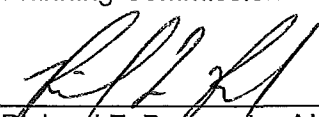
PROJ. NO. 656 DATE 3-1-89 SCALE: 1" = 60'
 FIELD BY: DH DRAWN BY: TCP SHEET 1 OF 1
1108
 REGISTERED LAND SURVEYOR NO. 18989

MARVIN F. FOUTY, P.C.
 LAND SURVEYING & MAPPING
 1551 Haslett Road
 P.O. Box 707
 Haslett, Michigan 48840
 Phone: 517-339-1263

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM: 
Richard F. Brown, Jr., AICP
Associate Planner

DATE: September 24, 2015

RE: Rezoning #00150 (St. King), request to rezone 4660 March Road from RC (Multiple Family-Medium Density) to PO (Professional and Office).

On September 14, 2015, the Planning Commission held a public hearing regarding Judith St. King's request to rezone 1.18 acres at 4660 Marsh Road from RC (Multiple Family-Medium Density) to PO (Professional & Office). A health clinic and a structure used for storage are currently located on the subject site. The following address several questions raised by Commissioners at the previous meeting.

Rezoning the subject site does not automatically require the existing structures to obtain variances. The existing health clinic structure is considered conforming, as long as the southwest corner is interpreted as a side yard setback. The majority of the required setbacks for the existing special use permit as a non-residential use in the RC (Multiple Family-Medium Density) district and the proposed PO (Professional and Office) zoning are uniform. The principal difference arises from the required 50 foot setback from residential zoning classifications that accompanies PO (Professional & Office) zoning. The existing health clinic is situated as close as 15 feet from the property line in the southwest corner of the subject site. Approval to PO (Professional & Office) would cause the facility to become non-conforming and future enlargements of the height, bulk, width, and areas of the structure would require prior approval from the Zoning Board of Appeals under Section 86-618(2).

The roundabout at Hamilton and Marsh Roads was completed in 2000, about the time the rezoning to PO was requested.

At 154 feet in width along Marsh Road, the duplex site located to the southwest of the St. King property contains sufficient frontage for non-residential uses and office uses. However, at 0.315 acres (13,721 square feet), it could be difficult to comply with the lot coverage, setback, and parking requirements of the Code for non-residential uses.

Planning Commission Options

The Planning Commission may recommend approval or denial of the request or it may recommend a different zoning designation to the Township Board. A resolution to approve has been provided.

Attachments

1. Resolution to approve
2. Applicant's summary of reasons for the rezoning

RESOLUTION TO APPROVE

**Rezoning #00150
Judith St. King
4660 Marsh Road**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 28th day of September 2015, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Judith St. King requested the rezoning (Rezoning #00150) of approximately 1.18 acres located at 4660 Marsh Road from RC (Multiple Family-Medium Density) to PO (Professional & Office) for the purpose of expanding the tenant base from health care to general office uses; and

WHEREAS, the Planning Commission first held a public hearing regarding the request at its November 13, 2000 meeting and then postponed the case at its November 27, 2000 meeting; and

WHEREAS, in a letter dated July 21, 2015, Judith St. King requested the Planning Commission take action on Rezoning #00150; and

WHEREAS, the Planning Commission held a second public hearing on Rezoning #00150 at its September 14, 2015 meeting; and

WHEREAS, the Planning Commission reviewed the staff material forwarded under cover memorandums dated November 9, 2000; November 23, 2000; September 10, 2015; and September 24, 2015; and

WHEREAS, rezoning 4660 Marsh Road to PO (Professional & Office) is compatible with existing and primarily non-residential uses (eye care clinic, church, and an office building) on the south side of Marsh Road and undeveloped commercial land on the north side of Marsh Road; and

WHEREAS, the proposed rezoning is consistent with the 2005 Master Plan's third goal and associated objectives "to maintain the viability of existing Township businesses."

WHEREAS, the site is served by public utilities and services; and

WHEREAS, the proposed rezoning to PO (Professional & Office) would represent a logical and orderly development pattern along this segment of Marsh Road; and

**Resolution to Approve
Rezoning #00150 (St. King)
Page 2**

WHEREAS, PO (Professional & Office) zoning at this location is consistent with those transitional land uses identified in the 2005 Master Plan (office and multiple-family), which provide a step-down buffer single-family residential from existing and future commercial uses to the north.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #15030 to rezone approximately 1.18 acres located at 4660 Marsh Road from RC (Multiple Family-Medium Density) to PO (Professional & Office).

ADOPTED: YEAS: _____

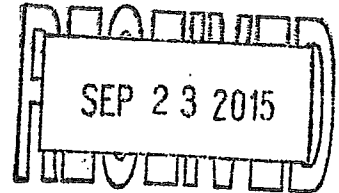
NAYS: _____

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 28th day of September, 2015.

John Scott-Craig
Planning Commission Chair

Rezoning #00150
(St. King)



Supplemental Information Requested

Reasons for Rezoning Request

Reasons why the requested zoning is appropriate:

- 1) Requested rezoning is consistent with the townships master plan:

Our rezoning request is consistent with numerous principles outlined in the township's 2005 master plan. First, the master plan emphasizes the importance of residential neighborhoods. It states: "First and foremost Meridian Township is a residential community. One of the objectives of goal one is to maintain a community of desirable, attractive residential neighborhoods with an emphasis on single-family owner-occupied homes". A major aspect of desirability is the reduction of traffic noise. Our property sits between the core commercial district, Marsh road (classified as a principal arterial road), and single-family owner-occupied residential neighborhoods to our east. Consequently, our site serves as a noise buffer for the residential neighborhoods. This use as a buffer is additionally supported in the master plan under "transitional land-use planning". It states: "transitional land-use planning promotes step down land-use whereby intensive use that typically generate off-site impacts, like noise or traffic are buffered from the least intense single-family residential neighborhoods by a series of progressively less intensive land uses.

Smart Growth is another principle that our rezoning request follows. As stated in the master plan: "Smart Growth is human-scaled, transit and pedestrian-oriented, and has a greater mix of housing, commercial and retail uses". Our site is within walking distance of restaurants, shopping facilities, recreation, bus lines, and other services.

Our rezoning request is also consistent with goal three of the plan which states: "Maintain the Viability of Township Businesses". This goal states: "It is important to provide areas for office growth within the township as well as encourage the redevelopment of older areas". In support of this principle is the following quote from the master plan: "Business executives prefer their offices to be located near other offices so they have ready access to support services (restaurants, shopping, and club facilities), customers and the company of professional peers.... The offices become an economic magnet for the creation of added jobs". Once again, our site is within walking distance of these assets to our north south and west.

- 2) Requested rezoning is compatible with other existing and proposed uses

surrounding the site.

At the end of Marsh road to our south at the roundabout is an optical business (service/retail) and to our north is a church and an architectural firm (professional office). To our west, across Marsh road, is a vacant lot (zoned C2) and to the north of that is Meijer's property. It is our opinion that the requested professional office rezoning is consistent with those properties as well as providing a buffer for the residential property to our east.

- 3) Requested rezoning would not result in significant adverse impacts on the natural environment.

Under our special use permit, we are in essence operating as professional office space. The rezoning would not result in any change whatsoever to the structure of the property. Consequently, there would be no adverse impact on the natural environment.

- 4) Requested rezoning would not result in significant adverse impacts on traffic...

As specified in the memorandum to the planning commission from Richard Brown dated September 10, 2015 Re: rezoning #00150 (page 3), there would be "minimal difference in estimated peak hour and daily trip ends between clinics and office uses". Additionally, Mr. Brown also indicates that a traffic report is not warranted due to this minimal difference.

(Note: the roundabout had been built prior to the initial application for this rezoning request and is addressed in that application. Consequently there is no traffic change since the original application.)

- 5) Requested rezoning addresses a proven community need.

Over the past 22 years that we have operated as a psychological clinic with our special use permit, we have been approached numerous times by potential tenants whose businesses did not conform with our special use permit. Consequently we could not accommodate their request for office space. These businesses were related to law firms, insurance agencies, health insurance processing companies, designers, personal training facilities, etc.. Our building has a garden level with a separate entrance. This arrangement allows for the top two floors of our building to work effectively as a psychiatric outpatient clinic, and allows for a separate non-clinic use for the garden level. With this arrangement, there would be no interference between the two uses.

Since January 2015, we have been working with Mr. Adam Whitz of the RE/MAX Commercial Group to assist us in leasing office space in our building. Within that time, Mr. Whitz reports that he had interested parties to show the building but they did not comply with our special use permit

and their potential business had to be turned away.
These experiences of our own as well as Mr. Whitz's indicate a proven
community need for professional office space at our location.

CHARTER TOWNSHIP OF MERIDIAN

MEMORANDUM

TO: Planning Commission

FROM: 
Gail Oranchak, AICP
Principal Planner

DATE: September 24, 2015

RE: Zoning Amendment #14010 (Township Board), to regulate the location of the medical use of marihuana

After reviewing comments made by the Township attorney, the Planning Commission discussed the amendment during its September 14, 2015 meeting. Based on comments made at the meeting staff has compiled a resolution to deny and it is attached.

Attachment

1. Resolution to deny

RESOLUTION TO APPROVE

Zoning Amendment #14010

Township Board

Section 86-2, Section 86-5, Section 86-368(b)(2) a.5., Sections 86-368(b)(2)b4 and b6, Section 86-408(c)4, Section 86-404 (c)16, and Section 86-435 (b)4

RESOLUTION

At the regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 28th day of September, 2015, at 7:00 p.m., Local Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, the Township Board, on November 7, 2013, initiated a zoning amendment to establish definitions and standards for the medical use of marihuana by amending Section 86-2 Definitions, amending Section 86-5, adding Section 86-368(b)(2) a.5., amending Sections 86-368(b)(2)b4 and b6, adding Section 86-408(c)4, adding Section 86-404 (c)16, and adding Section 86-435 (b)4; and

WHEREAS, the Planning Commission held a public hearing on the proposed zoning amendment on July 14, 2014 and

WHEREAS, regulatory uncertainty remains surrounding actions the state legislature may take to clarify local regulation of the Michigan Medical Marihuana Act making this proposal premature; and

WHEREAS, adopting a zoning amendment without further clarification from the legislature may subject the Township to expensive litigation; and

WHEREAS, the amendment does not limit the number of adult caregivers that may reside in a residence; and

WHEREAS, prohibiting signage for medical marihuana caregivers operating as a home occupation in residential districts is contrary to constitutional free speech rights; and

WHEREAS, regulations limiting the proximity of grow and transfer operations to K-12 schools makes an arbitrary distinction between K-12 schools and other child-centered activities such as child day care centers, pre-schools; and recreational parks.

NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends denial of Zoning Amendment #14010, to amend Section 86-2 Definitions, amend Section 86-5, add Section 86-368(b)(2) a.5., amend Sections 86-368(b)(2)b4 and b6, add Section 86-408(c)4, add Section 86-404 (c)16, and add Section 86-435 (b)4.

ZA #14010 (Township Board)

September 28, 2014

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ADOPTED: YEAS: _____

NAYS: _____

I, the undersigned, the duly qualified and acting Chair of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 28th day of September, 2015.

John Scott-Carig
Planning Commission Chair