

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
August 11, 2014**

APPROVED

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

PRESENT: Commissioners Cordill, Deits, Honicky, Ianni, Jackson, Salehi, Scott-Craig
ABSENT: Commissioners Hildebrandt, Van Coevering
STAFF: Principal Planner Oranchak

1. Call meeting to order

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

2. Approval of agenda

Commissioner Cordill moved to approve the agenda. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 7-0.

3. Approval of Minutes

Commissioner Ianni moved to approve the Regular Meeting Minutes of July 14, 2014. Seconded by Commissioner Scott-Craig.

VOICE VOTE: Motion carried 7-0.

4. Public Remarks

Chair Jackson opened the floor for public remarks.

Joan Johnson, 6503 Park Lake Road, East Lansing, spoke in support of Zoning Amendment #14040, which would allow more than once residence on an RR (Rural Residential) zoned site 50 acres or more in size.

Chair Jackson closed public remarks.

5. Communications

A. Matt Hagan, Hagan Realty, 627 E. Grand River Avenue, East Lansing; RE: Rezoning #14020 (Okemos Road, LLC)

6. Public hearings

A. Rezoning #14050 (Planning Commission), rezone approximately 16 acres from C-2 (Commercial) to RR (Rural Residential) located on the east side of Saginaw Highway between Lake Lansing and Newton Roads

Chair Jackson opened the public hearing at 7:04 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 August, 2014.
- Planning Commission discussion:
Commissioner Ianni stated he did not believe there was a need for the rezoning as it would burden adjacent property owners and potential developers to the south. He believed part of the site plan review process could “fix” any potential problems this rezoning would have on the nearby Land Preservation property.

Commissioner Cordill noted a development limitation existed due to the wetlands in the area.

Commissioner Scott-Craig questioned if the nearly “rectangular” portion which goes out to Newton Road is one parcel.

Principal Planner Oranchak responded in the affirmative.

Commissioner Scott-Craig inquired as to the previous discussion about combining it.

Principal Planner Oranchak responded the frontage on Saginaw Highway for this parcel is 133 feet, which is not consistent with the 200 foot requirement for rural residential (RR) zoning.

Commissioner Scott-Craig asked about the frontage for this parcel on Newton Road.

Principal Planner Oranchak answered the frontage on Newton Road is sufficient, but the frontage requirement applies to both streets.

Commissioner Scott-Craig noted the property to the south would be affected by the setback requirements for a different zoning designation and asked what the differences would be if rezoned.

Principal Planner Oranchak responded if it is the same category (commercial), the minimum setback is 15 feet, while commercial to residential is 100 feet, or 60 feet provided a double row of trees are planted along the property line.

Commissioner Scott-Craig noted the commercial designation is inconsistent with the Future Land Use Map (FLUM).

Principal Planner Oranchak indicated the FLUM shows this parcel as Residential 1.25 to 3.5, a higher density single family residential designation. She added when this parcel was previously discussed for a C-2 designation, there was discussion for the need to then evaluate the FLUM and make a change during the next Master Plan update if rezoned.

John Scott-Craig inquired as to the Land Preservation Advisory Board (LPAB) rationale for purchasing this property.

Principal Planner Oranchak was uncertain, but noted the preservation of environmentally sensitive land is part of the LPAB's evaluation process, adding the size and position of the wetlands on the site would have been factors considered.

Commissioner Scott-Craig asked if the property to the north is residentially zoned.

Principal Planner Oranchak explained the property immediately to the north is zoned C-2, PO, RD and RA, indicating the same setback requirements would impact that parcel as well.

Commissioner Scott-Craig believed it "odd" for a Land Preservation parcel to have a C-2 zoning designation. He was concerned with the impact on neighbors with increased setbacks.

Principal Planner Oranchak indicated she interpreted the LPAB staff memo to mean it is not about the zoning, as there is a separate set of regulations in the ordinance which states what are allowed uses on land preservation property (e.g., passive recreation). She noted if someone submitted an application to request a commercial use on the northern or southern site, it would need to go through site plan review, resulting in notification to adjacent property owners.

Commissioner Deits expressed concern there is C-2 land adjacent to C-2 land on the north side of the property with the potential for substantial impact which would not be amenable to site plan review as the only place for remedies. He believed Ms. Greenway's reliance on the process in place as noted in the staff memorandum is not well founded in our ordinances. Commissioner Deits believed it would be helpful to have a conversation with the LPAB regarding this ordinance so they are clear on the issue. He expressed concern with the possibility of creating a situation of inappropriate development on the property to the north without recourse. Commissioner Deits spoke again about a possible zoning category for Land Preservation property, which would include a requirement that adjacent development would be subject to special use permit and the SUP process. He expressed concern there is no deliberative body to review use of adjacent land during the current site plan review process.

Principal Planner Oranchak clarified the site plan review process requires noticing and a public hearing.

Commissioner Salehi inquired as to the number of Land Preservation (LP) properties in the Township and their corresponding zoning designations.

Principal Planner Oranchak believed Land Preservation properties numbered in the teens and the zoning was primarily residential in residentially zoned areas.

Commissioner Salehi inquired if there are any LP parcels other than the subject parcel zoned PO or commercial.

Principal Planner Oranchak could not recall any additional parcels.

Commissioner Salehi believed the subject parcel to be a unique case, but expressed concern with the possibility of a building 15 feet away from a LP property line as it would greatly degrade the environment of the adjacent edge of the LP parcel. Since most of the LP parcels are residentially zoned, he believed it made sense to move the subject parcel towards residential for conformity purposes.

Commissioner Ianni indicated the proposed rezoning entertains the possibility of making adjacent parcels potentially undevelopable. He noted that some of the higher density uses would require a SUP and provide a review process. Commissioner Ianni believed there was an expectation when adjacent property owners purchased their land that this parcel was C-2.

Commissioner Cordill inquired as to the building envelope for the parcel to the north and inquired if there were wetland issues.

Principal Planner Oranchak pointed to the wetland boundary, indicating she did not believe there were any wetland issues, but did not specifically research that issue for adjacent parcels.

Commissioner Cordill asked staff to reiterate the setback requirement from RR to commercial.

Principal Planner Oranchak answered there would be a 100 foot setback from the property line.

Commissioner Cordill asked about the setback requirement from PO.

Principal Planner Oranchak believed the setback requirement for PO to be 50 feet.

Commissioner Salehi clarified the setback, if rezoned to residential, could be 60 feet instead of 100 feet if a double row of screening was planted. He noted Mr. Fedewa made a comment when before the Planning Commission that an increased setback was not a problem when developing a commercial parcel to the south.

Commissioner Deits acknowledged he is more concerned with the property to the north than the parcel to the south. He added the "white space" in the middle of the parcel is encroached upon by the wetlands and believed those wetlands continue down in both directions, creating a natural buffer. Commissioner Deits assumed walkers were more likely to walk on the north side of the LP property and the potential is there to be confronted with a 24 hour grocery store on the northern piece of property as it is a use by right in C-2.

Principal Planner Oranchak stated the area zoned C-2 is approximately four (4) acres in size. In response to Planning Commissioner inquiry for staff to address the Commission, she indicated the staff memo clearly conveyed the Land Preservation Board's thoughts about the process. Principal Planner Oranchak noted the Land Preservation purchase was made with the knowledge this parcel was commercially zoned with commercial zoning on both sides.

Commissioner Honicky believed land preservation is not necessarily for human use, but to preserve the land as it currently is.

Commissioner Deits noted the LPAB meets monthly and inquired if the Planning Commission should send a representative to explain (for informational purposes) setback concerns for this parcel in order for members to be aware.

Chair Jackson indicated the Planning Commission does not need to make a decision on this issue until someone can present such information to LPAB members.

Commissioner Ianni added he has no problem with a Planning Commissioner speaking to the LPAB as long as no argument is made for a particular position.

Commissioner Scott-Craig believed the person with the greatest concern is the owner of the C-2 portion to the north as there are significant setbacks on the northern and southern boundaries of that section.

Commissioner Deits stated the Township website indicates the LPAB does not plan to hold meetings in August or September.

Chair Jackson added there is no reason to expedite this process.

Commissioner Salehi asked if the setback requirements includes driveways.

Principal Planner Oranchak responded the setbacks include "everything."

Commissioner Scott-Craig inquired if the property owner to the north had been notified of this public hearing.

Principal Planner Oranchak responded in the affirmative.

It was the consensus of the Planning Commission to have Commissioner Deits attend the next scheduled LPAB meeting to explain potential implications of this rezoning and report his findings back to the Planning Commission prior to placing this item back on the agenda.

Chair Jackson closed the public hearing at 7:44 P.M.

7. Unfinished Business

- A. Zoning Amendment #14040 (Planning Commission), amend Section 86-368 to allow more than one residence on an RR (Rural Residential) zoned site 50 acres or more in size

Principal Planner Oranchak summarized the zoning amendment request as outlined in staff memorandum dated August 7, 2014.

Planning Commission discussion:

- Inquiry as to whether there is access to the west of the subject property
- Applicant owns property up to Chandler Road and then west to Towner
- Subject parcel in Meridian Township does not have sufficient frontage on a public street as required by our ordinance

- Applicant's consideration of placing the second home north of the Meridian Township boundary
- Site for the second home is the most ideal location as there are water problems in the area

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 Zoning Amendment #14040, to amend Section 86-368(b) of the Code of Ordinances to permit the construction of a second single-family dwelling unit on an RR (Rural Residential) zoned parcel 50 acres or larger in area provided all applicable zoning district requirements are met. Seconded by Commissioner Scott-Craig.

Continued Planning Commission discussion:

- Zoning amendment will preserve farmland and rural residential character of parts of our community
- Inventory by staff of larger parcels in the Township shows there are nine (9) parcels 35 acres or larger in size
- Inventory list shows there are 17 parcels 25 acres or less
- Inventory list reveals there are no parcels between 25 and 35 acres which suggests a "reasonable" boundary would be within this range

Commissioner Deits offered the following friendly amendment:

- **Amend the NOW THEREFORE BE IT RESOLVED clause to delete "50 acres" and insert "33 acres"**

Continued Planning Commission discussion:

- Amendment would make a larger impact on the community through a larger number of parcels and their resulting issues
- Part of the purpose for this ordinance change was to preserve the farming and rural residential areas of the community, not opening up more parcels to development
- Subject parcel abuts a 40,000-acre farm

The maker of the main motion did not accept the friendly amendment.

Commissioner Deits offered the following amendment:

- **Amend the NOW THEREFORE BE IT RESOLVED clause to delete "50 acres" and insert "33 acres"**

Seconded by Commissioner Salehi.

Continued Planning Commission discussion:

- Inquiry as to why 50 acres is more arbitrary than 33 acres
- Applicant would need to have a parcel which is 50% larger to reach the level at which a complaint could be lodged for the amount of acreage being arbitrary
- View of the original language as a farm preservation measure
- Concern that lowering the amount of acreage would change the intent of the request
- Board member belief the original language was not proposed as farm preservation legislation
- Underlying factors of the prohibitive cost of building a road

VOICE VOTE ON THE AMENDMENT: Motion failed 2-5 (Cordill, Honicky, Ianni, Jackson, Scott-Craig)

ROLL CALL VOTE: YEAS: Commissioners Cordill, Deits, Honicky, Ianni, Salehi, Scott-Craig, Chair Jackson

NAYS: None

Motion carried 7-0.

- B. Zoning Amendment #13040 (Planning Commission), amend multiple sections of the zoning ordinance to add Adult Day Care Centers

Principal Planner Oranchak offered an update on the draft zoning amendment language as outlined in staff memorandum dated August 7, 2014.

Planning Commission and staff discussion:

- Staff has incorporated previous Planning Commission comments into the draft language
- Inclusion of “owner” in the definitions of family adult care home and group adult care home to ensure the person resides in the home while operating the facility
- Inclusion of “owner” in the above referenced definitions is different than a group and family child care home which only requires an adult to live in the home
- Original public hearing was held last year
- Possible invitation for the individuals who brought this issue before the Planning Commission to attend the Planning Commission meeting
- Suggestion that if a second public hearing is held, it is noticed for possible action the same evening

It was the consensus of the Planning Commission to set a public hearing on this zoning amendment at its next regularly scheduled meeting.

8. Other Business

- A. Revise 2014 Meeting schedule to add a work session on August 18, 2014

Commissioner Scott-Craig moved [and read into the record] NOW THEREFORE BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby revises the 2014 meeting schedule by adding a work session on Monday, August 18, 2014. Seconded by Commissioner Honicky.

Planning Commission discussion:

- Work session will provide an opportunity to work on the Master Plan
- Master Plan process utilized by East Lansing is “much more ambitious” (e.g., 30 month timeline, community involvement, six (6) citizen group subcommittees, etc.)
- Primary responsibility of Planning Commissions is the Master Plan
- Need for the Planning Commission to define its own process relative to the Master Plan
- Inquiry regarding a budget for work on the Master Plan
- Staff time is a big issue which needs further discussion

ROLL CALL VOTE: YEAS: Commissioners Cordill, Deits, Honicky, Ianni, Salehi, Scott-Craig, Chair Jackson

NAYS: None

Motion carried 7-0.

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

Commissioner Scott-Craig noted former Planning Commissioner Wayne Beyea will offer a presentation on his Sustainability Program's self-assessment tool for communities at the August 18th work session.

Commissioner Deits addressed the communication received from Matt Hagan relative to Rezoning #14020.

Planning Commission discussion:

- Request by Mr. Hagan for the Planning Commission to clarify its intent in its recommendation for PO zoning at 3698 Okemos Road
- Briarwood Homeowner Association's interpretation that the Planning Commission was recommending/intending a particular use for the land at 3698 Okemos Road
- Reminder that Rezoning #14020 is before the Board and the Planning Commission's resolution and minutes have already been transmitted to the Board
- The Planning Commission never discussed a change in zoning for properties north of Tamarack on Okemos Road
- The Planning Commission did not initiate this rezoning
- The Planning Commission does not have the authority to combine properties
- The Planning Commission conducted a thorough discussion of various possible scenarios for the subject parcel

Commissioner Scott-Craig reported that he and Commissioner Hildebrandt attended the training session for the Health Impact Assessment (HIA) tool, which is now available online.

Principal Planner Oranchak noted her desire for applicants to take advantage of the HIA tool kit by making design decisions based upon their findings. She indicated the HIA tool kit can be accessed through Tri-County Regional Planning Commission. Planner Oranchak indicated tonight's decision to hold a public hearing on Zoning Amendment #13040 (adult day care centers) requires a 15-day noticing provision which will place this issue on the Planning Commission's agenda in September.

10. New applications (None)

11. Site plans received (None)

12. Site plans approved (None)

13. Public remarks

Chair Jackson opened and closed public remarks.

14. Adjournment

Chair Jackson adjourned the regular meeting at 8:28 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary