

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
February 24, 2014**

**APPROVED**

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

**PRESENT:** Commissioners Cordill, Deits, DeLind, Hildebrandt, Honicky, Ianni, Jackson, Salehi, Scott-Craig  
**ABSENT:** None  
**STAFF:** Director of Community Planning and Development Mark Kieselbach, Director of Public Works and Engineering Ray Severy, 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 John Scott-Craig.**

VOICE VOTE: Motion carried unanimously.

**3. Approval of Minutes**

**Commissioner Scott-Craig moved to approve the Work Session Meeting Minutes of February 3, 2014 and the Regular Meeting Minutes of February 10, 2014. Seconded by Commissioner DeLind.**

Planning Commission discussion:

- Public comments which are included in the minutes are statements relevant to the topic being discussed
- Extraneous public comments were not included in the minutes
- Concern with omitting public comments which are not germane to the topic
- Inquiry if there is an option to abstain from the vote
- Planning Commissioner belief no public comment is extraneous

VOICE VOTE: Motion carried 7-2. (Hildebrandt, Salehi)

**4. Public Remarks**

Chair Jackson opened the floor for public remarks.

David Pierson, McClelland and Anderson, 1305 S. Washington Avenue, Lansing, attorney for Okemos, LLC, addressed where the property sits in relation to non-residential uses to the south and multi-family to the north. He believed rural residential (RR) is not an appropriate zoning designation for this site as it does not leave any value to the property. Mr. Pierson noted since the property is only one (1) acre, the only uses permitted are clinics, public utility transformer stations and substations, telephone exchange buildings, gas regulator stations, group day care homes (single family) and housing for religious personnel attached to a church or school function. He offered history on the Master Plan's multi-family designation dating back to the 1970s when most all of the

property on both sides of Okemos Road was designated multi-family, a majority of which has been rezoned to professional and office (PO). Mr. Pierson noted its one (1) acre size limits the number of multi-family units which could be placed on the site (5-8 units per acre). Mr. Pierson believed a multi-family building on one (1) acre which has access directly onto Okemos Road would not provide the necessary separation from traffic. He spoke to the influence of the location being directly across from the north fire station. Mr. Pierson added rezoning this property to PO would fit with the surrounding uses. He addressed an earlier Planning Commission concern whether the proposed rezoning would set a precedent for a change to commercial, noting that the history of commercial on Okemos Road is well to the south of the subject site.

Matt Hagan, Okemos Road LLC, 965 Delridge, East Lansing, believed the PO zoning designation would be a nice transition from commercial to residential, noting the market is changing and office is making a comeback. He indicated a political consulting firm has expressed an interest in coming to this area. Mr. Hagan added that an eight (8) town-home multi-family dwelling would cost approximately \$1 million and would not be cost effective to construct at the current market rate. He asked the Planning Commission to consider RC zoning if it is adamant that it wants multi-family on the site.

Chair Jackson closed public remarks.

## 5. Communications

Neil Bowlby, 6020 Beechwood Drive, Haslett; RE: Minutes of the February 10, 2014 Regular Meeting of the Planning Commission

Kimberly Helferich, 2429 E., Saginaw Street, East Lansing; RE: Support for Rezoning #14030

Nadine Davis, 2495 Barnsbury, East Lansing; RE: Support for SUP #14031

Jane Greenway, Parks and Land Management Coordinator; RE: Land Preservation Advisory Board concerns with Rezoning #14030

## 6. Public hearings

- A. Special Use Permit #14031 (Friesen), request to establish group housing for up to six international students at 2500 Haslett Road

Chair Jackson opened the public hearing at 7:19 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 (SUP) request as outlined in staff memorandum dated February 20, 2014.
- Applicant  
Rodney Friesen, 10888 Beach Court, Perrinton, noted he has worked with international students through the MSU Extension program for the last 20 years and with MSU directly since 2008. He stated it is his goal to find a home near Michigan State University to have a larger impact on the impressions international students have of Americans, the American family and American culture. Mr. Friesen indicated he provided 12 letters of support from students in favor of the proposed arrangement. He added that he spoke with the neighbors who border the subject property, one of which expressed concern with potential noise. Mr.

Friesen addressed the tendency of international students to be quieter than their American counterparts.

Kimberly Friesen, 10888 Beach Court, Perrinton, stated one goal is for international students to establish positive relationships with Americans and have them experience American communities.

- Public

Alex McCrae, 2473 Haslett Road, East Lansing, expressed concern the home will not be successful as he believed the Federal Fair Housing Act requires the home to be open for public housing, not limited to international students. He added this home will be the first step into an apartment-like unit for the neighborhood and could be sold on the market as such in the future. Mr. McCrae stated there is a blind exit out onto the road for drivers inexperienced with American driving rules. He requested the SUP not remain with the property, but with the owner while in residence.

Terry Johnson, 2473 Barnsbury Road, East Lansing, inquired if the SUP is transferable to a new owner, adding the property could turn into something in the future that the Friesen's did not intend. He indicated he lives in subdivision to the north zoned RAA and chose the lot for its privacy. Mr. Johnson added the tennis court is within 15 feet of his property line and was concerned with potential noise in the summer. He voiced concern with the amount of potential parking. Mr. Johnson requested sizable evergreens be planted at the property line to buffer noise and sight year round.

Sumbat Payayeva, 5003 Campus Hill Drive, East Lansing, expressed support for the proposed home for international students, adding that those students who come to America do so to study, not party. She stated groups of students can get together and have a good time without drinking.

- Planning Commission discussion:

Commissioner Ianni believed experiencing American culture is important for international students. He requested information about the location of parking spaces relative to the amount of noise which could be generated from a larger group of students.

Mr. Friesen noted there is currently a home office in the structure so there is some parking not visible from the other residence. He believed parking is available in front of the garage, to the left and in the driveway, for a total of approximately 14 cars. Mr. Friesen stated he plans to discourage students from having cars as there is a bus route within 500 yards.

Commissioner Cordill inquired if the applicant intends to use the tennis court at night with lights.

Mr. Friesen responded he was unsure if the tennis court is refurbishable, but if so, would be limited to day time use. He stated his plan is to have the students bring friends home for dinner and then leave when the last bus leaves (around 8:00 P.M.). Mr. Friesen added international students would likely go home during the summer.

Commissioner DeLind believed the concept is an excellent social outreach to international MSU students. He requested a legal opinion regarding the Fair Housing Act and the enforcement of ensuring only international students are residents.

Principal Planner Oranchak deferred comment until the next meeting in order to consult with the Township Attorney.

Commissioner Deits inquired if the proposed group housing project is characterized as a boarding house, does the Township currently have regulations to cover it.

Principal Planner Oranchak answered the Township does not currently have anything in its ordinances which speaks to boarding houses.

Commissioner Deits asked how the tennis court would be treated if this request was for a single family home.

Principal Planner Oranchak replied the applicant would need a SUP, as it would be considered an accessory structure and compliance with setbacks would be reviewed.

Commissioner Deits asked if approval of this SUP would “end up” approving a tennis court on the site.

Principal Planner Oranchak responded she did not believe so if they were going to start anew because it is in such poor condition that it is unusable. She added if it is of concern, the Planning Commission could place a condition on the SUP which addresses the location of the tennis court.

Commissioner Deits inquired if the SUP goes with the property.

Principal Planner Oranchak replied in the affirmative, adding that any subsequent owner would have to conduct the same type of use as is currently being requested.

Commissioner Deits noted it is an unusual use but acknowledged this is one way to affordably live in large homes, a situation which the Township will likely face again in the next 10-15 years. He was concerned about making this request “the case” to handle that issue. Commissioner Deits stated if this use is one the Planning Commission wishes to make available to Township residents, it should be done so through ordinance modification, not through granting of this special use permit.

Commissioner Hildebrandt believed if the Planning Commission considers creating an ordinance to allow this type of group housing, it would be better suited in an area closer to MSU where the students can walk to campus and other places. She believed if the students are renting rooms, it is considered an apartment building and she was concerned with its placement in a rural residential neighborhood. Commissioner Hildebrandt inquired if a time limit can be placed on a SUP.

Principal Planner Oranchak responded she will check into that inquiry to provide a response back to the Planning Commission.

Commissioner Hildebrandt voiced concern that future owners could turn it into individual access apartments in the future. She also believed that, given the nature of students, any additional parking would end up in the neighbors' front yard.

Commissioner Scott-Craig believed the Planning Commission must put the international student issue aside and look at what regulations would govern this request. He researched East Lansing's Code of Ordinances where boarding house is defined as a building, other than a hotel, where lodging and meals for five (5) or more persons, other than the family, are regularly served for compensation. Commissioner Scott-Craig believed, additionally, a change in our ordinance is necessary as rural residential only allows for one or 2 non-related individuals to live with the owner. He did not believe the Planning Commission should grant a SUP which contradicts current Township ordinance.

Principal Planner Oranchak added that is why staff chose to use other special uses for something that is not a use specifically listed or similar to the other uses in the zoning ordinance.

Commissioner Scott-Craig noted he is not comfortable going into the other special uses category whenever something doesn't fit what is already there, but preferred to address this change through an ordinance amendment. He also spoke to the issue of limiting the renting of rooms to international students in perpetuity.

Commissioner Salehi hoped the Planning Commission can find a way to make it possible for the Friesen's to accomplish what they would like to do, which acknowledging he is not comfortable with allowing six (6) unrelated tenants plus the owner(s) to live on that rural residentially zoned property in the future. Commissioner Salehi indicated the Federal Fair Housing Act of 1968, amended in 1988, states a person cannot discriminate with respect to rental housing on the basis of race, color or national origin. He believed a legal opinion on this issue is necessary.

Commissioner Cordill inquired as to what is involved with being registered as a rental property within Meridian Township.

Principal Planner Oranchak gave an overview of the rental registration process: property owner must fill out an application, pay a registration fee, have the building inspected for compliance with all building and fire codes and issuance of a license.

Commissioner Cordill asked how often the rental property is inspected.

Principal Planner Oranchak there is a different schedule dependent upon the type of property. She believed this property would be inspected annually, while multi-family apartments have one-third of each of the units inspected every year on a three-year rotating basis.

Director Kieselbach added this building would be inspected every year under the rental program.

Chair Jackson inquired as to the limit of the number of unrelated individuals within a unit contained in the rental property ordinance.

Principal Planner Oranchak responded that number is dependent upon the zoning district.

Chair Jackson inquired if there are any zoning districts in which the number can be as many as six (6) unrelated individuals.

Principal Planner Oranchak responded there are not, which is the reason this request is before the Planning Commission as a special use permit.

Chair Jackson asked if the reason this request is before the Planning Commission is due to the number of unrelated individuals the applicant wishes to house.

Principal Planner Oranchak responded both the number of unrelated individuals and the type of activity that is being proposed.

Commissioner Deits asked how rental regulations would be handled for this property if the SUP is approved.

Principal Planner Oranchak responded under the rental housing ordinance, the same type of inspection would take place regardless of designation.

Commissioner Deits asked if they would be required to sprinkler the building.

Principal Planner Oranchak responded she was not sure, acknowledging there needs to be a certain number of units before sprinklers would be required.

Commissioner Deits asked staff to find out the number of units before the next meeting where this issue is discussed.

Commissioner Ianni stated this property does not seem to be strictly a rental property, but has a charitable and public service component to it which is part of the special use. He noted approval is for just this use and could not be changed to a rental property in the future, as it would revert back to rural residential.

Principal Planner Oranchak added the zoning would not change, but the SUP would not be effective if not exactly as the Friesen's proposed.

Chair Jackson stated the applicant is choosing who he picks to live in his home. She believed the applicant is looking to the Township to give them the right to subvert the Federal Fair Housing Act with the issuance of the SUP.

Principal Planner Oranchak stated staff will look into how the Federal Fair Housing Act applies to this proposal.

Chair Jackson believed there is also the issue of classifying the building as a rental or a single family home and was not prepared to make that distinction.

Commissioner Deits clarified that the applicant can choose to have two international students in their home under the current zoning by right.

Principal Planner Oranchak acknowledged her agreement.

Commissioner Deits believed the issue is that the applicant wishes to have more than two (2) unrelated individuals.

Principal Planner Oranchak clarified the property is not being presented as a rental, rather than sharing of a home, which is why the Township is choosing to use the SUP process.

Commissioner Deits reiterated an earlier statement the fact that it is a social service for international students should not be considered when deciding this request.

Commissioner Salehi asked if there was interest in modifying the rental ordinance for a home this large with a rural residential zoning designation to accommodate more unrelated individuals.

Principal Planner Oranchak responded the maximum number of unrelated individuals is specified in the zoning district.

Commissioner Scott-Craig inquired if the applicant would need to obtain a rental license if the SUP is approved.

Principal Planner Oranchak responded in the affirmative.

Commissioner Scott-Craig affirmed that this location would be functioning as a rental property. He added if this SUP is passed, there needs to be documentation as to the basis upon which the Planning Commission made its decision for subsequent requests.

Chair Jackson inquired as to which ordinance would be amended, the rental ordinance relative to the number of unrelated individuals or the definition of the use.

Commissioner Hildebrandt requested staff research co-op housing in East Lansing and Ann Arbor to ascertain restrictions (e.g., square footage of the property, proximity to the university, lot size, house size, etc.) in order to allow co-ops in the Township.

Commissioner Ianni stated the first act of the Planning Commission should be to determine if this is a legally permitted use, since there is a charitable component to this permit request.

Commissioner Deits believed the proposal could be viewed as infill development, but was unhappy using "other uses" category and changing the rules to increase the number of unrelated individuals.

Commissioner Scott-Craig expressed concern approving this SUP would open the door for an influx of rentals redefining themselves using this decision to increase the number of unrelated individuals. He believed the land use issue is the number of unrelated individuals within a specific zoning district.

Chair Jackson supported an earlier suggestion to look at how college towns handle the zoning which allows cooperative living, including East Lansing's boarding house reference. She suggested the Planning Commission revisit the types of housing options in the ordinance.

Commissioner Cordill asked about placing the student aspect of this aside as it relates to who is the person renting space.

Commissioner Deits restated the question of whether students are a legitimate fair housing restriction under the law.

Commissioner Salehi suggested staff provide examples of a legal definition of charitable. He did not believe the proposal would meet the definition of cooperative living

Chair Jackson closed the public hearing at 8:24 P.M.

- B. Rezoning #14030 (Fedewa), request to rezone approximately 5.2 acres from RR (Rural Residential) to C-2 (Commercial) located on Saginaw Highway northeast of Lake Lansing Road

Chair Jackson opened the public hearing at 8:24 P.M.

- Summary of subject matter  
Principal Planner Oranchak summarized the rezoning request as outlined in staff memorandum dated February 20, 2014.
- Applicant  
Jerry Fedewa, G.S. Fedewa Builders, 5570 Okemos Road, East Lansing, stated his desire to rezone this property to commercial due to thriving old and new businesses along the corridor. He indicated there has not been a single family residence built along the corridor in the last 15-20 years. Mr. Fedewa read excerpts from minutes of a 2007 Planning Commission meeting when it worked on the parcel immediately next door and suggested a rezoning of the subject parcel. He read excerpts from minutes of a 2007 Planning Commission meeting when it considered the parcel immediately next door and suggested a rezoning of the subject parcel.
- Planning Commission discussion:  
Commissioner Hildebrandt inquired as to why this parcel was brought back to RR on the Future Land Use Map.

Principal Planner Oranchak responded the zoning was rural residential, but the Master Plan designation was changed from mixed use back to residential at a higher density than rural residential. She added the corridor was not developing as designated in 2005 and it was decided not to continue with the mixed use categories and revert back to residential at a higher density.

Commissioner Deits inquired as to the Land Preservation Advisory Board purchase of C-2 property with frontage on Saginaw.

Commissioner Scott-Craig noted the vast majority of the land preservation property is wetland and believed the C-2 designation is not relevant as it could not be developed.

He asked what portion of the back of the subject site is wetland.

Principal Planner Oranchak responded it looks like approximately one-third of the site, but a wetland delineation would offer specifics.



Commissioner Ianni asked if the property is rezoned to C-2, would the applicant still need a wetland use permit to perform any work in the wetland.

Principal Planner Oranchak stated it would be dependent upon how it was developed. The applicant would need a wetland use permit if he encroached in the wetland.

Commissioner Hildebrandt noted the Forest Grove Preserve is zoned commercial and believed there may be inadequate buffers. She inquired if the land preserve should be rezoned.

Principal Planner Oranchak responded the C-2 setbacks on adjacent properties aren't as large as they would be if zoned residential, but would be considered at the development phase of the project.

Commissioner Hildebrandt asked under what conditions the Planning Commission would have oversight into future development if this parcel is rezoned to C-2.

Principal Planner Oranchak responded if the project is under 25,000 square feet, there is some likelihood the site plan would be reviewed by staff.

Commissioner Hildebrandt reminded fellow Commissioners that the Board has made it clear the two target areas for commercial redevelopment are downtown Haslett and downtown Okemos. She expressed concern if the Planning Commission allows other areas to become commercial, it is taking away from those Board articulated plans.

Commissioner Deits inquired if the applicant could develop this parcel with a commercial planned unit development (C-PUD).

Principal Planner Oranchak responded the C-PUD is typically used for redevelopment and was unsure if it could be used here.

Commissioner Ianni stated that under the current use, the property has been vacant for 12-13 years and rezoning would make it a productive piece of land. He noted it is adjacent to other commercial property to the north and south.

Commissioner Scott-Craig expressed concern with the four (4) or five (5) single-family home properties which boarder this land. He inquired what kind of uses are envisioned for the subject property.

Mr. Fedewa responded he is in the building business and it could be utilized as a tile shop, cabinet shop and flooring store in a plaza type setting to shop for materials to be included in new or remodeled homes. He addressed the likelihood of the adjacent single family home properties being rezoned to commercial to open up additional possibilities. Mr. Fedewa noted the 200 foot frontage on Saginaw lines up with the pass through for that road. He stated he would pursue development of that rezoned parcel in some capacity within the next two (2) years if the economy sustains itself.

Commissioner Scott-Craig asked staff for the current status of the zoning as a result of the lawsuit relative to the subject parcel.

Principal Planner Oranchak responded the lawsuit resulted in the retention of rural residential zoning and authorizing a mixed use development.

Commissioner Scott-Craig asked if there was any reason the zoning could not be changed.

Principal Planner Oranchak responded there was not, which is why the rezoning request is properly before the Planning Commission.

Commissioner Salehi stated Saginaw has grown commercially over the last five (5) years and he could support the rezoning and help boost the value of the area. He believed this area the logical place for more commercial development.

Commissioner Deits believed C-2 is appropriate given the high volume of traffic on the corridor, the low desirability of living in a single family home on the corridor, continued commercial development along the corridor and its close proximity to a high traffic intersection at Saginaw and E. Lake Lansing Road. He added a C-PUD might be preferable as it would give the Planning Commission the opportunity to review the plan to ensure sensitivity to the adjacent land preservation property.

Commissioner DeLind noted Commissioners received communication from one (1) adjacent homeowner in support, but preferred to know the opinions of the other nearby residential landowners.

Commissioner Deits inquired of staff who was noticed for the public hearing on the proposed rezoning.

Principal Planner Oranchak responded all property owners within 300 feet of the property.

Commissioner Scott-Craig clarified that only one side of the road is being discussed for more commercial development as the other side is entirely residential and likely to remain that way.

Chair Jackson asked staff to reiterate if the land covered under Rezoning #05020 has not been developed.

Principal Planner Oranchak responded in the affirmative.

Chair Jackson closed the public hearing at 8:59 P.M.

[Chair Jackson recessed the meeting at 8:59 P.M.]

[Chair Jackson reconvened the meeting at 9:08 P.M.]

## 7. Unfinished Business

- A. Rezoning # 14020 (Okemos Road, LLC/Hagan), request to rezone 3698 Okemos Road from RR (Rural Residential) to PO (Professional and Office)

**Commissioner Cordill moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN, hereby recommends denial of Rezoning #14020 (Okemos Road, LLC), a request to rezone 3698 Okemos Road from RR (Rural Residential) to PO (Professional and Office). Seconded by Commissioner Deits.**

Planning Commission and staff discussion:

- Considerable concern over spot zoning at the last Planning Commission meeting
- Existing situation on the property of a single family home is inappropriate and not viable
- Multi-family housing on a one (1) acre parcel which faces Okemos Road is not good land use for the site
- Inquiry if denying the resolution to deny is an approval
- Limited amount of uses on a small lot
- PO is possibly the only zoning designation which makes sense on this small lot on Okemos Road across from the fire station
- PO is the only viable use on the property given its location and the surrounding zoning designations
- Five (5) or six (6) properties between the entrances of the two (2) subdivisions to the north have mixed uses
- Suggestion to consider some type of commercial zoning
- Possibility of keeping a residential zoning designation with acceptable special uses
- Allowed special uses are the same regardless of residential categories
- Very limited non-residential uses allowed in residential districts
- Churches and child care centers are allowed non-residential uses in a residential district
- Churches and child care centers are allowed uses in an office district with a SUP
- Recent approval of a SUP for non-residential use in a residential district on one (1) acre in Haslett illustrates the limited uses of a one (1) acre non-residential property in a residential zone
- A no vote on this resolution will allow the request to come back to the Planning Commission

ROLL CALL VOTE: YEAS: None

NAYS: Commissioners Cordill, Deits, DeLind, Hildebrandt, Honicky, Ianni, Salehi, Scott-Craig, Chair Jackson

Motion failed unanimously.

Continued Planning Commission discussion:

- Staff preparation of the resolution to deny was based on Planning Commission comments at its last meeting
- Advice from the Township Attorney not to prepare both a resolution to approve and a resolution to deny for the same meeting
- Fairness to the applicant by preparing both a resolution to approve and a resolution to deny
- Proper place to discuss the procedural issue at the next Planning Commission meeting
- Direction to staff to prepare a resolution to approve the rezoning from rural residential (RR) to professional and office (PO) for the next Planning Commission meeting
- Lack of a majority interest in discussing the possibility of rezoning to commercial
- Planning Commission decision is a recommendation to the Township Board
- Lack of a majority interest in discussing the possibility of rezoning to another residential category

B. Commission Review #12053 (Planning Commission), 2005 Master Plan

Trustee Styka summarized the Board's intent to function as a team with the Planning Commission to develop a desired urban services management area (USMA). He stated that if the two bodies cannot come together as a team, there will be no USMA created. Trustee Styka assured Planning Commissioners that the Board intends to keep the eastern third rural residential.

Planning Commission, staff and Board representative discussion:

- Board member assurance that even though a section is within the boundary line, it does not mean water and sewer will be installed
- Board member assurance that even though the line is drawn, it does not mean residents are required to hook up to water and/or sewer
- Easier to have a boundary (i.e., Ponderosa subdivision) in place in the event there is septic system failure in the future or the property owner desires to hookup to public water and sewer
- Board understanding that if a sewer line "runs" down the street, a resident does not have to hook-up to it
- In the event of a septic system failure or a desire to hook-up to the sewer, the resident may choose to do so
- Different processes to hook up to a sewer system
- Information from the Ingham County Department of Health stated that, at the point of well or septic failure, a resident must hook-up if they are within 320 feet and 200 feet of the line, respectively
- Process in place to address septic failures if they occur without including the Ponderosa subdivision within the USMA
- Alternatives, such as community septic, could occur for Area 4 and Area 6 if they chose to do so, similar to Winslow Mobile Home Park
- Planning Commissioner belief the residents of the Ponderosa subdivision, Wellington Estates and the owner of Spagnoulos Restaurant do not know what is happening with the USMA as they are not paying attention
- Decisions are being made well in advance of the ability of the Township's stakeholders to realize this will immediately affect their lives in the tens of thousands of dollars
- Concern that the affected property owners are not participating in this process
- Planning Commissioner belief this conversation is better reserved for the time when the situation becomes serious and the residents will be impacted
- Area 3 on the map dates back to a prior Board approval for development which will likely rematerialize now that the economy is rebounding
- Once a line is set, an amendment process is available to move the line if deemed necessary
- Township Board is aware of the amendment process
- Once the urban services boundary is set, the Board would use the same criteria to amend it as it did to create it
- If there is no Board objection to the amendment process, why could it not be utilized to include Areas 4, 5 and 6 when necessary
- Board determination that it is logical to include the areas at this time and not go through the amendment process in the future if required as the neighborhoods are already developed
- Future Land Use Map is a guide for services in the eastern portion of the community in the next 20-30 years
- Delineation of the amendment process was included in the material provided to Planning Commissioners
- The current Board and current Planning Commission are in agreement on the amendment process

- Future Land Use Map deals with density and land uses
- Master Plan consolidates all these documents to coordinate in giving direction for development
- Board member explanation of the six (6) Board changes to the urban services boundary promoted by the Planning Commission
- Comments from the previous Board regarding future growth and expansion
- Planning Commissioner belief the urban services boundary line matters
- Previously stated comment from Harmony Gmazel (Tri-County Regional Planning Commission (TCRPC)) that the strength of the urban services boundary is in the language of our policy, not in the line on the map and policy will include how we provide services outside the boundary
- According to TCRPC, urbanizing surrounding areas is not sustainable as infrastructure is not affordable and urban centers become less viable
- Moving the Planning Commission line now encourages sprawl and discourages infill development
- Township needs to incentivize infill development
- Difficulty in understanding “stretching” the line ahead of the Township’s need
- Amendment process would not allow for development of Area 3
- Concern with defacto approval of Area 3 prior to a proposal coming before the Township
- Planning Commission drew the urban services boundary line where the sewers are currently located
- Inquiry as to the rationale for placement of a line where it will not financially come to fruition
- Planning Commissioner preference to put the “standard” line in place and then amend it on a case-by-case basis dependent upon the specific needs of each section
- Stated common thread for Board inclusion of Areas 3, 4, 5 and 6 is planned sewer and water infrastructure as noted in the packet
- Concern the current process does not give notice to the effected residents in Areas 3, 4, 5 and 6 and does not allow them an opportunity to provide input
- If a sewer line is proposed, the public will have an opportunity to comment
- Placement of sewer lines destroys trees
- Planning Commissioner belief that anyone, by law, who is within 200 feet of the line drawn by the Board along Grand River Avenue west of Cornell Road to Wellington Estates, will have to hook-up
- Planning Commissioner belief the only way sewer could be installed would be down Grand River Avenue
- Georgetown Payback District includes an area out to Meridian Road
- Intent of the completed Georgetown Payback District was to service the entire area (including Wellington Estates) by gravity sewer branching off from the sewer line going through Georgetown, not down Grand River Avenue
- Servicing Wellington Estates through sewer along Grand River Avenue would require an additional pump station
- Planning Commissioner request for the Township Board’s plan for the Georgetown Payback District
- No Board interest in investing \$500,000 to “buy out” the Georgetown developer
- Board consideration of potential lawsuits if the line is seen as being “arbitrarily” set
- Continued area by area discussion at a regular Planning Commission meeting in advance of a decision

**8. Other Business (None)**

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

Commissioner Hildebrandt inquired if the Planning Commission could initiate a rezoning for the Forest Grove Land Preserve to protect it with setbacks.

Chair Jackson asked staff to prepare a motion for the next Planning Commission meeting to start the rezoning process.

Commissioner Hildebrandt spoke to public comments being acknowledged in Planning Commission minutes. She corrected a comment made during the Joint Meeting on February 18<sup>th</sup> by stating that nearly 15% of runs out of the central fire station were fire related, not the alleged 2%.

Commissioner DeLind concurred with Commissioner Hildebrandt's comment regarding public remarks.

Commissioner Scott-Craig spoke to a plea made by a Zoning Board of Appeals (ZBA) member at the Joint Meeting relative to passing on project approvals conditioned upon requested variances.

Chair Jackson added it is an applicant's right to request a variance and the Planning Commission cannot deny the applicant that right.

Director Kieselbach also added that the C-PUD was created to allow the Planning Commission and the Board to deal with variance issues without perusal by the ZBA. He believed the request was intended to have both the Board and Planning Commission look at ways of making land use decisions which are more flexible so they do not need to go before the ZBA.

Chair Jackson asked if use of the C-PUD has improved the redevelopment situation.

Director Kieselbach responded the C-PUD was used by Whole Foods and Meridian Mall. He believed the C-PUD needs to be revisited due to the length of time to go through the process.

Commissioner Scott-Craig reminded fellow Commissioners and the public the final session of Grand River/Michigan Avenue charette will be held at 5:30 P.M. on February 26<sup>th</sup> in the Hannah Center. He inquired if fellow Commissioners were interested in carpooling to the training session at Williamstown Township on Thursday, February 27<sup>th</sup>.

Commissioner Cordill expressed concern with the elimination of cross country skiing in a Lake Lansing Park.

Commissioner Deits noted the existing Van Atta Bridge has been removed to begin construction of the new bridge. He spoke to the job performed by staff in its creation of Planning Commission minutes. Commissioner Deits requested a coat rack in the Town Hall room.

Commissioner Hildebrandt expressed appreciation for the Joint Meeting with Boards and Commissions and the insight that was offered there. She reported Principal Planner Oranchak's and her attendance at a transportation bonanza hosted last week by the Michigan Department of Transportation regarding how roads and land uses connect.

Chair Jackson discussed the issue of two resolutions, one to approve and one to deny, being provided to Planning Commissioners when action will be taken on an issue.

Director Kieselbach clarified that the Township Attorney suggested not to have a resolution to approve and a resolution to deny on the same subject matter, noting the Planning Commission should provide staff direction on which resolution should be provided. He added that if there was no consensus given to staff, a resolution to approve would be written by staff. Mr. Kieselbach clarified when the Planning Commission deals with items to which it makes recommendations, if the recommendation fails, the Planning Commission did not make a recommendation to approve, but also did not deny the project. He added if the Planning Commission cannot vote affirmatively on a resolution to approve an issue which is under its sole discretion, the Attorney suggested that the best possible record be made as to the reasons for its failure.

Commissioner Scott-Craig believed the short amount of time between receipt of the packet and the Planning Commission meeting does not lend itself to a thorough mental vetting of the issue.

Planning Commission discussion:

- Having a resolution to approve provided is a preferable process and would ultimately provide a quicker decision for the applicant
- Necessity of including the whereas clauses if staff time and effort is the concern
- Whereas clauses are necessary in order to have an accurate record of the specific basis upon which the project was approved or denied
- Planning Commissioner inquiry to the Michigan Townships Association to ascertain how other Townships handle this issue
- Possible amendment to the Planning Commission's bylaws to always request a denial when a resolution to approve does not pass
- Commissioner preference not to include such a statement in the bylaws in the event there is an occasion not to act in this manner
- Level of confusion over the central fire station showed an absolute need for a denial in the event the approval failed in order for a clear record to be created on the issue.

**Commissioner Hildebrandt moved that it is the sense of the Planning Commission that in the event of a failure to approve an action item, an action to deny will be provided.**

**Seconded by Commissioner Salehi.**

**Commissioner Ianni offered the following amendment:**

- **Include only action items where final decision making authority rests with the Planning Commission**

**The motion died for lack of a second.**

VOICE VOTE: Motion carried 8-1 (Ianni).

**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 11:09 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary