

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
October 27, 2014**

APPROVED

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

PRESENT: Commissioners Cordill, Hildebrandt, Honicky, Ianni, Jackson, Salehi, Scott-Craig,
Van Coevering
ABSENT: Commissioner Deits
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 Scott-Craig moved to approve the agenda. Seconded by Commissioner Cordill.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

**Commissioner Ianni moved to approve the Regular Meeting Minutes of October 13, 2014.
Seconded by Commissioner Scott-Craig.**

VOICE VOTE: Motion carried 8-0.

4. Public Remarks

Chair Jackson opened the floor for public remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, believed obtaining the true measure of public sentiment for the 2005 Master Plan is through the use of direct public mailing.

Judy Kindel, 2915 Margate Lane, East Lansing, spoke to Goal 7, Objective A in the 2005 Master Plan, suggesting a Strategy 10 be added regarding the Township working toward becoming a solar ready community.

Chair Jackson closed public remarks.

5. Communications

- A. Dan and Nicole Dault, 1525 Antler Circle, Holt; RE: SUP #14101 (Krumm)
- B. Nancy E. Mesko, 320 W. Lake Lansing Road, East Lansing; RE: SUP #14101 (Krumm)
- C. Kyle and Melissa Kranzo, 2019 Osage Drive, Okemos; RE: SUP #14101 (Krumm)
- D. Navin Jain & Sharmila Jain, 1250 Sweetwood Drive, Okemos; RE: SUP #14101 (Krumm)
- E. Dr. & Mrs. Robert Deans, 2191 Clinton Street, Okemos; RE: REZ #14070 (Township Board)
- F. Gail F. White, 1336 Ivywood Drive, Okemos; RE: SUP #14101 (Krumm)
- G. Shannon and Bethany Scholten, 1776 Kahres Road, Holt; RE: SUP #14101 (Krumm)
- H. Joan Look, 4296 Arbor Drive, Okemos; RE: SUP #14101 (Krumm)
- I. Noelle Burak, 4558 Mistywood Drive, Okemos; RE: SUP #14101 (Krumm)

6. Public hearings

A. Rezoning #14070 (Township Board), request to rezone 0.5 acres at 2150 Clinton Street from RB (Single Family-High Density) to C-2 (Commercial)

Chair Jackson opened the public hearing at 7:07 P.M.

- Introduction by the Chair (announcement of procedures, time limits and protocols for public participation and applicants)
- Summary of subject matter
Associate Planner Peter Menser summarized the rezoning request as outlined in staff memorandum dated October 24, 2014.
- Public
Marsha Madle, Madle Consulting Services, 1373 Sebewaing, Okemos, spoke in support of rezoning the subject property to C-2 as it will allow the Township to better attract future redevelopment of the site. She noted the rezoning would also allow mixed use, the trend in economic development and planning.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke to the term “adjacent to” relative to side yard and rear yard setbacks, as it is not defined in the Township’s ordinances and must take on its ordinary meaning. He reminded Planning Commissioners that several sources noted the general meaning is defined as “near to” and the subject property, by this definition, is adjacent to a residential district, adding a strict interpretation of the ordinance would not allow any building in the front half of the lot.

Christine Tenaglia, 2551 Bruin, East Lansing, spoke in support of rezoning 2150 Clinton Street from RB to C-2, noting the need for practicality in order for the area to grow and be more visually aesthetic. She supported combining the two parcels for ease in redevelopment.

Diane Deans, 2121 Clinton Street, Okemos, stated the traffic near the subject parcel is significantly more than is being projected. She inquired how the Township proposed to handle the traffic given the significant difficulty in turning onto Clinton Street from Okemos Road. Ms. Deans expressed concern with another business being placed on the property which does not have an exit onto Hamilton Road, addressing the need for that traffic to use either Ardmere or Clinton Streets.

- Planning Commission and staff discussion:
Commissioner Honicky indicated there is a heritage sized oak tree on the Ardmere side of the property. He stated he would not approve a business locating on the subject property if the tree was not retained.

Commissioner Cordill requested staff provide the type of uses which are allowed under the C-2 zoning district.

Mr. Menser replied it is essentially any commercial use with the exception of the commercial core (Meridian Mall), noting it could be a shopping center, bank, restaurant, retail store, dry cleaners, etc. He stated the C-2 zoning district is the Township’s most open ended district.

Commissioner Cordill inquired if the ordinance contained a height restriction.

Mr. Menser replied he believed it was 35 feet in the C-2 district.

Commissioner Van Coevering inquired as to the location of the oak tree.

Commissioner Honicky replied it is at the corner of Clinton and Ardmore.

Commissioner Scott-Craig visited the site and affirmed the tree is very large and worth the effort to retain if it is in good condition. He inquired as to where the line is from which the 100 foot setback is measured on the southern side of the property.

Mr. Menser explained the administrative interpretation in the past has been that the 100 foot setback would not be considered as there is a street between the houses and properties on the north side.

Commissioner Scott-Craig affirmed that the street is only 66 feet wide, so clarification would be appreciated.

Associate Planner Menser added there will be potential challenges in developing the site.

Commissioner Scott-Craig stressed the importance of listening to the neighbors relative to traffic, given the potential nature of the type of business which could be located on the site. He noted a “great deal” of the block could use change and inquired if the Township was considering a more general renovation and redevelopment of the entire block, given the fact the pending Douglas J project will markedly change the block on the opposite side of Hamilton Road.

Commissioner Hildebrandt believed redevelopment of both the site of the Meridian Asset Resource Center (MARC) and the closed central fire station may change the number of trips and the traffic facts. She was unsure how to weigh that factor given there is only one property before the Planning Commission this evening.

Commissioner Hildebrandt asked how an overlay district for the downtown area would change setback requirements.

Mr. Menser replied if an overlay district was drafted for the downtown Okemos area, it would be possible to reduce the need for a variance or obtain relief through the mixed use planned unit development (MUPUD) process. He believed that given the location of the subject parcel, there would need to be such relief.

Commissioner Hildebrandt stressed the importance of consulting with the neighbors for such a significant change.

Mr. Menser added he hand delivered letters to both businesses and residents within the block for a “heads up” two weeks prior to sending out the public hearing notice for tonight’s meeting.

Mr. Menser stated staff could look at both blocks for the purpose of estimation (e.g. what would a 20,000 square foot building with ten (10) residents generate?) in an effort to paint the context.

Commissioner Salehi inquired as to the uses permitted by right in the C-2 district.

Mr. Menser responded a bank, office, restaurant, store and other basic neighborhood area commercial uses.

Commissioner Salehi inquired if a fast food restaurant could be built by right on the property if rezoned to C-2.

Mr. Menser responded in the affirmative with the proviso all the setback requirements were met and there was no request for a drive-through window.

Commissioner Salehi inquired if the property was rezoned to C-2, would a potential MUPUD be considered another rezoning.

Mr. Menser replied the subject parcel would need to go through the MUPUD process, a specific type of permit.

Commissioner Salehi inquired as to the effect on setbacks if it was “treated” as a MUPUD.

Mr. Menser replied that all setbacks can potentially be waived through a vetting in the MUPUD process.

Commissioner Salehi asked if a developer could cut down the heritage oak tree if he purchased the property.

Mr. Menser responded the property could be sold conditioned upon the tree being preserved.

Chair Jackson inquired if the property was developed as a residence, would that owner have the right to cut down the tree.

Principal Planner Oranchak believed there is no distinction between an owner of residential and an owner of commercial property.

Commissioner Salehi asked for confirmation that the Future Land Use Map (FLUM) indicates the whole area to be developed as commercial.

Mr. Menser responded in the affirmative, with the exception of the two (2) lots designated institutional.

Principal Planner Oranchak responded she believed the FLUM designation of commercial is an expectation of the future for this area as the Master Plan timeline spans over 20 years.

Commissioner Cordill echoed the desirability of the future developers of this property to work with the neighbors. She viewed this rezoning request as an opportunity for commercial services to serve nearby residents within walking distance.

Commissioner Van Coevering inquired if the property is developed as an MUPUD, can the Township Board require larger setbacks in an effort to protect neighbors.

Principal Planner Oranchak responded a MUPUD is a negotiation process based on a site plan. She noted the MUPUD and the commercial planned unit development (CPUD) ordinances were created to encourage redevelopment, and part of the issue in redevelopment of many areas is that the existing setback requirements cannot be met. Principal Planner Oranchak added a relaxation of setbacks is offered by the Township to attract redevelopment.

Commissioner Ianni noted a MUPUD could be constructed with a mixture of high density residential and commercial uses. He believed the MUPUD use in this area would be more of a transitional use, placing residential housing next to existing residential buildings, especially effective in a downtown type area.

Mr. Menser stated Commissioner Ianni's statement is one option.

Chair Jackson addressed staff's five (1) to one (1) calculation of building to lot area, asking if the 100 foot setbacks were taken into account when the calculation was made.

Mr. Menser replied he did not, as it was meant to be only a guide to show Commissioners potential building size on any given lot.

Commissioner Salehi believed rezoning the subject parcel would be good for the downtown area. He was unsure the concerns of homeowners in the nearby residential area have been adequately heard, given the potentially dramatic change in their lifestyle.

Chair Jackson closed the public hearing at 7:54 P.M.

B. Commission Review #14083 (Planning Commission), amendments to the Goals and Objectives section of the 2005 Master Plan

Chair Jackson opened the public hearing at 7:54 P.M.

- Summary of subject matter
Principal Planner Oranchak summarized the commission review as outlined in staff memorandum dated October 23, 2014.
- Public
Marsha Madle, Chair, Meridian Economic Development Corporation Board, spoke to three EDC goals and objectives submitted in September, 2013 which were summarily dismissed. She spoke to the need for a more collaborative approach among all Boards and Commissions as well as increasing public engagement as there is forward movement in making decisions for development and redevelopment in Meridian Township. She noted the EDC Board eager to work with the Planning Commission to put together a Master Plan which is practical and visionary.

Christine Tenaglia, EDC Board member, 2551 Bruin, East Lansing, spoke to the need for the community to be envisioned as "half-full" not "half empty" to benefit both Township residents and businesses.

Neil Bowlby, 6020 Beechwood Drive, Haslett, suggested the new Master Plan create a vision for 2030, 15 years into the future. He addressed Objective D of Goal 2, suggesting the groundwater recharge areas needing protection should be identified, along with the groundwater vulnerability areas. Mr. Bowlby suggested eliminating the strategies for Goal 6, Objective C: Develop a Complete Streets policy by stating the strategy is to enforce the current Complete Streets ordinance. Mr. Bowlby urged the Planning Commission to harken earlier public comment relative to Goal 7, Objective A relative to working towards making Meridian Township solar ready.

Bill McConnell, Environmental Commission member, 4276 Manitou Drive, Okemos, availed himself for Planning Commission questions.

- Planning Commission and staff discussion:
Commissioner Van Coevering inquired as to what happened to input received from the EDC.

Principal Planner Oranchak responded the Planning Commission was reviewing the EDC recommendations at the same time it requested the Township Board approve the goals for distribution, with the intent that the Planning Commission would discuss the EDC comments prior to adoption.

Commissioner Scott-Craig reminded fellow Commissioners that a representative from the EDC attended the work session where the EDC suggestions were discussed in detail , noting they are still on the table.

Commissioner Ianni spoke in favor of the idea of making the community solar ready which would require integration of some ordinance changes. He believed creating diversity of power and electricity makes a community more desirable and energy more affordable.

Commissioner Honicky stated solar energy for mid-Michigan is approximately .55 per kilowatt hour while consumers currently spend a combined average of approximately .13 per kilowatt hour. He spoke to the need for “standby” generation when the sun is not shining,

Mr. Ianni indicated his statement regarding affordability was geared toward self-generation on a resident’s own property, not buying it from the grid.

Commissioner Cordill suggested the Planning Commission review the type of infrastructure being added to our community prior to an extensive discussion on solar energy.

Commissioner Honicky believed if policies are being put into place, there needs to be a vision on how a solar system should be used in the community. He stated Congress is no longer going to subsidize solar energy and it will become more costly for the consumer who wishes to install solar panels. He noted that prior to a policy being created, there needs to be clarity.

Chair Jackson believed what is being asked of the Planning Commission is to allow for the possibility of preparing our community for alternative energy sources and utilize steps within the land use policy to begin laying the groundwork. Since the specifics of solar energy will change over the next 15 years, it is sufficient to include language in the Master Plan that the township is open to the idea of using solar energy in some form.

Commissioner Honicky expressed his willingness to acknowledge that openness is a good idea; however, the provided document was very specific about the steps to be taken. He believed the steps outlined led to a big “unknown” as there currently is no vision on how a solar system should be used in Meridian Township.

Commissioner Hildebrandt suggested Planning Commissioners take a “step back” and read the multi-page document. She addressed the general language contained in Goal 7, Objective A, Strategies 3 and 9, indicating the wording does not need to be specific, but should be encouraging.

Chair Jackson closed the public hearing at 8:17 P.M.

- C. *Special Use Permit #14101 (Krumm), request to operate a pre-school (group day care home) at 1251 Sweetwood Drive, Okemos

Chair Jackson opened the public hearing at 8:17 P.M.

- **Summary of subject matter**
Principal Planner Oranchak summarized the special use permit (SUP) request as outlined in staff memorandum dated October 23, 2014.
- **Applicant**
Hillarie Krumm, 1251 Sweetwood Drive, Okemos, stated she would like to take over the pre-school operated for 41 years by her mother, Shirley Hodge, relocating it to her own home. Ms. Krumm indicated she has a degree in child development and teaching and has worked with her mother periodically over the years.
- **Public**
Josh Bechler, 3560 Sorority Lane, Holt, spoke in support of SUP #14101, as his two children have had the privilege of attending Miss Shirley’s group day care. He believed Meridian Township should diligently work to retain this type of business within its community. He expressed his appreciation for the caliber of individuals who run/work at this day care and the personal relationships which have been established.

Melissa Kramzu, 2019 Osage, Okemos, spoke in support of SUP #14101 as she currently has two children at Miss Shirley’s day care, noting the wonderful treatment received by Shirley and Hillarie. She addressed the partnership Ms. Shirley’s day care has with the Okemos community, noting the day care partners with the high school for a bake sale and a play at Kinawa Middle School.

Gail White, 1335 Ivywood Drive, Okemos, spoke in support of SUP #14101 as she had two children who attended the school and has worked for Ms. Shirley for the last decade. She stated it is a different type of school with all the comforts of home. Ms. White added she is a resident of Cornell Woods, and the day care would be a welcomed addition to that neighborhood.

- Planning Commission and staff discussion:
Commissioner Cordill asked regarding the schedule and staffing.

Ms. Krumm replied there is only one class at a time, with no more than 12 children in one class, taught by two teachers per class.

Commissioner Salehi noted the staff report states that if listed standards 1-5 are met, the Planning Commission will approve the SUP. He inquired if the nine SUP criteria also comply.

Principal Planner Oranchak responded they apply in general, but the Zoning Enabling Act states a SUP request cannot be denied if the applicant meets the five (5) standards.

Commissioner Salehi asked if the focus for this request is compliance with the State of Michigan standards, not the Township's nine (9) SUP criteria.

Principal Planner Oranchak responded in the affirmative, stating she did not see anything which would conflict with the SUP criteria.

Commissioner Salehi noted number eight (8) of the Township's SUP criteria speaks to traffic, while the State of Michigan does not address this issue.

Principal Planner Oranchak responded the state law does not address traffic as it is not an issue of concern based on having a maximum of 12 children at one time.

Commissioner Salehi inquired as to why this request was noticed for a possible decision this evening.

Principal Planner Oranchak replied because the applicant made such a request. She stated it is up to the Planning Commission to decide whether it votes on the request this evening or waits until the next meeting.

Commissioner Salehi asked the applicant why the request for approval was made for the same night as the public hearing.

Ms. Krumm responded she must meet state licensing requirements to commence day care for the returning students at the first of the year. She stated the process of accepting pre-school applications for the following year also needs to start in December.

Commissioner Salehi asked if the 12 student count was 12 in the building at one time or 12 students enrolled in the program.

Ms. Krumm responded there are 36 total students in three (3) classes with 12 students at one time.

Commissioner Scott-Craig asked if it would be a hardship on the applicant to wait until November 10th, the next regularly scheduled Planning Commission meeting.

Ms. Krumm explained she cannot move forward with her state licensing until she can obtain the SUP through the Township as it is a state requirement.

Commissioner Scott-Craig asked the applicant if she plans to install the four-foot fence surrounding the indoor pool.

Ms. Krumm replied she believed the fence will be required for state licensing. She displayed a photo on the overhead projector which showed the type of cover on the pool, one which can be walked on and has a two-foot overlap on the edge, preventing any access to the water. Ms. Krumm noted there is a special tool required to unclip the cover for removal, adding the cover is kept on the pool during the regular school year, September through May.

Commissioner Scott-Craig suggested the possibility of fencing off a portion of the yard for outdoor time v. fencing the pool. He asked staff if it was known whether the state will require the fence to obtain the day care license.

Principal Planner Oranchak responded it is unknown if there will be a state requirement for the fence, but it was added as a condition to the resolution to approve.

Commissioner Honicky inquired if the Township received any “notifications” from Cornell Elementary School or surrounding property owners.

Principal Planner Oranchak replied one nearby property owner sent a letter contained in the packet, but there was no response from Cornell school, which was notified.

Ms. Krumm stated she received an e-mail of support from the school principal, adding the principal’s children attended Miss Shirley’s pre-school.

Commissioner Hildebrandt inquired when the next school year started for which the applicant would need to prepare to have students at the proposed location.

Ms. Krumm responded she can have students as soon as the SUP request is approved and the state grants licensure. She spoke to the time of transition for the children from her mother’s home to hers while Miss Shirley is still nearby.

Commissioner Hildebrandt expressed concern that voting on the same night as the public hearing is an impediment to community involvement.

Ms. Krumm explained she went door-to-door for approximately one-half block on both sides of her street for neighbors to be aware prior to receiving the letter from the Township. She stated she left her phone number and e-mail with each household in the event there were any further questions.

Commissioner Cordill inquired about the cover for the hot tub.

Ms. Krumm responded the hot tub has a cover with clips which can be locked. She stated the cover is very heavy duty.

Commissioner Salehi spoke with neighbors regarding 48 potential drop offs and pick ups. He learned there are huge drop off and pickup issues with Cornell and many parents park along Sweetwood.

Ms. Krumm explained not all 12 students are picked up at the same time, and chose drop-off times which do not coincide with Cornell Elementary. She noted there is a 15-minute window for arrivals and dismissals and some of the students car pool.

Commissioner Salehi inquired of staff as to how many child group day care homes are licensed in Meridian Township.

Principal Planner Oranchak responded she was unsure, selecting possibly five (5) or six (6).

Chair Jackson noted the Township ordinance requires a yard which has a pool to be fenced and inquired of the applicant if she intended to put in the fence.

Ms. Krumm stated upon SUP approval, she will order the fence for installation.

Chair Jackson asked the applicant whether she believed the state would require the hot tub to be fenced.

Ms. Krumm did not believe that to be the case, believing the locking mechanism on the cover is sufficient for the state.

Principal Planner Oranchak added the locking clips for the hot tub cover are also required by the Township.

Chair Jackson closed the public hearing at 8:53 P.M.

7. Unfinished Business

- A. *Special Use Permit #14101 (Krumm), request to operate a pre-school (group day care home) at 1251 Sweetwood Drive, Okemos

Commissioner Van Coevering moved to suspend Bylaw 6.4a to take action on Special Use Permit #14101 the same night as the public hearing. Seconded by Commissioner Salehi.

VOICE VOTE: Motion carried 5-3 (Hildebrandt, Honicky, Scott-Craig)

Commissioner Cordill 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 #14101 (Krumm) with the following conditions:

- 1. Approval is based on the application and materials submitted by the applicant subject to revisions as required.**
- 2. The applicant shall obtain and maintain all necessary permits, licenses and approvals from the State of Michigan Department of Human Services and the Township.**

3. **The maximum attendance for the group day care home shall be not more than 12 children at any one time.**
4. **The hours of operation for the group day care home shall be limited to 8:00 a.m. to 3:30 p.m., Monday through Friday.**
5. **Fencing shall be installed around the perimeter of the in-ground swimming pool. New fencing shall be installed to a height no less than four feet and no more than six feet.**
6. **One non-illuminated sign no larger than two square feet may be affixed to the front façade of the residence to identify the day care center.**

Seconded by Commissioner Ianni.

Planning Commission discussion:

- Application meets the state requirements
- Fencing will be installed around the pool as a condition of approval
- No opposition has been voiced by the neighbors

Commissioner Van Coevering offered the following friendly amendment:

- **Amend condition #5 to read: Fencing shall be installed on the property as required by the Michigan Department of Human Services.**

Seconded by Commissioner Salehi.

Planning Commission discussion:

- Concern over danger associated with the slide
- State will make an on-site inspection and determine where the fence will be placed
- Concern the amendment “muddies” the water
- Rationale for the amendment was that the expertise lies with the Department of Human Services
- Firearm is located in the home as the man of the house is a police officer
- Department of Human Services will take the firearm into consideration during the inspection
- The Michigan Zoning Enabling Act states the appropriate fencing for the safety of the children in the group child care home is determined by the local unit of government
- Township has the authority regarding fencing and signs
- Applicant is in agreement with the language in condition #5 of the resolution regarding the placement of the fencing and its height

Commissioner Salehi withdrew his second for the friendly amendment.

Commissioner Van Coevering withdrew her friendly amendment.

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

NAYS: None

Motion carried 8-0.

8. Other Business (None)

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

Commissioner Cordill indicated her preference for regular business to be conducted at the November 10th Planning Commission meeting prior to the presentation by Wayne Beyea.

Commissioner Scott-Craig attended the training last week led by former Planning Commissioner Wayne Beyea on the Sustainability Tool Kit at Tri-County Regional Planning Commission, stating it was an interesting presentation.

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 9:15 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary