

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
June 10, 2013**

**APPROVED**

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

PRESENT: Commissioners Cordill, Deits, Hildebrandt, Honicky, Ianni, Jackson, Norkin, Scott-Craig  
ABSENT: Commissioner Salehi  
STAFF: Principal Planner Gail Oranchak

**1. Call meeting to order**

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

**2. Approval of agenda**

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

VOICE VOTE: Motion carried 8-0.

**3. Approval of Minutes**

**Commissioner Cordill moved to approve the Regular Meeting Minutes of May 13, 2013 and May 20, 2013. Seconded by Commissioner Ianni.**

VOICE VOTE: Motion carried 8-0.

**4. Public Remarks**

Chair Jackson opened the floor for public remarks.

Pastor Moore, 3665 Ponderosa, Okemos, and Danelle Lofton, 5130 Wexford Road, Lansing, questioned the delay on their special use permit request and requested clarification on the issue.

Neil Bowlby, 6020 Beechwood Drive, Haslett, announced the next meeting of LINC will be held on Wednesday, June 20, 2013 at 6:45 PM in the Community Room of the Haslett Library. He addressed his communication relative to non-conforming uses. Mr. Bowlby spoke to Board changes to the 2005 Master Plan amendment.

Chair Jackson closed public remarks.

**5. Communications**

A. Neil Bowlby, 6020 Beechwood Drive, Haslett; RE: Non-conforming uses

**6. Public hearings**

A. Special Use Permit #13071 (AT & T), request to install utility cabinets in the easement at 2258 Bennett Road (Presbyterian Church of Okemos)

Chair Jackson 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 special use permit (SUP) request as outlined in staff memorandum dated June 6, 2013.
- Applicant  
Al Dionise, Engineering Manager, AT&T, 337 N. Abbot Road, East Lansing, spoke to the special use permit request which was approved in 2010. He offered information indicating AT&T did not build after the initial approval due to issues which needed to be resolved with the First Presbyterian Church of Okemos. Mr. Dionise noted those issues have since been resolved.
- Planning Commission discussion:  
Commissioner Cordill inquired as to the distance between the proposed utility cabinets and the home on the adjacent property relative to the decibels which will be emitted.

Principal Planner Oranchak responded the distance is 75 feet. She noted the decibels to be emitted will be low level.

Commissioner Norkin asked about landscaping surrounding the boxes from the road, church and neighboring property sides for visual aesthetics.

Principal Planner Oranchak stated it could be a condition of the SUP which could be addressed during site plan review, while not impeding the function of the boxes.

Mr. Dionise added landscaping would be provided as needed to make the cabinets fit in with the surrounding area.

Chair Jackson inquired if the existing white cabinets would be painted to match the current colors of either green or tan.

Mr. Dionise responded the existing large cabinet is a close match to the current tan color and the other existing cabinet is green. He noted that, in some cases, AT&T has painted existing cabinets to match new installations.

Chair Jackson requested an explanation as to the purpose of the Lifespan Pairgain as noted in the staff memorandum.

Mr. Dionise responded the current cabinet is fed by fiber optics and provides DSL and phone service for the area. He indicated the cabinet to be installed is an upgraded Broadband internet service which is much faster than services currently provided through the existing cabinet and will provide U-Verse television service for the area. Mr. Dionise believed the large cabinet currently on the site will eventually be removed as its technology is obsolete. He noted the exchange building on Dobie Road is the central office for the Okemos area.

Chair Jackson closed the public hearing at 7:22 P.M.

## **7. Unfinished Business**

- A. Special Use Permit #13061 (Caring Hand), request to establish an adult day care center in the International New Life Church addressed as 2630 Bennett Road

Principal Planner Oranchak summarized the staff memorandum dated June 6, 2013 and offered developments to date regarding this request.

Planning Commission and staff discussion:

- Inquiry if the Board considered making an adult day care center an allowed use in a residential district when the last zoning ordinance was “looked at”
- Focus at that time was only for changes and amendments to the commercial districts
- Timeline for the process if the Planning Commission initiates a zoning amendment
- Adult day care not currently listed in the zoning ordinance as an institution for human care
- Inquiry if the list in the zoning ordinance is considered all-inclusive
- Applicant cannot proceed as the specific type of use is not included in the ordinance
- Previous SUP was for a child day care center specifically listed in the ordinance
- Child care facilities are not listed under institutions for human care
- Possibility of a Memorandum of Understanding (MOU) to move this project forward
- Real issue is the adult day care center is not specifically listed in any other zoning district
- Adult day care center is also not listed in the non-residential section, but is listed in the commercial districts
- Suggestion to move that, in the Planning Commission’s opinion, the adult day care use be covered under Section 86-659 as a non-residential use in a residential district for purposes of moving this SUP forward
- Concern with the public having an opportunity to comment on this type of use in a residential district
- Correct process will take 3-4 months

**Commissioner Cordill moved to initiate a zoning amendment to include Adult Day Care Facilities in Section 86-654 Non-residential structures and uses in residential districts and other districts as may be deemed appropriate and request staff to prepare the amendment and schedule a public hearing. Seconded by Commissioner Deits.**

Continued Planning Commission discussion:

- Code of ordinances does not currently define adult day care facilities and their spectrum of types of uses
- Versions of adult day care which are appropriate in a residential neighborhood
- Need for more information as to the various services which could be offered in an adult day care
- Need for definitions for all the terms to be used in the draft amendment
- Planning Commissioner belief adult day care is a serious use issue given the impact of group child care in a residential area is substantially greater than the elderly
- Suggestion to recommend suspension of the rules on the date of the public hearing to expedite the request
- Adult day care is not limited to the elderly, but for anyone 21 years of age or older
- Adult day care in C-1 and C-2 is a conditional use
- Applicant cannot move forward with their operation until the zoning amendment is approved
- Estimated timeline of several months
- Option for the Board to hold a special meeting on this topic if they so desired

**The seconder offered the following friendly amendment:**

- **A motion to suspend the rules will be considered the same night as the public hearing.**

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

VOICE VOTE: Motion carried 8-0.

- B. Commission Review #12053 (Planning Commission), 2005 Master Plan amendment  
Principal Planner Oranchak summarized Board changes to the 2005 Master Plan amendment as outlined in staff memorandum dated June 6, 2013.

Planning Commission discussion:

- Rationale for Board inclusion in the urban services boundary (USB) of properties north of Shoemith Road, east of Green Road along rear property lines
- Area north of Haslett Road and east of Meridian Road which is currently undeveloped but previously had developer interest in constructing (Haslett Preserve)
- Land south of Grand River, east of Cornell Road (inclusion of White Oak Estates, Asbury Commons, Eastpointe Subdivision)
- Land north of Grand River, east and west of Van Atta Road (Wellington Estates, Spagnuolo's Restaurant, Winslow Trailer Park, Red Cedar Church)
- Commercially zoned land south of Grand River and east of Van Atta Road
- Land west of the extension of the Consumers Power easement and north of Jolly Road (Ponderosa subdivision)
- Another public hearing will be held on the Board's proposed urban service boundary
- Board text included the Georgetown Sewer Payback District exemption for a time certain (2024 or until full reimbursement to the developer)
- Difference in the USB between an exemption v. no exemption for the Georgetown Sewer Payback District
- Rationale for Board inclusion of park land on the southern boundary
- Last time a Board moved the boundary east, members were all defeated at the next election
- Concern with the "gerrymandering" of the boundary by the Board
- County ordinance requires everyone within a 300 foot radius of a sewer to connect
- Board disregard for many goals and objectives of the Master Plan through its version of the USB
- Georgetown Payback District amount is \$347,767 plus interest
- Confidential legal opinion could not be included in the Planning Commission packet
- Request for a closed session joint meeting (or joint subcommittee meeting) between the Planning Commission and the Township Board to iron out the differences between the two (2) versions of the USB
- Concern with the decision as a Township if it is going to provide sewer to everyone on the possibility that it might improve public health in a given part of the Township
- Multiple alternatives are available to septic system failure other than sewer hookup

**8. Other Business (None)**

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

Commissioner Honicky spoke to the demographic of the “65 and over” population in Meridian Township increasing by nearly 50% over the last ten (10) years. He noted SUP #13061 highlights a need of this aging population and recommended the Planning Commission revisit the demographic section and how it impacts various aspects of the Master Plan.

Commissioner Deits addressed the issue of nonconformance and suggested the Planning Commission look at its current ordinances for possible modifications, while disclosing that he owns a home and two lots which are non-conforming. He gave an example of rebuilding in the event a tornado destroys a home.

Principal Planner Oranchak noted there is a vehicle available through the Zoning Board of Appeals. She added there are caveats involved for an existing lot of record, allowances to build on a lot as long as it has 40 feet of lot width, etc. Principal Planner Oranchak addressed the distinction between nonconforming use and nonconforming structure.

Chair Jackson asked Commissioner Deits to make a list of ordinances he believed the Planning Commission should discuss relative to nonconformance.

#### **10. New applications**

- A. Mixed Use Planned Unit Development 13014 (Capstone), request to develop Hannah Lofts, a mixed use planned unit development consisting of 22,545 square feet of retail space and 282 multiple family residential units in four buildings.
- B. Special Use Permit #13081 (Capstone), request to construct a group of buildings greater than 25,000 square feet in gross floor area.
- C. Special Use Permit #13-84211 (Graff), minor special use permit amendment to add a 1,750 square foot wash bay to the existing building addressed as 1748 Grand River Avenue.

#### **11. Site plans received**

- A. Site Plan Review #13-98-8 (Eyde), revise approved site plan to add two access drives at Meridian Crossing located at the northwest corner of Okemos and Jolly Roads.
- B. Site Plan Review #13-95-10 (Graff), revise the approved site plan to add a 1,750 square foot wash bay to the existing building addressed as 1748 Grand River Avenue.

#### **12. Site plans approved**

- A. Site Plan Review #13-01 (HTA Companies, Inc.), landscape renovations at 2900 Place apartment, 2900 Grand River Avenue

#### **13. Public remarks**

Chair Jackson opened public remarks.

Pastor Philip Moore, 3665 Ponderosa, Okemos, expressed disappointment with Township handling of Special Use Permit #13061 requested by International New Life Church. He believed the church was a victim of the Township and suggested financial compensation for its loss relative to establishment of the adult day care. Pastor Moore requested their SUP request be expedited as the applicant has complied with all requests of the Township to date. He also asked where the request stood as of this meeting.

Commissioner Ianni explained the Planning Commission has recommended an ordinance amendment to the Township Board, indicating it would be illegal to take any action at this point.

Chair Jackson outlined the process, adding it will take approximately three (3) to four (4) months.

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke to the possibility of MUPUD #13014 (Capstone) qualifying as a major amendment to the previous MUPUD. He addressed the issues surrounding the Georgetown Sewer Payback District and the Board's latest version of the urban services boundary.

Chair Jackson closed public remarks.

#### **14. Adjournment**

Chair Jackson adjourned the regular meeting at 8:52 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary