

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
March 25, 2013**

**APPROVED**

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

PRESENT: Commissioners Cordill (7:02 PM), Deits, Hildebrandt, Honicky, Ianni, Jackson, Salehi, Scott-Craig  
ABSENT: Commissioner Norkin  
STAFF: Principal Planner Gail Oranchak, Project Engineer Nyal Nunn

**1. Call meeting to order**

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

**2. Approval of agenda**

**Commissioner Hildebrandt 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 March 11, 2013. Seconded by Commissioner Hildebrandt.**

VOICE VOTE: Motion carried 8-0.

**4. Public Remarks**

Chair Jackson opened the floor for public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, expressed appreciation for the Planning Commission packet being available online in a timely manner. He suggested an updated list of current Planning Commission members be placed on the Township website.

Chair Jackson closed public remarks.

**5. Communications (None)**

**6. Public hearings**

A. \*Special Use Permit #13031 (Public Works and Engineering), request to work in the 100-year floodplain to construct a pedestrian/bicycle pathway bridge over the Eberly Drain between Jo Pass Dr. and the Interurban Pathway.

Chair Jackson opened the public hearing at 7:02 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 March 22, 2013.

- Applicant  
Nyal Nunn, Meridian Township Project Engineer, spoke to the bridge as a single span, prefabricated bridge, which will minimize any disturbance to the surrounding area. He stated the bridge is of standard design and will promote and facilitate pedestrian activity while supporting the Township goal of improving the pathway system.
- Public  
Leonard Provencher, 5824 Buena Parkway, Haslett, spoke to the short distance (approximately 35 feet) which needs to be spanned and expressed appreciation that this bridge will create connectivity and is a safer alternative.

Planning Commission discussion:

Commissioner Cordill inquired as to the width of the bridge.

Mr. Nunn indicated the bridge will be constructed using the Township standard of eight (8) feet in width for bridges on the pathway system. He added the concrete pathway which abuts the bridge will be seven (7) feet in width.

Commissioner Honicky expressed support of the bridge linking Jo Pass and the Interurban pathway for safety reasons.

Commissioner Salehi inquired if this bridge is the same design as the bridge in Legg Park.

Mr. Nunn was uncertain; however, he indicated this is the same design as the bridge over the Smith Drain and the bridge between Central Park South and the Township Service Center.

Commissioner Salehi inquired as to where off-site the bridge will be constructed.

Mr. Nunn was unsure, but indicated it will be up to the contractor to procure the bridge structure from the manufacturer according to specifications.

Commissioner Salehi inquired as to the cost of the bridge.

Mr. Nunn responded the Engineering Department has not yet completed a cost estimate for the project.

Commissioner Scott-Craig asked who is paying for the bridge.

Mr. Nunn responded the cost would come from the Township Pathway Fund.

Commissioner Scott-Craig inquired if the portion of the pathway being removed will be lowered or raised.

Mr. Nunn answered it will be lowered slightly. He added the reason for removing that section of the existing pathway is to accommodate Consumers Energy, since following the straight line of the existing pathway would run into the utility pole and Consumers has a ten (10) foot requirement.

Commissioner Ianni indicated the project did not appear to have an adverse impact on the environment and promotes the public safety and welfare by bridging the drain, increasing the bicycle paths and making the community more walkable.

Chair Jackson inquired as to the origin of the Interurban Pathway.

Principal Planner Oranchak responded at this point it is a Township project which goes from nearly Park Lake Road at Burcham across Okemos Road to Marsh Road. There have been discussions with Ingham County to possibly extend it in the future.

Commissioner Deits inquired if this project was included in this year's budget for pathways.

Principal Planner Oranchak responded it has been on the Master Plan and once on the plan parts are constructed and maintained.

Chair Jackson closed the public hearing at 7:17 P.M.

## 7. Unfinished Business

- A. Special Use Permit #13021 (Zahra), locate a religious institution, a non-residential use in a residential district at 4133 Okemos Road zoned RA (Single Family-Medium Density) residential

Principal Planner Oranchak clarified the discussion of a 501 (c)(3) status at the last meeting relative to the definition of a religious institution in the Township ordinance. She indicated the Planning Department does not use the 501 (c)(3) status as a standard to measure whether this is an acceptable use, but rather how the request is presented and the type of activity.

Planning Commission discussion:

- Letter from the applicant, Dr. Naji clarified the intended use of the building to be one where individuals would gather during their religious holidays, commemorate their significant religious events, congregate to pray and offer group supplication, gather with friends to receive additional education through lectures and sermons on an informal basis (free from political influence)
- Dr. Naji's letter specifically addressed their intent that the establishment not be termed a mosque with a designated religious pastor holding regularly scheduled prayer services
- Township only requires a letter from the owner allowing the applicant to seek a special use permit (SUP) to occupy the building
- SUP is tied to the use, not the ownership of the property
- Property tax consequences of a religious institution not operating as a mosque would be a determination made by the Township assessor
- Concern with the Township writing the definition of religious institution
- Suggestion to use the IRS definition of religious institution as the standard
- IRS definition of a religious institution deals with the tax deductibility and tax exemption
- Township's liberal interpretation of religious institution to be inclusive v. exclusive
- Religious institution is a requirement for this use
- Definition of a religious institution already exists in the Township's zoning ordinance
- Most religious institutions in the Township are located in residential districts with a special use permit and none have been required to state they are a non-profit organization with a 501 (c)(3) status on their application
- Applicant has applied for 501 (c)(3) status
- Applicant stated in his letter(s) Zahra Institute is a non-profit organization

- Applicant had an option to apply for the special use permit as a social institution
- Since religious institutions, social institutions and other community organizations are under the same category as a nonresidential use in a residential district, the locational and developmental standards are the same
- Social institutions have different standards, primarily one of parking
- Concern with unnecessarily “raising the bar” for this particular group to establish proof of their non-profit status
- Religious institutions, by definition, accrue additional rights and privileges not afforded to non-religious, non-profit institutions
- Preference for the Township to be more systematic in its definitions
- Suggestion for the Planning Commission to address the definition of religious institution at a future date
- If the IRS determines they do not qualify for 501 (c)(3) status, it does not mean they are not a non-profit organization

**Commissioner Hildebrandt 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 #13021 subject to the following conditions:**

- 1. Approval is based on the submitted application materials and the site plan and floor plans prepared by Liz Harrow, Architect dated received February 18, 2013, subject to revisions as required.**
- 2. The applicant shall obtain all applicable permits, licenses, and approvals from the Township prior to any work taking place on the site. Copies of all permits, licenses, and approvals shall be submitted to the Department of Community Planning and Development.**
- 3. The final site plan and landscape plan are subject to the approval of the Director of Community Planning and Development.**
- 4. Any modification to the site to enlarge the use will require a modification of the special use permit.**

**Seconded by Commissioner Scott-Craig.**

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

**NAYS: Commissioner Salehi**

**Motion carried 7-1.**

**Commissioner Ianni moved to suspend Planning Commission Bylaw 6.4a to consider Special Use Permit #13031 the same night as the public hearing. Seconded by Commissioner Honicky.**

**VOICE VOTE: Motion carried 8-0.**

- B. \*Special Use Permit #13031 (Public Works and Engineering), request to work in the 100-year floodplain to construct a pedestrian/bicycle pathway bridge over the Eberly Drain between Jo Pass Dr. and the Interurban Pathway

Commissioner Ianni 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 #13031 subject to the following conditions:**

1. **Approval is subject to the plans prepared by Department of Public Works & Engineering, dated March 6, 2013, and the related materials submitted as part of Special Use Permit #13031, subject to revisions as required.**
2. **The applicant shall obtain applicable permits, licenses, and approvals from the Township, Ingham County, and the State of Michigan prior to any work taking place on the site. Copies of all permits, licenses, and approvals shall be submitted to the Department of Community Planning and Development.**
3. **In no case shall the impoundment capacity of the 100-year floodplain be reduced.**
4. **Fill placed in the floodplain as part of the project shall be protected against erosion.**
5. **The applicant shall properly dispose of all excess materials from the compensating cut areas to an off-site location subject to the approval of the Director of Community Planning and Development.**
6. **The disposed materials at the off-site location shall be protected from erosion and re-seeded subject to the approval of the Director of Community Planning and Development.**

**Seconded by Commissioner Honicky.**

Planning Commission discussion:

- Cut-to-fill ratio is 1.11:1.0 while the minimum ratio is 1:1

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

NAYS: None

Motion carried 8-0.

- C. Rezoning #13010 (Planning Commission), rezone 5691 Babbitt Street from C-2 (Commercial) to RB (Single Family-High Density) residential

Commissioner Scott-Craig moved [and read into the record] **NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Rezoning #13010 to rezone 5691 Babbitt Street from C-2 (Commercial) to RB (Single Family-High Density) residential.**

**Seconded by Commissioner Hildebrandt.**

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

NAYS: None

Motion carried 8-0.

## **8. Other Business**

### **A. Master Plan Objective: Redevelopment Readiness**

Principal Planner Oranchak summarized the adoption of the Redevelopment Readiness Program best practices as outlined in staff memorandum dated March 21, 2013.

Planning Commission and staff discussion:

- Life span of the program
- Additional goal in the Master Plan as an approach to incorporate the Redevelopment Readiness Communities program
- Distinction between the Redevelopment Readiness Program v. Redevelopment Readiness Program's best practices
- New goal v. new objective
- Possibility of modifying an existing goal

**It was the consensus of the Planning Commission to work on this issue during the Master Plan work sessions.**

### **B. Future Work Session Discussion: Master Plan Update**

Chair Jackson proposed a work session after the first Planning Commission meeting to be held April 8, 2013.

**It was the consensus of the Planning Commission to hold a work session on the Master Plan Update after the April 8<sup>th</sup> Planning Commission meeting.**

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

Commissioner Scott-Craig, Chair Jackson and Commissioner Norkin attended a March 20<sup>th</sup> meeting where a talk on Transit Oriented Development (TOD) was given by Dena Belzer, Founder and President of Strategic Economics. He indicated this was a session sponsored by Tri-County Regional Planning Commission as a part of the long term view of the Michigan Avenue/Grand River Corridor. Commissioner Scott-Craig reminded fellow Commissioners and the public regarding TCRPC's series of vision sessions on the Michigan Avenue/Grand River Corridor to be held May 1-7, 2013 at various locations. He added TCRPC's website has links to both information and videos of the sessions.

Principal Planner Oranchak added sessions are also available on HOMTV.

## **10. New applications**

- A. PUD #13-05044 (Champion Woods), request for a minor amendment to rearrange boundaries between units 39, 40 and 41.

## **11. Site plans received (None)**

## **12. Site plans approved**

- A. Site Plan Review #12-94-9 (Jesus Melendez/Keystone Design Group Architects), request for Phase II remodeling (add covered walkway along front façade) of former restaurant building for Fiesta Charra at 5990 Park Lake Road, East Lansing.

**13. Public remarks**

Chair Jackson opened public remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, clarified the presence of a Michigan state trooper from Iron Mountain in the audience.

Chair Jackson closed public remarks.

**14. Adjournment**

Chair Jackson adjourned the regular meeting at 8:20 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary