

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
December 19, 2011**

**APPROVED**

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

PRESENT: Commissioners Cordill, Goodale, Hildebrandt, Jackson, Norkin (7:55 P.M.), Scott-Craig  
ABSENT: Commissioner Honicky, Scales, Chair Deits  
STAFF: Principal Planner Gail Oranchak

**1. Call meeting to order**

Vice-Chair Jackson called the regular meeting to order at 7:02 P.M.

**2. Approval of agenda**

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

VOICE VOTE: Motion carried 5-0.

**3. Approval of Minutes**

**Commissioner Scott-Craig moved to approve the Regular Meeting Minutes of November 28, 2011. Seconded by Commissioner Goodale.**

VOICE VOTE: Motion carried 5-0.

**4. Public Remarks**

Vice-Chair Jackson opened the floor for public remarks.

Michael Leon, 4890 Chipping Camden Lane, Okemos, expressed concern with Special Use Permit #09081, specifically as it related to traffic.

Ali Damsaz, 743 Grand River Avenue, Okemos, refuted earlier public comment regarding the traffic relative to Special Use Permit #09081.

Vice-Chair Jackson closed public remarks.

**5. Communications**

- Zhiqiang Yang and Mei Li, 6414 W. Lake Drive, Haslett; RE: Concern with Special Use Permit #11041 (Van Dusen)

**6. Public hearings**

- A. \*Special Use Permit #11041 (Van Dusen), request to operate a group day care home for not more than twelve children at 6408 Lake Dr., Haslett

Vice-Chair Jackson opened the public hearing at 7:13 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 proposed special use permit (SUP) as outlined in staff memorandum dated December 15, 2011.
- Applicant

Ashley Van Dusen, 6408 W. Lake Drive, Haslett, indicated a six (6) foot privacy fence will be installed around the entire perimeter to address concern expressed by a neighbor.

- Planning Commission discussion:  
Commissioner Cordill inquired if the six (6) foot fence would encompass a larger area than shown in the staff report.

Ms. Van Dusen indicated it can encompass a larger area if needed but she had planned on fencing the area as presented in the staff report.

Commissioner Cordill asked for the ages of the children.

Ms. Van Dusen responded her youngest is one-year old and the oldest is nine years of age.

Commissioner Cordill inquired if a six (6) foot fence was necessary as it would block out daylight. She believed a taller fence than the current three (3) foot fence in that location is needed, and asked the applicant if it would be a solid fence.

Ms. Van Dusen believed a solid six (6) foot fence would block the day care noise from the neighbors.

Vice-Chair Jackson reminded Commissioners that the maximum fence height in the Township is six (6) feet.

Commissioner Scott-Craig expressed concern with the safety of the current picket fence and believed a solid fence, while not necessarily six (6) feet in height, was preferable. He added that the spaces between the fence slats are the wrong size for young children's heads and inquired as to the ages of the day care children.

Ms. Van Dusen responded the ages of the day care children are not less than one year and the oldest is 12.

Commissioner Scott-Craig added that nine and 12 year olds can climb "almost anything."

Commissioner Goodale asked if the applicant was going to expand the fenced-in area to include the entire yard.

Ms. Van Dusen responded in the affirmative.

Commissioner Goodale believed that the current fenced-in open area is too small to accommodate 12 day care children. He added if the applicant intends to expand the fenced-in area, he would like to see something in the front of the yard due to the curve in the road.

Ms. Van Dusen added she would like to use the driveway as well.

Commissioner Goodale indicated he saw a sandbox when he visited the site.

Ms. Van Dusen responded the sand box belongs to the neighbors.

Commissioner Goodale noted there currently is a sign on the premise.

Ms. Van Dusen responded she placed the sign in its current location.

Principal Planner Oranchak added if the applicant decides to go in another direction, the sign would have to be removed.

Ms. Van Dusen noted that even if the premise does not receive its license for 12 day care children, it can be licensed for six (6) day care children.

Principal Planner Oranchak stated the type, location and size of the sign may need to be discussed.

Ms. Van Dusen indicated she called the Township and the realtor sized sign currently on the premise is what she was told to use.

Commissioner Hildebrandt noted if she were a neighbor, she would view the privacy fence as an asset.

Principal Planner Oranchak indicated that the applicant is not required to obtain a building permit to install a fence. She stated if the Planning Commission requires the fence as part of its approval, staff will ensure proper location and installation during site plan review.

Vice-Chair Jackson inquired if the house also serves as a residence.

Ms. Van Dusen responded in the affirmative.

Vice-Chair Jackson inquired if the day care license has already been obtained.

Ms. Van Dusen responded the license is pending this special use permit approval. She added she is currently licensed for home day care up to six (6) children at a location on Greenman Street in Haslett, but will move the day care to 6408 Lake Drive if the special use permit is approved.

Principal Planner Oranchak clarified any child day care licensed for six or fewer does not require Township approval, but is required to be licensed by the state. She added any more than six (up to 12) is considered a group day care home, and must receive an approved special use permit from the Township. Ms. Oranchak noted the state act indicates only certain criteria can be considered by the Planning Commission in its decision making approval process.

Commissioner Cordill inquired if there are indoor square footage requirements for the proposed number of children.

Ms. Van Dusen responded there is an indoor requirement by the State of Michigan of 35 square feet per child.

Commissioner Cordill inquired if the state also considers the outdoor play area as well.

Ms. Van Dusen responded the state inspects the entire home; requiring water tests, furnace and water heater inspections, current first aid and CPR certifications, play equipment inspection and requirements, etc.

Commissioner Cordill suggested the applicant maximize her outdoor play area.

Commissioner John Scott-Craig inquired of the applicant as to how much of the yard would be fenced.

Ms. Van Dusen indicated she was willing to fence in the entire yard. She added she is looking into placing a gate across the driveway, as it is long and there is sufficient room for parents to pull in and park.

Commissioner Scott-Craig inquired if there was a reason why the applicant was not going to include the area in the back of the lot.

Ms. Van Dusen was unsure as to the location of the lot line, but was willing to enclose her entire yard.

Commissioner Goodale suggested placing a gate across the driveway in proximity of the end of the deck. He inquired if the neighbors were agreeable to placement of a fence on the property line.

Principal Planner Oranchak added that the property owners in question were the people who wrote the letter, expressing a desire for fencing along the property line.

Commissioner Hildebrandt inquired if there would be sufficient room for a car to pull off Lake Drive into the driveway with the gate drawn across.

Ms. Van Dusen responded there is enough room for four cars behind the drawn gate, with two cars side-by-side.

Vice-Chair Jackson closed the public hearing at 7:37 P.M.

## 7. Unfinished Business

- A. Special Use Permit #11-86141 (Mercy Ambulance), a request to operate a satellite facility at 2700 Grand River Avenue.

**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 #11-86141 (Mercy Ambulance) with the following conditions:**

- 1. Approval is based on the application 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 Township.**
- 3. No more than one ambulance and one non-emergency vehicle shall occupy the site.**
- 4. The hours of operation for the ambulance satellite facility shall not exceed 16 hours per day.**
- 5. Emergency sirens and lights shall not be activated until the ambulance begins its entry onto Grand River Avenue.**

**Seconded by Commissioner Scott-Craig.**

Planning Commission and staff discussion:

- If the applicant wishes to expand in the future, it will be necessary to come back to the Planning Commission for an amendment

- Enforcement regarding use of the sirens and lights will be conducted on a complaint basis
- Condition #3 assumes that employees are not driving their personal vehicles to the site
- Two bays exist to park one ambulance and one non-emergency vehicle

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

- **Amend condition #3 by deleting “occupy the site” and inserting “be used by Mercy Ambulance at said address”**

**The amendment was accepted by the seconder.**

Continued Planning Commission discussion:

- Good use of an existing building
- Concern with left turns out of this site is abated by the highly trained drivers

ROLL CALL VOTE: YEAS: Commissioners Cordill, Goodale, Hildebrandt, Scott-Craig, Vice Chair Jackson

NAYS: None

Motion carried 5-0.

- B. \*Special Use Permit #11041 (Van Dusen), request to operate a group day care home for not more than twelve children at 6408 Lake Dr., Haslett, MI.

**Commissioner Scott-Craig moved to suspend Bylaw #6.4a to take action on Special Use Permit #11041 the same night as the public hearing. Seconded by Commissioner Cordill.**

Planning Commission, staff and applicant discussion:

- Notification to neighbors within 300 feet of the site 15 days prior to the public hearing as required by state law
- Sign placed in the front yard indicating a special use permit hearing would be held this evening
- Rationale for requesting a decision this evening is the State of Michigan is awaiting Township approval
- Concern of the adjacent neighbor regarding fencing has been addressed

VOICE VOTE: Motion carried 5-0.

**Commissioner Scott-Craig 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 #11041 (Van Dusen) with the following conditions:**

- 1. Approval is based on the application 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 Bureau of Children and Adult Licensing 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 5:00 a.m. to 6:30 p.m., Monday through Friday.**
5. **The fence surrounding the play area shall be modified to increase its height to six feet or a new fence shall be installed.**
6. **A 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 Goodale.**

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

- **Amend condition #5 to read: “The fence surrounding the play area shall be modified to increase its height to six feet and a new solid wooden fence shall be installed. It shall run along the east, south, and west property lines and generally across the front yard approximately at the edge of the deck. A gate shall be installed across the driveway.”**

**The amendment was accepted by the seconder.**

Planning Commission and staff discussion:

- Suggestion to make reference to an illustration of the fence location in lieu of a verbal description
- Condition #6 is consistent with signage for a home occupation
- Day care center is not a home occupation, but a special use permit as a non-residential use in a residential district
- Current sign is of appropriate character and complements the building
- Applicant has no preference as to the location of the sign

**ROLL CALL VOTE: YEAS: Commissioners Cordill, Goodale, Hildebrandt, Norkin, Scott-Craig, Vice Chair Jackson**

**NAYS: None**

**Motion carried 6-0.**

## **8. Other Business**

- A. **Special Use Permit #09081 (Grand Petro Mart)**, request for a 12-month extension of SUP #09081 to replace the existing building, increase the number of gasoline fueling islands and add a canopy at 743 Grand River Avenue.

Principal Planner Oranchak summarized the extension for the special use permit as outlined in staff memorandum dated December 15, 2011.

**Commissioner Norkin moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby approves the one year extension of Special Use Permit #09081 (Grand Petro Mart) with the following conditions:**

1. **All conditions of the Planning Commission’s original approval of Special Use Permit #09081 dated November 23, 2009 shall remain in effect.**

**Seconded by Commissioner Scott-Craig.**

Planning Commission and staff discussion:

- Applicant owns the undeveloped property to the south which is zoned rural residential and is not part of this review
- Only use for the undeveloped property to the south would be a single family residential house
- A zoning amendment would be required to rezone the undeveloped property to the south from rural residential to commercial
- Number of driveways on Van Atta Road has been reduced to one
- No other extensions are available to the applicant under this special use permit
- Applicant has received site plan approval, but has not begun construction
- Possible request for a traffic study which requires a traffic count
- Request for a traffic study does not fit the criteria for approving an extension
- Disparity between the traffic study and the consultant's report
- Consultant's report was based on the traffic assessment
- Requirements for a traffic assessment v. traffic analysis
- Responsibility for a traffic light if one becomes necessary due to increased traffic
- Setback variances approved by the Zoning Board of Appeals
- Possibility of placing a condition to require the building be constructed first
- Approved phased project provided for the pumps and canopies to be constructed in the first phase with the construction and replacement of the convenience store in the second phase
- Placing such a requirement as a condition of approval on the extension not possible as both phases were part of the original special use permit
- Concept of a drive-through window was removed
- Original special use permit did not provide a timeline for building the new convenience store
- Township recourse in the event Phase 2 is not completed
- Connection from the pedestrian bicycle pathway to the new building addressed the issue of pedestrian safety for school children crossing the street
- Biggest factor in obtaining local financing was insufficient traffic to support investment in this location

ROLL CALL VOTE: YEAS: Commissioners Cordill, Goodale, Norkin, Scott-Craig, Vice Chair Jackson

NAYS: Commissioner Hildebrandt

Motion carried 5-1.

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

Principal Planner Oranchak announced the Township Attorney has offered two dates for a Planning Commission Training Session, either March 5, 2012 or March 19, 2012. She asked that Commissioners let staff know their preference prior to next meeting.

**10. New applications (None)**

**11. Site plans received**

A. Site Plan Review #11-08 (Meridian Township Parks), construct a deck at the Harris Nature Center, 3998 Van Atta Road

B. Site Plan Review #11-98-14 (Discount Tire), construct and addition and a new dumpster enclosure at 2060 Grand River Avenue.

**12. Site plans approved (None)**

**13. Public remarks**

Vice-Chair Jackson opened public remarks.

Michael Leon, 4890 Chipping Camden Lane, Okemos, expressed continued opposition to Special Use Permit #09081.

Vice-Chair Jackson closed public remarks.

**14. Adjournment**

Vice-Chair Jackson adjourned the regular meeting at 8:50 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary