

**CHARTER TOWNSHIP OF MERIDIAN  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
November 9, 2009**

**APPROVED**

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

PRESENT: Chair Wilcox, Secretary Jorkasky, Commissioners Beyea, Deits, Domas, Jackson,  
Klemans, Reicosky  
ABSENT: Commissioner Honicky  
STAFF: Director of Community Planning & Development Mark Kieselbach, Principal Planner  
Gail Oranchak

**1. Call meeting to order**

Chair Wilcox called the regular meeting to order at 7:04 P.M.

**2. Approval of agenda**

**Commissioner Reicosky moved to approve the agenda. Seconded by Commissioner Jackson.**

VOICE VOTE: Motion carried 8-0.

**3. Approval of Minutes**

**Commissioner Deits moved to approve the Regular Meeting Minutes of October 26, 2009.  
Seconded by Commissioner Klemans.**

VOICE VOTE: Motion carried 8-0.

**4. Public Remarks**

Chair Wilcox opened the floor for public remarks.

Tim Potter, 4632 Van Atta Road, spoke in support of Zoning Amendment #09020, expressed concern that the setback requirements would remove bicycle parking further from building entrances, suggested the developers be encouraged to design curb cuts to encourage bicyclists to use the roadways and suggested an amendment to the language regarding the inverted U shaped bicycle rack to include a cross bar.

Chair Wilcox closed public remarks.

**5. Communications**

A. Bill McConnell, Environmental Commissioner, 4376 Manitou Drive, Okemos; RE: WUP #09-06

**6. Public hearings**

A. Special Use Permit #09-71081 (Court One), an appeal of the Director of Community Planning and Development's approval of a minor amendment to permit construction of a baseball field at 2291 Research Circle.

Chair Wilcox opened the public hearing at 7:12 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 appeal of Special Use Permit #09-71081 as outlined in staff memorandum dated November 6, 2009.

- Appellants

Ken Stockwell, Managing Member of 4277 Okemos Road, LLC, expressed concern that spectators will park in their business parking lot, foul balls have the potential to hit cars in the business parking lot, and trash will litter his property. Mr. Stockwell believed home plate was only ten feet from the property line and also expressed concern with the noise. He suggested the ball field be flipped on the property.

James Wessinger, partner with Mr. Stockwell of 4277 Okemos Road, expressed concern that future plans for his property include construction of a 3,400 square foot office building adjacent to the proposed baseball diamond. He added the future building will face the diamond and addressed foul balls damaging his property, cars parking on his property and litter. Dr. Wessinger expressed opposition to the fence being moved to the property line and also requested the ball field be flipped on the property. He addressed the issue of make-up games during the week affecting working conditions of tenants in his building.

- Applicant

Tim Gilman, Court One, 2291 Research Circle, Okemos, explained their youth baseball program and the company's desire to augment that program through the location of a baseball diamond at this location. He indicated the design was a result of consultation with KEBS, Inc. over the way to achieve a regulation field for youth 8-14 years of age. Mr. Gilman noted the design was the best option to ensure safety by hitting the balls towards Court One and a backstop with overhangs for foul balls. He indicated Court One would be willing to install additional netting on the back stop which would extend higher and/or wider.

Mr. Gilman indicated 80-90% of the games take place Friday night through the weekend when business offices are closed. He stated there may be an occasional make-up game on Monday due to inclement weather. Mr. Gilman added the bulk of Court One's activity is October through March and the baseball diamond would not be in use at that time. He noted there would be ample parking for spectators in Court One's parking lot when the field would be in use during the summer months.

Relative to litter, Mr. Gilman indicated Court One is a private club and the grounds are maintained on a daily basis. He stated Court One's restroom facilities would be available for spectators.

Mr. Gilman noted surprise that after having met with Dr. Wessinger and Township staff, addressing his concerns by agreeing to make some changes, he received a letter from Mr. Stockwell objecting to the project.

- Public

Jeff Fineis, Andrews, Hooper and Pavlik, PLC, 4295 Okemos Road (corner of Okemos and Science Drive), expressed concern over noise, parking in their business parking lot, restroom facilities and foul balls hitting parked cars in their business parking lot. He also suggested the direction of the ball field be turned away from his business.

- Appellant's Rebuttal

Ken Stockwell stated you can't control where people park, which will be closest to their destination. He noted he is supportive of sports, but some foul balls will end up in the parking lots and hit cars.

Dr. Wessinger indicated he objected to all the “action” that would take place near his property line and expressed concern with his real estate value. He indicated he did initially agree to the location of the baseball diamond as he believed it was a “done deal.”, but is opposed to the project.

- Applicant’s Rebuttal

Jim Gilman stated the layout maximizes the outfield distances and is in the best interest of the aesthetics for the players. He noted if the field is flipped as suggested by the appellants, much of the outfield distance is lost and the field becomes too small. Mr. Gilman noted that the design of the field needs to accommodate as many age groups as possible; otherwise the project is not financially viable.

- Planning Commission discussion:

Commissioner Deits inquired as to the constraints of the field.

Jamerson Ries, KEBS, Inc., 2116 Haslett Road, Haslett, stated the criterion needed is a minimum of 200 feet. He indicated “flipping” the property as requested by the appellants while maintaining the 200 foot minimum would encroach on the property to the north.

Commissioner Deits indicated he was not persuaded by the applicant’s argument as Fenway Park has a short left field fence. He questioned whether there is a regulation size for a baseball field as asked if “flipping” the field to address the appellant’s concerns would preclude baseball being played on the field.

Mr. Ries responded that it would be a highly undesirable field to play baseball in.

Commissioner Deits asked for the left field line of the current design.

Mr. Ries responded 200 feet.

Commissioner Reicosky asked if the “green monster” concept at Fenway Park used to maximize the outfield distance could be utilized at this baseball diamond.

Mr. Ries responded that the applicant essentially has placed a “green monster” on this property with the ten (10) foot fence in left field to mitigate the 200 feet in left field v. the 250 feet in right field. He added that in order to reduce this another twenty (20) feet, the applicant would need to request a variance of twelve (12) to fifteen (15) feet in height for a fence along the north property line.

Commissioner Klemans asked if it was possible to move the ball field closer to the fences in the drawing and place the bleachers in the adjacent parking lot to make more room for the ballfield.

Mr. Ries answered that the property line converges and any movement to the west would encroach further on the property to the west.

Commissioner Beyea inquired if the applicant would limit games to the nights and weekends.

Mr. Gilman expressed concern if inclement weather during a tournament necessitated completion during the week.

Commissioner Beyea expressed concern with the current orientation given the fact that games would take place during the day. He also was concerned with the resulting impact on current surrounding businesses.

Mr. Gilman inquired if it would be acceptable to limit games to after 5:00 P.M. on Monday through Friday with the stipulation that inclement weather during a tournament would allow for completion.

Commissioner Jorkasky asked if there was a recommendation for a safety zone for foul balls.

Mr. Ries was not aware of any recommendations. He added that under the current configuration, home plate is forty (40) feet away from the CPA property line and the Stockwell office parking is further east of the CPA offices.

Dr. Wessinger inquired if there would need to be a variance requested for use of the property to the lot line in right field.

Commissioner Beyea asked if there was a policy for existing facilities which would address evening/weekend deed restrictions.

Principal Planner Oranchak responded there is nothing that deals specifically with athletic fields. She indicated a condition could be placed on this special use permit based on the needs of the adjacent property owners.

Commissioner Deits summarized the planning issue as an effort to mitigate an intensive use near adjacent properties. He believed it to be a good planning principle.

Commissioner Reicosky summarized the issue as an appeal of a minor amendment, and the previous discussion had nothing to do with the minor amendment, but focused on the orientation of the proposed ball field.

Commissioner Jackson requested staff clarify the minor amendment.

Principal Planner Oranchak responded it is to add a new use to the site.

Chair Wilcox closed the public hearing at 8:16 P.M.

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

Chair Wilcox opened the public hearing at 8:16 P.M.

- Summary of subject matter  
Principal Planner Oranchak summarized the proposed special use permit as outlined in staff memorandum dated November 5, 2009.
- Applicant  
Terry Baker, Kater Engineering Associates, Dimondale, stated that during the reconstruction of Grand River Avenue this summer, one entrance was closed. He added the project will be completed in phases: phase one will consist of removing the two pumps with attached lighting closest to Grand River Avenue and adding three (3) pumps under the canopy while

the existing convenience store remains in place. The canopies will be located behind the required setback and the minimum acceptable distance of forty (40) feet will be maintained between the canopy and the proposed new building. To comply with the 100 foot setback requirement from rural residential, the proposed new building will be moved as far back as possible.

- Public  
Steve Carpenter, Owner, Minor Creations, 693 W. Grand River, spoke in support of the project, while expressing concern with vacuum cleaners being placed too close to his office on the adjacent property. Mr. Carpenter stated there is no need for the access drive on Van Atta between the applicant and his properties.
- Planning Commission discussion:  
Commissioner Domas inquired if the northern entrance on Van Atta Road will be permanently closed.

Principal Planner Oranchak responded in the affirmative.

Commissioner Deits inquired as to the process were improvements requested in the future if the special use permit is granted and the use becomes conforming.

Principal Planner Oranchak answered the applicant would need to come to staff or the Planning Commission to amend the special use permit. She noted eliminating the non conforming status actually improves the site.

Commissioner Deits commented that keeping the northwest corner “blocked off” as much as possible as vehicular traffic traveling east on Grand River Avenue tends to use the right turn lane onto Van Atta Road as an on ramp into the gas station.

Commissioner Beyea pointed to pedestrian accommodations for this site during site plan review. He noted concern with size and intensity given the surrounding rural residential area, specifically the lighting illumination from the canopy and different vehicle traffic given the new use and increase in square footage. Commissioner Beyea inquired as to policy concerning access drives.

Principal Planner Oranchak responded she would look into his question and provide information in the next staff report.

Commissioner Beyea noted his concern with site distance as this is a busy intersection and requested the ingress and egress be looked at very carefully.

Commissioner Deits expressed interest in looking at a way to have a safe zone for pedestrians as school children regularly cross the street to visit the convenience store.

Commissioner Reicosky inquired where the bicycle racks would be located.

Mr. Baker stated the owner indicated bicycle racks would be placed wherever it would be best suited. He indicated during reconstruction of Grand River Avenue, sidewalks ramps were installed near the intersection, and pedestrians should cross where Michigan Department of Transportation has placed the pedestrian ramp for the sidewalk. Mr. Baker noted the vacuums will be placed on the west side of the building, away from the neighbor expressing concern over the noise. He added grass will replace the current gravel lot and the proposal would result in less stormwater runoff than is currently on site.

Commissioner Reicosky suggested landscaping and a barrier system on the east property line with Mr. Carpenter's businesses.

Mr. Baker responded the owner could consider this; however, the two land uses are the same and the Township ordinances does not require a barrier in that location.

Commissioner Klemans applauded the owner's efforts to reduce stormwater runoff. She suggested consideration of planting native vegetation in lieu of a manicured lawn on the property.

Chair Wilcox closed the public hearing at 8:41 P.M.

- C. Zoning Amendment #09020 (Township Board), an amendment to Chapter 86, Article VIII, Off-Street Parking and Loading, and other applicable sections of the zoning ordinance to establish bicycle parking regulations.

Chair Wilcox opened the public hearing at 8:41 P.M.

- Summary of subject matter  
Principal Planner Oranchak summarized the proposed zoning amendment as outlined in staff memoranda dated November 5, 2009.
- Public  
Bill McConnell, Environmental Commissioner, 4376 Manitou Drive, Okemos, expressed support for a zoning amendment to facilitate bicycle parking. He noted appreciation with staff approach to this amendment, stating the message is sent that bicycles and cars are meant to share the road. Mr. McConnell suggested incentives to install good bicycle parking where the space is greater than the minimum required.
- Planning Commission discussion:  
Commissioner Jackson asked why the inclusion of bicycle parking has to be tied to additional vehicle parking.

Ms. Oranchak answered it will be used to measure bicycle parking by. She noted that the standard for using this measurement is not very high.

Commissioner Jackson inquired as to the status of the current provision of bicycle parking as an amenity.

Principal Planner Oranchak responded it will be eliminated as it will now become a requirement.

Commissioner Deits suggested language regarding a change in parking arrangements as the trigger for adding bicycle parking, irrespective of whether or not there is additional vehicle parking. He believed this change would increase the scope of more bicycle parking in the Township.

Commissioner Deits suggested the following additions to the draft ordinance:

- Amend Page 4, (d)(3) by adding at the end of the first sentence, "and maximize accessibility to entrances for bicyclists"
- Amend Page 4, (e)(2) to eliminate specific design standards and rely on staff judgment

Principal Planner Oranchak indicated staff spent a great deal of time looking at various designs and the suggested design is the most frequently used by many communities. She stated there are options for functionally equivalent structures if a different style of bicycle rack was proposed.

Commissioner Domas questioned the meaning of the word “reasonable” on Page 4, section (d)(2).

Commissioner Domas suggested the threshold for when bicycle parking would be required should be broadened even more to any change in use if the site does not have bicycle parking by the following amendment:

- Amend (b)(1) by deleting “that that results in the need for additional motor vehicle parking spaces”

Commissioner Domas inquired as to how often the Township requires more motor vehicle parking spaces.

Principal Planner Oranchak responded only when there is a change to the building; however, if the use changes and a site plan review is conducted, bicycle parking would be required.

Commissioner Reicosky requested aesthetics and beauty of the building be considered when designing the best place for bicycle parking. He requested language be considered to address motorbikes, ATVs, snowmobiles, etc.

Principal Planner Oranchak stated motorbikes, ATVs and snowmobiles are considered motor vehicles and not part of this ordinance.

Commissioner Beyea suggested further language on Page 4 (d)(3) which establishes standards which give guidance for incorporating internal circulation for bicycles, understanding the relationship between pedestrians and the bicycle flow. He spoke to the possible use of street calming and complete streets language.

Commissioner Deits noted Michigan’s Motor Vehicle Law gives bicyclists the same rights to the road as automobiles; however, a transition takes place when the bicyclist enters a piece of property.

Chair Wilcox closed the public hearing at 9:10 P.M.

## **7. Unfinished Business**

- A. Special Use Permit #09061 (Meridian Township), a request to place fill in the 100-year floodplain to construct a gravel access road and culvert to service a proposed sanitary sewer force main.

Planning Commission and staff discussion:

- Required vs. appropriate communication from other Township Boards and Commissions in order to uphold the highest standards
- Applications are sent to the Environmental Commission
- Environmental Commission meetings do not always coincide with Planning Commission requirements
- Adequate time provided for the Environmental Commission to comment after some members walked the site
- This special use permit was on the Environmental Commission’s October 21<sup>st</sup> agenda

- Township's wetland protection ordinance requires the environmental consultant to provide staff with an evaluation
- Wetland protection ordinance written in such a manner that the Environmental Commission has the ability to comment but it is not a requirement
- Uncertainty whether other Environmental Commissioners will be commenting on this SUP
- Staff belief that a delay of two (2) weeks would not impact the project as the contract has not yet been awarded
- Next Environmental Commission meeting will be held on November 18<sup>th</sup>

**It was the consensus of the Planning Commission to delay this special use permit request until the November 23<sup>rd</sup> Planning Commission meeting.**

- B. Wetland Use Permit #09-06 (Meridian Township), a request to work and place fill in regulated wetlands for a gravel access road and culvert to service a proposed sanitary sewer force main.

**It was the consensus of the Planning Commission to delay this wetland use permit request until the November 23<sup>rd</sup> Planning Commission meeting.**

**8. Other Business**

**9. Announcements**

**10. New applications**

- A. Zoning Amendment #09070 (Township Board), a request to add Section 86-443 Wind Energy Overlay District and amend other applicable sections of the Code of Ordinances to establish regulations pertaining to wind energy systems.
- B. Zoning Amendment #09080 (Township Board), a request to allow ancillary uses at golf courses by special use permit.

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

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

**13. Public remarks**

Chair Wilcox opened and closed public remarks.

**15. Adjournment**

Chair Wilcox adjourned the regular meeting at 9:25 P.M.

Respectfully Submitted,

Sandra K. Otto  
Recording Secretary