

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD SPECIAL MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
349-1200, Town Hall Room
THURSDAY, MAY 20, 1999, **5:00 P.M.**

PRESENT: Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger, Trustees McCullough,
McGillicuddy, Squiers, Such
ABSENT: None
STAFF: Township Manager Gerald Richards, Director of Community Planning & Development
Mark Kieselbach, Attorney Steve Schultz

1. CALL MEETING TO ORDER

Supervisor Little called the meeting to order at 5:00 p.m.

• PUBLIC REMARKS

Supervisor Little opened Public Remarks.

David Pierson, spoke on behalf of North American Equities, in opposition to the rezoning, and in favor of an Act 425 Agreement with the City of East Lansing.

Supervisor Little closed Public Remarks.

2. INTRODUCTION OF PROPOSED REZONING FOR GOVERNOR'S CLUB

TREASURER KLUNZINGER MOVED TO ADOPT THE FOLLOWING RESOLUTION:
RESOLUTION

WHEREAS, the Township Board desires to initiate a rezoning of five areas totaling approximately 178 acres located east of Hagadorn Road, west of Hulett Road and north and south of Bennett Road, Okemos, from RR (Rural Residential) and RP (Research and Office Park) to RB (Single Family-High Density), RA (Single Family-Medium Density), RAA (Single Family-Low Density) and RRR (Rural Residential-Low Density); and

WHEREAS, the Township Board will refer the rezoning to the Planning Commission for a public hearing and recommendation; and

WHEREAS, the proposed rezoning will be compatible with existing residential development along Hagadorn Road and the general vicinity; and

WHEREAS, the proposed rezoning will be less intrusive and have less possible impacts on surrounding properties than the current Research and Office Park zoning classification; and

WHEREAS, public water and sanitary sewer are available to be extended to the site and the site is located within the Urban Service Boundary; and

WHEREAS, since the completion of the 1993 Comprehensive Development Plan, significant changes have taken place in the area, including the construction of the Okemos High School and Bennett Woods Elementary School, the improvement of Hulett Road to a paved roadway, and the installation of traffic signals at Bennett and Hagadorn Roads and Hulett and Jolly Roads, which would justify the rezoning of the subject sites.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, the Township Board hereby refers Rezoning #99100 to the Planning Commission for a public hearing to be held on June 15, 1999, and **INTRODUCES FOR PUBLICATION AND SUBSEQUENT ADOPTION** Ordinance No. _____, entitled "Ordinance Amending the Zoning District Map of Meridian Township Pursuant to Rezoning #99100 from RR

(Rural Residential) and RP (Research and Office Park) to RB (Single Family-High Density), RA (Single Family- Medium Density), RAA (Single Family-Low Density) and RRR (Rural Residential-Low Density).

BE IT FURTHER RESOLVED that the Clerk of the Charter Township of Meridian is directed to publish the Ordinance in the form in which it is introduced at least once prior to a regular meeting of the Township Board.

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Township Board on the 20th day May, 1999.

ORDINANCE NO.

**ORDINANCE AMENDING THE ZONING DISTRICT MAP
OF MERIDIAN TOWNSHIP
PURSUANT TO REZONING #99100**

The Charter Township of Meridian ordains:

Section 1. Amending the Zoning District Map #99100.

A. Area 1. The Zoning District Map of Meridian Township, as adopted in Section 82-1.3 of the Code of the Charter Township of Meridian, Michigan, as previously amended, is hereby amended by changing the RP (Research and Office Park) District symbol and indication as shown on the Zoning District Map, for the property legally described as:

Commencing N 00°30'47" W 330.00 ft. from the southwest corner of Section 29, thence N 00°30'47" W 381.00 ft., thence N 89°29'13" E 233.00 ft., thence N 00°30'47" W 265.00 ft., thence S 89°29'13" W 233.00 ft., thence N 00°30'47" W 23.40 ft., thence N 89°29'13" E 206.25 ft., thence N 00°30'47" W 200 ft., thence N 89°29'13" E 10.00 ft., thence N 00°30'47" W 490.00 ft., thence S 89°29'13" W 216.25 ft., thence N 00°30'47" W 550.00 ft., thence East 680.00 ft., thence S 00°30'47" E 1905.40 ft., thence S 89°39'48" W 679.98 ft. to point of beginning. Containing 24.98 acres

to that of RAA (Single Family-Low Density) District, and a corresponding use district is established in the above-described property.

B. Area 2. The Zoning District Map of Meridian Township, as adopted in Section 82-1.3 of the Code of the Charter Township of Meridian, Michigan, as previously amended, is hereby amended by changing the RP (Research and Office Park) District symbol and indication as shown on the Zoning District Map, for the property legally described as:

Commencing N 00°30'47" W 330 ft. and N 89°39'48" E 679.98 ft. from the southwest corner of Section 29, thence N 00°30'47" W 1905.40 ft., thence West 680.00 ft., thence N 00°30'47" W 401.76 ft., thence N 89°41'21" E 1320.88 ft., thence S 00°34'44" E 2310.57 ft., thence S 89°39'48" W 643.56 ft. to the point of beginning. Containing 40.37 acres

to that of RRR (Rural Residential-Low Density) District, and a corresponding use district is established in the above-described property.

C. Area 3. The Zoning District Map of Meridian Township, as adopted in Section 82-1.3 of the Code of the Charter Township of Meridian, Michigan, as previously amended, is hereby amended by changing the RR (Rural Residential) District symbol and indication as shown on the Zoning District Map, for the property legally described as:

Commencing N 89°39'48" E 726.00 ft. from the northwest corner of Section 32, thence N 89°39'48" E 1350.00 ft., thence South 590.00 ft., thence S 35°56'37" W 719.12 ft., thence

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West 580.00 ft., thence N 34°57'04" W 804.17 ft., thence North 340.00 ft., thence N 34°20'37" E 200.00 ft. to point of beginning. Containing 32.70 acres

to that of RA (Single Family-Medium Density) District, and a corresponding use district is established in the above-described property.

D. Area 4. The Zoning District Map of Meridian Township, as adopted in Section 82-1.3 of the Code of the Charter Township of Meridian, Michigan, as previously amended, is hereby amended by changing the RR (Rural Residential) District symbol and indication as shown on the Zoning District Map, for the property legally described as:

Commencing at the north 1/4 corner of Section 32, thence N 89°29'35" E 557.58 ft., thence S 00°30'25" E 233.80 ft., thence N 89°29'35" E 200.00 ft., thence N 00°30'25" W 233.80 ft., thence N 89°29'35" E 286.51 ft., thence S 01°24'00" E 175.92 ft., thence S 86°02'41" E 198.68 ft., thence S 20°59'51" W 217.27 ft., thence S 17°36'19" W 351.34 ft., thence S 17°44'17" W 619.99 ft., thence S 17°59'24" W 204.10 ft., thence N 72°00'36" W 255.00 ft., thence S 17°59'24" W 372.79 ft., thence S 13°42'05" W 45.00 ft., thence N 34°26'19" W 1323.42 ft., thence N 00°00'13" E 154.96 ft., thence N 24°00'00" E 630.00 ft., thence N 89°39'48" E 50.00 ft., to point of beginning. Containing 39.57 acres

to that of RA (Single Family-Medium Density) District, and a corresponding use district is established in the above-described property.

E. Area 5. The Zoning District Map of Meridian Township, as adopted in Section 82-1.3 of the Code of the Charter Township of Meridian, Michigan, as previously amended, is hereby amended by changing the RR (Rural Residential) District symbol and indication as shown on the Zoning District Map, for the property legally described as:

Commencing at a point N 89°39'48" E 726.00 ft. and S 34°20'37" W 200 ft. and South 340 ft. and S 34°57'04" E 804.17 ft. from the northwest corner of Section 32, thence East 1571.20 ft., thence S 34°26'19" E 784.11 ft., thence S 13°42'05" W 101.52 ft., thence West 1528.52 ft., thence South 565.00 ft., thence S 89°09'59" W 620.00 ft., thence North 684.40 ft., thence N 28°59'20" E 325.74 ft., thence North 350.00 ft. to point of beginning. Containing 40.17 acres.

to that of RB (Single Family-High Density) District, and a corresponding use district is established in the above-described property.

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 4. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under 1996 Public Act 297 after filing of a notice of intent to file a petition for a referendum.

SECONDED BY TRUSTEE MCGILLICUDDY

Board Members discussed the proposed rezoning including the following items:

- Impact of Rezoning on Referendum Election
- Withdrawal of Annexation Petition
- Nature of Annexation Boundaries
- Inclusion of M.S.U. Property in Annexation and Involvement of Board of Trustees
- Development of Project as P.U.D.
- Development of Project as P.R.D.

- Basis to Challenge Annexation Petition
- Chain of Events Leading to Annexation

Trustee Such read from a prepared statement.

Trustee McCullough read from a prepared statement.

Board Members discussed the proposed rezoning including the following items:

- Allegations of Petition Fraud
- Informed Residents and failure of Lansing State Journal
- Absence of Development Opponents
- Act 425 Agreement

Treasurer Klunzinger read the names of the each circulator of a petition.

Board Members discussed the proposed rezoning including the following items:

- Resident Suspicions of Developer
- Later Use of Detachment Option
- Detachment of White Hills to Meridian Township
- Options Permitting Development as a method to defeat Annexation
- Rezoning as a way to Invalidate the Referendum Election.
- Associated Annexation Revenue Loss
- Development of Site under the City of East Lansing
- Conflict of Interest for Clerk
- Annexation Election
- Sewer Capacity Agreement with M.S.U.
- Demonstration of Support for Developer/Development
- Legal Challenge to Annexation
- Numbers of Voters in Annexation District

TRUSTEE MCCULLOUGH CALL THE QUESTION. IT WAS SECONDED.

VOICE VOTE: Motion carried 5-2 (Trustee McGillicuddy, Clerk Helmbrecht)

MOTION TO REZONE

ROLL CALL VOTE: YEAS: Trustees McCullough, McGillicuddy, Squiers, Such, Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger
NAYS: Trustee McGillicuddy Clerk Helmbrecht
Motion carried 5-2.

3. CONSIDERATION OF PROPOSED ACT 425 AGREEMENT WITH CITY OF EAST LANSING

TREASURER KLUNZINGER MOVED THAT THE TOWNSHIP BOARD GO INTO A CLOSED SESSION FOR CONSIDERATION OF WRITTEN LEGAL OPINIONS WITHIN THE ATTORNEY-CLIENT PRIVILEGE PURSUANT TO MSA 4.1800(18)8(h). SECONDED BY TRUSTEE SQUIERS.

ROLL CALL VOTE: YEAS: Trustees McCullough, McGillicuddy, Squiers, Such, Supervisor Little, Clerk Helmbrecht, Treasurer Klunzinger
NAYS: None
Motion carried 7-0.

Supervisor Little recessed the Special Meeting at 5:56 p.m. to go into closed session.

[Trustee Squiers departed]

The Board adjourned to the Administrative Conference Room for a closed session.

Supervisor Little Reconvened the Special Meeting at 6:29 p.m.

[Trustee McCullough departed]

TREASURER KLUNZINGER MOVED TO INSTRUCT THE SUPERVISOR, THE MANAGER AND THE TOWNSHIP ATTORNEY TO PROCEED IN ACCORDANCE WITH BOARD DISCUSSION IN THE CLOSED SESSION. SECONDED BY TRUSTEE SUCH.

VOICE VOTE: Motion carried unanimously.

- PUBLIC REMARKS

Supervisor Little opened Public Remarks.

The following individuals offered their comments regarding Rezoning #99100 (Township Board) and the associated issues:

- Bob Homan, 2176 Hamilton Road, Okemos.
- Eldon Clark, 6048 Horizon Drive, East Lansing.
- Louise Kelly, 4513 Hawthorne Lane, East Lansing.
- Larry Sawdy, Marsh Road, Haslett.
- Irvin Kebler, 3590 Fairhills Drive, Okemos.

4. ADJOURNMENT

Supervisor Little adjourned the meeting at 6:50 p.m.

BRUCE A. LITTLE
TOWNSHIP SUPERVISOR

MARY M. G. HELMBRECHT
TOWNSHIP CLERK

Paul J. Cassidy, Secretary