

**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES
September 14, 2015**

APPROVED

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

PRESENT: Commissioners Cordill (7:03 P.M.), DeGroff, Deits, Honicky, Ianni, Jackson, Scott-Craig, Tenaglia, Van Coevering
ABSENT: None
STAFF: Principal Planner Oranchak

1. Call meeting to order

Chair Scott-Craig called the regular meeting to order at 7:02 P.M.

2. Approval of agenda

Commissioner Ianni moved to approve the agenda. Seconded by Commissioner DeGroff.

VOICE VOTE: Motion carried 8-0.

3. Approval of Minutes

Commissioner Tenaglia moved to approve the Work Session Minutes and Regular Meeting Minutes of August 24, 2015. Seconded by Commissioner Ianni.

VOICE VOTE: Motion carried unanimously.

4. Public Remarks

Chair Scott-Craig opened the floor for public remarks.

Ron Calhoun, Meridian Investment Group, 1427 W. Saginaw, East Lansing, availed himself for Planning Commission questions on Mixed Use Planned Unit Development (MUPUD) #15034 and Special Use Permit #15121.

Ken Stockwell, Stockwell Development Group, 4277 Okemos Road, Okemos, availed himself for Planning Commission questions regarding Rezoning #15050.

William Miller, 627 Earliglow Lane, Haslett, availed himself for Planning Commission questions on Rezoning #00150.

Chair Scott-Craig closed public remarks.

5. Communications

Communications received and distributed at the August 24, 2015 meeting and placed on file:

Marian and Jack Fordyce, 4815 Arapaho Trail, Okemos; RE: SUP #15111 (Williams)

6. Public hearings

A. Rezoning #00150 (St. King), request to rezone 4660 Marsh Road from RC (Multiple Family, Medium Density) to PO (Professional and Office)

Chair Scott-Craig 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 rezoning request as outlined in staff memorandum dated September 10, 2015.
- Applicant
Judith St. King, 5180 Madison Avenue, B-2, Okemos, stated she purchased the subject site in 1996 and first requested this rezoning in 2000.

Dr. Miller, 627 Earliglow Lane, Haslett, stated a special use permit request to enlarge the clinic was granted in 1997. He believes the opportunity to be fully leased could be achieved with a PO zoning designation. Dr. Miller noted prospective tenants have had to be turned away because their type of business did not meet the health care designation. He explained one area in the lower level has a separate entrance and could have a different use. Dr. Miller stressed that additional traffic would be minimal and not have an impact on the surrounding area. He addressed the PO zoning designation as a buffer between the commercial core area and the residential along Marsh Road.

- Planning Commission discussion:
Commissioner Deits inquired as to any substantive changes to the application since it was originally filled out in 2000.

Principal Planner Oranchak responded she was not aware of any substantive changes.

Commissioner Deits requested staff make a comparison to provide to the Planning Commission at its next meeting.

Commissioner Deits inquired if the optometrist's office located on the corner of the roundabout is zoned institutional.

Principal Planner Oranchak replied it is zoned residential, the same as surrounding land. She noted there is a small piece designated Institutional on the Master Plan which is part of the Ingham County Road Department's (ICRD) right-of-way.

Commissioner Deits indicated there was discussion during the hearing in 2000 whether the subject site was conforming for a PO designation relative to setback.

Principal Planner Oranchak responded there was a comment made that a 50 foot setback would be required for the building, which she believed is non-conforming.

Commissioner Deits asked if a variance would be required to address that non-conformance.

Principal Planner Oranchak replied she did not believe a variance would be required since it is an existing building, but staff will look into the issue.

Commissioner Deits addressed the nearby duplex, believing it will become an “orphan” residential use. He inquired if the property is of a size which will allow it to have any other use located on it.

Principal Planner Oranchak indicated the frontage is fairly shallow so the opportunity for the required parking seems improbable, although staff has not researched it for that purpose. She believed the site appeared to be tight and was unsure if there was sufficient space to get around the building to place parking in the rear.

Commissioner Deits inquired if the property which houses the nearby duplex was noticed for this public hearing.

Principal Planner Oranchak responded in the affirmative.

Commissioner Deits stated he was puzzled by the applicant’s statement that certain prospective tenants could not locate there and asked staff for an explanation.

Principal Planner Oranchak replied tenants in a health clinic have to be associated with some type of health activity.

Commissioner Deits asked if the restriction that a business must be associated with some type of health activity was one placed by the Township.

Principal Planner Oranchak stated it is part of the ordinance relative to a non-residential use in a residential district.

In response to a previous question regarding substantive changes in the application from 2000 until now, Principal Planner Oranchak explained the applicant’s now provide responses to address the criteria for decision making within the application.

Commissioner Deits requested staff provide those responses to the Planning Commission.

Commissioner Jackson addressed the adequacy of parking after the zoning changes from RC to PO. She inquired if there was sufficient space to provide the number of parking spaces in addition to what is currently on site to satisfy a different type of PO use.

Principal Planner Oranchak responded parking is determined on the type of use. She noted the applicant would have had to identify sufficient parking for an office use, when the request was initially made, staff will provide the difference in general office to medical office if it is zoned PO.

John Scott-Craig asked about the small cinder block building on the property close to the boundary on the back.

Principal Planner Oranchak explained accessory structures can be as close as five (5) feet from the property line.

Chair Scott-Craig inquired if the applicant had mentioned the possible use of the vacant property to the north.

Principal Planner Oranchak replied the applicant has not indicated a desire to remove the accessory structure.

Commissioner Jackson inquired as to the year the roundabout was constructed.

Principal Planner Oranchak stated the roundabout was constructed after the application in 2000.

Commissioner Jackson believed there is a consideration of changing conditions for this request as traffic has changed considerably in the area due to the roundabout.

Principal Planner Oranchak added the traffic has much better flow in the area because of the roundabout and travels through the area at a slower rate of speed.

Commissioner Jackson indicated consideration of the appropriateness of RC type by right development in this location should be given as opposed to development prior to the construction of the roundabout.

Commissioner Van Coevering asked staff if there was a difference in the parking requirements for office v. medical office.

Principal Planner Oranchak responded she believed straight office is 4-4.5 per 1,000 and medical office is 5-5.5 per 1000. She was unsure if the parking standards would be changed if rezoned to PO, as there is an existing medical component on site, but stated staff will evaluate parking needs at the appropriate time.

Commissioner Deits pointed out the optometrist on the northeast corner of Marsh and Hamilton was not an office use in 2000, but was a residential structure, which speaks to the change in character of the area. He spoke in general support for the rezoning while expressing concern whether the request will be conforming and, if not, whether variances would be requested. Commissioner Deits believed the rezoning request to be consistent with the status of the general area.

Chair Scott-Craig closed the public hearing at 7:35 P.M.

- B. SUP #15-14051 (Department of Parks & Recreation), request to impact the 100-year floodplain associated with replacing the Wonch Park Pavilion and portions of the internal sidewalk at 4555 Okemos Road, Okemos.

Chair Scott-Craig opened the public hearing at 7:35 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 request as outlined in the staff memorandum dated September 10, 2015.

- Applicant
Director of Parks and Recreation LuAnn Maisner offered history to date on improvements to Wonch Park and this request is to replace the current pavilion with one closer to the existing parking lot. She noted the impervious surface and cut and fill will remain the same.

Planning Commission discussion:

Commissioner Deits asked for the rationale behind demolishing the existing pavilion.

Director Maisner explained evaluation of the pavilion determined it to be in a very dilapidated condition as the current wood is rotting and the existing concrete is broken. She added this improvement was part of the 2008 Master Plan planning process.

Commissioner Jackson inquired as to why the pavilion was being constructed closer to the parking lot.

Director Maisner responded park users desired to be closer when carrying picnic items into the park.

Chair Scott-Craig asked if there was a compelling reason for requesting a decision the same night as the public hearing.

Director Maisner replied approval would allow the footings and foundation to be poured this year and then the soils testing and order of the pavilion could commence.

Commissioner Van Covering believed the proposed project to be a great addition to Wonch Park.

Chair Scott-Craig closed the public hearing at 7:42 P.M.

Commissioner DeGroff moved to amend the agenda to place SUP #15-14051 on as Agenda Item #7A-1.

Seconded by Commissioner Van Coevering.

VOICE VOTE: Motion carried unanimously.

7. Unfinished Business

A-1. SUP #15-14051 (Department of Parks & Recreation), request to impact the 100-year floodplain associated with replacing the Wonch Park Pavilion and portions of the internal sidewalk at 4555 Okemos Road, Okemos.

Commissioner Deits moved to suspend Planning Commission Bylaw 6.4a to consider Special Use Permit #15-14051 the same night as the public hearing. Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried unanimously.

Commissioner Jackson 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 #15-14051 subject to the following conditions:

- 1. Approval is subject to the revised Pavilion Layout Plan dated September 4, 2015, and the related materials submitted as part of Special Use Permit #15-14051, subject to revisions as required.**
- 2. The applicant shall obtain all permits and approvals from the Michigan Department of Environmental Quality (MDEQ) and the Township prior to any work taking place related to the project. A copy of all permits and approvals shall be provided to the Department of Community Planning & Development.**
- 3. In no case shall the impoundment capacity of the floodplain be reduced.**
- 4. Fill placed in the floodplain as part of the project shall be protected against erosion pursuant to a soil erosion permit from the Department of Public Works & Engineering.**
- 5. The applicant shall properly dispose of all excess materials from the removal of the existing pavilion and sidewalk to an upland off-site location subject to the approval of the Director of Community Planning & Development.**
- 6. The materials disposed at an off-site location shall be protected from erosion and re-seeded subject to the approval of the Director of Community Planning & Development.**

Seconded by Commissioner DeGroff.

Planning Commission discussion:

- No change in the capacity to hold water for water to flow
- Improvement to the pavilion adds to the nearby new pedestrian bridge and the new pathway within the park to make the entire area more attractive

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- A. Special Use Permit #15111 (Williams), request to work in the floodplain to construct a deck at 2568 Tekonsha

Commissioner Tenaglia 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 #15111 subject to the following conditions:

- 1. Approval is subject to the plans and application materials submitted as part of Special Use Permit #15111, subject to revisions as required.**
- 2. If required, the applicant shall obtain a soil erosion and sedimentation control permit from the Department of Public Works & Engineering prior to any work taking place**

related to the deck project. A copy of the permit shall be provided to the Department of Community Planning & Development.

- 3. In no case shall the impoundment capacity of the 100-year floodplain be reduced by the deck and stairs.**
- 4. The applicant shall properly dispose of all excess materials from the post holes and the removed sunroom to an appropriate off-site location subject to the approval of the Director of Community Planning & Development.**

Seconded by Commissioner Jackson.

Planning Commission discussion:

- Applicant has complied with all necessary requirements
- Improvement to the applicant's quality of living without further impinging on the waterflow

Commissioner Deits offered the following friendly amendment:

- **Amend the second WHEREAS clause to read: WHEREAS, a special use permit is required pursuant to Section 86-436(l)(5) of the Conservancy District of the Code of Ordinances; and**

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

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- B. Rezoning #15040 (Mayberry Homes), request for conditional rezoning of approximately 25.5 acres located on the east side of Powell Road from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family-Low Density)

Commissioner Deits 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 #15040 to rezone approximately 25.5 acres located on the east side of Powell Road, north of Grand River Avenue from RR (Rural Residential) and CR (Commercial Recreation) to RAA (Single Family Low Density) with the voluntary offer to condition the rezoning on not more than one dwelling unit per acre. Seconded by Commissioner Ianni.

Planning Commission and applicant discussion:

- Parcels are located outside of the proposed urban services management area (USMA)
- Extending sewer lines would promote adjacent upzoning to the east
- Applicant is not requesting to install sewer lines
- Rezoning is consistent with the Master Plan
- Requested soil report is more appropriate at the time the applicant presents the preliminary plat, which is the next step in the process

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

C. Rezoning #15050 (Stockwell Development Group), request to rezone two parcels totaling approximately nine acres located on the northwest corner of Grand River Avenue and Powell Road from PO (Professional and Office) to C-3 (Commercial)

Commissioner Tenaglia 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 #15050 to rezone two parcels totaling approximately nine acres located on the north side of Grand River Avenue, west of Powell Road from PO (Professional and Office) to C-2 (Commercial). Seconded by Commissioner Ianni.

Planning Commission discussion:

- Applicant has compromised from the original request
- Overabundance of PO currently exists in the Township
- Applicant is amenable to the C-2 zoning designation

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

Commissioner Deits moved to amend the agenda as follows:

- **Add Agenda Item #11 titled Adjournment**
- **Add Agenda Item #12 titled Postscript – Commissioner Deits**

Seconded by Commissioner Jackson.

VOICE VOTE: Motion carried unanimously.

D. Mixed Use Planned Unit Development #15034 (Meridian Investment Group), request to redevelop 4970 to 5030 Northwind Drive by replacing five office buildings with one mixed use building and three apartment buildings

Commissioner Ianni moved [and read into the record] NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Mixed Use Planned Unit Development (MUPUD) #15034, subject to the following conditions:

1. **The recommendation for approval is based on the Cover Sheet, Amenities Plan, and Proposed Impervious/Pervious Plan, prepared by KEBS, Inc., dated August 31, 2015; Site Rendering Plan (dated August 31, 2015) and Building Elevations (dated July 31, 2015), prepared by Progressive AE, subject to revisions as required.**
2. **MUPUD #15034 (Meridian Investment Group, LLC), a request to redevelop an existing office park and establish a mixed use planned unit development with one mixed use building and three apartment buildings, consisting of two, three, and four bedroom apartment units, with a total of 112 apartment units, plus retail space in the**

- mixed-use building, shall be contingent on the approval of Special Use Permit (SUP) #15101 (Meridian Investment Group, LLC).**
- 3. Approval is subject to one or more amenities. The applicant proposes the following amenities as identified on the Amenities Plan (Sheet 6): rehabilitation of a degraded site; site recycling of trash; foot and bicycle pathways connecting to the Township pathway system; covered bicycle storage on site; outdoor gathering resource; seating plazas visible to the street; and LED exterior lighting.**
 - 4. Waivers shall be granted for those sections of the Code of Ordinances as follows: building setbacks for Building 1 (Section 86-402(1)(b.)) and (Section 86-432(d)(3)b.); building setback for Building 2 (Section 86-432(d)(3)c.); parking area and recycling center setbacks (Section 86-756(14)); and number of parking spaces (Section 86-755).**
 - 5. Any future building additions or expansions to the buildings will require modification to the MUPUD #15034 and SUP #15101.**
 - 6. Building materials should respect the preferences of the MUPUD ordinance which include, but are not limited to, wood, brick, clapboards, glass, and stone. Other materials, such as vinyl, aluminum, and other metals should be avoided. The character and quality of the building materials and general architectural design of the buildings shall be consistent on all four sides of each building.**
 - 7. The final building elevations and building materials shall be subject to the approval of the Director of Community Planning and Development.**
 - 8. Apartments may be occupied by a family or no more than two unrelated persons may occupy the two bedroom units, no more than three unrelated persons may occupy the three bedroom units, and no more than four unrelated persons may occupy the four bedroom units.**
 - 9. The applicant shall apply for and receive all applicable variances from the Zoning Board of Appeals.**
 - 10. All utility service distribution lines should be installed underground.**
 - 11. The final design of the two recycling enclosures shall be subject to the approval of the Director of Community Planning and Development.**
 - 12. Site accessories such as railings, benches, trash and recycling receptacles, exterior lighting fixtures, and bicycle racks shall be of commercial quality, and complement the building design and style. Final design and location shall be subject to the approval of the Director of Community Planning and Development.**
 - 13. Landscaping shall generally comply with the provisions of the Code of Ordinances, including the mixed use planned unit development standards as outlined in Section 86-440(f)(4) and other applicable sections of the Ordinance pertaining to landscaping.**
 - 14. Site and building lighting shall comply with Article VII in Chapter 38 of the Code of Ordinances and shall be subject to the approval of the Director of Community Planning**

- and Development, including the height of any new parking lot light pole.**
- 15. A final sign program shall be submitted as part of site plan review and shall be subject to the review and approval of the Director of Community Planning and Development.**
 - 16. All mechanical, heating, ventilation, air conditioning, and similar systems shall be screened from view by an opaque structure or landscape material (if at street level) selected to complement the building. Such screening is subject to approval by the Director of Community Planning and Development.**
 - 17. The applicant shall combine the three parcels into one tax parcel.**
 - 18. The applicant shall obtain all necessary permits, licenses, and approvals from the Michigan Department of Transportation and the Township. Copies of all permits and approval letters shall be submitted to the Department of Community Planning and Development.**
 - 19. The utility, grading, and storm drainage plans for the site shall be subject to the approval of the Director of Public Works and Engineering and shall be completed in accordance with the Township Engineering Design and Construction Standards.**
 - 20. A copy of the site plan information that exists in a computer format for the development project and construction plans shall be provided to the Township Engineering staff in an AutoCAD compatible format.**

Seconded by Commissioner Tenaglia.

Planning Commission discussion:

- Applicant has attempted to address Planning Commission concerns
- Applicant has reduced the impervious surface to below the maximum allowed in PO and C-2
- Applicant has connected the project with other nearby commercial areas to make it more walkable
- Applicant has increased the number of covered bicycle spaces
- Condition regarding unrelated occupants was included as the standards for all multiple family districts isn't followed for MUPUDs and they do not carry through to MUPUDs
- Multi-family language speaks to no more than three (3) unrelated persons in one (1) unit
- Staff modifies the occupancy based on the design of each project before the Township

Commissioner Jackson offered the following friendly amendment:

- **Amend the first sentence in condition #6 by deleting "should" and inserting "shall"**

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

Commissioner Van Coevering offered the following friendly amendment:

- **Amend the first sentence in condition #6 by deleting "respect" and inserting "be consistent with"**

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

Commissioner DeGroff offered the following friendly amendment:

- **Amend the second sentence in condition #6 by deleting “should” and inserting “shall”**

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

Continued Planning Commission and applicant discussion:

- Units are being marketed as apartments, not beds
- There are no one bedroom apartments in the development
- Applicant’s traffic consultant is working with the Michigan Department of Transportation (MDOT) and Meridian Township’s traffic consultant
- Concern the date of the traffic study in May was not when students were attending Michigan State University with a full class load and is not accurate
- Traffic numbers obtained from the traffic study have been accepted by MDOT and the Township’s traffic consultant
- Onsite stormwater treatment system is private
- Applicant will be required to treat the first inch of stormwater onsite
- Planning Commissioner belief a site next to the river should be particularly protected
- Appreciation that the applicant has reduced the impervious surface below acceptable Township standards

Commissioner Cordill offered the following friendly amendment:

- **Amend condition #6 by adding “exterior” in front of “building materials” in 1st and 2nd sentence.**

The friendly amendment was accepted by the maker of the main motion.

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

- E. Special Use Permit #15121 (Meridian Investment Group), request for a group of buildings greater than 25,000 square feet in gross floor area at 4970 to 5030 Northwind Drive

Commissioner Cordill moved [and read into the record] NOW THEREFORE BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Special Use Permit #15121 (Meridian Investment Group) for a group of four buildings totaling more than 25,000 square feet in gross floor area subject to the following conditions:

1. **Approval of the special use permit is recommended in accordance with Cover Sheet, prepared by KEBS, Inc., dated August 31, 2015 and Building Elevations prepared by Progressive AE, dated July 31, 2015, subject to revisions as required.**
2. **Special Use Permit #15121 is subject to all conditions placed on Mixed Use Planned Unit Development #15034 (Meridian Investment Group, LLC) by the Township.**
3. **The gross square feet of all buildings on the site shall not exceed 125,000 square feet unless the applicant applies for and receives an amendment to Special Use Permit #15121 (Meridian Investment Group, LLC).**

Seconded by Commissioner Jackson.

Planning Commission discussion:

- SUP allows for buildings which total more than 25,000 square feet
- Buildings total 41 feet less than the 125,000 square feet requested to allow for marginal “breathing room”

ROLL CALL VOTE: YEAS: Commissioners Cordill, DeGroff, Deits, Honicky, Ianni, Jackson, Tenaglia, Van Coevering, Chair Scott-Craig

NAYS: None

Motion carried unanimously.

[Chair Scott-Craig recessed the meeting at 8:37 P.M.]

[Chair Scott-Craig reconvened the meeting at 8:44 P.M.]

- F. Zoning Amendment #14010 (Township Board), request to amend the zoning ordinance to establish definitions and standards for the medical use of marihuana
Chair Scott-Craig offered a brief history of this zoning amendment to date.

Planning Commission discussion:

- Planning Commission must either make a recommendation to the Board to approve or deny with rationale for denial
- Definitions of medical marihuana home occupation, primary caregiver, inclusion of a medical marihuana caregiver as a home occupation
- Definition of a medical marihuana caregiver grower and transfer facility as a permitted conditional use in commercial designations
- Last time this issue was before the Planning Commission was February, 2014 when there was regulatory uncertainty at the state level
- Planning Commissioner preference for the Board not to take up this issue
- Protection of children was not within the purview of the Michigan Medical Marihuana Act (MMMA)
- Ordinance does not contain protections for children with regards to various locations (e.g., recreational parks and daycare) and second hand marihuana smoke
- Planning Commissioner belief second hand marihuana smoke has all the negative consequences of second hand cigarette smoke
- Many of the popular opinion statements are not factually correct
- Statement by the American Academy of Pediatrics there are “compassionate use” cases for use of medical marihuana by children who have uncontrollable seizures
- State legislature and US Congress may make edible forms of marihuana part of medical marihuana legislation which would allow patients to use medical marihuana without smoking it
- Planning Commissioner belief there is a need for Congress to reclassify medical marihuana from a schedule one to a schedule two drug so that it can be studied to determine if medical marihuana is an acceptable substitute for children
- Planning Commissioner belief the zoning amendment is flawed because the MMMA is flawed as there are no protections for children
- Concern with no limit in the number of caregivers in one home
- Concern with limiting the signage to only medical marihuana caregiver establishments and not all home businesses
- Proposed ordinance does not regulate the use of medical marihuana in Meridian Township

- Proposed ordinance regulates where medical marihuana can be grown
- Prohibiting/regulating second hand medical marihuana smoke is beyond the purview of the Planning Commission
- Concern the zoning amendment is arbitrary in limiting the distance of growing medical marihuana from K-12 schools but is silent on distance from pre-schools, day cares and parks
- Reminder that while the MMMA may be flawed, it is state law and the question is how the Township chooses to address that law
- Denying the zoning amendment does not deal with the issue
- MMMA was enacted by voter referendum through the ballot process which does not receive the same “refinement” as a legislative initiative which progresses through the process prior to enactment
- If the Township passes some form of a zoning amendment and the legislature acts differently on the medical marihuana issue, state statute will control
- Planning Commissioner preference for the Township to address this issue
- Security for dispensing a schedule one drug in pharmacies v. medical marihuana growing facilities
- Based on current state law, the only way the Township has influence in how medical marihuana is used within the community is through land use regulations associated with home occupations
- Ordinance is the only context in which the Township has an impact on how medical marihuana is brought into the community
- Township does not yet have regulations to effect the impact of medical marihuana use relative to schools, pre-schools, day care and parks
- Proposed ordinance is better than nothing in influencing how medical marihuana is used within the community
- Planning Commission does not have the ability to rewrite/amend the zoning amendment
- Township Board has the option to change the language in the zoning amendment based on rationale for denial given by the Planning Commission
- Rationale for denial:
 - Potential for expensive litigation
 - Legislative landscape on this issue is likely to change
 - Elements of the document such as restrictions in location and signage require revision
 - Concern there is no land use restriction for a medical marihuana growing facility in a home next to a K-12 school
- Preference to hear from the Township’s Police Department if there is evidence of the type of misuse of medical marihuana that the Township is attempting to prevent with this zoning amendment
- One feature of an ordinance is if there is an established need for it
- Board was concerned with recent armed home invasions where medical marihuana was grown
- Township Board felt an amendment to the home occupation ordinance would allow the neighboring members of the community a vehicle to call in potential violations to the police department
- Security of a facility where medical marihuana is grown is regulated at the state level
- Inquiry if the Township Board has been apprised of the Township attorney’s comments on the proposed ordinance
- Board members will receive the attorney’s comments when the zoning amendment comes back before it
- Planning Commission is grappling with the process
- MMMA does not grant an affirmative right but offers a defense in the event there is

- prosecution of a crime
- Board member belief home invasion (crime) follows medical marihuana growth as there is value in medical marihuana
- One parameter for medical marihuana security is “in an enclosed locked facility”
- Type of security for a medical marihuana growing facility is much different than at a pharmacy
- Planning Commissioner preference for the 1,000 foot restriction to include K-12 schools, state recognized day cares and recreational parks
- Offering a 1,000 foot requirement for a variety of places (schools, recreational parks and day cares) could have the effect of precluding medical marihuana growing and location of transfer facilities anywhere within the Township
- Concern the 1,000 foot requirement may prohibit the growers from doing what the state has enabled them to do
- Use means the caregivers use which is a location to grow and distribute
- Confusion is inherent in the way the definitions are written in the zoning amendment

It was the consensus of the Planning Commission to direct staff to prepare a resolution to deny the proposed zoning amendment, outlining the list of objections as discussed.

8. Other Business (None)

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

Commissioner Van Coevering announced a community forum will be held on Sept. 24th at 7:00 PM at Faith Lutheran Church, 4515 Dobie Road, on the topic of Race, Ethnicity and Culture. Additional information can be found at www.faithlutheranokemos.org.

Commissioner Tenaglia reported her attendance at the most recent Economic Development Corporation (EDC) meeting where she shared information on issues before the Planning Commission.

Commissioner Deits reported his attendance at this morning’s Downtown Development Authority (DDA) meeting where the development of land which formerly housed the central fire station/MARC building was discussed. He noted the proposed project will include a restaurant and an apartment building, and the developer is being given a time certain for construction of the residential component. Commissioner Deits spoke to the success of the 2015 downtown Okemos event, adding many hours of parks and recreation staff time went into ensuring its success. He indicated there was adamancy iterated that staff would not participate to such a degree in an Okemos only event next year and talk ensued over this event being relocated and becoming an annual Meridian Township event. Commissioner Deits noted that, to that end, there will be a special DDA meeting on Monday, October 5th at 7:30 AM to address this issue.

A. Future Projects/New Applications

B. Update of Ongoing Projects

i. Site Plans Received

1. Site Plan Review #15-07 (Campus Village Development), develop a mixed use planned unit development, the Square on Grand River (formerly The Avenue), consisting of existing and new buildings at 2655 Grand River

ii. Site Plans Approved - NONE

10. Public remarks

Chair Scott-Craig opened and closed public remarks.

11. Adjournment

Chair Scott-Craig adjourned the regular meeting at 9:34 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary