

DELHI CHARTER TOWNSHIP
PLANNING COMMISSION
May 14, 2007

MEMBERS PRESENT: Grinnell, Craig, Smith, Leaf, O'Hara, Hettinger, Donaldson,
Hayhoe

MEMBERS ABSENT: Goodall

STAFF PRESENT: Miller, Stepp

Chairperson Grinnell opened the meeting at 7:00 PM

AMENDMENTS TO THE AGENDA

The agenda was amended to move item 8, Public Hearing on Zoning Ordinance Text Amendments, after item 10, Request to Grant Extension of Final Site Plan Approval for Bonner-Schall.

APPROVAL OF APRIL 23RD, 2007 MEETING MINUTES

Donaldson Moved, Leaf Supported, to approve the April 23, 2007 meeting minutes as presented.

MOTION CARRIED

Public Comment (Non-Agenda Items)

None

2008 Capital Improvements Plan

Staff provided information to the PC about the 2008 Capital Improvements Plan and the process for acceptance.

Commissioner O'Hara questioned the expected development in Section 30 of the Township and asked how this might impact the area in excess of what the Future Land Use Map indicates.

Ms. Miller replied that one of the main objectives is to allow the POTW access to public water. She explained that the Evergreen Village development will be a very large contributor to the extension of public water toward the POTW.

Commissioner O'Hara stated that the concern of the PC is to the south of the POTW. He said that the Township needs to understand the impact the presence of public water will have on the possible development of that southern area of the township.

Public Hearing Opened at 7:16 PM

No Comment

Public Hearing Closed at 7:16 PM

Commissioner Smith moved, Donaldson supported, to recommend to the Township Board acceptance of the 2008-2013 Capital Improvements Plan with the modification that the General Fund expense for the re-roof of the Community Service Center be increased to \$300,000, based on it being consistent with the goals and objectives for development outlined in the Delhi Township Master Plan.

ROLL CALL VOTE:

Aye: Craig, Donaldson, Grinnell, Hayhoe, Hettinger, Leaf, O'Hara, Smith

Nay: None

Absent: Goodall

MOTION CARRIED

Rezoning Case 07-821, Wigman Road and Holt Road (33-25-05-13-377-004), DTN

Ms. Miller explained that the subject property is commonly identified as part of the Aspen Lakes development and that it is owned by the same company, however, it was not part of original Planned Unit Development. Ms. Miller noted there had been significant discussion at that time regarding the land. She explained that at that time commercial services were identified as an important part of the overall development of the area. Ms. Miller stated that the residents and offices/industrial developments will also need some services in that area as well. She indicated that the proposed rezoning to C-2 represents good transitional land use and planning.

Roger Dean, DTN Development, applicant for the case, provided information regarding the types of users that his company anticipates will fill the proposed commercial area. Mr. Dean included a convenience store and bank with drive-thru service as possible businesses, which are the main reason for the rezoning request.

Commissioner O'Hara asked how much of the original Aspen Lakes development is presently completed.

Mr. Dean responded that there are 4 more apartment buildings that are approved, but do not have permits (building) currently pulled and 2 more buildings under construction.

Ms. Miller clarified that only one phase of the development still needed site plan approval.

Commissioner O'Hara expressed his surprise that there had not been commercial activity in the said area already. He stated that it is "neighborhood commercial" uses that are encouraged to be in that area.

Public Hearing Opened at 7:35 PM

Donna Germain, 2061 College Road, has no opposition to the current C-1 uses but is opposed to any of the uses permitted in C-2 by Special Use Permit based on them adding to existing traffic problems.

Public Hearing Closed at 7:37 PM

Commissioner O'Hara moved, Leaf supported, to recommend to the Township Board, approval of Case 07-821 to rezone 3.11 acres at the northeast corner of Wigman Road and Holt Road (33-25-05-13-377-004) from C-1, Low Impact Commercial to C-2, General Business, based on being consistent with purpose and intent of the Zoning Ordinance, being compatible with existing and anticipated development in the area, pursuant to the Master Plan, representing good planning based on transitional land uses, and the conditions presented in the staff report dated April 23, 2007.

ROLL CALL VOTE:

Aye: Craig, Donaldson, Grinnell, Hayhoe, Hettinger, Leaf, O'Hara, Smith

Nay: None

Absent: Goodall

MOTION CARRIED

Final Site Plan Approval for Riverview Church, 3585 Willoughby Road

Ms. Miller introduced the project and explained the planned addition, including the "Future addition", that is being proposed. She discussed the additional parking being provided and the situation with the sidewalk postponement that has been requested for the sidewalk that would normally be required along Willoughby Road. The existing Special Use Permit for the church use was discussed and it was determined that the proposed addition was in compliance.

There was discussion about a second SUP that was for the temporary trailer that is currently located on the west side of the property and whether or not it had already expired.

Jamerson Reis, Kebs Engineering, 2116 Haslett Road, addressed the PC and provided additional information about the sidewalk and his understanding of the situation regarding the temporary

trailer, in that it would remain until the SUP expired (throughout construction), but would then be removed from the property.

Commissioner Donaldson asked why there are not south entry barrier free parking spaces and why the proposed parking lot light poles are going to be thirty (30) feet tall.

Jeff Parker, Jeffery Parker Architects, 855 28th Street, Grand Rapids, replied that there is barrier free parking at other entrances. He explained that because there is a drop off lane where cars are able to queue on the south side of the building the barrier free parking was located with functionality in mind so people will not have to cross traffic to get to the main entrance of the church. He also indicated that the proposed light poles are consistent with what is currently on site.

Ms. Miller indicated that the height of the light poles is not so much the issue as what the site's photometrics demonstrate and that at no point on the site will the light going off site exceed 1.6 foot-candles, which is very low and in conformance to the Zoning Ordinance.

Commissioner Donaldson stated that he would like to see the barrier free parking spaces located throughout the parking area. He also stated that the light poles will be too high so that future homes on adjacent properties will see the tops of the light poles from their second story windows therefore he would like to see the poles a maximum of 25' tall.

Commissioner Hettinger stated that he felt this was arbitrary and the pole height should be consistent on site.

Mr. Parker stated that the shorter light poles would result in more light fixtures and poles, not less light.

Donna Germain, 2061 College Road, asked about the installation of a traffic light at the intersection of College and Willoughby Roads. She indicated that she feels there is a tremendous amount of traffic there at certain times of day. She also stated that during the original construction she felt that ground water was diverted from this site east on Willoughby Road to empty into the creek at College Road. She expressed concern that the ground water displaced by the addition would flood out people in Aliedon Township.

Ms. Miller stated that the Ingham County Road Commission had reviewed and approved the plans and that traffic lights are not put into place by the Township and that certain warrants must be met before the Road Commission would install a light. Additionally, Ms. Miller stated that the Ingham County Drain Commissioner has reviewed and approved the plans.

Mr. Ries clarified that the rate of flow for stormwater is required to remain the same for the site.

Donaldson moved, Smith seconded to approve the Final Site Plan submitted by Riverview Church at 3585 Willoughby Road (33-25-05-13-200-006) based on meeting the Zoning Ordinance requirements for Site Plan Review pursuant to Section 3.3 for an Institutional Use in the A-1 Agricultural zoning district with an approved SUP for the construction of a church structure, with the condition listed below:

- 1. The Township Board authorizes postponement of sidewalk construction pursuant to Ordinance 91 or the site plan must be modified to show sidewalk along Willoughby Road and the said sidewalk must be constructed.**
- 2. The barrier free parking must be relocated from the west side of the addition to the south side of the site.**
- 3. That the Special Use Permit for the temporary structure be reviewed by staff to verify its status and that the site plan be brought into conformance with it as necessary and determined by the Director.**

Discussion NONE

VOICE VOTE Unanimous

Bonner-Shall Final Site Plan Approval – Time Extension

Ms. Miller indicated that due to current market conditions construction on the previously approved site plan has not started. The company has formally requested a 1 year extension of their original approval pursuant to Article 3 of the Zoning Ordinance.

Leaf moved, Hayhoe seconded to extend the Site Plan approval for Bonner-Schall LLC at 2600 Eaton Rapids Road (33-25-05-07-352-008) until May 22, 2008.

ROLL CALL VOTE:

Aye: Craig, Donaldson, Grinnell, Hayhoe, Hettinger, Leaf, O'Hara, Smith
Nay: None
Absent: Goodall

MOTION CARRIED

Zoning Ordinance Text Amendments; Case 07-822 through 07-839

Ms. Miller provided a brief summary of the proposed changes for each case, indicating that the PC has reviewed and considered these amendments on previous occasions. She provided additional information relative to Case 07-839 and staff recommendation to change the requirement for a Special Use Permit to buildings over 50,000 SQ FT in size.

Public Hearing Opened at 8:54 p.m.

Renee Sumerix, 2616 Frank Street, addressed the PC and provided many comments and suggestions on the specific wording and changes outlined in Cases 07-822, 07-824, 07-826, 07-829, 07-832, 07-834 and 07-839. She emphasized that she believed that the language allowing the appeal of Site Plans to the Zoning Board of Appeals should remain in the Ordinance.

Ms. Miller provided some additional information about the Michigan Zoning Enabling Act and the modifications that are required in order to conform to this new legislation, the cases recently heard by the Zoning Board of Appeals and their impact on the proposed amendments and stated that the removal of the appeals section in Article 3 was at the recommendation of the Township Attorney.

Public Hearing closed at 9:25 p.m.

Smith moved, Donaldson seconded to recommend approval to the Township Board the proposed Delhi Township Zoning Ordinance text amendments for cases 07-823, 07-825, 07-827, 07-830, 07-831, 07-833 through 07-838 which provide for a variety of changes deemed necessary for compliance with the new Michigan Zoning Enabling Act and those necessary to accommodate the continued effectiveness of the Ordinance.

Discussion NONE

ROLL CALL VOTE:

Aye: Craig, Donaldson, Grinnell, Hayhoe, Hettinger, Leaf, O'Hara, Smith
Nay: None
Absent: Goodall

MOTION CARRIED

Commissioner Smith moved, and Donaldson supported, to postpone action on the remaining Zoning Ordinance text amendment cases to review public comment and propose changes, if appropriate.

Discussion

Leaf stated the PC should give Ms. Miller direction on what they would like to see for Case # 07-839. There was agreement among the Planning Commission members that 50,000 SQ FT is acceptable and that the Section in question should refer to all buildings and not just retail buildings.

ROLL CALL VOTE:

Aye: Craig, Donaldson, Grinnell, Hayhoe, Hettinger, Leaf, O'Hara, Smith
Nay: None
Absent: Goodall

MOTION CARRIED

Meeting Adjourned at 9:35 PM

Respectfully Submitted,

Norm Hettinger
Secretary