

DELHI CHARTER TOWNSHIP
PLANNING COMMISSION
SEPTEMBER 24TH, 2007

MEMBERS PRESENT: Craig, Donaldson, Goodall, Grinnell, Hayhoe, Hettinger, Leaf, O'Hara,
Smith
MEMBERS ABSENT: None
STAFF PRESENT: Miller, Stepp

Chairperson Grinnell opened the meeting at 7:00 p.m.

APPROVAL OF SEPTEMBER 10TH, 2007 MEETING MINUTES

Smith moved, Donaldson supported to approve the September 10th, 2007 meeting minutes as presented.

MOTION CARRIED

Public Comment (Non-Agenda Items): None

Renee Sumerix, 2616 Frank Street, presented a form from Meridian Township to the Planning Commission (PC). She suggested the PC utilize a similar form to accept non-verbal public comment.

There was brief discussion regarding the form that Ms. Sumerix presented.

Final Site Plan Approval, Dart Container Corporation, 2148 Depot Street (33-25-05-)

Ms. Miller addressed the PC and explained that this location will be used primarily for the print service operation. Ms. Miller informed the PC that this project required additional land be acquired and she gave a brief summary of the relevant characteristics of the site that required outside agencies approval. Ms. Miller discussed the approval to use the existing drive as well discussed the plans conformity to main requirements such as parking, dumpster enclosures, lighting and a greenbelt. She stated that the Township Board authorized an amendment to the existing sidewalk postponement to include this facility. Ms. Miller continued by explaining that the site has been approved by the Ingham County Drain Commissioner (ICDC) and that the use of the site meets the requirements of the Zoning Ordinance (ZO). She also informed the PC that the Downtown Development Authority (DDA) also has a project proposed for this same area. Ms. Miller stated that staff recommends approval of the final site plan.

Commissioner Donaldson inquired about shielding light fixtures. Ms. Miller stated that a condition for this will be added to the motion.

Commissioner Smith asked if the parking lots were connected.

The applicants, Brian Worgess, Dart Container Corporation and Paul Furtaw, Ledy Design, addressed the PC and stated that the parking lots are not connected.

Commissioner O'Hara asked when the DDA will be starting with their project. Al McFadyen, Executive Director of the DDA, stated that it will be a 2008 project and that final design is almost complete. Commissioner O'Hara clarified that the site plan was approved by the ICDC without including the DDA's project. Mr. Furtaw confirmed that it is.

Smith moved, Leaf supported to approve the Final Site Plan (Plan revision date of August 17, 2007) submitted for an addition to the Dart Print Services Building, 2148 Depot Street (33-25-05-14-428-015) based on meeting the Zoning Ordinance requirements for Site Plan Review pursuant to Section 3.3 for a manufacturing facility operated in the IM, Industrial Manufacturing zoning district with the one (1) following condition;

1. All new lights must be of the shielded type acceptable to the Director of Community Development.

ROLL CALL VOTE:

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

MOTION CARRIED

Amendments to the Delhi Charter Township Master Plan

Ms. Miller recapped the last PC meeting's discussion regarding the adoption of the Master Plan and stated that the Township has not received any comment from other agencies or from the public. Ms. Miller briefly described the corrections that were made as a result of suggestions from the PC at the last meeting and stated that staff recommends adoption of the Master Plan.

Public Comment:

Marsha Bowers, 4626 Krental Ave stated that thousands of dollars were spent by the Township to identify where high density residential areas should be and the Master Plan should reflect this.

Renee Sumerix, 2616 Frank Street, said that before the Master Plan can be formally adopted it must be presented to the Township Board per page 78. She stated that the approval does rest with the PC but the Township Board must look at it first.

Smith moved, Hayhoe supported to adopt the Planning Commission Resolution entitled, "A Resolution to Approve Amendments to the Delhi Charter Township Comprehensive Development Plan to be Known as the 2007 Master Plan"

Discussion

Commissioner Donaldson stated that the only comments from public were in regards to section 14 and he discussed the history of this area and the general desires of the community over the years. He stated that leaving it as Commercial does not make good planning sense.

ROLL CALL VOTE:

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

MOTION CARRIED

**Public Hearing Zoning Case 07-840, 2363 Cedar Street (33-25-05-15-201-016) from RM-1:
Multi-Family Residential to RM: Multi-Family Residential**

Public Hearing Opened at 7:27 p.m.

Ms. Miller discussed the changes in the ZO that have affected the RM and RM-1 districts and explained the main differences between the two. She walked the PC through the exhibit maps and explained how the land use categories were taken into consideration and what is consistent with surrounding properties as well as how it fits into the Master Plan. Ms. Miller continued by recapping the sites characteristics and stated that the site meets many of the suggested requirements to be a suitable location for high density residential such as having access to a primary roadway, the availability of public transportation, public infrastructure for future development and being located nearby services that are necessary for daily life.

Commissioner Hettinger wondered if a traffic signal will be installed and if this is still part of the proposed development. Ms. Miller replied that it is still proposed and it is budgeted for.

There was general discussion regarding access points and easements for this site.

Public Comment:

Renee Sumerix, 2616 Frank Street, addressed the PC and said that she read in the Holt Community News that the developer will wait until the property is rezoned to go ahead with a project. She said that the DDA has entered into a loan agreement for sewer costs for this property as well. Ms. Sumerix stated that she had secured 24 signatures that opposed this rezoning and continued by saying that it is improper to recommend this to the Township Board until the Master Plan as been formally adopted as well. Ms. Sumerix also stated the she discussed the traffic light with the ICRC and that it is not in the budget.

Commissioner Leaf stated that signatures without explanations are not of help at this point and expressed that he was confused by what the residents wanted for this property. He elaborated in regards to past rezoning efforts such as the attempt to rezone it to a Commercial district and stated that the residents didn't want that either.

Ms. Sumerix replied that what Commissioner Leaf was referring to was about a "Big Box" store and the impact that type of development would have had such as lighting and traffic, not overall Commercial use. She said that other commercial use would have been acceptable there.

Commissioner Smith wondered if the property was ever zoned commercial and if not why would a site plan have been submitted for a specific development. Chairperson Grinnell stated that a site plan was never given to the PC. Commissioner Leaf and others confirmed that was accurate.

Kim Visscher, 4786 Furney Street, Vice President of the Delhi Township Neighborhood Association (DTNA), stated that they were against a Walmart in the area but a low impact commercial use would be fine.

Marilyn Bashore, 2375 Main Street, explained that they tried to stop the huge store that was proposed because of lighting concerns and the affect it would have on small local businesses. She continued by stating they knew the property was shown to be commercial on the Master Plan and they had always expected it to be that.

Marsha Bowers, 4626 Krental, said that she was also part of DTNA and they took the position of wanting Low-Impact Commercial. She stated that the rezoning should be tabled until the Township Board can review the Master Plan.

Rita Mooney, 2385 Cedar Park Drive, Delhi Stratford Place Manager addressed the PC. She said that she was speaking on behalf of the residents because many are unable to come to the PC meetings. She explained that the residents of Delhi Stratford Place are concerned with the type of neighborhood that will be a result of this low-income apartment development. Ms. Mooney said the residents are worried about their safety and request that some type of fencing be installed to separate the neighborhoods.

Fred Bareis, 2400 Main Street, said that he was a neighbor that was opposed to the Walmart store in the past but he is not opposed to low impact commercial for the property. He explained that it is not good planning to put low income housing next to the senior residents in Delhi Stratford Place or the other residents in the Township. He stated that this type of development will be a hardship on Delhi Police and Fire departments.

Ms. Miller stated that written support was given for this rezoning from Joda Wallace, 2342 Wemple, Apt. 6. Chairperson Grinnell read the letter aloud.

Public Hearing Closed at 7:50 p.m.

O'Hara moved, Hayhoe supported to recommend to the Township Board approval of Rezoning Case 07-840 to rezone 7.64 acres of property located at 2363 Cedar Street (33-25-05-15-201-010) from RM-1: Multiple Family to RM: Multiple Family based on the following considerations:

- 1. The property must be rezoned to something other than RM-1 due to the 1999 & 2000 amendments to the ZO and the recent demolition of the mobile home park.**
- 2. The RM zoning district is consistent with the past and anticipated future use of the property and provides for a "by right" density that is similar to what is permitted in the adjacent residential areas and up to 12 units per acre with the additional protection to the Township of an approved Special Use Permit.**
- 3. The principals of transitional land use planning are recognized and implemented by reducing intensity of land uses from Cedar Street (Commercial) to multi-family residential to high-density residential in the area.**

4. **The property is of a shape and size that would make it very difficult to use for commercial or single/two family residential land uses because it is relatively long and narrow.**
5. **It is important to plan for high density and multi-family land uses in areas where there is appropriate infrastructure and public services. All utilities, public transportation and emergency services are readily available at the property. The Holt School District is able to accommodate any future new students that may result from development.**
6. **The site is located nearby those services and resources that are necessary for daily living.**
7. **The site has frontage and access on a primary roadway within the Township.**
8. **The property is shown as High-Density Residential on the Future Land Use Map within the 2007 Master Plan which can be implemented by the RM zoning district.**

Discussion

Commissioner O'Hara stated that this parcel has been a difficulty for seven (7) years and the property must be rezoned and an action must be taken. He explained that based upon good sound planning principals and public input, RM is the highest and best use of this land when political complications and history are taken into account.

Commissioner Smith expressed that residents who live in apartment communities should not be degraded. Commissioner Hettinger agreed and stated that people with lower incomes should be given a chance to get into a good community and school system like Delhi Township's.

Commissioner Donaldson explained that he remembered hearing from the residents that no type of commercial use would be acceptable. He stated that small businesses in that area are already failing when they are not located directly on Cedar Street. He stated that the Township needs to plan for all types of housing and for all levels of income. He also said that this type of development will increase density enough to allow ICRC to consider putting in the traffic light that so many residents want for that location.

Trustee Hayhoe explained that not everyone can afford large properties out in the country and everyone should have a chance to live in the Township.

ROLL CALL VOTE:

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

MOTION CARRIED

Potential Zoning Ordinance Amendments

1. Clarification of which zoning district Gas Stations will be Permitted and How

Ms. Miller explained that after a long Zoning Board of Appeals (ZBA) meeting, it was determined that the ZO was unclear when it came to gas stations in the C-2 and C-3 districts. She stated that staff needs direction from the PC on this matter. Ms. Miller said that Exhibit C of the staff report is a proposed amendment that was prepared.

There was general discussion regarding whether fuel sales would be allowed by right in C-2 and / or C-3 and what types of activity and repair work would require an SUP.

Commissioner O'Hara stated he does not want to see gas stations on all C-2 properties within the Township and does not support allowing fuel sales in C-2. He explained that historically it was not intended to allow fuel sales in C-2. Ms. Miller replied that she understood and clarified that fuel sales would still be permitted by right in C-3. Commissioner O'Hara agreed and stated that any repair or servicing would require and SUP in C-3.

Commissioner Smith stated that we would like to see the word Fuel rather than gasoline used and that fuel stations should be allowed in both C-2 and C-3 with an SUP.

Commissioner Donaldson stated definitions need to be added to the ZO and historical and regional research in regards to where other communities allow fuel stations would be helpful. He suggested the fuel stations be allowed in both C-2 and C-3 with an SUP and that the conditions of the SUP in C-2 may be restrictive than in C-3.

Commissioner Leaf stated that residents should be provided services close to where they live.

Commissioner Hettinger said that fuel stations should only be allowed with an SUP in both districts.

2.) Section 5.7.8 (2)(b) regarding carports in the RM district.

Ms. Miller explained that the ZO requires at least one carport per dwelling unit when there are at least six(6) units. She explained that there has been discussion in the past about whether this was reasonable or not.

Commissioner Smith stated that the Carport requirement should be taken out because if residents want a carport they'll choose to live in apartments that provide carports.

After discussion the PC decided to take out the requirement for carports in the RM district.

3.) Side yard and rear yard setbacks in A-1 zone for properties 1 acre in size or less.

Ms. Miller stated that the ZO currently requires all structures to be setback 16 feet from the side property line in the A-1 district. She explained that many variances over the past year have been granted regarding this requirement for accessory buildings. Ms. Miller said that in R1-A, which has a minimum lot size of one (1) acre, the setback to the side property line is three (3) feet.

General Discussion arose regarding setback requirements for the A-1 district and it was determined to allow a reduction in the current 16 feet setback requirement for parcels that are one (1) acre or less. Minimums and limitations were suggested in regards to building sizes as well.

4.) SUP Provisions in C-1 district for Veterinary Clinics

There was general discussion regarding the recent SUP for the Holt Veterinary Clinic and the consequences that resulted from the 2005 Amendments to the ZO. The PC decided that Veterinary Clinics without a dog run or kennel would be permitted by right and Veterinary Clinics with dog runs would have to secure an SUP.

5.)SUP Plan Requirement Changes

Commissioner Donaldson suggested a revision to the SUP requirements in the ZO. He stated that preliminary plans of the building should be required at time of the SUP application. He explained that Mason currently requires this and that it is a good idea.

Commissioner Leaf suggested that Commissioner Donaldson provide staff with an example of Masons to consider. Ms. Miller replied that the reason the SUP application and Site Plan Application are separate is that plans cost a lot of money and if the SUP isn't approved the applicant spent more money than what is reasonable.

General Discussion

General discussion arose regarding non-verbal communication methods that are available for the public and it was decided that the PC is receiving communication fine through staff and through public comment already. Commissioner Leaf stated that staff is accessible and notifications are abundant and that adequate measures are already in place.

DDA report was given by Commissioner Smith. Highlights were that the DDA approved the contract for the reconstruction of streets in Cedar Heights, and that Street Lights for Holt Road will be installed. Also the DDA will lease a building to the Food Bank to use as storage.

Meeting Adjourned 9:28 p.m.

Respectfully Submitted,

Norm Hettinger
Secretary