

DELHI CHARTER TOWNSHIP  
PLANNING COMMISSION  
NOVEMBER 13, 2007

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

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

Pledge of Allegiance

**Amendments to Agenda:** None

**APPROVAL OF OCTOBER 22<sup>ND</sup>, 2007 MEETING MINUTES**

Goodall moved, Leaf supported to approve the October 22<sup>nd</sup>, 2007 meeting minutes as presented.

**MOTION CARRIED**

**Public Comment (Non-Agenda Items):** None

**Public Hearing: Case 07-844, Rezoning of 2027 Cedar Street from C-3: Highway Service to TC: Town Center (33-25-05-14-376-031)**

Ms. Miller addressed the Planning Commission (PC) and explained the location of the property. She highlighted that the property is being sold and the mortgage company has indicated that they will not provide a loan on a legal non-conforming property. Residential use is not permitted in the C-3: Highway Service district. Ms. Miller explained that this site has been used as residential in the past and is a legal non-conforming use. She finished by stating that staff recommends approval of the rezoning because the property is within the area planned for "Community Activity Center" in the Master Plan and that the TC district will provide a good transitional land use pattern between the commercial corridor of Cedar Street and the nearby residential land uses. Additionally, the property to the immediate south is currently zoned TC.

Commissioner Leaf asked if there were discussions regarding future use other than residential. Ms. Miller replied that at this time, no such discussions have taken place with the owner, but that all uses allowed in TC: Town Center in the Zoning Ordinance (ZO) would be permitted.

Commissioner Leaf wondered if there was a reason why this property was zoned C-3 in the first place, and brief discussion arose regarding the topic. Ms. Miller stated that after some research through minutes and other documents, it appeared to be part of a general "overhaul" of the ZO in approximately the 1970's. No substantial reason was remembered by the PC members who were on the board at that time.

**Opened Public Hearing: 7:10 PM**

None

**Closed Public Hearing: 7:11 PM**

**O'Hara moved, Donaldson supported to recommend to the Township Board approval of Case 07-844 to rezone 0.26 acres at 2027 Cedar street (33-25-05-14-376-031) from C-3, Highway Service to TC, Town Center based on being consistent with purpose and intent of the Zoning Ordinance, being compatible with the existing and anticipated development in the area, pursuant to the Master Plan, representing good**

**planning based on transitional land uses, and the other conditions presented in the staff report dated November 5, 2007.**

ROLL CALL VOTE:

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

**MOTION CARRIED**

**Public Hearing: Case 07-841, Text Amendment, Elimination of Carport Requirement in RM: Multi-Family Residential**

Ms. Miller summarized the past discussions regarding the elimination of the carport requirement in RM.

Commissioner Donaldson wondered if the ZO should be cleaned up in regards to duplications of requirements such as parking space detail and the like. Ms. Miller explained that it can be done, but unintended consequences often result from such clean up efforts without proper and adequate research and consideration.

**Public Hearing Opened at 7:17 PM**

None

**Public Hearing Closed at 7:18 PM**

**Hettinger moved, Craig supported to recommend approval to the Township Board of the proposed Delhi Township Zoning Ordinance text amendments, case number 07-841 regarding requirements within the RM: Multi-family Residential zoning district for the elimination of carport requirements.**

ROLL CALL VOTE:

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

**MOTION CARRIED**

**Public Hearing: Case 07-842, Text Amendment, Accessory Structure Setback for parcels 1 acre or less in A-1: Agricultural district**

Ms. Miller recapped past discussions regarding the proposed amendment. Commissioner Donaldson asked about additional changes that he was proposing relative to the word "building" in Section 5.21.5(3)(b).

**Public Hearing Opened at 7:24 PM**

None

**Public Hearing Closed at 7:25 PM**

**Donaldson moved, Craig supported to delete the words “no building shall be closer than” and also to capitalize the word “sixteen” in Section 5.21.5(3)(b) of the proposed Ordinance amendment.**

ROLL CALL VOTE:

Aye: Craig, Donaldson, Goodall, Grinnell, Hayhoe, Hettinger, Leaf, O’Hara  
Vacant: One  
Absent: None  
Nay: None

**MOTION CARRIED**

**Donaldson moved, Goodall supported to recommend approval to the Township Board of the proposed Delhi Township Zoning Ordinance text amendments, case number 07-842 regarding requirements for accessory structure setbacks on parcels of land that are 1 acre or less in size in the A-1: Agricultural zoning district.**

ROLL CALL VOTE:

Aye: Craig, Donaldson, Goodall, Grinnell, Hayhoe, Hettinger, Leaf, O’Hara  
Vacant: One  
Absent: None  
Nay: None

**MOTION CARRIED**

**Public Hearing: Case 07-8423, Text Amendment, Veterinary Clinics in C-1: Low Impact Commercial and C-2: General Business districts**

Ms. Miller explained that after the attorney’s review, there were some amendments suggested and she outlined these changes for the Planning Commission.

There was discussion about the headings included in each section relative to Special Use Permits and it was agreed that they should all be changed to read “Uses Authorized by Special Use Permit”.

Commissioner Leaf asked if a veterinary clinic would be allowed to house another type of animal other than dogs. Ms. Miller replied that the numbers of animal other than dogs is not specifically regulated but that this could be regulated by conditions on a Special Use Permit.

**Public Hearing Opened at 7:37 PM**

A student who identified himself only as “Dan”, 2700 Eaton Rapids Road, asked why microphones were used since the room was small. Ms. Miller stated that the microphones are tied into the recording system.

Dan inquired about Ms. Miller's references to "we" and wondered who "we" are. Ms. Miller replied that she was referring to Township Staff and legal council.

**Public Hearing Closed at 7:39 PM**

**O'Hara moved, Leaf supported, to recommend approval to the Township Board of the proposed Delhi Township Zoning Ordinance text amendments as presented and amended after the public hearing this evening for case number 07-843 regarding requirements for Veterinary Clinics, Animal Daycare and other pet related businesses within the various non-residential zoning districts.**

Discussion

Commissioner Hettinger revisited the topic of language for Special Use Permits and a consensus was reached to have each stated as "Uses authorized by Special Use Permit." Ms. Miller confirmed that this would be reflected.

ROLL CALL VOTE:

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

**MOTION CARRIED**

**Potential Fuel Station Amendments**

Ms. Miller explained that at the previous PC meeting, four items were agreed as consensus of the group and reiterated said items. She explained that the drafts provided have not been reviewed by the Township attorney and are for discussion only. Ms. Miller continued by summarizing the amendments and highlighting which items were still in need of further discussion from the PC.

Commissioner Leaf recapped and verified that the PC's intention, regarding the permitting of Fuel Stations, is to only allow them by Special Use Permit (SUP) in the C-2 and C-3 districts.

There was discussion regarding permitting storage and display of goods outside of the building such as ice, mulch, windshield solvent and the like.

Ms. Miller emphasized that as a consequence of changing the ZO to require a SUP in the C-3 district, the three existing C-3 Gas Stations (2 on M-99 and 1 on Jolly), would become legally non-conforming. Commissioner Hettinger wondered what ramifications this would cause for those businesses. Ms. Miller explained the conditions that surround the continuation of all legal non-conforming properties.

Ms. Miller proposed for discussion the idea of allowing outside sales and display, only in the C-3 district, since outdoor storage was already a use that could be permitted by SUP in the C-3 district. Commissioner O'Hara agreed that this would make a clear distinction between C-3 and C-2 and may provide an incentive to seek a C-3 property as the location of a new fuel station for a developer or builder.

Commissioner O'Hara stated that he does not feel that Fuel Stations should be allowed in the C-2 district and this is due to the definition of the C-3 district and the traffic volumes that are generated. Commissioner Craig replied that O'Hara's comments were very good and that the consideration of the future of the Township is what is being considered here.

Discussion arose regarding whether Fuel Stations would be allowed by Right or by SUP in C-2. Commissioner Hayhoe restated that a consensus was arrived at last meeting, which was that Fuel Stations would be allowed in C-2 and C-3 by a Special Use Permit.

Discussion arose regarding Car Washes and how they are affected by the proposed amendments. Commissioner Donaldson suggested thinking about separating the uses and each type of fuel station. Ms. Miller stated what was already separated and distinct in the ZO (auto repair, auto washes).

Commissioner Donaldson discussed the setback requirement of 50 feet in both C-3 and C-2 Districts. Ms. Miller stated that minimum conditions were simply copied from the C-3 section into the new C-2 and C-3 sections as was previously directed by the PC.

Further discussion arose regarding the setback requirements and which point on the building would be used to determine the setback. Landscape Buffer and Lighting requirements were discussed for the C-2 district.

It was determined that staff would make additional revisions to the proposed language and that it would be discussed again at a future meeting.

Meeting Adjourned 8:54 p.m.

Respectfully Submitted,

Norm Hettinger  
Secretary