

DELHI CHARTER TOWNSHIP
PLANNING COMMISSION
NOVEMBER 26, 2007

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

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

Pledge of Allegiance

Amendments to Agenda: None

APPROVAL OF NOVEMBER 13TH, 2007 MEETING MINUTES

Goodall moved, O'Hara supported to approve the November 13th, 2007 meeting minutes as presented.

MOTION CARRIED

Public Comment (Non-Agenda Items): None

Public Hearing: Case 07-845, Rezoning of 1125 Cedar Street from C-2: General Business to C-3: Highway Service (33-25-05-25-376-009)

Ms. Miller addressed the Planning Commission (PC) and explained the location of the property. She stated that it is currently occupied by Stafford-Smith and the property has been acquired by John E Green Company, who will occupy the building by February of 2008. Ms. Miller explained that if this rezoning is passed, the applicant will be submitting a Special Use Permit (SUP) application in the future for outdoor storage.

Commissioner Donaldson questioned the proposed use and discussed if the use is allowed in the C-3: Highway Services district. Ms. Miller replied that it falls within the "business services" land use category which is allowed "by right" within the C-3 district.

Mr. Randy Potts of John E Green Company, 1563 Royal Crescent, Holt addressed the PC and provided information about the proposed use of the property by the company. He explained that the company expected to provide fencing and screening as required by the ZO for any future outdoor storage that may be allowed.

Opened Public Hearing: 7:18 PM

None

Closed Public Hearing: 7:19 PM

Commissioner Leaf asked Ms. Miller if there were any reasons why this rezoning should not be granted. She stated that it was her opinion that the requested rezoning was appropriate given the potential land uses within the area and the uses that are permitted within the C-3 district.

Hettinger moved, Craig supported to recommend to the Township Board approval of Case 07-845 to rezone 6.63 acres at 1125 Cedar street (33-25-05-25-376-009) from C-2, General Business to C-3, Highway Service 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, the recommendation of the Cedar Street Corridor Plan, and the other conditions presented in the staff report dated November 19, 2007.

Discussion: None

ROLL CALL VOTE:

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

MOTION CARRIED

Berry Farms Subdivision Final Preliminary Plat Amendment

Ms. Miller summarized the past actions that have taken place regarding the approval of the preliminary plat for this subdivision. After the previous approval, additional wetlands were located on the property. She stated that due to the location of the wetlands and the Michigan Department of Environmental Quality's involvement (MDEQ), a new preliminary plat must be considered for this subdivision. She noted that Phase I of the development is basically already constructed. Ms. Miller walked the PC through the new plan and highlighted the major difference, which is that the number of lots decreased from 157 to 118.

Ms. Miller recalled that there was a lot of previous discussion regarding the requirement for construction of a haul road and the potential impacts of construction traffic on the residents of Glenberry Drive. She explained that in the proposed motion there are conditions regarding this matter that reflect the Township Board's original determination regarding the haul road. She stated that staff recommends approval of the Preliminary Plat.

O'Hara moved, Craig supported to recommend approval of the Berry Farms Preliminary Plat (33-25-05-22-451-004 and 33-25-05-27-200-001) at the west end of Glenberry Drive as recommended in the staff report dated November 16, 2007 with the following conditions:

- 1. During the construction of Phase 1 the developer shall construct a "haul road" from Davlind Drive to Thimbleberry Lane running between lots 59 and 60 of the plat.**
- 2. The 21st building permit shall not be issued until the "haul road" is complete. Beginning with the 21st building permit, all construction traffic shall use the haul road or the permanent County Road once it is constructed.**
- 3. The "haul road" shall be converted to permanent county road before the issuance of the 70th building permit.**

ROLL CALL VOTE:

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

MOTION CARRIED

Public Hearing: SUP 07-255, 2363 Cedar Street, Delhi Four Seasons LDHAP LP

Ms. Miller outlined the proposed plan that was submitted, as well as gave a brief summary of the reason that an SUP is required. She stated that the Open Space and Recreational Space on the plan well exceed the requirement. Ms. Miller explained that staff analyzed the plan in general for requirements such as parking and landscape requirements and stated that in the future, a rain garden may be required. Ms. Miller outlined the emergency access point and stated that the residents on Krental Ave. whose driveways access the site currently do not have legal easements. However, as a condition of the SUP the developer will give legal easements to these properties. Ms. Miller noted that there is no access to Main Street from the site, and a traffic study has been provided that was conducted in 2005 And appears to still be valid. Ms. Miller explained that there is not a sidewalk shown on the plan along Main Street because the applicant has previously entered into a sidewalk postponement agreement with the Township. She explained the land uses for the properties surrounding the development. Ms. Miller walked the PC through the photographs that were provided in the staff report, highlighting the location of the sewer easement and also the views from Main Street.

Ms. Miller continued by outlining the two areas that would guide the PC's deliberations regarding this SUP, which are found in the RM District regulations and also those listed in 8.1.3 of the Zoning Ordinance (ZO),. She stated that staff recommends the approval of the SUP with at least six (6) conditions.

Commissioner Leaf inquired who was notified of the Public Hearing and Ms. Miller replied that all property owners and occupants within 300 feet were notified in writing and the notice also appeared in the newspaper. Commissioner Leaf stated that he only brings it up because of the previous immense interest in this development and property in the past and the lack of public presence at this meeting.

Donaldson also inquired about the 43% open space and whether the condition requiring 35% should be changed to require a higher percentage to ensure a plan similar to this is submitted for Site Plan Approval.

Discussion arose regarding the open space requirement in regards to the plan submitted.

The applicant, Conrad Schewe, 30100 Telegraph Road, Bingham Farms, explained that there is a parking easement in place for that center to allow the continued use of those parking spaces.

Commissioner Craig asked the applicant if speed bumps were proposed to help slow traffic near recreation areas. Mr. Schewe replied that they are not currently proposed because speeding is typically not a problem due to the narrow roads and exponential decrease in traffic near the rear of the development.

Commissioner Hettinger inquired about the installation of a traffic light on Cedar Street for this development. Mr. Paul Furtaw of Ledy Design, stated that it has not been a condition of the Ingham County Road Commission (ICRC) thus far, however he believes that it is budgeted for by ICRC.

Commissioner Craig questioned the applicant about management strategies for the proposed development. Mr. Schewe explained that their company has a vested interest in the property and development because they build, own and operate it. He stated that onsite management is there and specific policies can be provided in the PC is interested. He stated that eviction is an option if necessary and crime, complaints and troublesome behavior is taken very seriously.

Mr. Schewe stated that he has a concern regarding the increased open space requirement going from 35%, as outlined in the ZO, to 40% as is currently being discussed. He was concerned that this could unnecessarily limit the development.

Public Hearing Opened at 8:11 PM

None

Public Hearing Closed at 8:12 PM

Donaldson moved, Leaf supported to recommend to the Township Board approval of SUP 07-255 for Delhi Four Season LDHA LP to authorize up to a maximum of 11.9 units per acre and 91 dwelling units in the RM: Multi-Family Residential zoning district, with the specific conditions listed below:

- 1. That the existing trees on the western part of the property and along the northern property line be preserved, except that the installation of a driveway and rain garden(s) may require the relocation or elimination of the trees in those two immediate areas. That the owner shall plant a new tree if one is removed or dies in the future.**
- 2. That there be no access from Main Street directly into the proposed development from the west of the property.**
- 3. That the property owner provides a legal easement to the property owners on Krental Avenue who currently have access to their properties by the “emergency fire/police” egress drive area.**
- 4. That the following items also be included in any future site plan for this project:**
 - a. A schematic drawing of all proposed fencing.**
 - b. That the playground area and all other recreational and open space be shown and the use and provided amenities within those areas specified.**
 - c. That an inventory of existing trees on the western portion of the property be provided.**
- 5. That a minimum of 40% open space be provided pursuant to Section 5.7.8(7) of the Zoning Ordinance.**
- 6. That the development comply with, at a minimum, the required amount of recreation and community space required by Section 5.7.8(8) of the Zoning Ordinance.**

7. That the front façade(s) of each apartment building have a minimum of 50% brick, face brick, stone, masonry or other similar material acceptable to the Director of Community Development.

The Planning Commission has reviewed the “Basis for Determination for Granting a Special Use Permit” and has found that the provisions outlined in Section 8.1.3 have been satisfied and that those findings are accurately reflected and fully incorporated into this motion and that the document titled “Basis for Determination for SUP 07-255 Delhi Four Seasons” dated November 20, 2007 is hereby adopted.

Discussion

O’Hara emphasized that the plan submitted demonstrates the need for open space with a higher density development and does a very good job of maintain large usable open space. Commissioner Donaldson clarified that the PC is allowing up to, not requiring, that 91 units be built.

ROLL CALL VOTE:

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

MOTION CARRIED

Staff Report

Ms. Miller informed the PC that Chairperson Grinnell was appointed to the Downtown Development Authority’s Board and will begin providing the PC with a report at the 2nd meeting of the month.

Meeting Adjourned 8:22 p.m.

Respectfully Submitted,

Norm Hettinger
Secretary