

**DELHI CHARTER TOWNSHIP
PLANNING COMMISSION
MARCH 26, 2012**

MEMBERS PRESENT: Craig, Goodall, Hayhoe, Leaf, O'Hara, Todd, Zietlow
MEMBERS ABSENT: Olson, Weaver
STAFF PRESENT: Malone, Miller, Sweet

Chairperson Zietlow opened the meeting at 7:00P.M.

Pledge of Allegiance

Amendments to Agenda: Omit item #9, Complete Streets Video & Discussion

Approval of the February 27, 2012 Planning Commission Minutes

It was moved by Commissioner Goodall and seconded by Commissioner O'Hara to approve the February 27, 2012 meeting minutes as presented.

A Voice Poll was recorded as follows: All Ayes

MOTION CARRIED

Public Comment (Non-Agenda Items): None

Public Hearing, SUP No. 12-270 – Holt Road Investments, LLC, 4495 Holt Road, 33-25-05-23-101-049

Ms. Miller reviewed the staff report for the Special Use Permit (SUP) application for a Fuel Station in the C:2 General Business zoning district. A change in our Township Ordinance since the original station was constructed now requires a Special Use Permit (SUP) to have a fuel station in the C-2 and C-3 zoning districts. Therefore, the station is currently considered legally non-conforming since there is no SUP. The applicant proposes to demolish the existing station and build six (6) new fuel pumps, a canopy and an approximately 5,000 sq. ft. convenience store. The Zoning Board of Appeals (ZBA) granted five (5) variances. Planning Commission (PC) members discussed items from the staff report regarding times of operation, lighting and items outside, such as pop, water softener salt, etc. which is not allowed.

Steve Haisha, 5986 Bella Vista, West Bloomfield, MI, 48322, the applicant's representative, was present and spoke to the PC about the proposal.

Public Hearing Opened @7:25PM

Tom Cunningham, 1959 Elm Street, wondered if liquor and alcohol would be sold there.

Holly Kershner, 4473 West Holt Road, was present to represent her mother, Dawn Kershner. She questioned the plans for the existing fence that is in disrepair. Ms. Miller responded that the ZBA required the fencing be replaced or repaired with solid fencing.

Public Hearing Closed @7:31PM

Commissioner Leaf moved and seconded by Commissioner Goodall to recommend to the Township Board approval of SUP #12-270 for construction of a new fueling station on property located at 4495 Holt Road (33-25-05-23-101-049). The following conditions to apply:

1. The entire exterior of the convenience store building shall be brick and/or decorative stone and shall be complementary to the visual appearance of the corner park area to the immediate north of the subject site.
2. There shall be no outside display or sales of any kind, including but not limited to, washer fluid, firewood, softener salt, soda pop or similar items. This does not include the sale of fuels such as gasoline, kerosene, propane or similar provided those facilities are approved pursuant to Zoning Ordinance Section 3.3.
3. The decorative fencing installed along Holt Road and Aurelius Road shall include a minimum of six (6) decorative permanent planters, to be approved prior to construction by the Community Development Director. The planters shall contain appropriate and attractive plant materials during the period of May 1 to October 31st of each year. The planters shall be a part of the irrigation system and be adequately maintained throughout the year.
4. There shall be no overnight parking of vehicles.
5. There shall be no repair or maintenance of vehicles conducted on the property.
6. All lighting shall be directed downward and shall not cast unreasonable illumination, in the opinion of the Director of Community Development, onto adjacent properties or roadways. The intent is to maintain the general level of lighting currently present in the area and not create a "light island" at this site.

The Planning Commission has received the "Basis for Determination for Granting a Special Use Permit" and has found that the general and specific standards outlined in Section 8.1.3 have been satisfied and that those findings are accurately reflected in the document entitled "Basis for Determination for SUP 12-270" dated March 19, 2012 and is fully incorporated into this motion and the official meeting minutes.

Discussion: None

Roll Call Vote:

Ayes: Craig, Goodall, Hayhoe, Leaf, O'Hara, Todd, Zietlow

Nays: None

Absent: Olson, Weaver

Abstain: None

MOTION CARRIED

Public Hearing, SUP No. #12-271 – Marsh Investors, LLC. 2770 Eaton Rapids Road, 33-25-05-07-252-008

Ms. Miller reviewed the staff report for the Special Use Permit (SUP) application requesting approval of a Fueling Station in the C:3 Highway Service zoning district. The current gas station is legally non-conforming because there is no SUP as is now required by the ZO. The applicant proposes to demolish the existing station and rebuild a new one. There was discussion regarding general clean up of the area, the detention pond and overnight truck parking and storage.

Steve Haisha, 5986 Bella Vista, West Bloomfield, MI, 48322, the applicant, spoke to the PC members about the proposal. He voiced his concern about the requirement for no outside display or sales. The PC informed him that this was not specific to his application, but is a general requirement of the Zoning Ordinance.

Public Hearing Opened @8:03PM

There was no public comment.

Public Hearing Closed @8:03PM

Discussion: None

Commissioner Hayhoe moved, seconded by Commissioner O'Hara to recommend to the Township Board approval of SUP #12-271 for construction of a new Fueling Station on property located at 2770 Eaton Rapids Road (33-25-05-07-252-008). The following conditions to apply:

- 1. The entire exterior of the convenience store building shall be brick and/or decorative stone.**
- 2. There shall be no outside display or sales of any kind, including but not limited to, washer fluid, firewood, softener salt, soda pop or similar items. This does not include the sale of fuels such as gasoline, kerosene, propane or similar provided those facilities are approved pursuant to Zoning Ordinance Section 3.3.**
- 3. There will be no overnight parking of passenger vehicles. In addition, there will be no parking of semi-trucks for any period of time in excess of the time necessary to accommodate normal deliveries to the Fueling Station itself.**
- 4. There shall be no repair or maintenance of vehicles conducted on the property.**
- 5. All lighting shall be directed downward and shall not cast unreasonable illumination, in the opinion of the Director of Community Development, onto adjacent properties or roadways. The intent is to maintain the general level of lighting currently present in the area and not create a "light island" at this site.**

The Planning Commission has received the "Basis for Determination for Granting a Special Use Permit" and has found that the general and specific standards outlined in Section 8.1.3 have been satisfied and that those findings are accurately reflected in the document entitled "Basis for Determination for SUP 12-271" dated March 20, 2012 and is fully incorporated into this motion and the official meeting minutes.

Roll Call Vote:

Ayes: Zietlow, Todd, O'Hara, Leaf, Hayhoe, Goodall, Craig

Nays: None

Absent: Olson, Weaver

Abstain: None

MOTION CARRIED

Public Hearing, Case 12-871, Text Amendment to Zoning Ordinance – 39.158 – Floodplain Regulations

Ms. Miller presented the final draft of the ordinance to the PC board.

Public Hearing Opened @8:10PM

There was no public comment.

Public Hearing Closed @8:10PM

Commissioner O’Hara moved, seconded by Commissioner Leaf to recommend approval of Ordinance 39.158 regarding amendments to the Zoning Ordinance to the Township Board.

Roll Call Vote:

Ayes: Craig, Goodall, Hayhoe, Leaf, O’Hara, Todd, Zietlow

Nays: None

Absent: Olson, Weaver

Abstain: None

MOTION CARRIED

Election of Officers

Commissioner Goodall moved, seconded by Commission Hayhoe to nominate Commissioner Weaver for the position of Chairperson, Commissioner Todd for the position of Vice-Chairperson and Commissioner Leaf for the position of Secretary.

Commissioner Hayhoe moved, seconded by Commissioner Craig that nominations be closed and that a unanimous ballot be cast.

A Voice Poll was recorded as follows: All Ayes

MOTION CARRIED

Discussion:

There was general discussion about the ZO requirements regarding outdoor display and sales. The PC board will received a copy of the Annual Report to review.

Meeting adjourned at 8:26P.M.

Respectfully Submitted,

Orlando Todd
Secretary