

**DELHI CHARTER TOWNSHIP  
MINUTES OF THE PLANNING COMMISSION HELD ON MARCH 28, 2016**

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The Delhi Charter Township Planning Commission held a regular meeting on Monday, March 28, 2016 in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, Michigan. Chairperson O'Hara called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Members Present: Rita Craig, Michael Goodall, Jon Harmon, Ken O'Hara, Tonia Olson, Betsy Zietlow

Members Absent: Kimberly Berry-Smokoski, Matthew Lincoln

Others Present: Tracy Miller, Director of Community Development

**AMENDMENTS TO THE AGENDA: Agenda item #7(a) was changed to Planning Commission consensus.**

**APPROVAL OF THE FEBRUARY 8, 2016 PLANNING COMMISSION MINUTES**

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**Goodall moved and Zietlow seconded to approve the February 8, 2016 meeting minutes.**

A Voice Poll was recorded as follows: All Ayes

Absent: Berry-Smokoski, Lincoln

**MOTION CARRIED**

**PUBLIC COMMENT (Non-Agenda Items):** None

**Public Hearing for SUP No.16-279, 1018 Hogsback, Laux Construction, 33-25-05-25-453-004**

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Ms. Miller reviewed the staff report for the Laux Construction Special Use Permit. The applicant is requesting the SUP for a Contractor's Office. Mr. Laux's application states that he proposing to consolidate all of the company's operations at the proposed site. The applicant anticipates that his development of the site would occur in two phases, starting with the construction of a storage building and later the construction of an office building.

Mr. David Laux, representing Laux Construction, was present.

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Discussion: Don Leaf asked if there is any concern about the neighboring properties being residential. Ms. Miller explained that the Zoning Ordinance does not require any buffer between A-1 and the other residential zoning districts. However, a SUP provides the Township with the opportunity to place conditions on the land use that will address this, and other, potential concerns. Staff has recommended that a condition be placed on the SUP, if approved, which would protect the vegetative buffer along the property's edges and screen the fenced storage area.

Tonia Olson requested that the applicant list the type of vehicles that would be accessing the site. Mr. Laux stated that vehicles would typically include pickup trucks and trailers. None of these vehicles have back up alarms. These vehicles would come and go from the business an average of 2 to 3 times per week. Mr. Laux explained that there would also be the occasional delivery from lumber yards, UPS, etc.

**Public Hearing opened @ 6:45pm**

Shirley Grieve, 1028 Hogsback Road, Mason, owns the property next door to the subject site. She stated that she believes that other businesses were turned down for using this site. She stated that she did not understand why the applicant wanted to use this property when there are plenty of other properties on Cedar Street that are available. She stated that the pines that were planted there are just now growing, there was a daycare nearby, and that she felt the proposed building would be very close to a neighbor's patio on Harper Road. Ms. Grieve stated that she does not want this to contribute to Hogsback Road being closed. She stated that it is her belief that the Township already pays Mason to plow the Street and that she does not want a construction company next door.

Ben Miller, 3614 Harper Road, Mason, stated that he lives approximately 100 feet away from the subject site. He stated that he feels having a business there would increase traffic. His wife runs a daycare from their residence and the traffic is a concern for her business. He stated that he was opposed to a business on this parcel because it is zoned agricultural. He is concerned about deliveries to the business, clearing the land, and he believes that there are other sites for this business.

Christine Lonski, 3633 Harper Road, Mason, owns a duplex at Harper and Hogsback. She stated that she is concerned about the possibility of two driveways because of traffic. She stated that this concern is selfish in nature because she relies upon the rental income she derives from the duplex. She stated that her current tenants like the rural atmosphere.

Michael Van Huysse, 3679 Fernwood Lane, Mason, stated that he is the head The Gardens Homeowners Association. He wanted to know if they planned on the tree line and the brush remaining on the site. Mr. Laux responded that it would remain.

Brian Stevey of Laux Construction spoke and addressed several of the questions that were raised. He stated that there would be no driveway access on Harper Road and that the tree removals would be minimal. Most of the trees would be relocated. There would be no semi-trucks routinely on this site and no excavators used on this site after construction was completed. Vehicles would be pickup trucks and trailers, and most commonly personal vehicles belonging to employees. This would not be lumber yard and there would be no retail activities.

Francisco Garcia, 3669 Fernwood Lane, Mason, stated that his backyard would face the proposed site. He wanted to know if additional expansion would be permitted. Tracy Miller stated that they could expand in the future. However, expansions would be regulated by Section 3.3 of

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the Zoning Ordinance which pertains to site plan review. The conditions placed on the SUP would continue to govern any future development.

**Public Hearing closed @ 7:07pm**

**Leaf moved, seconded by Goodall to recommend to the Township Board approval of SUP #16-279 for a Contractor's Office in the A-1: Agricultural Zoning District pursuant to Section 5.21.4(19) of the Zoning Ordinance for property located at 1018 Hogsback Road (Parcel #33-25-05-25-453-004). The following conditions to apply:**

- 1. Any future construction activities must comply with the requirements of Section 3.3 "Site Plan Review" of the ZO.**
- 2. No retail sales activity is permitted, pursuant to Section 5.21.4(19).**
- 3. All construction materials must be kept inside a fully enclosed building, pursuant to Section 5.21.4(19).**
- 4. Only passenger vehicles and standard utility trailers/vehicles licensed for over the road use are permitted to be parked outside of a fully enclosed building. The parking of semi-trailers is not permitted. All parking shall only occur on hard-surfaced areas and comply with the requirements of Section 7.1.13 of the Zoning Ordinance.**
- 5. The equipment storage area fence shall either be opaque or pine trees shall be planted around the exterior of the storage area in a manner that provides visual screening.**
- 6. The existing tree line, as shown in Figure 6 of the staff report for SUP#16-279 with a date of March 21, 2016, shall be maintained and preserved to provide a buffer and visual screen between this use and adjacent properties.**

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#16-279" dated March 21, 2016 and it is fully incorporated into this motion and the official meeting minutes.

A Roll Call Vote was recorded as follows:

Ayes: Craig, Goodall, O'Hara, Olson, Zietlow, Leaf

Nays: Harmon

Absent: Berry, Lincoln

Abstain: None

**MOTION CARRIED**

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**Preliminary Development Concept for Willoughby Estates, LLC, PD-3, 33-25-05-11-452-001  
& 33-25-05-11-452-004**

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Ms. Miller reviewed the staff report for the Preliminary Planned Development Concept for Willoughby Estates, LLC. A Planned Development (PD) is intended to provide the Township with a mechanism for achieving a higher quality of development than would otherwise be attained by applying the standard provisions of the Zoning Ordinance. The PD allows for innovation in land use planning and development, ensuring compatibility of design and function between neighboring properties, the protection and preservation of natural resources, features and open space and eliminating or reducing the degree of existing non-conforming uses or structures where they might exist. Ms. Miller explained that a PD essentially creates a zoning district and related regulations that are specific to the development. A PD typically enables input into the development proposal that it would not have in a "by-right" development under the sites current zoning district regulations.

Ms. Miller stated that the purpose of this step is to provide specific feedback and direction to the developer regarding the PD. The next step will be for the developer to take the information presented at this meeting and revise their plan accordingly. They will then submit it for final PD Review. During the PD Review process there will be a formal public hearing.

A video that Mr. Wieland provided was shown. This video illustrated the proposed development site plan.

Ms. Miller explained that the developer is proposing mixed residential land uses on this site, which was previously used for manufacturing. This property is considered a Brownfield. The developer is working with the Brownfield Redevelopment Authority.

Ms. Miller stated there are eighteen (18) stand alone rental cottages, two (2) buildings each having four (4) townhomes, a clubhouse with pool, meeting and athletic facilities, six (6) buildings that contain two (2) unit raised-flats and seven (7) buildings that have 33 apartment units in each building. These seven buildings are proposed to be three stories, which typically would imply a height of 30'. However, Ms. Miller stated that more information should be submitted regarding the height of all the proposed buildings. There is also a storage facility proposed, dog park, picnic area, playground area, an area designated for car washing and dog washing. The rents range between \$950.00 and \$1625.00 per month.

Ms. Miller stated that the developer has submitted the required parallel plan. This demonstrates the density that could be developed "by-right" on this site. It is important to point out that the "by-right" building height is up to 35'. The parallel plan that has been submitted shows that "by-right" 240 units allowed. In a Planned Development there is a requirement of 25% of open space. The Ordinance provides an applicant with incentives for more open space. 6.0 units per acre are allowed and the applicant is proposing a density of 6.7 units per acre.

Ms. Miller went over some of the information from the traffic study that was supplied by the applicant. The traffic study confirms that there is an existing congestion problem at the corner of Willoughby and College Road, which will be worsened by the proposed development. Ms. Miller has supplied the Ingham County Road Department with a copy of the traffic study so that they can begin thinking about how this matter will be resolved going forward.

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Mr. Scott Wieland, the applicant for this project, was present.

Ms. Olson asked if the single ingress/egress to the development would be a concern. Ms. Miller stated that this issue has historically been related to the provision of emergency services. She stated that she would seek input on this from the Delhi Fire Chief.

Mr. O'Hara asked if the applicant was planning anything for the property on the east side of the pond, or if this was a part of the open space. Mr. Wieland stated that it was currently his intent to leave this area as open space and not building anything east of the pond.

Mr. Wieland stated that the development will be a "better than class A" community. He confirmed that it was his intent to gate the community and limit access to those who reside there. The residents will have a key fob and there would also be an access code. There will be pedestrian access through this gate system to get to Sycamore Trail. Mr. Wieland also stated that the three story apartment complex would all have elevators and be handicapped accessible.

Mr. Wieland stated that the ponds would be fenced off and would be a visual enhancement, rather than an active one. He stated that these ponds are gravel pits and are, therefore, potentially unsafe for swimming or recreational use. The clubhouse and pool will be in the middle of the development and serve as a focal point for the development. Mr. Wieland stated that the east side of the property will be a natural area.

Mr. Harmon stated that he is concerned about three story buildings. He stated that he feels that three story buildings may not be a good fit in a residential area and may infringe on the condos across the railroad tracks. Mr. Harmon also stated that he feels that a gated community might send the wrong type of message. Mr. Wieland stated that where the three story buildings will be developed in an area of the site where their visual impact will be minimized. This will be done by keeping many of trees along the pond, the back of the property and near the drain to create a buffer. There is also a very large berm between the three story buildings and railroad tracks. The berm, tracks and Consumers Energy easement are all between the site and the condos to the west. In addition, the site has a lower topography than adjacent properties.

Ms. Miller stated that there are existing three story apartment buildings in Delhi Township. Commissioner O'Hara stated that those three story apartments probably do not have elevators. He believes this will be an asset. Mr. O'Hara stated that he would like Mr. Wieland to take a look at the pedestrian system within the development and connect it to the Delhi Non-motorized Trail.

Mr. O'Hara would like more information about how this development will benefit the community. Mr. O'Hara feels that one benefit will be that also the property will no longer be industrial and that it will not be vacant.

Mr. Leaf stated that when comparing the proposed PD concept plan to the parallel plan, it appears that the difference is equal to approximately one additional apartment building.

Ms. Miller explained that the next step will be for staff to develop a summary of tonight's discussion and supply it to the applicant, along with the meeting minutes.

Mr. O'Hara spoke and explained that this is the preliminary meeting and that there will be another meeting where more of the specific details will be addressed. Mr. O'Hara encouraged the public to call the Community Development Department, or write a letter or e-mail, regarding any questions or concerns they might have.

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Ms. Miller suggested that the public should monitor the Township’s website for the upcoming Planning Commission agendas where this matter may be addressed. When the applicant has made the submittals, a public hearing will be scheduled.

**GENERAL DISCUSSION AND UPDATES**

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There was general discussion about that status of ongoing projects.

**ADJOURNMENT**

Meeting adjourned at approximately 8:43 p.m.

**Summary of Planning Commission Input from Meeting on March 28, 2016  
Regarding the Concept Plan for Willoughby Estates Planned Development**

1. Include a comprehensive listing of ALL proposed deviations from standard ZO provisions. Specifically cite each section to which a deviation is being sought. Staff recommends including a table, such as the one below (example only!).

Relevant Zoning Ordinance Section Reference	Requirement	Proposed Modification in the PD
5.7.7(2)(1)	Buildings up to 35’ in height must be setback at least 35’ from all road ROW and 20’ from any interior property line.  For each 1’ a building is over 35’ in height, and addition 1’ of setback shall be added from each side.	Permit the 3-unit buildings to be setback only 15’ from the west side property line.

2. Provide specific information regarding the height of all proposed buildings within the development.
3. Provide specific information regarding the cold storage area, including renderings, layout, fencing, screening, etc.
4. Provide specific information about the dog park, picnic and playground areas.

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5. Provide specific information about the car and dog washing areas, particularly how these will be used and when. Also, include details about how runoff wash water will be contained and treated.
6. Address trash disposal.
7. Provide a site lighting plan that includes photometric information and information about trespass light and the direction of cast light.
8. Provide details regarding the required greenbelt, parking lot landscaping and buffers. Provide "typical" for proposed landscaping around buildings, etc.
9. Provide specific details about the location and size of open space provided in the project. Provide an open space calculation that demonstrates justification for the desired density bonus.
10. Consider whether or not the 31' wide travel lanes is necessary within the development, or if this could be reduced.
11. Take a close look at the non-motorized/pedestrian circulation system and maximize opportunities for residents. The site's location on the Sycamore Trail is a significant asset that should be maximized.
12. Provide an explanation regarding the fencing around the lake and the idea of limiting access to same.
13. Provide information about what will occur on the property located to the east of the pond.
14. Provide "line of sight" information from the east, west and north (looking toward the project) so that people can "see" what the three story buildings will look like.
15. Provide information about existing vegetation on the site and what will be preserved and what will be removed.
16. Provide a statement regarding the benefit the development will provide to the community as a whole.
17. Provide information about property maintenance, ongoing management, ownership plans, etc.
18. Supply the market survey for the project and explain why this is important/relevant to the proposed development.
19. Provide a summary of the existing environmental conditions present on the site.
20. Provide more information about why the community will be gated and why this is preferable to an "open community" concept.
21. Provide information regarding the estimated total investment.

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Date: \_\_\_\_\_

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Tonia Olson, Secretary

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