

**DELHI CHARTER TOWNSHIP
MINUTES OF THE PLANNING COMMISSION HELD ON May 9, 2016**

The Delhi Charter Township Planning Commission held a regular meeting on Monday, May 9, 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: Kimberly Berry-Smokoski, Rita Craig, Michael Goodall, Don Leaf, Matthew Lincoln, Ken O'Hara, Tonia Olson, Betsy Zietlow

Members Absent: Jon Harmon

Others Present: Tracy Miller, Director of Community Development
Noelle Tobias, Community Development Secretary

AMENDMENTS TO THE AGENDA: None

APPROVAL OF THE April 25, 2016 PLANNING COMMISSION MINUTES

Goodall moved and Ketchum seconded to approve the April 25, 2016 meeting minutes.

A Voice Poll was recorded as follows: All Ayes

Absent: None

MOTION CARRIED

PUBLIC COMMENT (Non-Agenda Items): None

Public Hearing, PD-3, Willoughby Estates, 33-25-05-11-452-001, 33-25-05-11-452-004 & 33-25-05-11-452-005

Ms. Miller reviewed the staff report on the Planned Development (PD) for Willoughby Estates, LLC. Ms. Miller explained that the PD option is provided by the Zoning Ordinance and can be approved in any zoning district. The PD creates a zoning district that is specific to a development. Approval of a PD has the same impact as approving a zoning ordinance amendment. It is not intended as a way to circumvent the provisions of the Zoning Ordinance. The intent of a PD is to enable substantial review approve a total project that has the demonstrate impact of resulting in a higher quality development than would otherwise occur. Ms. Miller reviewed the findings that must be made by the PC prior to approval of any PD.

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Ms. Miller stated that the traffic impact analysis that the developer supplied was reviewed by the Ingham County Road Department (ICRD). The ICRD has done a preliminary review of the plans and the study. They agree with recommendation that turning lanes will be required in front of the development. ICRD also agrees with the study and feels that there is a strong likelihood that increased traffic during the peak hours of the day will warrant making the College and Willoughby road intersection a four way stop.

Ms. Miller stated that there are no concerns with the capacity within the sanitary sewer system. She also stated that the developer has been working with the Ingham County Drain Commission (ICDC) and there appears to be no concern regarding storm water. Ms. Miller explained that all other utilities, public services and infrastructure are sufficient to accommodate the proposed PD. Specific utility details will be finalized during the subsequent site plan review process, if the PD is approved.

Ms. Miller stated that Township Fire Chief will be requiring an emergency vehicle access. This access will look like grass but be able to bear the weight of emergency vehicles should the need arise. It will not provide daily access in or out of the development.

Ms. Miller stated that the developer is proposing a gated facility. There will be a key pad for cars and pedestrians to enter the facility. The key pads will be located off from Willoughby Road. This should help to prevent waiting vehicles from staging on Willoughby Road.

Mr. Scott Wieland, 1300 Holt Road, Mason, the applicant for this project, was present.

Discussion: Olson asked if Ms. Miller could remind the PC what type of "by-right" development could currently occur at this site. Ms. Miller stated that in the RM: Multi Family Residential district six (6) units per acre would be permitted by-right and up to twelve (12) units per acre can be approved with a special use permit.

Leaf stated that, based on his calculations, a developer could come in and put in two hundred and forty one (241) units. Further, that those units could all be within three (3) story building and the Planning Commission would have no say in terms of the details of the development. Leaf also stated his opinion that there are many amenities that this development has that are not required.

Mr. Wieland stated that some of the benefits of the proposed PD would be creating a tax base of an otherwise blighted site. The development will bring new higher income residents to shop and eat at local businesses. He stated that each building type will have barrier free access and that the community's gates will be open during specific to prevent congestion. Mr. Wieland stated that Maple Grove will be managing the facility; there will be cameras on-site for security. He stated that the reason the development will be a gated community is to provide a feeling of arrival and prestige to its' residents.

O'Hara questioned who would be responsible for the utilities on the property. Mr. Wieland stated that the landlord would be responsible for all of the utilities and all the maintenance for the property.

Public Hearing opened

Todd Byrem, 2505 Hummingbird, Holt, stated that he is the current treasurer for the Apple Ridge Estates Homeowner's Association. The Association had a meeting on May 5, 2016. He volunteered to speak on behalf of the entire Association regarding their thoughts and concerns.

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Apple Ridge is opposed to any high density development on the property. Mr. Byrem stated that they believe this development will have a negative impact on their property values, traffic and safety. Mr. Byrem stated that if the development was going to go forward, he wanted to share a few of the concerns. He stated that they believe the project will have a negative impact on property values that the traffic and road conditions on Willoughby are already in bad condition. They feel that Willoughby Estates will add to the existing problem. They feel that trail safety will be jeopardized by having additional drivers and bikers. He stated that individuals using the trail already to not stop at Hummingbird Lane. The association believes that three story apartment buildings are not a good fit for Delhi Township and that fencing the development to deter people outside the development from coming in would be beneficial. The association is concerned that the property will not be well maintained in the future. Mr. Byrem closed by stating that the Association opposes any high density and one-hundred percent (100%) rental development of any kind on the property.

Gene Wriggelsworth, 2655 Maritime Drive, Holt, stated that his home would be the closest house in the Three Lakes subdivision to this development. He believes that this development would benefit the Township in many ways; including by adding to the tax base. Mr. Wriggelsworth stated that the property is currently an eye sore and an attractive nuisance. He has personally kicked people off the site who were engaged in questionable activities. He would like something nice to go on this property. He stated that there are studies that prove that there is less crime in gated communities. He is not speaking on behalf of the Three Lakes Association, but told the PC that the topic was brought up at the last association meeting and there was very little push-back.

O'Hara stated that there was written commentary received from Scott Ammon, Lynn Zelenski and Planning Commissioner Jon Harmon who was unable to attend the public hearing tonight.

Public Hearing closed @ 7:38

Olson moved, seconded by Goodall that subject to the provisions of Section 5.23.2 of the Delhi Charter Township Zoning Ordinance, the Planning Commission hereby finds that the proposed development, known as Willoughby Estates, results in a recognizable and substantial benefit both to the community and to the ultimate users of the site, including the following:

- 1. The long-term protection and preservation of natural resources and natural features including the preservation of the pond and land to the east in its natural state, and**
- 2. Enabling the remediation of soil and groundwater contamination present on the site, and**
- 3. the creation of approximately 21.66 acres of permanent open space, not including the ponds, representing approximately 54% of the acreage within the proposed development, and implementation of the Township Master Plan via the development of high quality and unique high density residential development, while at the same time preventing the conversion of non-urbanized land in outlying areas of the community; and**

that the requested modifications from the Delhi Charter Township Zoning Ordinance as presented in the application and plans will result in a higher quality development and that the PD is in compliance with the Zoning Ordinance, including any permitted modifications, and recommend approval to the Township Board of the Willoughby Estates project consisting of 40.13 acres located on Willoughby Road and comprised of parcel's identified as 33-25-05-11-452-001, 004 & 005 pursuant to the standards and requirements

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set forth in Section 5.23.2 and Section 5.23.3 of the Zoning Ordinance. This action will have the same effect as a rezoning, changing the property's zoning district designation from RM: Multi-Family to PD-3, subject to the following conditions:

1. All of the dimensional deviations from the underlying zoning are consistent with Planned Development section of the Zoning Ordinance and have been clearly indicated on the site plan, and
2. that the Township Zoning Map be amended to represent the subject property as "PD-3" and that the district regulations specific to this Planned Development will be as specifically approved and presented on the final plans presented to the Director of Community Development, and
3. that the Township and the Developer shall execute a Planned Development Agreement, pursuant to Section 5.23.8(6) of the Zoning Ordinance prior to the commencement of any site improvements, and
4. that the following conditions shall be satisfied prior to approval of the final site plan for this project and carry forward as part of this approval:
 - a. requirements set forth by the Ingham County Road Department be met
 - b. that a secondary emergency access point be provided which satisfies the requirements of the Delhi Fire Chief
 - c. all washing of vehicles/dogs/etc. must occur within the fully enclosed building designated for said purposes and as shown on the plan
 - d. the compliance table and variance table provided on the cover sheet of the PD plan set is incorporated by reference and is a part of this approval.

A Roll Call Vote was recorded as follows:

Ayes: Berry, Craig, Goodall, Leaf, Lincoln, O'Hara, Olson
Nays: None
Absent: Harmon
Abstain: Zietlow

MOTION CARRIED

GENERAL DISCUSSION AND UPDATES

There was general discussion about that status of ongoing projects.

ADJOURNMENT

Meeting adjourned at approximately 8:01 p.m.

Date: _____

Tonia Olson, Secretary

/nt