

**DELHI CHARTER TOWNSHIP
MINUTES OF THE PLANNING COMMISSION HELD ON MARCH 25, 2019**

The Delhi Charter Township Planning Commission held a regular meeting on Monday, March 25, 2019, in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, Michigan. Commissioner Berry called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present: Kimberly Berry-Smokoski, Patrick Brown, Rita Craig, Fredric Ford, Michael Goodall, Matthew Lincoln, Ken O'Hara, Orlando Todd, Betsy Zietlow

Members Absent: None

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

AMENDMENTS TO THE AGENDA: None

APPROVAL OF THE MARCH 11, 2019 PLANNING COMMISSION MINUTES

Goodall moved and Lincoln seconded to approve the March 11, 2019 meeting minutes.

A Voice Poll was recorded as follows: All Ayes

Absent: None

MOTION CARRIED

PUBLIC COMMENT (Non-Agenda Items):

None.

PUBLIC HEARING, ASPEN PARK, 33-25-05-13-351-017, CONDITIONAL REZONING FROM "C-2", "C-1" & "R1-E" ALL TO "RM" FOR THE DEVELOPMENT OF A THREE-STORY MULTI-FAMILY APARTMENT BUILDING PROJECT WITH THE MAXIMUM UNIT DENSITY OF TWELVE (12) UNITS PER ACRE

Ms. Miller reviewed the staff report for this case. The applicant is requesting that the property be conditionally rezoned from C:2: General Business, C-1: Low-Impact Commercial and R-1E: One-Family High-Density Residential all to RM: Multi-Family with the maximum unit density of twelve units per acre. DTN proposes a 3-story apartment building, with 102 units and associated site improvements. She reviewed the conditions proposed by DTN. She noted that there are already 3-story buildings existing within Aspen Lakes, but that there are not currently any located in this area of the development. DTN Enterprises, LLC (DTN) has owned the property since 2000. During this time, the property has been actively marketed for commercial uses. However, no commercial development has occurred. The owner is proposing this conditional rezoning considering the failure to develop the property for commercial purposes over the past 18+ years. The Future Land Use map shows this property as planned for Commercial land uses. In the RM

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zoning district six units per acre are allowed by right and the twelve units per acre that DTN is requesting can be permitted with the approval of a Special Use Permit. Since the proposed density is included in the proposed rezoning conditions presented by DTN, it can be approved with this request.

Brian Holland, Chief Financial Manager, of DTN Enterprises, LLC, was present.

Zietlow questioned whether the Department of Environment Quality would be involved because of the wetlands. Ms. Miller stated that they would not be unless there was an activity proposed that would require a permit. She reminded the PC that the Township also has a wetland permit requirement. However, none of the activities currently proposed appear to impact any delineated wetlands.

Brown asked if there was a storm water discharge on the west end of the pond. Ms. Miller indicated that yes, the pond was constructed to accommodate storm water discharge.

Brian Holland stated that DTN purchased the property in the year 2000 and have been marketing it to commercial users since acquisition. However, this has been unsuccessful. He indicated that DTN has worked with multiple potential buyers over the years, but have been unsuccessful. Several of the users have ultimately opted to located on Cedar Street, which suggests that this site may not be as well suited to commercial users as was originally expected. He stated his opinion that the proposed multi-family building, it may attract a commercial use for neighborhood services for commercial on the property located on the east side of Wigman Road.

Mr. Holland also stated that, within Aspen Lakes, DTN has prepared for the additional residents by building an extra pool, dog parks etc. in recent years. He stated that the subject property has been vacant for a long period of time, and that changing to a residential use is the next step.

Lincoln asked how the density of the proposed development compared to the existing multi-family buildings within Aspen Lakes. Mr. Holland stated it depends on how the overall density is calculated, but that it is fair to say the existing Aspen Lakes development averages around eight units per acre.

Zietlow questioned how many underground parking spaces would be assigned per unit. Mr. Holland stated that there are 102 units in the proposed development and there are 101 proposed parking spaces. There would be additional surface parking outdoors.

Berry asked how many surface spaces would there be. Mr. Holland indicated there would be 135 surface parking spaces.

O'Hara stated that he feels this development proposal is unimaginative. The proposed building would be the entryway to the Aspen Lakes community, and that there is no mixed uses, and that there is nothing special about the proposed building. He feels that this does not reflect the rest of the Aspen Lakes development, which he feels is special and unique. Mr. Holland stated that there may be some truth to that but this is the product type that is desired in other municipalities. He stated that he believes the proposed building will integrate with the existing development and is the way of the future. He suggests that it may be difficult to get a true picture of what is proposed from renderings alone.

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O'Hara stated he is thinking about other developments that include mixed uses. and believes that the concept could work well at this location. Mr. Holland responded that shopping centers are on the down-slide. Online shopping and "product to home" shopping is on the rise. There is no market indication that this will change and the trend impacts the viability of physical commercial development. He also stated that the demand for commercial at this location is also negatively impacted by the fact that Wigman Road does not go all the way through to Keller Road. Residents on Keller Road, that may otherwise have used commercial in this location, are not easily able to do so.

O'Hara asked if there was an elevator in the proposed three-story building. Mr. Holland replied that there was at least one elevator, possibly two, and the building would be ADA compliant.

Lincoln stated this is not only the entryway to the entire development, but it also could be considered one of the key entryways into Holt. He indicated that the building proposed is a step down in design and quality from what is existing within the development.

Brown indicated he does see this location as the entryway for Holt and questioned whether the proposed development will represent the quality of the Aspen Lakes development. Mr. Holland stated that when the final product is complete it will be just as high- quality as what is existing. He claims that it will capture the essence of Aspen Lakes and will blend into the existing development.

Goodall questioned whether the parking provided would be sufficient. Ms. Miller indicated that if the conditional rezoning were to be approved, the development would still be required to go through site plan approval the parking requirements would be addressed at that time. The Zoning Ordinance requires a specific number of parking spaces, based on the bedrooms in each unit. This requirement would have to be complied with.

Zietlow asked what he anticipated the rent ranges to be. Mr. Holland answered the expected rate would be between \$950 to \$1600 a month in rent.

Berry asked when the condos were built right across the pond. Mr. Holland stated that this area is called "Aspen Springs" and were constructed beginning around 2004. Berry then asked if this property was represented to existing residents as being commercial. Mr. Holland indicated that DTN did not represent to Aspen Springs how the property would be developed in the future in any way.

Ms. Miller noted twelve letters were received from the local residents that were not in favor of the proposed conditional rezoning.

Public Hearing Opened at 7:23 PM

Ronald Sarosi (3865 Sierra Heights) commented that he is not thrilled with the proposed development. He stated his opinion that there is a difference between homeowners and renters. He feels that traffic is already not good, and this will only make the congestion worse. He believes that the amenities within Aspen Lakes are already at capacity and that there are issues with security. DTN did put up cameras, but he feels it has not been determined whether this will help or not. He stated he believes that the wetland delineation should be reevaluated. He stated that it is his opinion that DTN cares more about net financial gain than they do about the existing residents. He stated the property was represented to the residents to be commercial by DTN.

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Barbara Fortais-Pierpont (3874 Sierra Heights) stated that the reason she built there was because of the classy and serene surroundings. She feels it will no longer be that way, if DTN builds a three-story apartment building. She believes the property is currently exceptional and she would like to see it stay that way. She questioned how many people are allowed to live per unit. She stated there is currently no parking on the street, and she would like that to also stay the same. She concurred with all that Ronald Sarosi had to say. She also would like to know what other amenities are planned, if there were to be all these new residents.

Bejamin Buyak (2271 Audean Street & 3897 Holt Road) stated that he owns Capital Steel located right across Holt Road from the proposed development. He first wanted to apologize to the residents of Aspen Lakes for the deplorable conditions last year of his property. He indicated that it will not occur again this year. He stated that there is a small buffer between the Aspen Lakes and his business and it is the berm on this property. His business starts at 7:30 am and goes until late at night, including working on Saturdays. He is also concerned with the security of his facility with that many people living in one area.

Sandra Hoppe (3881 Sierra Heights) questioned the density of Aspen Gardens. She encourages the Planning Commissioners to drive through Aspen Gardens to see just how close the buildings are to one another. This is what she imagines that it will be like on Holt Road. She is one of the first residents in Aspen Springs, and as the development grows it does not match up to the vision that she bought into or was sold by DTN. She was told by DTN that this was going to be commercial such as a small office, or something similar. The first year she lived there the water in the detention pond came all the way up to her patio. This concerned her so much that she purchased a flood insurance policy. She was on the first Board of Directors when they became a condo association. At that time, she was told by DTN that the pond would have to be re-dug because it was not deep enough. She is concerned with what type of green space will be between the apartments and the existing buildings. She believes that DTN has a responsibility to the people that have purchased in the development, rather than to the renters. She discourages any development that does not add up to the original plan of what DTN told the residents.

David Dowdy (3929 Sierra Heights) stated that his roof line is approximately level with where this building is proposed to go. He stated that this building is going to be as big as a football field and that it is his opinion that the building is a monster. It is his opinion that there are not two clubhouses, but there are two pools. Adding this many people to the area will be a problem. He is also concerned about the parking. If there is not enough parking, he feels that these people will end up on parking on his street and trashing it. He stated his opinion that renters are not like homeowners. He invites everyone to his residence to see how this will look from his property. He concurs with Sandy Hoppe that this is not what he was told by DTN would develop.

Gatis Lulis (3981 Canyon Cove) stated that he is concerned with traffic, if this development is constructed. He feels that there have already been a couple of accidents on Holt Road. He believes he has seen motorcycles going over 100 mph down Holt Road, right in front of Wigman Road. It is also his opinion that the special events within the development are already overcrowded. He stated that last year at these events there was no place to sit. He questions why it must be a three-story building instead of a one-story building.

Roy Switzer (4013 & 4017 Sierra Heights) stated that he is one of the last people to purchase in this development. He stated that he owns a vacant lot right across the pond. He purchased the

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unit because of all the green area around it. He may put it up for sale because he has not started construction.

Laurie Gordon (3903 Sierra Heights) stated that she has a pristine view of the pond. She did not purchase because she wanted to look at an apartment building or a parking lot. She wants to look at the pond and the green area.

Public Hearing Closed at 6:45 PM

Commissioner Lincoln had to leave the meeting for a family emergency.

Discussion: O'Hara stated that he was ready to make a motion, and that his motion will reflect his earlier comments regarding the proposal.

MOTION

O'Hara moved, seconded by Goodall to recommend to the Township Board denial of Case#19-893 to conditionally rezone property located at Holt Road and Wigman Road (33-25-05-13-351-017) from C-1: Low-Impact Commercial, R-1E: One Family High-Density Residential and C-2: General Business to RM: Multi-family Residential based on it not being compliant with the Future Land Use Plan.

Discussion on the motion: Goodall stated that he wanted the residents to know that from here it goes to the Township Board of Trustees and they will make the final decision.

Berry stated that she does not have any issues with this property being rezoned to residential but she does not believe that this would be the building type that is appropriate in this location.

Todd stated that he is also concerned about the impact of this proposed building type on the development as a whole.

Zietlow stated that she agreed with some of the comments from the residents. She is also not opposed to this property being rezoned to residential, but that this building type would take away from the quality and atmosphere of the development as a whole.

A Roll Call Vote was recorded as follows:

Ayes: Berry-Smokoski, Brown, Craig, Ford, Goodall, O'Hara, Todd, Zietlow
Nays: None
Absent: Lincoln
Abstain: None

Discussion: None.

MOTION CARRIED

SP17-003, 4285 CHILDREN'S THERAPY CENTER, 33-25-05-02-326-001, SITE PLAN APPROVAL EXTENSION

This project received Site Plan approval in April 2018. The applicant has requested a 1-year extension. Staff suggests that the extension should be granted, based on the fact that the applicant continues to work on the project, but has encountered previously unforeseen issues.

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MOTION

Zietlow moved, seconded by Brown to approve a 12-month extension of the site plan originally approved on April 9, 2018 for the Children's Therapy Corner.

A Roll Call Vote was recorded as follows:

Ayes: Berry-Smocoski, Brown, Craig, Ford, Goodall, O'Hara, Todd, Zietlow
Nays: None
Absent: Lincoln
Abstain: None

Discussion: None.

MOTION CARRIED

GENERAL DISCUSSION AND UPDATES

There was general discussion about that status of ongoing projects.

ADJOURNMENT

Meeting adjourned at approximately 7:59 PM

Date: _____

Orlando Todd, Secretary

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