

**DELHI CHARTER TOWNSHIP
MINUTES OF THE PLANNING COMMISSION HELD ON JUNE 10, 2019**

The Delhi Charter Township Planning Commission held a regular meeting on Monday, June 10, 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, Betsy Zietlow

Members Absent: Orlando Todd

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

AMENDMENTS TO THE AGENDA: None

APPROVAL OF THE MAY 13, 2019 PLANNING COMMISSION MINUTES

Goodall moved and Brown seconded to approve the May 13, 2019 meeting minutes.

A Voice Poll was recorded as follows: All Ayes

Absent: Todd

MOTION CARRIED

PUBLIC COMMENT (Non-Agenda Items):

None.

PUBLIC HEARING, SUP CASE #19-288, ESKER SQUARE, 2030 & 2054 CEDAR STREET, 33-25-05-14-377-024

Ms. Tobias reviewed the staff report for this case. The applicant has requested a Special Use Permit (SUP) to allow a total of 12 multiple-family dwellings on the first floor of the previously approved Esker Square Development. Ms. Tobias reminded the Commissioners that "Loft style units", which are on the second or higher floor, are permitted by right in the TC: Town Center Zoning District (TC). However, residential units on the ground floor are not considered "loft style units" by the ZO. Residential units on the ground floor are categorized as "multiple-family dwellings" and are permitted in the TC zoning district with an approved SUP.

The current SUP request would enable the Gillespie Group to have the option of building 6 apartment units on the first floor of each building. Having this option will improve the overall marketability of the development, and allow the project to start more quickly than if they must wait to completely fill the commercial space prior to commencement of construction. Scott Gillespie, of The Gillespie Company, was present. Mr. Gillespie stated that the overall goal is

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that the entire first floor will be for commercial users. Therefore, if they are able to obtain lease commitments for all the commercial space, the first floor residential units may not be built.

The developer proposes to locate the ground floor residential units on the back of the buildings, fronting the parking lot area. The street-front tenant spaces would be occupied by commercial businesses. The front and side exterior elevations of the buildings will remain unchanged. The rear of the building will also be only slightly modified, to add additional entrance doors, but will otherwise look the same as what was originally envisioned. The applicant has also stated that the ground-floor apartments could be easily converted back into commercial lease space for future commercial users.

Ms. Miller indicated that staff feels that granting the SUP does not materially impact the overall plan or scope of the project. It remains a mixed use building, bringing residential and commercial space to our new “downtown”. Staff recommends that, if the PC approves the SUP, there be a condition stating that the quality and price points for the ground level units should be the same as what is built in the loft-style units on the second and third floors.

Mr. Gillespie stated that the commercial space is always the most difficult to fill, especially up front. Possible tenants are always hesitant until they can physically see the project come off the of the ground. Bankers are hesitant until they see the spaces leased up front. This dynamic creates a “catch twenty-two” situation. This SUP will help expedite the financing for the project.

Brown asked how adding the residential units would expedite this process and whether Mr. Gillespie had tenants lined up for the residential units. Mr. Gillespie stated that it is almost impossible to rent out apartment units until you can start showing the units themselves. However, the apartment market is strong and he, along with his investors and financiers, are comfortable with the apartments. This is the reason for the current SUP request, as the ability to use some of the ground floor space for residential is more of a market certainty than the commercial lease space, in the eyes of the banks.

O’Hara asked if there was anything that the Township could do to help the attract businesses to our community. Mr. Gillespie indicated that he has been in front of many different Planning Commissions and Boards of Trustees and this is the first time that he has been asked this question. He stated that even asking this question, and being concerned with the answer, is what sets Delhi Township apart from the rest. He stated that he has felt support from everyone that he has worked with in Delhi Township and Downtown Development Authority.

Ford asked how this change would affect the parking configuration. Mr. Gillespie stated that what he has found in other mixed use situations is that commercial uses the parking more in the daytime and residential uses the parking more in the evening. It is a more efficient use of the same amount of parking.

Ms. Miller indicated taking away the first floor commercial space and adding the residential units, results in a parking offset. Commercial parking requirements are user based, so as each individual tenant space building permit is pulled, the parking will be reconsidered. This is an ongoing process, and one that is currently done frequently with multi-tenant buildings and developments. She provided the Holt Plaza as an example.

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Public Hearing Opened at 6:46 PM

No members of the public spoke during the hearing.

Public Hearing Closed at 6:47 PM

MOTION

Lincoln moved, seconded by Goodall, to recommend to the Township Board approval of SUP 19-288 to permit multiple-family dwellings to be located on the first floor within the mixed residential and commercial/office use buildings located at 2030 & 2054 Cedar Street (33-35-05-14-377-024), in the TC: Town Center zoning district, subject to the condition listed below. The Planning Commission has reviewed the “Basis for Determination for Granting a Special Use Permit” and has found that the general and specific standards outlined in Sections 8.1.3 have been satisfied and that those findings are accurately reflected and fully incorporated into this motion and the official meeting minutes and the document titled “Basis for Determination for SUP 19-288” dated June 5, 2019 is hereby adopted.

1. That the quality and price points associated with the ground-floor residential rental units is the same, or better than, what is built on the second and third floors.

A Roll Call Vote was recorded as follows:

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

Discussion: None.

MOTION CARRIED

PUBLIC HEARING, CASE #19-896, 1298 CEDAR ROAD, 33-25-05-25-152-013, CONDITIONAL REZONING FROM “C-2: GENERAL BUSINESS” TO “IA: INDUSTRIAL ASSEMBLY”.

Ms. Tobias reviewed the staff report and explained the Conditional Rezoning (CR) request. The applicant is requesting that the property be Conditionally rezoned from C:2: General Business to IA: Industrial Assembly. She explained that a conditional rezoning permits the approval of a rezoning, that may otherwise not be approvable, by enabling the approval to be predicated on one or more conditions. In this case, the applicant has proposed that the rezoning be approved on the condition that the land use is limited to a Dog Kennel accommodating no more than 60 dogs at one time. Conditions are implemented using a recorded Statement of Conditions that will run with the land, a draft of which was provided to the PC members. Pursuant ZO section 5.17.3 (5) (a), this use requires a SUP. However, since the conditions and approval of the use are integral to the requested CR, and a public hearing on the use will be held, the two matters are effectively the same.

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Discussion: O'Hara brought up the question if other domestic animals such as cats would be considered within the limit of 60. Ms. Miller stated that the answer is no, the ZO is specific to dogs. O'Hara stated that he believed the applicant should reconsider the verbiage of the condition, saying Animal Care Center with the maximum of 60 dogs. Ms. Miller indicated that the Statement of Conditions indicates it is limited to domestic animals and that cats are not regulated in the ZO. This condition specifically applies to more than 60 dogs at one time.

Brian Ballard, on behalf of GUO Holdings LLC, was present. Mr. Ballard indicated that Delhi Township is in desperate need of Kennel services and that he will have a cat boarding area, but that the focus will be on dogs.

Brown asked how the applicant intends to dispose of the dog waste. Mr. Ballard indicated it will be put into plastic decomposable bag and it will be picked up.

Public Hearing Opened at 7:04 PM

No members of the public spoke during the hearing.

Public Hearing Closed at 7:05 PM

MOTION

Brown moved, seconded by Goodall, to recommend to the Township Board approval of Case#19-896 to conditionally rezone property located at 1298 N. Cedar Road (33-25-05-25-152-013) C:2: General Business to IA: Industrial Assembly, subject to execution and recording of the associated Statement of Conditions for this rezoning.

A Roll Call Vote was recorded as follows:

**Ayes: Berry-Smokoski, Lincoln, Brown, Craig, Ford, Goodall, O'Hara, Zietlow
Nays: None
Absent: Todd
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 7:15 PM

Date: _____

Orlando Todd, Secretary

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