



Planning Department

(517) 323-8560

PLANNING COMMISSION REGULAR MEETING AGENDA

MONDAY, MARCH 11, 2024, at 6:00 PM

The meeting will be held in Public Meeting Room A
Delta Administration Building
7710 West Saginaw Highway
Lansing, MI 48917

<https://us02web.zoom.us/j/81546759420?pwd=dy9QR2N5SmE0ZmZHSmU0Rjh4VGFrzd09>

Meeting ID: 815 4675 9420 Passcode: 031124

For the hearing impaired, please call 711 (TTY Support) to access the FCCs phone relaying service and provide the following phone number 1-312-626-6799.

Please note all public comments must be made in person by attending the meeting

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES
 - Minutes of February 26, 2024, Planning Commission Special Meeting.
- VI. CORRESPONDENCE – None
- VII. OLD BUSINESS – None
- VIII. PUBLIC HEARINGS
 - **Case No. 02-24-02:** *At this hearing the following described ±30-acre parcel of land located at 1215 North Canal Road on the west side of Canal Road between the Canal Club Apartments and the Westcharme Estates Subdivision will be considered for rezoning from AG2 - Agricultural/Residential, to RM – Multiple Family Residential.*
 - **Case No. 02-24-03:** *At this hearing the following described ±30-acre parcel of land located at 1215 North Canal Road on the west side of Canal Road between the Canal Club Apartments and the Westcharme Estates Subdivision will be considered for a Special Land Use Permit for a Planned Unit Development for a ±354-unit apartment project, being an extension of the existing adjacent Canal Club Apartment development.*
- IX. OTHER BUSINESS– None
- X. PUBLIC COMMENTS
- XI. PLANNING DIRECTOR COMMENTS
- XII. PLANNING COMMISSIONER COMMENTS
- XIII. ADJOURNMENT

Individuals with disabilities attending Township meetings or hearings and requiring auxiliary aids or services should contact Township Manager and ADA Coordinator, Brian T. Reed, via email at manager@deltami.gov or by calling (517) 323-8590 to inform him of the date of the meeting or hearing that will be attended. Delta Zoom is also inviting interested individuals to attend via the scheduled Zoom meeting.



**CHARTER TOWNSHIP OF DELTA PLANNING COMMISSION SPECIAL MEETING MINUTES:
FEBRUARY 26, 2024**

I. CALL TO ORDER

Chair Weinfeld called the meeting to order at 6:00 P.M.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Members Present: Bradley, Elsinga, Hunt-Proctor, McConnell, Meddaugh, Mudry
Schweitzer, Weinfeld

Members Absent: Kosinski

Others Present: Director of Community & Economic Development Peter Menser

IV. APPROVAL OF AGENDA

MOTION BY SCHWEITZER, SECONDED BY HUNT-PROCTOR, THAT THE AGENDA BE APPROVED AS SUBMITTED.

VOICE VOTE. CARRIED 8-0.

V. APPROVAL OF MINUTES

- *Minutes of December 11, 2023, Planning Commission Meeting.*

MOTION BY SCHWEITZER, SECONDED BY ELSINGA, THAT THE MINUTES FOR THE DECEMBER 11, 2023, PLANNING COMMISSION MEETING BE APPROVED AS SUBMITTED.

VOICE VOTE. CARRIED 8-0.

VI. CITIZEN COMMENTS FOR ITEMS NOT ON THE AGENDA – None

VII. CORRESPONDENCE – None

VIII. OLD BUSINESS – None

IX. PUBLIC HEARINGS

- Case No. 01-24-01:** *At this hearing the subject parcel, owned and operated by the Lansing Board of Water & Light and located at 3725 S Canal Road, will be considered for a Special Land Use Permit (SLUP) for a Major Essential Service.*

Planner McKernan introduced the topic. The Lansing Board of Water & Light is requesting an amendment to their existing Special Land Use Permit for its electricity generating facility located at 3725 S Canal Road. LBWL is proposing the construction of three new buildings to

accommodate a new power generation facility along with an interconnecting switchyard. The request is an amendment to a previous SLUP which was issued in 2019. The renderings indicate a future solar power facility which is not part of the request. The applicant is proposing an attractive brick wall to surround the facility. The SLUP standards for Major Essential Services allows the Zoning Administrator greater discretion on what types of screening and landscaping will be required. In this instance the Zoning Administrator has determined that the proposed wall shall be sufficient for the site. Another notable element of the site plan is the inclusion of an expansion to the Township's non-motorized transportation network on the south side of the site. The pathway expansion was discussed but not required during previous approvals. It is recommended that the Planning Commission include a requirement for the dedication of a pathway easement as part of any recommendation of approval to the Township Board.

Member Mudry inquired if the coal residue had been remediated from the site.

Rob Hodge, Director of Electric Production for Lansing Board of Water & Light: Mr. Hodge explained that Lansing Board of Water & Light was working with the Michigan Department of Environment, Great Lakes, & Energy to remediate the coal area as well as the ash pond on the site.

Member Mudry asked about the RICE generators and whether they would prevent a prolonged outage like the one experienced in the northeastern United States some time ago.

Mr. Hodge explained that all LBWL plants have emergency power generators for this purpose. The Delta Township expansion will have this capability as well.

MOTION BY SCHWEITZER SECONDED BY HUNT-PROCTOR, TO CLOSE THE PUBLIC HEARING.

VOICE VOTE. CARRIED 8-0.

MOTION BY BRADLEY, SECONDED BY HUNT-PROCTOR, THAT THE DELTA TOWNSHIP PLANNING COMMISSION RECOMMEND TO THE DELTA TOWNSHIP BOARD APPROVAL OF THE SPECIAL LAND USE PERMIT FOR A MAJOR ESSENTIAL SERVICE AS REQUESTED BY THE LANSING BOARD OF WATER AND LIGHT AS DESCRIBED IN CASE NO. 01-24-01 FOR THE FOLLOWING REASONS:

- 1. THE SPECIFIC USE STANDARDS FOR MAJOR ESSENTIAL SERVICES IN SECTION 8.24 HAVE BEEN MET.**
- 2. THE SPECIAL LAND USE STANDARDS SET FORTH IN SECTION 7.03 OF THE DELTA TOWNSHIP ZONING ORDINANCE HAVE BEEN MET.**

SUBJECT TO THE FOLLOWING STIPULATIONS:

- 1. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE DELTA TOWNSHIP BOARD.**

2. **SPECIAL LAND USE PERMIT APPROVAL IS SUBJECT TO THE APPLICANT GRANTING THE TOWNSHIP AN EASEMENT FOR THE MUTUALLY AGREED UPON LOCATION OF A PUBLIC SHARED-USE PATHWAY PRIOR TO RECEIVING FINAL SITE PLAN APPROVAL.**

ROLL CALL VOTE. CARRIED 8-0.

X. **OTHER BUSINESS**– None

XI. **PUBLIC COMMENTS**-None

XII. **PLANNING DIRECTOR COMMENTS**

Planner McKernan told the Planning Commission they would be meeting on March 11, 2024, to hold a public hearing for a proposed rezoning for an expansion to the Canal Club Apartments on Canal Rd.

Director of Community & Economic Development Peter Menser

Mr. Menser explained that Annas house is working on opening in the former location of the Tin Can. Taqueria el Chapparito is pulling building permits to add a grocery/retail space. Burlington Coat Factory is moving from their current location to Delta Crossings. The owners of the current building are looking for new tenants to occupy the entire structure but will subdivide it if necessary.

XIII. **PLANNING COMMISSIONER COMMENTS** -None

XIV. **ADJOURNMENT**

MOTION BY SCHWEITZER, SECONDED BY MEDDAUGH THAT THE MEETING BE ADJOURNED.

VOICE VOTE. CARRIED 8-0.

Chair Weinfeld adjourned the meeting at 6:20 p.m.

Respectfully Submitted,

Robert McConnell, Secretary

DELTA TOWNSHIP PLANNING DEPARTMENT STAFF REPORT

PREPARED BY: Gary Bozek, Planning Director
CASE NUMBERS: 02-24-02 (Rezoning), 02-24-03 (SLUP for PUD)
DATE: March 7, 2024



GENERAL INFORMATION

APPLICANT: Edward Rose Properties, Inc.
6101 Newport Road
PO Box 3015
Portage, MI 49003-3015

STATUS OF APPLICANT: Purchaser/Developer

OWNER: Ronald L. Justice Living Trust
1215 N. Canal Road
Lansing, MI 48917

REQUESTED ACTIONS: Rezoning from AG2, Agricultural/Residential to RM, Multiple Family Residential; and a Special Land Use Permit (SLUP) for a Planned Unit Development (PUD).

EXISTING ZONING: AG2, Agricultural/Residential.

GENERAL LOCATION: 1215 North Canal Road on the west side of Canal Road between the Canal Club Apartments and the Westcharme Estates Subdivision.

PARCEL SIZE: 30.11 net acres with $\pm 2,560$ feet of frontage along the I-96 right-of-way, ± 730 feet of frontage along Canal Road, and ± 100 feet of frontage along Willow Highway.

EXISTING LAND USE: Single Family Detached Dwelling (4.75 net acres)
Undeveloped Acreage (25.36 net acres)

ADJACENT LAND USES:

N	Westcharme Estates Single Family Subdivision
E	Single Family Detached Dwellings
W	I-96 Expressway
S	Canal Club Apartments

ADJACENT ZONING:

N	RC, Moderate Density Residential, RM, Multiple Family Residential & AG2, Agricultural/Residential
E	AG2, Agricultural/Residential
W	I-96 Expressway Right-of-Way
S	A2, Agricultural/Residential & RM, Multiple Family Residential

PROJECT DESCRIPTION:

The applicant wishes to develop 354-unit RM zoned Planned Unit Development on the subject parcel. The development is essentially an extension of the existing adjacent Canal Club Apartment development to the south. The applicant in this case was the original developer of Canal Club in 1987. The applicant has provided a sketch plan of the proposed layout consisting of eleven buildings (five 30-unit buildings, five 36-unit buildings, and one 24-unit building) with associated carports (see attached).

The PUD is necessary for the proposed density (in excess of the by-right permitted density of 11 units per acre). As illustrated, 11.5 units per acre are proposed. The maximum permitted PUD

density is 15 units per acre. The maximum permitted density can be achieved via the provision of common open space area.

REVIEW & APPROVAL PROCESS:

A summary of the review and approval process for a project of this type is provided as follows:

1. Public hearings are held before the Planning Commission for the rezoning and Special Land Use Permit requests. Following the public hearings, and a recommendation by the Planning Commission, the cases will be forwarded to the Delta Township Board for introduction and final consideration. Tentative dates for these Board actions may be provided by the Planning Department staff immediately following the public hearing. No further official public notices are required to be given as the requests make their way through the remaining steps in the review process. Interested parties should keep in contact with the Planning Department for the scheduled future meeting dates.
2. At the next scheduled regular Board meeting following the Planning Commission hearings, the Township Board will be asked to formally introduce the rezoning request, and set a date for final consideration. This is strictly a procedural step, and no other action on the requests will be taken at this meeting.
3. At a subsequent regular Board meeting, the Board will be asked to make a final determination on the rezoning and Special Land Use Permit requests.
4. If the rezoning and Special Land Use Permit are approved, the developer will then have to prepare and submit detailed preliminary site plans for the project, along with supporting documentation. The preliminary site plans will be reviewed by the Planning Commission at a public meeting. As noted above, no official public notice of this meeting is required to be given. The Planning Commission typically approves preliminary site plans subject to necessary revisions.
5. The Township's Zoning Administrator will be charged with ensuring that all of the plans and supporting documentation are in order prior to granting final approval of the site plan. Once final approval is granted, the developer may seek a building permit and begin construction thereafter.

SIGNIFICANT ELEMENTS OF THE COMPREHENSIVE PLAN:

The primary residential development goal stated in the Delta Township 2013 Comprehensive Land Plan for Land Use (Page 64) is to:

"Provide for residential development that will address the needs of all segments of the population while preserving existing neighborhoods and providing adequate room for growth."

Among the Plan's stated residential objectives are:

"Encourage residential development in locations possessing adequate infrastructure which are in close proximity to services and transportation facilities."

"Provide regulations permitting a range of housing types accommodating various income and age groups."

The Future Land Use Map within Plan recommends that the subject parcel be developed for multiple family residential land uses, which would be consistent with the zoning classification requested in this case.

RELEVANT ZONING ORDINANCE REGULATIONS:

General regulations pertaining to development in the RM, Multiple Family Residential, zoning district, are contained in Section 4.12. Planned Unit Development regulations and development standards are contained in Chapter 5 of the Zoning Ordinance. Section 16.04 of the Zoning Ordinance contains the criteria to be evaluated when considering amendments to the Township's Official Zoning Map. Section 7.03 of the Zoning Ordinance specifies the general standards that must be satisfied for the review and approval of Special Land Use permit requests.

ZONING HISTORY OF SUBJECT PARCEL:

Under the terms of the 1970 Zoning Ordinance portions of the subject parcel were zoned E, Agricultural and C, Multiple Dwelling.

On September 13, 1974, a new Township Zoning Ordinance and Map were adopted, and the entire subject parcel was zoned A2, Limited Agriculture.

On December 14, 1990, a new Delta Township Zoning Ordinance and Map became effective, and the subject parcel was zoned A2, Agricultural/Residential.

On September 3, 2017, the current Delta Township Zoning Ordinance became effective, and the subject parcel retained an AG2, Agricultural/Residential zoning classification.

TECHNICAL INFORMATION

PUBLIC UTILITIES:

Water – There is a 12-inch diameter water main that fronts the subject parcel along Canal Road. Internal looping may be required with additional connections to the water mains within Westcharme Estates and the existing Canal Club development.

Sanitary Sewer – There is a 15-inch diameter sanitary sewer traversing the existing Canal Club development generally parallel to Streamwood Drive that is available for a connection to accommodate the proposed apartment expansion.

Storm Drainage – Stormwater runoff from the site would be directed to an on-site detention pond, which would then be metered into the Lee Drain, which is under the jurisdiction of the Eaton County Drain Commissioner's Office (ECDCO). As part of the site plan review process the Eaton County Drain Commissioner will review the design of the proposed storm water management plan.

PHYSICAL SITE CHARACTERISTICS:

The subject parcel is made up of two parcels. There is an existing dwelling on a rectangular-shaped 4.75-acre parcel at the southeast corner of the site. The remaining 25.36 acres is flag-shaped and undeveloped.

A variety of mixed vegetation exists on the site.

The Soil Survey of Eaton County, Michigan indicates that predominant soil types on the subject parcel are Marlette and Capac Loams. The Soil Survey of Eaton County indicates that these soil

types may present moderate to severe limitations for the construction of buildings due to wetness. On-site soil borings would be necessary to determine actual building limitations, if any, that may be present on the site.

The applicant's sketch plan indicates that there may be some regulated wetlands on the site that may have to be preserved as per the requirements of Michigan's Department of Environment, Great Lakes, and Energy (EGLE). During site plan review EGLE will determine which wetland areas are regulated. Any encroachment on regulated wetlands would have to be approved by EGLE.

STREETS, ACCESS & TRAFFIC:

Streets & Access – Ingress/egress is proposed to be provided via two interconnecting driveways from the existing Canal Club development and one new driveway on Canal Road. The Eaton County Road Commission has jurisdiction over Canal Road.

Traffic Impact Study – The applicant has provided a Traffic Impact Study (TIS) for the proposed development prepared by RS Engineering. A copy of the traffic consultant's conclusions and recommendations are attached. The entire study, including all data, is available for review in the Planning Department.

The Eaton County Road Commission (ECRC) has reviewed the conceptual layout along with the TIS and has provided the following comments:

1. As recommended in the TIS, the left turn lane should be extended to the proposed driveway, as well as sufficiently north of the driveway to provide a southbound left-turn queue for Treadwell Avenue.
2. As recommended in the TIS, the proposed driveway should have right turn tapers.
3. Dedicate additional public road right-of-way along Canal Road to provide at least 50-feet west of the section line. ECRC records show no additional right-of-way has been dedicated, so the existing width is only the statutory 33-feet west of the section line.
4. The plat to the north, Windcharme Estates, includes a stub road to the south for connection to a future development. The proposed layout for Canal Club Apartments will create a permanent dead end to the public road. The future site plan approval should require the developer do one of the following:
 - a. Construct a cul-de-sac meeting Eaton County Road Commission Subdivision Regulations and to dedicate the cul-de-sac to the Eaton County Road Commission along with sufficient public road right-of-way.
 - b. Construct a public road from the entrance off Canal Road to the existing stub and dedicate the road to the Eaton County Road Commission along with 66-feet of right-of-way. This would require the internal roads to have access points onto this new road, instead of directly to Canal Road.

SIDEWALKS & NON-MOTORIZED FACILITIES:

Sidewalks – Section 34-21(a) of the Delta Township Sidewalk Ordinance mandates the construction of sidewalks parallel to public and private streets at the time of construction of any new principal building. Thus, the developer will be required to install a five-foot wide sidewalk parallel to Canal Road. Staff will also be looking to have the existing Canal Club internal sidewalk system connected to that of the new development.

Non-Motorized Facilities – Section 6.07 B. 9. of the Zoning Ordinance requires the provision of non-motorized facilities such as trails and shared-use pathways if deemed appropriate by the Planning Commission. Additionally, Section 5.04 G. governing pedestrian/non-motorized facilities within PUDs states that: *Each parcel, lot, or principal building shall have adequate pedestrian and non-motorized access via sidewalks, pathways, or other such facilities as required by the Township Board.*

The 2018 Delta Township Non-Motorized Transportation Plan and the draft 2024 Plan identifies a future route for a shared-use path traversing the subject parcel from Canal Road west to I-96, then north to Willow Highway. This is a natural extension of the East-West Pathway that will loop up to Willow Highway and connect to the recently constructed pathway segment in front of Redwood Apartments. In general terms, this pathway route through the subject parcel is illustrated on the conceptual plan.

PERMITTED RESIDENTIAL DENSITY:

The Township Zoning Ordinance defines the Net Buildable Lot Area (NBLA), as follows:

For Planned Unit Developments:

The net lot area less area devoted to water bodies; water bodies being defined as areas greater than one acre in size (either before or after project implementation) which are periodically or permanently covered with water.

A determination of allowable density will be explored in more detail during site plan review when detailed data is provided as to NBLA and how much common open space area is provided. A minimum common open space area of 25 percent is required of all PUDs. Density increases are allowed with corresponding increases in common open space area percentage. The developer's concept plan indicates a proposed density of 11.5 dwelling units per acre. This would only be a slight increase in density over the 11 dwelling units per acre allowable by-right in the requested RM zoning district. Density increases can be achieved when at least 30 percent of the site is devoted to common open space. At 30 percent, the allowable density is 12.65 dwelling units per acre. Thus, it is likely that after determining the exact NBLA, the developer will be able to achieve the desired 354 units. In no case can the residential density exceed 15 dwelling units per acre.

GENERAL STANDARDS FOR PLANNED UNIT DEVELOPMENTS:

Section 5.03 of the 2017 Delta Township Zoning Ordinance, as amended, contains general standards for review of PUD applications. These are analyzed as they pertain to this project as follows:

- A. *The proposed development shall be consistent with, and further the implementation of, the Comprehensive Plan or represent land use policies which are a logical and acceptable change in the Comprehensive Plan.***

The proposed development addresses the increasing demand for a variety of housing options for Township residents. The project advances the housing objectives stated in the Comprehensive Plan of encouraging residential development in locations possessing adequate infrastructure which are in close proximity to services and transportation facilities, and providing regulations permitting a range of housing types accommodating various income and age groups. The Comprehensive Plan recommends that the subject parcel be developed for multiple family residential land uses.

- B. *The proposed development shall be adequately served by public facilities and services including, but not limited to, streets, sidewalks and pathways, water and sanitary sewer facilities, drainage improvements, and police and fire protection, or the applicant shall confirm that these facilities and services can be provided.***

The development can be adequately served by public utilities and roads. Pursuant to the Township's 2018 Non-Motorized Transportation Plan and draft 2024 Plan, shared-use pathways can be accommodated as recommended by the Plans. Township police and fire stations are located within one-half mile of the subject parcel.

- C. *The development shall encourage the provision of useful open spaces and long-term conservation of natural features and resources.***

The major wetland areas are proposed to be preserved on the site.

- D. *The mix of housing types and densities and the relationship between residential and non-residential uses shall be acceptable in terms of convenience, privacy, and compatibility.***

The development represents further housing options for Township residents as per the recommendations of the Comprehensive Plan.

- E. *A PUD may be used to redevelop or improve an existing property where current ordinances do not provide the flexibility required for the adaptive reuse of the property, infrastructure, and buildings.***

Being that the subject parcel is currently undeveloped, this standard is not applicable.

REZONING CRITERIA

Section 16.04 of the Zoning Ordinance specifies the findings of facts to be considered by the Planning Commission and the Township Board in evaluating rezoning requests, as follows:

- 1. *Whether the rezoning is consistent with the goals, policies, and uses proposed for the subject parcel in the Township's Comprehensive Plan.***

The project advances the housing objectives stated in the Comprehensive Plan of encouraging residential development in locations possessing adequate infrastructure which are in close proximity to services and transportation facilities, and providing regulations permitting a range of housing types accommodating various income and age groups. The subject parcel is able to be adequately served by public utilities and roads. The Comprehensive Plan recommends that the subject parcel be developed for multiple family residential land uses.

- 2. *Whether the rezoning is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.***

There has not been change in conditions since the original ordinance was adopted or has there been an error in the original ordinance.

- 3. *Whether the subject parcel possesses natural features and environmental characteristics which would be significantly adversely impacted by a development or use allowed by the requested rezoning.***

With the exception of a single-family residence, the subject parcel has never been developed. There may be some soil conditions on the site that may make development of certain areas of the subject parcel difficult. An analysis of the soil conditions by a soils engineer would be necessary to determine the extent of the limitations posed by soil conditions on the site. Also, during the site plan review process, any wetlands present on the site will be required to be evaluated by EGLE to

determine if and where regulated wetlands exist and how they should be preserved and/or protected on the site.

4. Whether the rezoning complies with the purposes of this ordinance as described in Section 1.02 D.

A. Promoting and protecting the public health, safety, and general welfare.

Rezoning the property to an RM zoning classification does not inherently pose a threat to the public health, safety, and welfare. When developed in accordance with the applicable standards within the Zoning Ordinance, negative impacts are minimized. The companion PUD Special Land Use Permit also provides an opportunity for additional safeguards.

B. Protecting the character and stability of the agricultural, recreational, residential, commercial, and industrial areas within Delta Township and promoting the orderly and beneficial development of such areas.

The proposed development represents a reasonable use of the land by providing a range of housing options recommended by the Comprehensive Plan. The site can be served by public roads and utilities.

C. Providing adequate light, air, privacy, and convenience of access to property.

A minimum of 25 percent of the site must be preserved as common open space. At least 30 percent must be dedicated to common open space in order for the developer to achieve the desired number of dwelling units. The Zoning Ordinance contains safeguards such as natural feature preservation and increased setbacks as protections for adjacent single family residential development.

D. Regulating the intensity of use of land and lot areas, and determining the area of open spaces surrounding buildings and structures necessary to provide adequate light and air and to protect the public health.

As noted previously, at least 30 percent of the subject parcel must be preserved as open space to achieve the desired residential density on the site. The Zoning Ordinance regulations ensure the preservation of natural features and open space areas, and maintenance of adequate building setbacks.

E. Lessening and avoiding congestion on public highways and streets.

Traffic on adjacent roadways will increase as a result of development. The Zoning Ordinance requires review by the applicable road agencies, which will mandate any improvements necessary to accommodate increased traffic and minimize negative impacts. The ECRC has reviewed the concept plan and the TIS and has indicated remedial measures to mitigate traffic impacts.

F. Promoting adequate and efficient provisions for transportation systems, sewage disposal, water, energy, recreation, and other public service and facility requirements.

The subject parcel can be adequately served by the adjacent roadways, public water, sanitary sewer, and police and fire services. The preserved open space areas may serve as an additional recreational resource for Township residents living in the development.

G. Encouraging the use of lands and natural resources in the Township in accordance with their character and adaptability.

Optimizing density on the site will enable the provision of another housing option for Township residents. The proposed development can be seen as a logical expansion of the existing Canal Club Apartments development that was established circa 1987.

H. Limiting the improper use of land.

The requested RM zoning designation does not inherently represent an improper use of the land. As noted previously, the proposed development seeks to advance a number of land use and housing goals stated in the Comprehensive Plan.

I. Fixing reasonable standards to which buildings and structures shall conform.

Development standards are contained within the Zoning Ordinance.

J. Prohibiting uses, buildings or structures which are incompatible with the character of development, or the uses, buildings or structures permitted within specified zoning districts.

The proposed development is consistent with the standards specified for development within the requested RM zoning district.

K. Protecting against fire, explosion, noxious fumes and odors, heat, dust, smoke, glare, noise, vibration, radioactivity, and other nuisances and hazards in the interest of the public health, safety, and general welfare.

The requested zoning change will not pose a threat or nuisance with regard to the listed hazards.

L. Preventing the overcrowding of the land and undue concentration of buildings and structures so far as is possible and appropriate in each zoning district by regulating the use and bulk of buildings in relation to the land surrounding them.

The Zoning Ordinance provides these protections via the applicable site development standards governing projects within the RM zoning district.

M. Otherwise reduce hazards to life and property.

When developed and maintained in accordance with the applicable standards set forth in the Zoning Ordinance, hazards to life and property are reduced.

5. Whether uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning.

It can be argued that under the current AG2 zoning classification the site is “under-zoned”. The current zoning does not represent the Multiple Family Residential land use pattern recommended in the Township’s Comprehensive Plan.

6. The ability of the Township or other governmental agencies to provide services, infrastructure and facilities that may be required if the rezoning were approved.

The requested RM classification would not hinder the ability to provide adequate infrastructure and services for development on the subject parcel.

SPECIAL LAND USE PERMIT CRITERIA

Section 7.03 of the Zoning Ordinance specifies the general standards that must be satisfied for the review and approval of Special Land Use permit requests, as follows:

1. ***The proposed Special Land Use shall be compatible and in accordance with the goals, objectives and policies of the Delta Charter Township Comprehensive Plan and any associated sub-area and corridor plans.***

(See Item No. 1 under "REZONING CRITERIA" above).

2. ***The proposed Special Land Use shall be constructed, operated, and maintained so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed. A Special Land Use shall be designed and constructed so as to not create a significant detrimental impact, as compared to the impacts of permitted uses.***

This site abuts an existing multiple family development that has been in operation for 37 years. The proposed development represents a logical expansion of this existing development. The proposed development would not be out of character with the existing development pattern within the immediate vicinity. While the PUD would permit higher residential densities, the proposed density is still consistent with the recommendations of the Comprehensive Plan.

3. ***The proposed Special Land Use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage, water, and sewage facilities. Such services shall be provided and accommodated without an unreasonable public burden.***

(See Item F under "REZONING CRITERIA" above).

4. ***The proposed Special Land Use shall not involve uses, activities, processes, materials and equipment, or conditions of operation that will be detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, smoke, odors, or other such nuisance in comparison to the impacts associated with typical permitted uses.***

The proposed use will not involve uses, activities, processes, materials and equipment, or conditions of operation that will be detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, smoke, odors, or other such nuisance in comparison to the impacts associated with typical permitted uses.

5. ***The proposed Special Land Use shall be located and designed in a manner which will minimize the impact of traffic, taking into consideration: pedestrian access and safety; vehicle trip generation (i.e., volumes); types of traffic, access location and design, circulation, and parking design; street and bridge capacity; and traffic operations at nearby intersections and access points. Efforts shall be made to ensure that multiple transportation modes are safely and effectively accommodated in an effort to provide alternate modes of access and alleviate vehicular traffic congestion. The applicant shall comply with the Township's Complete Street Ordinance.***

(See "STREETS, ACCESS & TRAFFIC" and "SIDEWALKS & NON-MOTORIZED FACILITIES" under "TECHNICAL INFORMATION" and Item E under "REZONING CRITERIA" above).

6. The nature and character of the activities, processes, materials, equipment, or conditions of operation, either specifically or typically associated with the use shall be reviewed.

There will be no peculiar activities, processes, materials, equipment, or conditions of operation associated with the proposed development.

7. Measures shall be taken to ensure that outdoor activity, storage, and work areas will be compatible with adjacent land uses.

No outdoor storage or work areas are proposed. There may be a possibility of outdoor recreational activities for residents, but no special measures appear warranted with regard to these.

8. The proposed Special Land Use shall be designed, constructed, operated, and maintained to meet the stated intent of the zoning district and shall comply with all applicable ordinance standards.

The proposed use will be developed in compliance with all applicable standards contained within the Zoning Ordinance.

9. The general standards and requirements of this Section are basic to all uses authorized by Special Land Use approval. The specific and detailed requirements relating to particular uses and area requirements must also be satisfied for those uses.

It has been demonstrated that the applicable use standards will be complied with.

STAFF RECOMMENDATION

The following motions are offered for the Planning Commission's consideration:

Rezoning

"I move that the Delta Township Planning Commission recommend to the Delta Township Board **approval** of the request to the rezone the property described in Case No. 02-24-02 from AG2, Agricultura/Residential, to RM, Multiple Family Residential for the following reasons:

1. The request allows for the advancement of the residential goals and objectives stated in the Delta Township Comprehensive Plan.
2. The findings of fact required for rezonings by Section 16.04 of the Delta Township Zoning Ordinance can be satisfied.

Special Land Use Permit

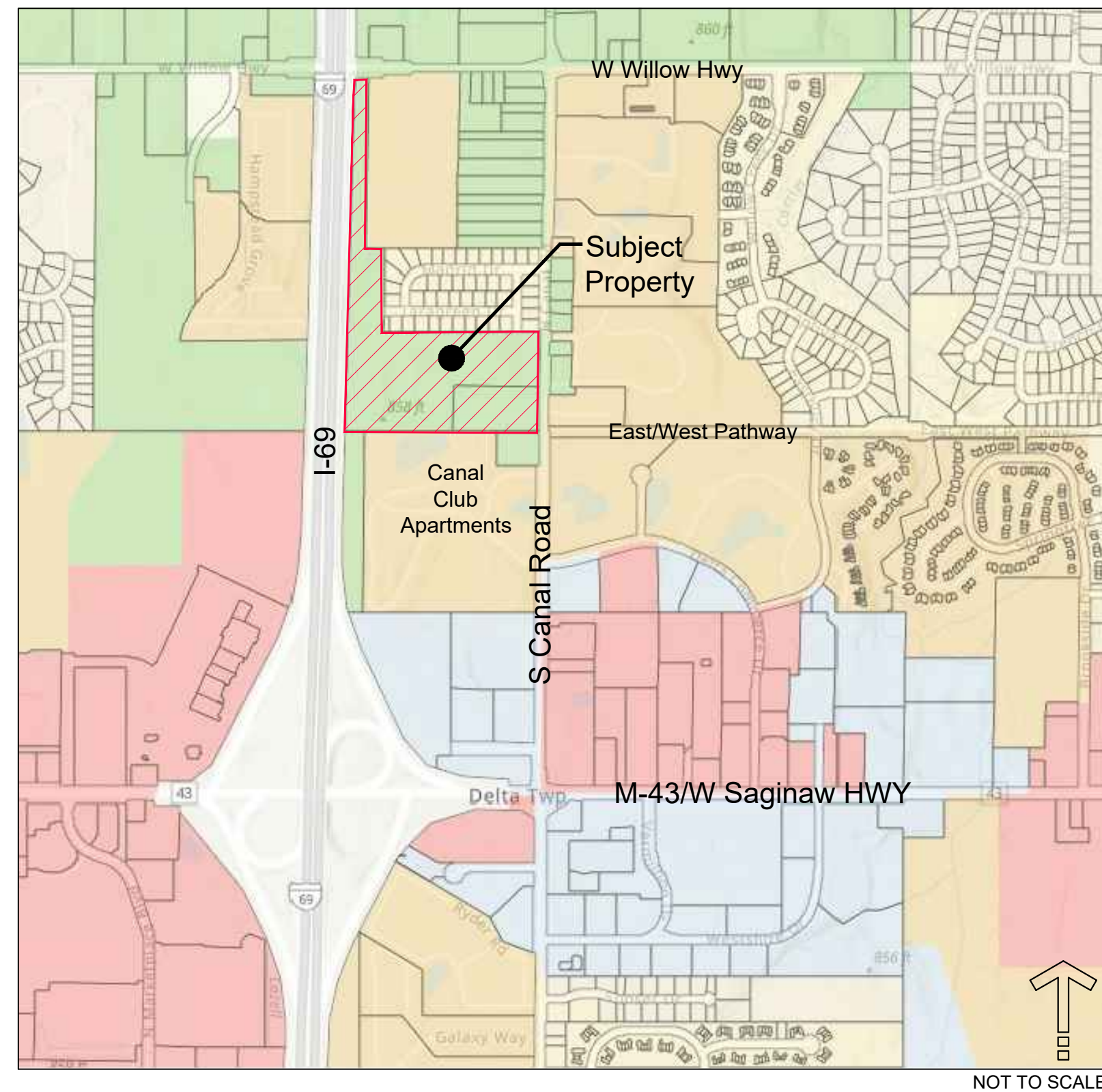
"I move that Delta Township Planning Commission recommend to the Delta Township Board **approval** of the request for a Special Land Use Permit to establish a Planned Unit Development on the property described in Case No. 02-24-03 for the following reasons:

1. The request meets the general standards specified for Special Land Uses in Section 7.03 of the Delta Zoning Ordinance.
2. The request meets the specific standards specified for PUDs in Section 5.03 of the Delta Township Zoning Ordinance.

The issuance of the Special Land Use Permit for the Planned Unit Development shall be subject to the following stipulations:

1. The developer shall provide additional road right-of-way for Canal Road and construct other road improvements as may be required by the Eaton County Road Commission and the Michigan Department of Transportation, respectively.
2. Construction and/or dedication of the necessary easements across and/or along the subject parcel for the development of shared-use pathways in accordance with routings required by the Township Engineer. Sidewalks shall be constructed per the requirements of the Delta Township Sidewalk Ordinance.
3. Failure of the applicant to comply with any of the provisions required by the Delta Township Zoning Ordinance, or any stipulations required by the Delta Township Board, shall constitute grounds for termination of these Special Land Use Permit by the Township Board."

LOCATION MAP



LEGAL DESCRIPTION

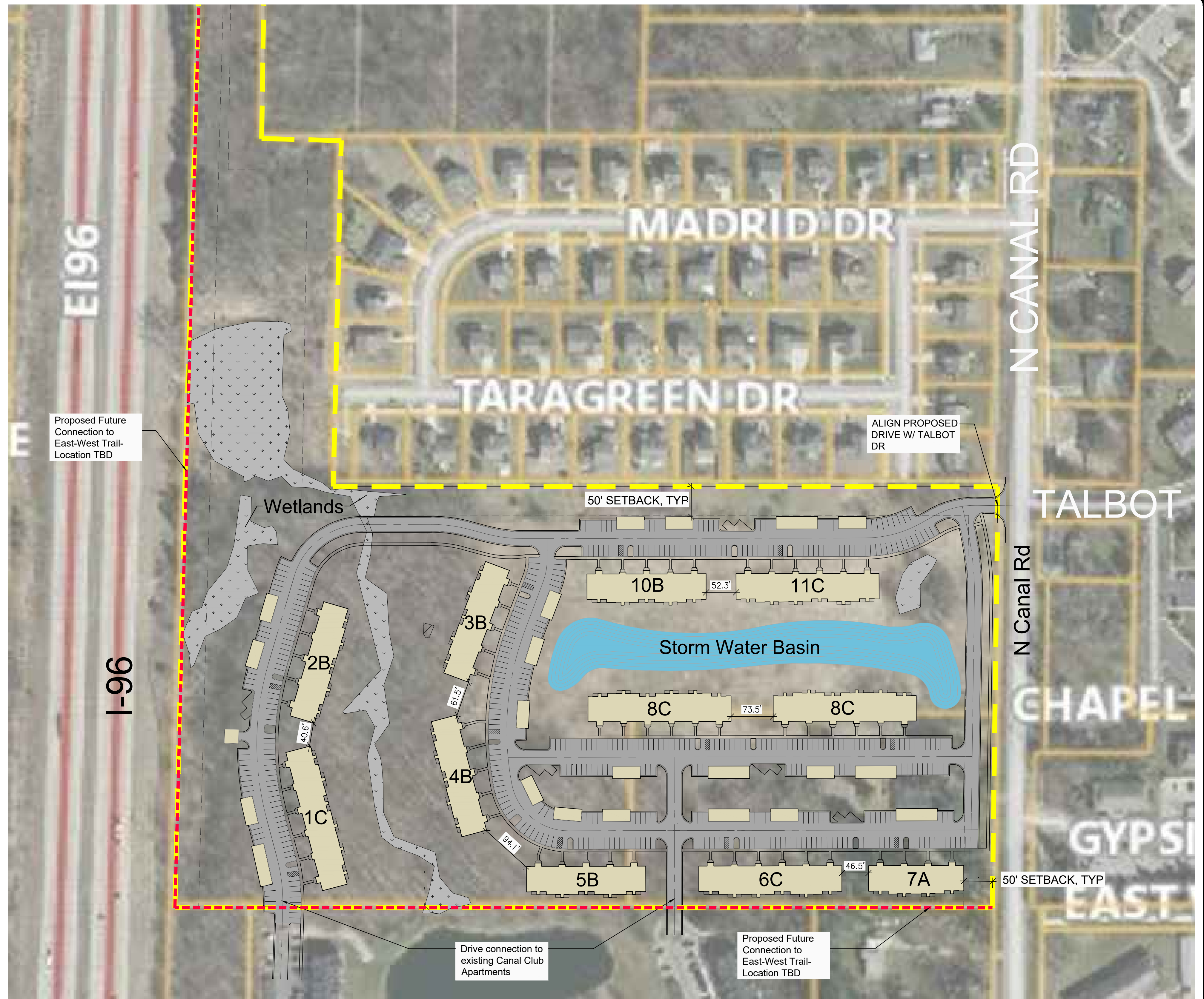
Land in the Township of Delta, Eaton County, MI, described as follows:

Parcel 1:

That part of the Northeast 1/4 of Section 9, Town 4 North, Range 3 West, Delta Township, Eaton County, Michigan, described as: Commencing at the East 1/4 corner of Section 9; thence North 00 degrees 37 minutes 13 seconds East 330.00 feet along the East line of Section 9 to the point of beginning of the following described parcel; thence South 89 degrees 40 minutes 26 seconds West 660.00 feet parallel with the East-West 1/4 line of Section 9; thence South 00 degrees 37 minutes 13 seconds West 330.00 feet parallel with the East line of Section 9 to the East-West 1/4 line of Section 9; thence South 89 degrees 40 minutes 26 seconds West 787.69 feet along the East-West 1/4 line of Section 9 the Easterly Right-of-Way of Highway I-96; thence North 01 degree 15 minutes 33 seconds East 2454.49 feet along the Easterly Right-of-Way of Highway I-96; thence Northerly 107.07 feet continuing along the Easterly Right-of-Way of Highway I-96 on a curve to the left, having a radius of 23115.30 and a chord of 107.07, bearing North 01 degree 07 minutes 35 seconds East to a point 75 feet South of the North line of Section 9; thence North 89 degrees 27 minutes 03 seconds East 96.64 feet parallel with the North line of Section 9 to the North-South 1/8 line of the Northeast 1/4 of Section 9; thence South 00 degrees 24 minutes 08 seconds West 1243.08 feet along the North-South 1/8 line of the Northeast 1/4 of Section 9 to the East-West 1/8 line of the Northeast 1/4 of Section 9; thence North 89 degrees 33 minutes 43 seconds East 137.06 feet along the East-West 1/8 line of the Northeast 1/4 of Section 9; thence South 00 degrees 37 minutes 13 seconds West 590.00 feet parallel with the East line of Section 9; thence North 89 degrees 33 minutes 43 seconds East 1181.00 feet parallel with the East-West 1/8 line of the Northeast 1/4 of Section 9 to the East line of Section 9; thence South 00 degrees 37 minutes 13 seconds West 400.74 feet along the East line of Section 9 to the point of beginning.

Parcel 2:

The East 660 feet of the South 330 feet of the Southeast 1/4 of the Northeast 1/4 of Section 9, Town 4 North of Range 3 West, Delta Township, Eaton County, Michigan.



OWNER
EDWARD ROSE PROPERTIES, INC.
6101 NEWPORT ROAD
KALAMAZOO, MICHIGAN 49003
269/323-9484

PREPARED BY:
EDWARD ROSE PROPERTIES, INC.
6101 NEWPORT ROAD
KALAMAZOO, MICHIGAN 49003
KIRSTEN RIMES 269/321-7836

ZONING:
EXISTING ZONING: A2
AGRICULTURAL RESIDENTIAL
PROPOSED ZONING: RM
MULTIFAMILY RESIDENTIAL
DISTRICT W/PUD

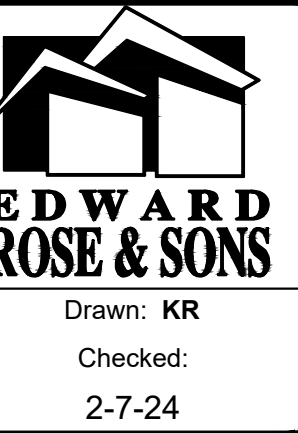
PROJECT ADDRESS:
1215 N CANAL ROAD
LANSING, MICHIGAN 48917

PARCEL NUMBERS:
040-009-200-073-00- ±4.75 Acres
040-009-200-110-00- ±25.4 Acres

PROJECT INFORMATION:
354 UNITS
221- 1- BEDROOM UNITS
133- 2- BEDROOM UNITS
±30.8 ACRES
11.5 UNITS/ACRE

A 1- 24 UNIT BUILDING
B 5- 30 UNIT BUILDING
C 5- 36 UNIT BUILDING

Preliminary Site Plan
Rezoning and SLUP
Canal Club- Additional Units
Delta Township, Michigan



2-7-24

Issue / Revisions
Rezoning and SLUP

Canal Club- Additional Units
Delta Township, Michigan
Preliminary Site Plan

PLAN:

PAGE:

1

construction. Proposed landscaping along the roadway should be chosen to avoid negatively impacting sight distance. Existing trees along the roadway should be maintained to avoid negative impacts on sight distance.

Right-Turn: SSD = 360 feet, ISD = 430 feet
Left-Turn: SSD = 360 feet, ISD = 500 feet

EXHIBIT 14: SIGHT DISTANCE TRIANGLE AT CANAL RD AND SITE DRIVEWAY



5 Conclusions and Recommendations

Based on the traffic data, the site plans, and the results of the traffic analysis presented herein, RSE has determined that adjacent roadways are expected to accommodate the proposed apartment complex expansion development with minor traffic operation and site access improvements. The analysis results and recommendations for the development are summarized below.

- a) All intersections/driveways operate at an acceptable LOS D or better during all peak periods for all conditions with the exception of the following:
 - The westbound left turn movement at Canal Rd and Streamwood Dr/Delta Commerce Dr during the PM peak hour. The LOS drops to LOS E during the Build-Out condition.

- The southbound right turn movement at Canal Rd and I-69BL/M-43 (Saginaw Hwy) during both peak hours. Both peak hours are LOS F for all conditions.
 - The northbound left turn movement at Canal Rd and I-69BL/M-43 (Saginaw Hwy). It is LOS F for all conditions during the PM peak hour, and LOS E for all conditions during the AM peak hour.
 - The eastbound thru movement at Canal Rd and I-69BL/M-43 (Saginaw Hwy) during the PM peak hour, which is LOS E for all conditions.
 - The northbound thru-right movement at Canal Rd and I-69BL/M-43 (Saginaw Hwy) during the PM peak hour, which is LOS E for all conditions.
 - The southbound left turn movement at Canal Rd and I-69BL/M-43 (Saginaw Hwy) during the PM peak hour, which is LOS E for all conditions.
- b) Generally, there are extremely minor increases in delays and queues from the 2023 Existing to the 2024 Build-Out conditions during each peak hour for most movements at the study intersections, while generally maintaining the existing LOS. Changes to the LOS occur at Canal Rd and Steramwood Dr/Delta Commerce Dr for the eastbound and westbound left turn movements for during the PM peak hour. The change increases the delay by 6 seconds for the westbound left turn movement and by less than 3 seconds for the eastbound left turn movement when compared to the No-Build scenario. Canal Rd and I-69BL/M-43 (Saginaw Hwy) experiences increased queues for the eastbound thru movement with the No-Build and Build-Out scenarios.
- c) I-69BL/M-43 (Saginaw Hwy) operates with significant delays during the existing condition.
- The mitigation model evaluates changes to the split to evaluate potential improvements for the AM peak hour. Cycle length is constrained by coordination along Saginaw Hwy.
- d) Right turn lanes/taper warrants.
- The proposed driveway meets the warrants for a right turn taper. RSE recommends that a right turn taper be installed. A 130-foot taper is recommended.
- e) Left turn lanes/taper warrants.
- The proposed driveway meets the warrants for a left turn lane. RSE recommends that the existing TWLTL be extended from Gypsie Ln to the proposed site driveway.
- f) A single lane exit is adequate for the proposed site driveway.
- g) As noted in the sight distance analysis section, it is recommended that the intersection quadrants within the sight triangle areas always remain clear of objects or any sight obstructions, including landscaping, to provide adequate sight distance for the access points.
- h) Signal timing adjustments are proposed for the signal at Canal Rd and I-69BL/M-43 (Saginaw Hwy) for the AM peak hour.

The geometrics for the driveways must follow Eaton County and MDOT standards for commercial driveway openings. All recommended improvements along Canal Rd Dr should be considered as part of the Canal Club

design and construction efforts, and should be designed according to the geometric, signing, and pavement marking design standards and guidelines of MDOT and the MMUTCD.

Please let us know if there are questions or if you need anything else.



Steve Stramsak, PE, PTOE

Project Manager, RS Engineering

SAS/TD/MS

Appendices