

Chair
Tim Fair
Vice-Chair
Bruce Keilen
Secretary
Linda Parkinson-Gray
Commissioners
Trustee Fedewa
Dale Dailey
Adam Bertram
Erika Hayes
Abby Lorenzen
Mike Nolen



Community Development Director
Brett C. Wittenberg

Planner
Vacant

Recording Secretary
Kelli Furgason

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PLANNING COMMISSION MINUTES

MONDAY, OCTOBER 3, 2022
7:00 p.m.

Public may choose to attend in person or listen at the phone number below.

Meeting Dial-In: (623) 600-3750
PIN: 346832

The call will be muted to reduce interference with proceedings. The public will be invited to make comments during the public comment sections of the meeting as well as before any vote. If you desire to comment, you will be invited to dial 5 so that we can unmute your line. Please contact the Planning Department at (517) 669-6576 with any additional questions.*

The regular meeting of the DeWitt Charter Township Planning Commission was called to order at 7:00 p.m. by Chairman Fair.

The Pledge of Allegiance was said by those present.

ROLL CALL by Secretary Linda Parkinson-Gray.

MEMBERS PRESENT: Betram, Dailey, Fair, Fedewa, Hayes, Keilen, Lorenzen, Nolen, and Parkinson-Gray.

MEMBERS ABSENT: None.

APPROVAL OF AGENDA: **Lorenzen moved to approve the meeting Agenda. Supported by Keilen.**

AYE Vote on the motion:

AYES: 9 NAYS: 0 ABSENT: 0

MOTION CARRIED

APPROVAL OF MINUTES: **Keilen moved to approve the August 1, 2022 minutes as presented. Supported by Lorenzen.**

AYE Vote on the motion:

AYES: 9 NAYS: 0 ABSENT: 0

MOTION CARRIED

CORRESPONDENCE: None

PUBLIC COMMENTS: None

UNFINISHED BUSINESS:

- I. PUBLIC HEARING – Special Use Permit #22-990004 from Meijer, Inc** - to be allowed to add a 2,847 square foot addition for expansion of the convenience store and a drive-thru restaurant to the existing gas station. The property is located at 12875 S. US 27, on the east side of S. US 27, north of Herbison Road and south of Webb Road, in the southwest corner of Section 10 of DeWitt Charter Township (Parcel #050-010-300-030-00).

A. Open Public Hearing – Chairman Fair opened the Public Hearing at 7:03 p.m.

B. Administrative Comments / Public Comments

Community Development Director Brett Wittenberg stated that before the Commission is a special use request for the gas station and convenience store located on US 27. The request is for an addition to the existing gas station that will include a 466-sf expansion to the convenience store and a 2,381-sf Starbucks drive-thru restaurant.

Wittenberg noted that a gas service station is permitted by special use permit and this is a major amendment because it is increasing the square footage. As part of the special use permit a site plan review is needed so it is all included in this application.

The expansion will go along the north side and include associated parking. They will also be shifting the access drive further north. The drive-thru will be along the south side and will include a bail-out lane roughly midway through. Additionally, where the stacking requirements are for vehicles, they are providing a bypass lane through there.

Wittenberg stated that in terms of landscaping there is existing vegetation on the north side where most of the development is happening and that the applicant will be removing and replacing and they add landscaping along the drive-thru. He noted that this all meets the ordinance requirements.

Wittenberg stated that there are specific conditions for drive-thru restaurants and this application is in compliance with those. There are also nine standards for gas service stations which the application meets.

Public notices were sent as part of the special use permit. One call was received asking what the drive-thru restaurant was going to be. They had no objections to the application.

Wittenberg noted that staff would recommend one additional condition if approved. Staff needs a detail of the proposed trash enclosure.

As such, staff recommends that the Planning Commission recommend that the Board of Trustees approve Special Use Permit #22-990004 as described and defined in the application materials.

Chairman Fair asked if there were any Commissioner questions for staff.

Commissioner Bertram asked about signage wondering if they would use the existing sign or build a new one.

Wittenberg stated that signage is not part of this application and that if the applicant decides to make any changes, they will have to apply for it and meet Township ordinance requirements.

Bertram asked if the applicant will be adding to the existing sidewalk along 27 to bring it into compliance with the non-motorized plan.

Wittenberg stated that they will.

Bertram noted that staff recommended a condition with the trash enclosure and wondered if they will be removing the current one or just adding a second one.

Wittenberg stated that there will be two.

Bertram asked why staff wants to add the condition and if it is more about the aesthetics of it.

Wittenberg stated that it is about the aesthetics.

Trustee Fedewa stated that he is in favor of the project and asked about the unidirectional bail-out lane. In terms of public safety, he notes that people may use it as a way into the line if there are not cars stacked. He questioned if there is really a need for it and if there is going to be signage for it.

Wittenberg stated that he would defer to the applicant on that. He noted that it will have a long drive-thru that doesn't have the bypass lane running the full length so the bail-out lane affords people an opportunity to exit the line.

Chairman Fair asked if there were any other Commissioner questions for Staff. There were none.

Chairman Fair asked if the applicant wanted to address the Planning Commission.

Tom Reeder, 3478 Snow Lane, Howell – stated that he is a representative from Bergman. Starbucks prefers to have the bail-out lane and that it is located before orders are placed. They can stack 13-14 cars and this will give people a chance to leave before they order. He stated that they can put up Do Not Enter signs or whatever the Township requests so they can maintain the bail-out lane.

Chairman Fair asked if there were any other questions for the applicant.

Bertram asked if the existing drive on the east is public or private.

Wittenberg stated that it is private.

Bertram noted that he asked about the drive because he has concerns about parking there, especially trailer parking.

Commissioner Lorenzen asked if this was going to be just drive-thru service or if there would be sit down service.

Reeder noted that there will be sit down service as well.

Chairman Fair asked if there were any more Commissioner questions. There were none.

Chairman Fair asked if there were any public comments from those present in-person or joining remotely. There were none.

C. Close Public Hearing – Keilen moved to close the Public Hearing at 7:16 p.m. Supported by Fedewa. Motion carried.

D. Discussion and possible action by Planning Commission

Chairman Fair asked staff if there needs to be a condition added for the trash enclosures and if so, would staff write one up.

Wittenberg stated that there would be and wrote one up.

Lorenzen moved that the Planning Commission recommend that the Board of Trustees approve Special Use Permit 22-990004 from Meijer, Inc. to construct a 2,847 square foot addition for expansion of the convenience store (466 sf) and a new drive-thru restaurant (2,381 sf) to the existing gas station located at 12875 S. US 27 and identified as Parcel #050-010-300-030-00. Approval is recommended on the following conditions:

- 1. That any proposed signage meets the requirements of Section 5.4 of the Zoning Ordinance.**
- 2. That the applicant complies with Sections 4.44, 4.52, and Section 6.1 of the Zoning Ordinance.**

3. That the applicant shall satisfy the requirements of all other required reviewing agencies.
4. Prior to issuance of a building permit, the applicant shall comply with the requirements of the Clinton County Drain Commissioner's Office and Southern Clinton County Municipal Utility Authority.
5. The applicant shall comply with any other Federal, State, County, or Township regulations.
6. The applicant complies with all conditions outlined in Special Use Permit 22-990004.
7. The applicant shall provide a detailed drawing of the trash enclosure prior to the issuance of a building permit.

Supported by Parkinson-Gray.

ROLL CALL Vote on the motion:

AYES: 9 NAYS: 0 ABSENT: 0

MOTION CARRIED

Chairman Fair noted that this will go before the Board of Trustees at their October 24, 2022 meeting.

II. Batch Ordinance Amendment 22-1 Accessory Dwelling Units and Home Occupations

Chairman Fair stated that staff requests this item remain tabled until the November 7, 2022 meeting and asked if staff had any comments.

Wittenberg stated that he has been in discussions with the Township Attorney based on the Planning Commission discussion and that there is pending legislation that, though not specific to Accessory Dwelling Units, could have an impact on some of the things discussed for the amendment. Staff would like to dive in a bit more before bring it back to the Planning Commission for discussion.

Depending upon how things go, staff will bring something back next month and it may or may not be in Ordinance form depending on where we get with legal counsel. If it needs more discussion, staff may divide up the amendments so the Commission can move on with the Home Occupation amendment while continuing to work with the Accessory Dwelling Units.

**Keilen moved that Batch Ordinance Amendment 22-1 Accessory Dwelling Units and Home Occupations remain tabled until the November 7, 2022 meeting.
Supported by Lorenzen.**

AYE Vote on the motion:

AYES: 9 NAYS: 0 ABSENT: 0

MOTION CARRIED

NEW BUSINESS:

None

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: (Must be made from the podium)

There were none.

REPORTS:

- I. **Trustee:** Trustee Fedewa then gave a brief report on business conducted and actions taken at recent Board of Trustees meetings including budget season keeping the Township Manager and staff busy, streetlights and how they are handled in the Township, and the new Municipal Building South. General discussion followed on these items.
- II. **Zoning Board of Appeals:** Bertram noted that there was no meeting in September and none for October.
- III. **Committees & Staff:** Wittenberg gave a brief report on continuing and upcoming items including a Public Open House on October 20th from 4pm – 7pm at Township Hall for the Webb Road Pathway project, Rotunda Mobile Home Park, and openings on the Corridor Improvement Authority. He also noted that he is still working on possible training for the Commissioners.

DISCUSSION:

Vice Chairman Keilen asked for an update on the Town & Country Motel.

Wittenberg stated that their timeline is up sometime this month and that he is aware of some permits being pulled.

Bertram asked if there has been any discussion on a joint meeting between the Planning Commission and the Township Board. He feels it is a valuable meeting to ensure the Planning Commission and Board of Trustees are on the same page.

Wittenberg stated that he has had discussion with the Township Clerk and will continue to have them. He noted that 2023 will be a good time to have one as there will be a new Comprehensive Development Plan being done then.

Commissioner Dailey noted that he agrees there is real value in the joint meeting.

General discussion followed on the importance of a joint meeting.

ADJOURNMENT: Lorenzen moved to adjourn the meeting at 7:53 p.m. Supported by Keilen. MOTION CARRIED

Public Participation Policy:

1. Public comments on agenda items shall be limited to 3 minutes. Any citizen may address the Planning Commission regarding any Agenda item at this time or they may reserve time to address the Board when an Agenda item is discussed.
2. Extended public comments – limited to 5 minutes. Any topic of Township interest can be addressed.

DeWitt Charter Township will provide to individuals with disabilities reasonable auxiliary aids and services which are needed to fully participate in any Township meeting providing a seventy-two (72) hour notice is received by phone or in writing. Contact DeWitt Charter Township, Clerk's office, 1401 W. Herbison Road, DeWitt, MI 48820, phone: 517.668.0270, to request the necessary assistance.

Kelli Furgason, Recording Secretary

Linda Parkinson-Gray, Secretary