

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, FEBRUARY 6, 2023
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.

Township Clerk, Adam Cramton, administered the Oath of Office for Commissioner Lorenzen and Commissioner Parkinson-Gray.

ROLL CALL by Secretary Linda Parkinson-Gray.

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

MEMBERS ABSENT: Bertram and Fedewa.

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

AYE Vote on the motion:

AYES: 7 NAYS: 0 ABSENT: 2

MOTION CARRIED

APPROVAL OF MINUTES: **Hayes moved to approve the November 7, 2022 minutes as presented. Supported by Lorenzen.**

AYE Vote on the motion:

AYES: 7 NAYS: 0 ABSENT: 2

MOTION CARRIED

CORRESPONDENCE: None

PUBLIC COMMENTS: None

UNFINISHED BUSINESS:

I. PUBLIC HEARING – Special Use Permit #22-990005 from McKearney Holdings, LLC - to be allowed to utilize outdoor storage for materials and equipment. The property is located at 16501 S. US 27, on the east side of S. US 27, north of Coleman Road, south of Wieland Road, east of Turner Road, and west of Wood Road in Section 34 of DeWitt Charter Township (Parcel #050-034-300-005-60).

A. Open Public Hearing – Chairman Fair opened the Public Hearing at 7:05 p.m.

B. Administrative Comments / Public Comments

Community Development Director Brett Wittenberg stated that the applicant is requesting approval to allow for the outdoor storage of materials, sealcoat tanks, and an asphalt reheater / recycler on a 4.08-acre parcel located in the Community Business (BC) zoning district.

Construction contracting businesses are permitted by right in the Community Business (BC) but outdoor storage is not. This parcel was rezoned a number of years ago and at that time there was some discussion about future plans providing outdoor storage.

Wittenberg stated that there will be no changes to the existing buildings and that what the applicant is proposing is similar to what Hammond Farms uses for the mulch bins, which are concrete block. Future plans will include salt bins and sealcoat tanks.

Public notice was published and sent out. There was one inquiry with general questions but no concerns.

In regards to reviewing agencies, the applicant is still corresponding with the Drain Commissioner's Office so there is a condition on the Special Use Permit regarding that. In addition, the storage bins will be subject to the required setbacks for the zoning district.

Wittenberg stated that it is staff's recommendation that the Planning Commission recommend to the Board of Trustees that they approve Special Use Permit #22-990005 subject to the conditions listed in the staff report and on the Special Use Permit.

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

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

Andy McKearney, 210 E Sherwood, Williamston, stated that he has nothing to add and is open to any questions the Commissioners have.

Commissioner Lorenzen asked for clarification on the location of the concrete block bins as shown on the site map.

McKearney stated that their placement on the sides makes sense and that he will work with the Drain Commissioner for exact placement.

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

Chairman Fair thanked the applicant for cleaning up the property and for investing in the Township.

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 7:15 p.m.
Supported by Lorenzen.

D. Discussion and possible action by Planning Commission

Lorenzen moved that the Planning Commission recommend that the Board of Trustees approve Special Use Permit 22-990005 from McKearney Holdings, LLC to develop and operate open-air storage of materials associated with the construction contracting business as described and defined in the application materials, on the property identified as parcel #050-034-300-005-60 with the conditions listed in the permit. Approval is subject to the following conditions:

- 1. The applicant shall satisfy the requirements of the Clinton County Drain Commission's Office regarding storm water management prior to installation of any improvements.**
- 2. The applicant shall satisfy the requirements of all other reviewing agencies.**
- 3. That the applicant complies with any other Federal, State, County, or Township regulations.**

Supported by Nolen.

ROLL CALL vote on motion:

AYES: 7 NAYS: 0 ABSENT: 2

MOTION CARRIED.

Chairman Fair noted that this request will go before the Board of Trustees on Monday, February 27, 2023.

NEW BUSINESS:

- I. Site Plan Review #23-150001 from Fiesta Charra** – for the construction of a 10,150 square foot multiple unit restaurant building. The subject site is located at Ernest Way, east of Airport Road, north of I-69, west of Schavey Road, south of Clark Road in Section 19 of DeWitt Charter Township (Part of Parcel #050-019-200-005-50).

Community Development Director Wittenberg stated that the applicant is seeking approval for a 10,150 square foot multi-tenant building on approximately 2.16 acres of a larger 59.46-acre parcel. If approved, Fiesta Charra will occupy the southern portion of the building.

All of the adjacent properties are part of the Community Business zoning district and are identified on the Future Land Use Map as Mixed-Use Development.

The proposed site plan is in compliance with all criteria, providing in excess of required parking, and meets all requirements for landscaping and screening.

The applicant is still working through details regarding the access drive along the west property line. It is off the property that Fiesta Charra is purchasing so they will need access easements and maintenance agreements. Wittenberg noted that staff is recommending that there be a 5-foot sidewalk installed along the east side of the access drive.

Wittenberg stated that the developed portion of the parcel has decorative street lights in place and he has asked the applicant to provide similar lighting on their portion of the parcel. The applicant has been able to accommodate this request.

Fiesta Charra will occupy the southern end of the building and the other two tenants are still undetermined. There will be pick-up windows at both the north and south end of the building.

Wittenberg stated that it is staff's recommendation that the Planning Commission approved Site Plan Review #23-150001 from Fiesta Charra subject to the conditions in the staff report.

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

Chairman Fair asked if the applicant was present and wanted to address the Commission.

Shawn O'Brien, 16948 Pine Hollow Drive, East Lansing, was present representing Collier's & DTN. He stated that they are working on the west access drive but are unsure if it will be a site condo or standard easement. He also noted that at this time the two northern tenants are still undetermined.

O'Brien noted that the only ingress and egress will be to the private road and they are making the site easy to maneuver.

Chairman Fair asked if there were any Commissioner questions.

Vice Chairman Keilen asked when Fiesta Charra plans to be up and running.

O'Brien stated that construction will probably start around this time next year. Fiesta Charra is doing the Herbison Road location first.

Chairman Fair asked if there were any other 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.

Vice Chairman Keilen moved that the Planning Commission approve Site Plan Review 23-150001 from Fiesta Charra Mexican Restaurants for construction of a new 10,150 square foot multi-tenant building with drive-through facilities, as described and defined in the application materials. Approval is subject to the following conditions:

- 1. Prior to issuance of a building permit, the applicant shall provide approvals from the Clinton County Drain Commissioner and Southern Clinton County Municipal Sewer Authority.**
- 2. Prior to the issuance of a building permit, the applicant shall provide verification of agreements with the adjacent property owner for the necessary easements and maintenance agreements for the proposed access drive.**
- 3. Prior to issuance of a Certificate of Occupancy, the proposed access drive shall be constructed.**
- 4. A five (5) foot sidewalk is required on the east side of the proposed access drive.**
- 5. That the applicant shall satisfy the requirements of all reviewing agencies.**
- 6. That the applicant shall comply with any other Federal, State, County, or Township regulations.**

Supported by Parkinson-Gray.

ROLL CALL vote on motion:
AYES: 7 NAYS: 0 ABSENT: 2
MOTION CARRIED.

II. Election of Officers for Year 2023

Chairman floor opened up the floor for nominations.

Vice Chairman Keilen motioned to nominate Tim Fair for Chair and if there are no other nominations to close the motion and cast a unanimous vote. Nolen supported.

ROLL CALL vote on motion:
AYES: 7 NAYS: 0 ABSENT: 2
MOTION CARRIED.

Chairman Fair motioned to nominate Keilen for Vice Chair and Parkinson-Gray for Secretary. Nolen supported.

ROLL CALL vote on motion:
AYES: 7 NAYS: 0 ABSENT: 2
MOTION CARRIED.

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

There were none.

REPORTS:

- I. **Trustee:** Clerk Cramton updated the Commission on current enforcement cases with area Hotel / Motel properties. Town & Country had their license revoked and the property has been sold. Westview recently had a public hearing and was given 90-days to bring the property into compliance. If that does not happen, their license will be revoked. Commissioner Parkinson-Gray commended Township staff on how well the whole process was handled.

Vice Chairman Keilen asked if there has been any update on Rotunda.

Clerk Cramton stated that there was some progress when the property heir was in the US from Dubai but that has slowed. The Township is preparing to start legal proceedings if necessary.

- II. **Zoning Board of Appeals:** Commissioner Betram was not in attendance so Community Development Director Wittenberg noted that there was no meeting last month and there will not be one this month. There could potentially be a meeting in March.

- III. **Committees & Staff:** Community Development Director Wittenberg touched on a few items including three MI Sparks Grants that staff applied for and thanked Commissioner Dailey for his assistance with one of them, Webb Road Pathway was submitted to MDOT and tree removal will be completed by the end of March, and there may be a surprise presenter at the March meeting as he will be out of the office.

DISCUSSION:

General discussion regarding projects in the Township and the Township's Mixed-Use ordinance followed with Wittenberg noting that he is working on an RFP for staffing assistance in the Planning Department. It's been difficult to keep the Planner position filled so he is hoping to hire a consultant to handle the long-range projects, like the Comp Plan and Zoning Ordinance, and that he and Kelli will work on the day-to-day operations of the department. Wittenberg stated that Kelli has stepped up and is already been taking on some new responsibilities including building reviews and could potentially be a guest speaker sometime in the near future. The planner position has been difficult to fill and he feels that a bit of restructuring could benefit the department and the Township as well.

Commissioner Parkinson-Gray asked for an update on Thomas Farms.

Wittenberg stated that they recently pulled some permits for the condo phase and that they have run into some supply chain issues.

Chairman Fair thanked Brett & Kelli for their hard work keeping the department running smoothly.

ADJOURNMENT: Keilen moved to adjourn the meeting at 7:55 p.m. Supported by Lorenzen. 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