

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, MARCH 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 Bertram and Commissioner/Trustee Fedewa.

ROLL CALL by Secretary Linda Parkinson-Gray.

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

MEMBERS ABSENT: None.

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

AYE Vote on the motion:

AYES: 9 NAYS: 0 ABSENT: 0

MOTION CARRIED

APPROVAL OF MINUTES: **Parkinson-Gray moved to approve the February 6, 2023 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:

NEW BUSINESS:

- I. **Site Plan Review #23-150002 from Biggby Coffee** – to construct and operate a drive-through facility associated with the existing Biggby Coffee in the Schavey Plaza Shopping Center at 13181 Schavey Road; consisting of approximately 1,092 SF on an approximately 8.48-Acre parcel located north of Old Hickory Trail, east of Schavey Road, and south and west of Hitching Post Road, in the northeast ¼ Section 18 of DeWitt Charter Township (Parcel #050-170-000-084-00).

Planning Department staff member, Kelli Furgason, stated that this request is from Biggby Coffee to construct and operate a drive-through facility associated with their existing location in the Schavey Plaza Shopping Center located at 13181 Schavey Road.

The property is located in the BSC (Shopping Center Business) district – restaurants with drive-through facilities are a permitted use in this district subject to the regulations of Section 4.4 of the Zoning Ordinance.

The overall site area of the Schavey Plaza currently consists of approximately 8.48 acres of land – Biggby Coffee has a suite consisting of 1,092 sf – the site has two accesses (from Schavey Road and Old Hickory Trail).

As the Planning Commission may recall the applicant submitted a site plan application in 2021 which had the drive-through located at the west end of the building. Staff was supportive of that original application however the property owner was not in agreement with the proposed layout. A revised plan was submitted and was denied by the Planning Commission due to concerns about the internal vehicle circulation and pedestrian/handicap accessibility.

This new site plan depicts the location of the proposed drive-through – the plan proposes the removal of 19 parking spaces at the rear (south) of the building, a new access on Old Hickory Trail, and a sidewalk connection from Old Hickory Trail to the shopping center.

In terms of review agency comments: the FD requests the applicant provide delineators (bollards) along the raised sidewalk not more than 6ft apart / PD has no issues or concerns / CCRC has no issues or concerns in regard to the public road and connection at Old Hickory Trail, as a courtesy recommendation they suggest adding signage at the beginning of the drive-through similar to “No Drive-Through Staging Beyond This Point, Please Park and Order Inside” / CCDC noted there is a minor existing drainage issue that may need to be addressed

Staff is of the opinion that the proposed site plan meets all the requirements of the zoning ordinance and therefore, Staff recommends that the Planning Commission approve Site Plan Review #23-150002 with the conditions listed in the Staff Report

Furgason noted that the applicant and the project engineer are in attendance.

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

Vice-Chairman Keilen asked if the property owner was supportive of this proposed plan.

Furgason stated that staff does have a copy of the site plan signed by the property owner.

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

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

Margo Reese – 406 W Main, DeWitt – is the owner of the Biggy location. She read a statement explaining her history in the community and her desire to continue to live in and support the community. She reviewed the need for a drive-through and its impact on business.

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

Trustee Fedewa commended and thanked the applicant for their commitment to this project and their willingness to work with the Township and come up with a solution that is good for everyone.

Chairman Fair agreed and thanked them for sticking with the process and being part of the community.

Chairman Fair asked the project engineer if he would like to address the Commission.

Paul Furtaw – DC Engineering – 7050 W. Saginaw, Lansing – stated that he feels Margo and Kelli covered everything and that he is happy to answer any questions.

Chairman Fair asked if there were any questions from the Commissioners. There were none.

Commissioner Hayes moved that the Planning Commission approve Site Plan Review 23-150002 from Biggby Coffee Store 125 to develop and operate a drive-through facility associated with the existing Biggby Coffee, as described and defined in the application materials, within Schavey Plaza Shopping Center identified as parcel # 050-170-000-084-00. Approval is subject to the following conditions:

1. That the Zoning and Planning Official shall conduct an annual review to evaluate the drive-through facility to ensure that traffic is not impeded within the public right-of-way on Old Hickory Trail and that appropriate measures (including closure of the drive-through) may be taken if it is determined that there is an impediment to traffic on Old Hickory trail.
2. That the applicant shall address concerns of the Clinton County Drain Commissioner's Office.
3. That the applicant shall provide signage on private property similar to what is recommended by the Clinton County Road Commission.
4. That the applicant shall satisfy the requirements of the DeWitt Charter Fire Department for delineators along the raised sidewalk no more than 6 feet apart.
5. That the applicant shall satisfy the requirements of all required reviewing agencies.
6. That the applicant shall comply with Section 4.44 of the Zoning Ordinance.
7. That the applicant shall comply with Section 6.1 of the Zoning Ordinance.
8. That the applicant shall comply with any other federal, state, or local regulations.

Supported by Keilen.

ROLL CALL vote on motion:

AYES: 9 NAYS: 0 ABSENT: 0

MOTION CARRIED.

- II. Special Use Permit - #23-990001 from Simtech Outdoor Solutions** – to operate an open-air business. The subject site is located at 16441 S US 27, north of Coleman Road, south of E. State Road, east of Old US 27, and west of Granger Meadows Lane, in Section 34 of DeWitt Charter Township (Parcel #050-034-200-080-00). **Receive and Set for a Public Hearing to be held on Monday, April 3, 2023.**

Lorenzen moved that the Planning Commission receive Special Use Permit #23-990001 from Simtech Outdoor Solutions and set a Public Hearing to be held at the April 3, 2023 regular Planning Commission meeting.

Supported by Parkinson-Gray.

AYE Vote on the motion:

AYES: 9 NAYS: 0 ABSENT: 0

MOTION CARRIED

III. Ordinance Amendment - Discussion

Planning Department staff member, Kelli Furgason, stated that while recently reviewing a few zoning compliance applications in regards to new occupancies staff found that athletic clubs and health spas are not an allowed use in the BSC (Shopping Center Business) zoning district.

Furgason noted that these types of uses are allowed by right in the BC (Community Business) zoning district and staff is of the opinion that this use is compatible with both zoning districts and as such, should be a permitted use in both.

Staff is seeking input and direction from the Planning Commission on this possible ordinance amendment.

Chairman Fair asked if there was any Commission feedback.

Commissioner Bertram asked if there was anything else in those districts that staff is looking at that could be added to this amendment. He noted that he reviewed them and they look very similar except for this particular use.

Furgason stated that at this time, they are only looking at this specific amendment.

The Planning Commission directed staff to move forward and prepare a draft amendment for the April 3, 2023 regular meeting.

PRESENTATION:

I. Master Citizen Planner Capstone Presentation – *Ethics: Things to Consider and Why They Matter*

Planning department staff member Furgason stated that she enrolled in the MSU Extension Citizen Planner program and received her certification in January. Furgason has moved on to the Master Citizen Planner program and this presentation is the final step before she receives her Master Citizen Planner certification.

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

There were none.

REPORTS:

- I. **Trustee:** Trustee Fedewa gave a brief report on business conducted and actions taken at recent Board of Trustees meetings including updates the new Municipal Building South project and the purchase of a new entirely electric vehicle for the Fire Department. Fedewa also noted how busy the Police & Fire Departments have been and noted that during the recent shooting at MSU, the Police Department jumped in and offered assistance even before they were asked. In fact, he noted that in order to assist there and still protect the Township, several officers who had just completed their shifts returned to work. Finally, Fedewa stated that he has been working with Brett on a possible joint meeting with the Board and the Planning Commission. The Board understands the importance of the meeting so they are working together to determine a date that would work for both as well as discussion items.
- II. **Zoning Board of Appeals:** Commissioner Betram stated that there has not been a meeting.
- III. **Committees & Staff:** Planning Department staff member Furgason noted that Community Development Director Wittenberg is on vacation this week.

DISCUSSION:

Vice Chairman Keilen asked Township Clerk Cramton how much longer we would be offering the call-in option for the meeting. He wondered if it is still required and noted that there are rarely any call-ins. He feels it is a lot of work for staff and there haven't been participants in months.

Clerk Cramton stated that it is no longer a requirement but that the Township Board feels it is a good tool to offer those who may not be able to join in person.

Commissioner Dailey asked if staff has heard anything more on the grants that were applied for.

Furgason stated that staff is still waiting for updates on the next round and for feedback on the initial applications.

Chairman Fair thanked Commissioner Dailey for assisting Township staff with the MI Sparks Grant application for Water's Edge Park.

There was general discussion on any possible Township partnership with Granger Waste Services for trash removal and recycling.

There was general discussion regarding solar farms and other potential development sites in adjacent jurisdictions and if the Township has been approached.

ADJOURNMENT: Lorenzen moved to adjourn the meeting at 8:02 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