

**Chair**  
Bruce Keilen  
**Vice-Chair**  
Steve Gobbo  
**Secretary**  
Kimberly Smelker  
**Commissioners**  
Steve Musselman, Trustee  
Dale Dailey  
Marsha Zimmerman  
Tim Fair  
Adam Bertram  
Kristen Krol



**Township Planner**  
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**Recording Secretary**  
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**PLANNING COMMISSION MINUTES**  
**MONDAY, JUNE 4, 2012**  
**7:00 p.m.**

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

The Pledge of Allegiance to the Flag was said by those present.

ROLL CALL by Secretary Smelker.

**MEMBERS PRESENT:** Bruce Keilen, Steve Gobbo, Kim Smelker, Adam Bertram, Dale Dailey, Kristen Krol, Tim Fair and Trustee Steve Musselman.

**MEMBERS ABSENT:** Marsha Zimmerman.

**OTHERS PRESENT:** Planning Consultant Jim Foulds and Recording Secretary Linda Parkinson.

**APPROVAL OF AGENDA:** Fair moved to approve the Agenda with the correction at the top of the document to read "Agenda" rather than "Minutes". Supported. Motion Carried.

**APPROVAL OF MINUTES:** Fair moved to approve the minutes of the May 7, 2012 Regular Meeting as printed. Supported. MOTION CARRIED.

**CORRESPONDENCE:** The following items of correspondence were received by the Planning Commission:

1. Charter Township of Meridian – 2005 Master Plan Amendment – Phase I
2. Michigan Township Association - Recommendations

**PUBLIC COMMENTS:** None.

**UNFINISHED BUSINESS:**

- I. **Rezoning Request 12-880001 from Michael McGraw**, for a vacant parcel located in the vicinity of Ridge Rock Subdivision, east of Airport Road, west of Schavey Road, south of Herbison Road, north of Clark Road, in the southwest ¼ of Section 18 of DeWitt Charter Township, to

rezone approximately 22 acres from R3 (Residential Single Family) to amended Conditional R4 (Residential Single and Two Family) zoning district. **Note: Public Hearing held at the April 2, 2012 meeting.**

Planning Consultant Jim Foulds briefly reviewed staff's memorandum dated May 30, 2012 advising the original request was for a Conditional Rezoning from R3 (Residential Single Family) to R5 (Single and Two Family) zoning district. The condition was to restrict the dwelling unit type to single family only. After the Public Hearing held on April 7, 2012, there were concerns expressed regarding the density range of the R5 district as it related to the subdivision to the north (Ridge Rock Subdivision). At that point the applicant requested, with the support of the Planning Commission, to defer action until the applicant had a chance to look at alternative zoning districts as they relate to lot size. Further to allow the applicant time to discuss with the Clinton County Road Commission (CCRC), the feasibility of amending the required second means of access to the subdivision to the north (Looking Glass Pines Subdivision). Numerous discussions have been held with the CCRC staff and the applicant intends to file an amendment request close to the time the plat design is submitted.

At this time, the applicant has agreed to amend their original Conditional Rezoning Request and ask for the R4 zoning district rather than the R5 zoning district. To clarify what that means, the minimum lot size for R4 is 15,000 square feet and for R5 it is 10,000 square feet.

The Looking Glass Pines Subdivision is zoned R6 which allows for a minimum lot size requirement of 8,000 square feet. Staff has determined from the existing lot sizes in the entire Looking Glass Subdivision, the mean lot size is 16,900 square feet and the median lot size is 14,800 square feet. The applicant's most recent conditional request of the R4 zoning district would be close to the median lot size that exists in the Looking Glass Pines Subdivision.

In closing, Foulds stated the issue being considered at this meeting is lot size and density. Any access points or lot design issues will be discussed at the time the applicant goes through the plat approval process. It is staff's recommendation that the amended Conditional Rezoning Request 12-880001 from Michael McGraw is consistent with the goals and objectives of the Comprehensive Development Plan.

Chairman Keilen invited the applicant to speak.

Michael McGraw, 2688 Arbor Chase Drive, Northeast Grand Rapids, MI, 49525, applicant, stated he still feels the applicant is within their rights to request the original R5 zoning. However, he took the time to meet with the residents of both Looking Glass Pines and Ridge Rock Subdivisions, and the better solution was to compromise and amend the Conditional Rezoning request and ask for the R4 Zoning District. Lastly, he advised they would prefer not to connect to the Looking Glass Pines Subdivision. However, that is a decision that will be made by the Clinton County Road Commission.

There were no questions from Planning Commission members.

Keilen invited the public to speak.

Bill Bupp, 3991 White Pine Drive, DeWitt, MI 48820, stated the applicant met with residents of both Ridge Rock and Looking Glass Pines Subdivisions. Everyone was very happy with the compromise to request the R4 zoning district.

Sam Thelen, 13667 Acacia Lane, DeWitt, MI 48820, questioned if the amended request would still restrict two-family residences.

Keilen advised the amended request includes the condition that the applicant only build single family homes.

Clifford Waddell, 13401 Norway Pine Drive, DeWitt, MI 48820, stated he has no objection to the amended application requesting the R4 zoning district. He would be objected to two-family dwellings. He respects the applicant and the quality of homes that they build. His only concern is to protect the integrity of the Looking Glass Pines Subdivision. He invited the Planning Commission to drive through the area and see what a unique and beautiful subdivision it is.

There were no further questions or comments.

**Musselman moved that the Planning Commission recommend approval of Rezoning Request 12-880001 from Michael McGraw representing Eastbrook Companies, as conditionally amended for approval for the rezoning from the R3 zoning district to the R4 zoning district, for an approximately 22 acre site located in the southwest ¼ of Section 18, as legally described on the application materials, with the condition that only single family homes are allowed. Recommendation is based on the fact that the request is in conformance with the Future Land Use recommendations of the Comprehensive Development Plan and is consistent with the existing land use pattern in the immediate area.**

**Finally, the applicant shall be required to submit to DeWitt Charter Township a statement of conditions to be prepared in recordable form as required by Section 42.112 of the DeWitt Charter Township Codified Zoning Ordinance.**

**Supported.**

**ROLL CALL on motion:**

**AYES: 8      NAYS: 0      ABSENT: 1 (Zimmerman)**

**MOTION CARRIED.**

- II. Request for Special Use Permit 12-990001 from Brian Seward (Brian's Automotive), for property located at 16987 Turner Road, Lansing, MI 48906, on the northeast corner of Turner Road and Sheridan Road, in the southwest ¼ of Section 33 of DeWitt Charter Township, to be allowed to operate a vehicle repair and maintenance business, buy and sell used vehicles and provide vehicle inspection and fleet maintenance for the Michigan Department of Transportation. Note: Public Hearing held at the April 2, 2012.**

Township Planner Jim Foulds advised at the May 7, 2012 meeting the Planning Commission requested that the actual Special Use Permit document be presented to them at the June meeting for review of the conditions. The document has been included in the meeting packets.

Foulds stated that questions have been raised due to the recommended hours of operation. Staff has supplied the Planning Commission with hours of operation for other automotive repair operations within the Township. He pointed out that hours of operation are sometimes determined based on the location of the site. Perhaps the Planning Commission would like to have further discussion on this subject.

Gobbo noted there had been previous issues on the proposed site related to excessive noise. He questioned if there had been any other problems since the last meeting.

Alan Taber, 16960 Turner Road, Lansing, MI 48906, stated he has had no further noise issues related to the proposed site. He questioned if the applicant would be required to have license plates on all vehicles stored on the property. He also questioned if the applicant has obtained a dealer's license. Lastly, how does the Township intend to enforce the number of vehicles allowed on the property.

Foulds advised that any vehicles for sale on the property would be required to have a dealership license from the State of Michigan.

Keilen advised that the Township has a Code Compliance Officer who monitors all Special Use Permits to ensure that the sites are not in violation of the conditions.

Chairman Keilen invited the applicant to speak.

Drew Seward, 240 E. Jackson Street, Lansing, MI 48906, representing the applicant, stated they will be allotted eleven (11) parking spaces for customer vehicles and employee parking. They will also have a storage area on the north side of the existing building. The intent is to keep vehicles they are working on in the proposed storage building. It is also the intent of the applicant to move all vehicles out of the clear vision triangle at the corner of Turner Road and Sheridan Road. Lastly, he does not have a dealer's license. However, as an insured repair facility, he does have an "In Transit Repair Plate". He could place one on each vehicle on the site.

Gobbo questioned if the hours of operation needed to be compressed down, what would be acceptable to the applicant.

Seward stated he is trying to employ two shifts at 40 hours a week each. As long as they don't violate the noise ordinance he doesn't understand why the hours of operation would be an issue.

Fair suggested the applicant be given 90 days rather than 30 days to complete conditions A. and C. of the Special Use Permit.

Drew Seward stated he intends to meet both conditions A. and C. within 30 days.

**Fair moved that the Planning Commission recommend to the Board of Trustees approval of Special Use Permit 12-990001 from Brian's Automotive to be allowed to operate a vehicle maintenance and repair facility along with the sale of used cars at property located at 16987 Turner Road, Lansing, MI 48906, subject to the following conditions:**

- 1. That the applicant marks the required parking spaces appropriately.**
- 2. That the west property line along Turner Road shall be curbed with one drive opening at the appropriate location as deemed by the Clinton County Road Commission.**
- 3. That the applicant does not park vehicles within the clear vision area per the requirements of Section 42-1280. – Same-Clear site triangle of the Zoning Ordinance.**
- 4. The applicant shall provide a screening fence on the east property line from the south end of the building to the right of way line.**
- 5. That the lighting of Section 42-1242 (6) and signage requirements of Article XIII of the Zoning Ordinance be complied with.**

6. **The hours of operation shall be between 7 a.m. and 9 p.m. Monday through Friday and shall be between 8 a.m. and 6 p.m. Saturday through Sunday.**
7. **That the applicant complies with the MDEQ requirements and approvals for the removal of the underground tanks.**
8. **That the applicant conforms to the recommended hours of operation immediately after adoption.**
9. **That the applicant implements conditions 1. and 3. (Conditions A. and C. on the Special Use Permit document) within thirty (30) days after adoption.**
10. **That the DeWitt Charter Township Fire Department be notified prior to the removal of the underground storage tanks.**

**Supported.**

Gobbo questioned if there was intent to sell used vehicles on the site.

Seward stated they do intend to sell use vehicles and will obtain a Dealer's License prior to doing so.

**ROLL CALL on motion:**

**AYES: 8    NAYS: 0    ABSENT: 1 (Zimmerman)**

**MOTION CARRIED.**

Chairman Keilen advised the applicant that the Board of Trustees will consider this recommendation at their June 25, 2012 meeting.

#### **NEW BUSINESS:**

- I. **Site Plan Review 12-150001 from Paris Property Management**, for a 1.74 acre vacant property located on the west side of Schavey Road, south of Hawthorne Woods Site Condominiums and north of The Village at Hawthorne Woods Site Condominiums, in the northeast ¼ of Section 18 of DeWitt Charter Township, to be allowed to construct a 3,300 square foot dental office building.

Foulds advised the Board of Trustees recently approved Special Use Permit 11-990002 for this site. He briefly reviewed the conditions of the existing permit that relate to the site plan.

A deed restriction has been prepared to restrict the 1.74 acre site to a dental office building. The applicant is working on a site lighting plan with a timer on the parking lot lights. Sign permits will be obtained. The sign will be designed so that it will be integrated into the residential character of the area. The Southern Clinton County Municipal Utility Authority approved sanitary sewer service with a condition requiring a specialized separator. After discussion regarding the detention/retention pond near the site, it was decided both the applicant and the Hawthorne Woods Condominium Association will maintain the pond. An access road will be constructed to allow the fire department to access a fire hydrant to the west.

A land division will be required to divide the subject site from the larger parent parcel. A non-

motorized connection from the west side of the property to Schavey Road will be provided. Lastly, the applicant recently met with the Homeowners Associations to put together a landscaping plan that was acceptable to everyone.

Gobbo questioned if the remaining 21.28 acres would remain zoned as R5 (Residential Single and Two Family).

Foulds advised the remaining parent parcel would remain in the R5 zoning district.

Al Sample, G3222 Beecher Road, Flint, MI 48532, representing the applicant, stated he was present to answer any questions anyone may have.

There were no questions.

**Fair moved that the Planning Commission approve Final Site Plan 12-150001 from Paris Property Management to be allowed to construct a 3,300 square foot dental office building on a 1.74 acre parcel located at 13400 Schavey Road, DeWitt, MI 48820, as described on the site plan dated 4-16-2012. Approval is subject to the following conditions:**

- 1. The applicant shall execute and file the deed restriction as voluntarily offered during the Special Use Permit process and which limits use of the 1.74 acre parcel to a dental office building.**
- 2. The applicant shall comply with the site lighting requirements of Article V of the Township Zoning Ordinance.**
- 3. The applicant shall comply with the requirements of Article VIII prior to the issuance of sign permits for the project.**
- 4. The sanitary sewer connections shall follow the appropriate Municipal Standards and Building Code requirements and meet the requirements for an Amalgam Separator as required by the Utility Authority.**
- 5. The applicant shall comply with the requirements of the Clinton County Drain Commissioner and provide an executed maintenance agreement for the shared detention/retention basin.**
- 6. The applicant shall meet the requirements of the Township Fire Department regarding the provision of and access to the required fire hydrant system.**
- 7. The applicant shall apply for and receive approval from the Township for a land division for the 1.74 acre parcel.**
- 8. The applicant, or future owners of the remainder of the 21.28 acre site, shall provide a non-motorized connection from the west side of the property to Schavey Road.**

**Supported.**

**ROLL CALL vote on motion:**

**AYES: 8    NAYS: 0    ABSENT: 1 (Zimmerman)**

**MOTION CARRIED.**

- II. Comprehensive Development Plan Update – Receive and set for a Public Hearing to be held on Monday, August 6, 2012.**

**Musselman moved to receive the Comprehensive Development Plan Update and set for a Public Hearing to be held on Monday, August 6, 2012. Supported. MOTION CARRIED.**

**EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS:**

Rebecca Stimson, 1841 E. Clark Road, Lansing, MI 48906, thanked Trustee Musselman for attending a recent meeting of the Gunnisonville Community Preservation Group. The next meeting will be June 12, 2012, from 7:00 p.m. to 8:00 p.m., at the former Gunnisonville Elementary School. She invited the Planning Commissioners to attend.

**REPORTS:**

- I. Trustee:**

Trustee Musselman gave a brief report on business conducted and action taken at the May 14, 2012 and May 28, 2012 Board of Trustees meetings.

- II. Zoning Board of Appeals:**

Gobbo reported there was no Zoning Board of Appeals meeting held in the month of May, due to no applications being filed.

- III. Committees: None.**

- III. Staff:**

Foulds distributed and discussed possible slides to be shown in the Board Room prior to a Public Hearing being held. The purpose would be to allow the audience to have a familiarity with the Public Hearing process. He suggested the Commission review the information and provide discussion at the next meeting regarding what information should be shown.

**DISCUSSION:        None.**

**ADJOURNMENT:**

**Fair moved to adjourn the meeting at 8:02 p.m. Supported.    MOTION CARRIED.**

  
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Linda K. Parkinson, Recording Secretary

  
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Kim Smelker, Secretary