

**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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**PLANNING COMMISSION MINUTES**  
**MONDAY, APRIL 2, 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, Kim Smelker, Kristen Krol, Adam Bertram, Tim Fair, Dale Dailey and Trustee Musselman.

**MEMBERS ABSENT:** Steve Gobbo and Marsha Zimmerman.

**OTHERS PRESENT:** Township Planner Jim Foulds and Recording Secretary Linda Parkinson.

**APPROVAL OF AGENDA:** **Fair moved to approve the Agenda as presented. Supported. MOTION CARRIED.**

**APPROVAL OF MINUTES:** **Fair moved to approve the minutes of the March 5, 2012 Regular Meeting as printed. Supported. MOTION CARRIED.**

**CORRESPONDENCE:** Easton County Community Development – Adoption of Amended Master Plan was received and noted by the Planning Commission.

**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 R5 (Residential Single and Two Family). Note: Action postponed at the March 5, 2012 meeting – There will be no discussion at the April 2, 2012 meeting.**

Foulds advised the applicant has requested the Planning Commission not take action on Rezoning Request 12-880001 until a formal response has been received from the Clinton County Road Commission regarding their request for a variance to the required second means of vehicular access to the site.

**II. PUBLIC HEARING - 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.**

- A. **Open Public Hearing. Fair moved to open the Public Hearing at 7:08 p.m. Supported. MOTION CARRIED.**
- B. **Administrative Comments/Applicant Comments/Public Comments.**

Foulds briefly reviewed staff's report dated March 28, 2012 pointing out the location of the site and advising the nature of the request (see above).

Foulds further advised that the .34 acre site is zoned BC (Business, Community) and is the former site of a gasoline service station and auto repair business. The property is currently being used by Brian's Automotive. The existing building is located on the east property line. There is a definitive access point on the south side, off Sheridan Road, and a broad open area without curbing that allows access into the parcel off Turner Road.

The surrounding land uses consist of vacant/non residential to the north, Consumers Energy to the south, residential to the east and commercial to the west. The surrounding area is planned for commercial activities, as recommended by the Comprehensive Development Plan.

Foulds noted the subject site is relatively small (.34 acres). At the request of the Township, the applicant has responded by filing a Special Use Permit application. The reason for the Township's request is due to numerous complaints about the number of vehicles parked on the site that are blocking visibility at the corner of Turner Road and Sheridan Road. The applicant has been very cooperative in working with the Township to obtain an organized parking plan that would allow the business to continue in a reasonable manner.

Foulds advised that this year, the Clinton County Road Commission (CCRC) will be implementing a road improvement project on Turner Road which will help close a portion of the western property line of the site. This will provide a definitive point of ingress and egress off Turner Road. Staff has been discussing this with CCRC.

Chairman Keilen invited Commissioners questions.

Fair noted the application material indicated that there are underground storage tanks on the site. The applicant has requested to be allowed to remove the tanks at a time

when the business has been established and the applicant can afford the cost involved. He questioned if staff would consider this a conflict with possible approval of the request.

Foulds advised he is aware of the storage tanks on site. The Township would have to work with the Michigan Department of Environmental Quality (MDEQ) and the applicant on this issue. The Township would not be able to supersede what MDEQ would require.

Keilen questioned if this request is a renewal of an existing Special Use Permit or a new request because of the sale of vehicles.

Foulds advised the applicant is technically operating as a legal non conforming use. The reason for the applicant submitting an application for a Special Use Permit is to identify a site plan and clarify the operating characteristics of the business.

Hearing no questions, Chairman Keilen invited the applicant to speak.

Brian Seward, 16987 Turner Street, Lansing, MI 48906, applicant, stated he has spoken with the MDEQ and they have agreed to give him some time (one year) to establish the business before addressing the removal of the underground tanks. He believes there are four tanks on the site. With respect the vehicles parked on the site, he has moved them back to provide a clear site vision on the corner.

Fair noted that the existing building is almost on the eastern property line. He questioned if the applicant was in good standing with those neighbors. He further questioned where the applicant resides and if he has any other automotive shops in the Lansing area.

Brian Seward stated he resides at 8951 Braden Road, Haslett, MI. He has a good relationship with his neighbor to the east. He does not own any other automotive businesses. Previously he operated a small auto repair business from his home but it was zoned agricultural. He has heard good things about DeWitt Township and their willingness to work with small business owners so he purchased the subject site and moved the business there.

Fair stated he visited the subject site and noticed it could use some cleaning up. He encouraged the applicant to visit the site of Redline Automotive on the corner of State Road and US 27 to see what they have done to improve the aesthetics of their site.

Seward agreed that there are some tires on the site that could be moved and some trees and weeds that could be cut down to improve the appearance of the property.

Musselman noticed on the application the requested hours of operation are 8:00 am to 5:00 pm. with two shifts. He questioned how there would be two shifts during that time.

Seward stated the two shifts would be for the future expansion of the business. At such time, they would like to operate until approximately 9:30 pm. Currently they have only one shift from 8:00 am to 5:00 pm.

Musselman encouraged the applicant to amend his request to include the expanded hours so that he would not have to amend the Special Use Permit in the future.

Dailey questioned if the applicant intended to provide a barrier along the roadway to delineate an area for ingress and egress. He further asked if the business could operate without access to Turner Road.

Seward advised he intends to provide a curb or parking blocks along the roadway. However, no specific parking plan has been designed yet. It would not be feasible to block access to Turner Road. It would cause difficulty in maneuvering some of the larger vehicles into the building.

Dailey encouraged the applicant to consider closing the access to Sheridan Road and perhaps it would increase available parking on the site.

Hearing no further Commissioner questions, Chairman Keilen invited public comments.

Allen Taber, 16960 Turner Road, Lansing, MI 48906, stated his residence is across the road from the subject site. He welcomed the applicant to the neighborhood. However, he expressed concern with the appearance of the site. There are too many vehicles parked on the property and the hours of operation have been questionable. He would like to see the hours of operation be no later than 10:00 pm. He expressed concern with the site distance at the corner of Turner Road and Sheridan Road.

Krol noted that Sheridan Road Automotive is also in the vicinity of Mr. Taber's home. She questioned if they also have noise issues.

Mr. Taber stated Sheridan Road Automotive shuts down at 5:00 pm.

Fair questioned how staff can arrive at the proper number of vehicles allowed to be parked on the site. Also, will sidewalks be required on the site.

Foulds advised the Ordinance requires a business to have a certain number of parking spaces based on the square footage of the building. The storage of vehicles is calculated differently. With respect to sidewalks, another business in the vicinity, Superior Electric, was granted a sidewalk variance by the Board of Trustees.

C. Close Public Hearing. **Hearing no further comments, Musselman moved to close the Public Hearing at 7:30 pm. Supported. MOTION CARRIED.**

D. Discussion and possible action by Planning Commission.

Brief discussion followed regarding the fact that storage area inside the building does not count as parking spaces. In addition, there will have to be spaces designated for vehicle sales and vehicle maintenance.

Fair questioned if the hours of operation were specific to Monday through Friday.

Seward advised the days of operation would be Monday through Friday.

Foulds advised staff will discuss with the applicant the specific hours of operation they are requesting for current and future operations.

Krol noted the applicant's submittal indicates thirty (30) parking spaces will be on the site.

Fair stated that seems like a bit more than the site can handle.

Foulds stated some applications are clear cut where staff can apply the standards. Some, like this one, require additional information including input from the neighbors.

Chairman Keilen asked Foulds if he feels he has enough information regarding this request to be able to draft a Special Use Permit for this property.

Foulds stated he has enough information to work with.

Keilen advised that the Planning Commission will await staff's conclusion and recommendation on request for Special Use Permit 12-990001.

Keilen asked if the Taber's would be noticed when this request will be acted upon.

Foulds asked that the Taber's provide Recording Secretary Parkinson with their contact information.

**NEW BUSINESS:** None.

**EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS:** None.

**REPORTS:**

**I. Trustee:**

Trustee Musselman gave a brief report on business conducted and action taken at the March 12, 2012 and March 26, 2012 regularly scheduled meetings of the Board of Trustees.

**II. Zoning Board of Appeals:**

Chairman Keilen advised there was no Zoning Board of Appeals meeting held in the month of March.

**III. Committees:** None.

**III. Staff:**

Foulds gave a brief update on the dental office proposed for Schavey Road (SUP 11-990002). The applicant expects to meet with a few residents close to the site to discuss berming, etc. An official site plan is expected to be submitted to the Planning Department within a few weeks and placed on the Planning Agenda.

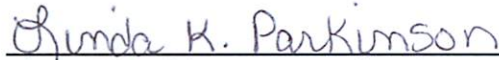
Foulds gave a brief update on the Non Motorized Transportation Policy.

**DISCUSSION:**

Trustee Musselman made the suggestion that our Public Participation Policy be shown on the Board Room screen prior to every meeting so that the attendees are aware of property procedures during a public meeting.

**ADJOURNMENT:**

**Fair moved to adjourn the meeting at 8:00 pm. Supported. MOTION CARRIED.**



Linda K. Parkinson, Recording Secretary



Kim Smelker, Secretary