

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



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**Community Development Director**  
Richard M. Trent

**Township Planner**  
Jim N. Foulds

**Recording Secretary**  
Linda K. Parkinson

**PLANNING COMMISSION MINUTES  
MONDAY, OCTOBER 3, 2011  
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 Vice 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, Dale Dailey and Tim Fair.

MEMBERS ABSENT: Stephen Gobbo, Marsha Zimmerman, Trustee Musselman.

OTHERS PRESENT: Township Planner Jim Foulds, Township Manager Rodney Taylor 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 September 6, 2011 regular meeting as presented. Supported. MOTION CARRIED.**

CORRESPONDENCE: None.

PUBLIC COMMENTS: None

UNFINISHED BUSINESS:

- I. **Request for Special Use Permit 11-990002 from Paris Property Management** to allow the applicant to construct an approximately 3,300 square foot professional building to be used as a dental office with frontage on Schavey Road, to be located on a 1.39 acre site that would be part of a mixed use office and residential development on 21.28 acres which is the last phase of the Hawthorne Woods project 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 Section 18 of DeWitt Charter Township. **NOTE: Action postponed at the September 6, 2011 meeting at the applicant's request.**

**Fair moved to remove request for Special Use Permit 11-990002 from Paris Property Management from the table. Supported. MOTION CARRIED.**

Planning Consultant Jim Foulds briefly reviewed staff's memorandum dated September 29, 2011 explaining the nature of the request is to construct an approximately 3,300 square foot dental office on a 2.02 acre site. He noted the request is for a Special Use Permit and specifics of the site plan review requirements will be addressed in detail at a point when the applicant submits a final site plan document.

Foulds noted, at the Public Hearing on July 5, 2011, the applicant presented a site plan indicating a 1.37 acre parcel with a professional office building located closer to the residential development to the north. At that time concerns were raised by the public related to proximity of the use to the residential area, increased traffic, as well as increased drainage.

As a result of issues raised and many conversations with staff and reviewing agencies, the applicant has now submitted a revised proposal to increase the site size from 1.37 acres to 2.02 acres. In addition, the proposed building has been oriented farther to the southern portion of the site to obtain more separation from the existing residential development.

As a result of traffic issues raised, at the Public Hearing, the applicant retained a traffic engineering consulting firm who conducted an analysis of the proposed development within the entire 22 acre site which was a combination of approximately six (6) professional office sites and a residential area to the west. The conclusion of the study indicated the vehicle trips generated from the proposed uses, as well as the distribution of those trips to the local traffic system, did conform to International Traffic Engineering (ITE) standards. The study was also reviewed by the Clinton County Road Commission staff who concurred with the analysis.

An additional issue of conflict exists with the school facility traffic during peak hours for dropping off and picking up children. Discussions have taken place between staff members of the DeWitt Public Schools, DeWitt Charter Township and the Clinton County Road Commission. The purpose of these discussions is to address a strategy for dealing with peak hour pick up and drop off traffic issues that the schools have been experiencing. At this point there seem to be some solutions that have been reached and the traffic issues do not seem to be in conflict with the applicant's proposed request for a dental office on the subject site. In addition, the traffic engineering consultant has concluded that the individual trips generated by the dental office would not be in conflict with those peak drop off and pick up times for the school district.

With respect to concerns raised at the Public Hearing related to drainage of the proposed site, Foulds advised that discussions with the Clinton County Drain Commissioner's office have indicated that site drainage may impact the surface water area to the north that currently serves the Hawthorne Woods residential development. Since specific engineering plans are not available at this time, the measurements of the potential impact do not appear to be significant and may be able to be accommodated within the existing pond. However, the Drain Commissioner also indicated that any impact on the pond should be part of a maintenance agreement with the Homeowner's Association.

In closing, Foulds advised the remaining reviewing agencies have no concerns with respect to the proposed development of the 3,300 sq. ft. professional office building.

Dailey questioned if the applicant has proposed that no other office development will be constructed on remainder of the site.

Foulds advised that the developer has indicated to Township staff their intent is to only develop the proposed 3,300 dental office, with the balance of the 22 acre site to be developed for residential use. The original request included additional office sites on the frontage of Schavey Road. Those

additional office sites have been eliminated. However, the applicant's representative is present for clarification on the subject.

Vice Chairman Keilen invited the applicant to speak.

Al Sample, G-3222 Beecher Road, Flint, MI 48532, representing the applicant, stated the applicant is considering a deed restriction on the property to allow only residential on the remainder of the site. The current owner of the property, Dr. Gray, has no intent to develop the remainder of the site.

Dailey expressed concern that additional commercial businesses on the Schavey Road frontage with each having separate driveway access would cause considerable traffic issues.

Vice Chairman Keilen invited public comments.

Sam Bono, 13602 Pearwood Drive, DeWitt, MI 48820, expressed concern with traffic safety rather than traffic volume due to the fact that the schools are experiencing traffic issues during peak times when children are being dropped off and picked up.

Foulds reiterated that there is a separate effort on the part of the DeWitt Public School District, Township staff and the Clinton County Road Commission to address the existing traffic issues related to the school traffic. It was the conclusion of the traffic engineer who conducted the traffic study that the proposed office building would not conflict with the peak hours of the school facility operation.

Todd Tarrant, 13626 Pearwood Drive, DeWitt, MI 48820, expressed several concerns with traffic safety and submitted his comments in writing (see attached).

Margaret Finley, 3454 Hawthorne Woods Parkway, DeWitt, MI 48820, expressed concern with the traffic study being conducted during the summer months when school is out and residents are on vacation. In closing, she stated the school children will not be safe if the proposed development is approved.

Patrick Moraniec, 3413 Hawthorne Woods Parkway, DeWitt, MI 48820, reiterated previous concerns regarding the traffic study being conducted during the summer months. He further expressed concern with existing trees being removed to accommodate the proposed parking lot.

Foulds noted that with Site Plan Review, the applicant is required to submit a landscaping plan that meets the requirements of the Zoning Ordinance.

Doug Simon, 3477 Honeywood Lane, DeWitt, MI 48820, President of Hawthorne Woods Condominium Association, thanked the applicant and Township staff for meeting with the residents and Associations to address concerns related to the proposed development. The applicant eliminating the additional office buildings proposed for the frontage on Schavey Road has certainly been a positive step in reaching a compromise. In addition, Township staff's recommended conditions for approval seem reasonable. From the Association standpoint, one remaining issue that remains is the proposed location of the office building. He questioned if the building could be located further south to increase the distance from Lots 29, 30, 31 and 32 of Hawthorne Woods.

Al Sample, representing the applicant, stated relocation of the building could be considered. However, there are some drainage constrictions that exist on the site. The drainage configuration of the site was planned out at the time that the entire site was being considered for residential use.

Paul Koleda, 13509 Schavey Road, DeWitt, MI 48820, stated if the proposed office building were to be moved further south the access driveway would be even more in conflict with the driveways of

Schavey Road School on the west side of the road. In closing, Koleda stated it does not make sense to him that the Township would approve a commercial use right in the middle of a residential area.

Hearing no further public comments, Chairman Keilen noted that three (3) of the nine (9) Planning Commissioners are absent at this meeting. Also, there still seem to be a few concerns that should be addressed. Perhaps it might be preferable for the Commission to postpone action on this request until the November 7, 2011 meeting.

Dailey stated he felt confident in the Commission making a decision at this meeting. However, an important issue to be discussed is the possibility of a deed restriction limiting the remainder of the property to residential use, so perhaps postponement would be agreeable.

Fair stated due to the fact that the traffic study was conducted during the summer it may not provide accurate information. Although he does not wish to ask the applicant to have another study done, perhaps it should be considered in order to obtain updated information that would include school traffic.

Dailey stated it appears as if a traffic issue exists in the area of the proposed site regardless of whether the applicant is allowed to construct the dental office or if the site were to be developed with residential homes. It does not seem appropriate to deny the applicant's request due to a pre-existing traffic issue.

Foulds advised that although a traffic study conducted during the time when school is in session may add to the base of knowledge in the area, however, staff does not feel the proposed 3,300 square foot office building will impact the existing traffic issues one way or the other. Certainly if another study would make the Commission feel more comfortable with making a decision on this request, they can request that of the applicant.

Fair stated he supported a new traffic study conducted during the time when school was in session.

Krol stated the configuration of the Schavey Road School parking lot has been changed recently. She has a child at Schavey Road School and feels the problem is worse since the reconfiguration. Therefore, she feels it is important to update the traffic study and conduct it during the school year.

Bertram concurred with Fair and Krol. He asked if there would be a way to separate the study to show the impact as it is right now and present a second report indicating what impact the proposed dental office would have on the traffic flow. He agrees with staff that the proposed 3,300 square foot office building would not have that large of an impact on the existing problem. Certainly developing the vacant site as residential would add a much larger traffic issue. He wonders if the concerns raised by the public are simply due to the fact that the proposed use is commercial in nature.

Todd Tarrant, 13626 Pearwood Drive, DeWitt, MI 48820, stated the proposed site will be developed at some point in the future. He asked the Planning Commission to look at this request on a long term basis as far as the future impacts that could result.

Keilen pointed out that the proposed dental office would generate less traffic than a residential use where each home has several drivers.

Fair pointed out that other non-residential uses exist on Schavey Road in the vicinity of the site. He is perplexed as to why there would be objection to this request, especially when the proposed dental office would be closed on the weekends.

Foulds concurs that the site development should be looked at on a long range aspect. He noted that the traffic engineers collection of data included the proposed office building, as well as the balance of the site being developed residentially. Perhaps it would be helpful to have the applicant's traffic engineer present at the next meeting with a three part presentation showing no change in the site, impacts on traffic with the addition of the 3,300 square foot office building and balance of the property being developed residentially. That being said, the school district issue regarding traffic at Schavey Road school really is not the responsibility of the applicant. The school district and the Road Commission are really responsible to find a way to address that issue.

Phil Farhood, 13641 Pearwood Drive, DeWitt, MI 48820, stated that when he and his neighbors purchased homes in the Hawthorne Woods development it was with the understanding that the proposed site would be Phase III of the development and would be completely residential. For this reason he would like to see the site developed as residential.

Fair stated, due to some of the outstanding issues that still remain he would prefer to postpone action on the request until the November 7, 2011 meeting.

**Fair moved that the Planning Commission postpone action on request for Special Use Permit 11-990002 from Paris Property Management until the November 7, 2011 meeting to allow time for staff and the applicant to provide additional information related to remaining outstanding questions related to the traffic study and clarification on a potential deed restriction for the site. Supported.**

**ROLL CALL vote on motion:**

**AYES: 6      NAYS: 0      ABSENT: 3 (Zimmerman, Musselman, Gobbo)**

**MOTION CARRIED.**

**NEW BUSINESS:**

- I. Request for Special Use Permit 11-990006 from Wood Street Park Development, LLC to allow the applicant to develop a recreational vehicle park with recreation areas and two (2) ponds on a 70.50 acre parcel located at 14400 Wood Road, Lansing, MI 48906, north of Stoll Road, south of Clark Road, east of Boichot Road, west of Wood Road, in the northeast ¼ of Section 22 of DeWitt Charter Township**

**Fair moved to receive and set for a Public Hearing request for Special Use Permit 11-990006 from Wood Street Park Development, LLC to be held on Monday, November 7, 2011. Supported. MOTION CARRIED.**

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

**REPORTS:**

- I. Trustee:**

No report due to the absence of Trustee Musselman.

- II. Zoning Board of Appeals:**

Foulds advised that was no meeting held in September. However there will be a meeting of the Zoning Board of Appeals on Wednesday, October 19, 2011.

III. Committees: None.

IV. Staff:

Foulds reminded the Planning Commission of the Michigan State University Land Architecture Class Presentations on October 4, 2011 from 6:30 pm to 9:00 pm at the DeWitt Charter Township Hall. They will be presenting a range of public uses for the reclamation of a mining operation site located on Howe Road. He encouraged Commissioners to attend if their schedules permit.

Foulds advised the previously scheduled meeting with the Planning Commission and Board of Trustees for Thursday, October 13<sup>th</sup> has been cancelled. Commissioners will be contacted via e-mail in the near future to try to determine an alternate date for the meeting to discuss potential updates to the DeWitt Charter Township Comprehensive Development Plan.

DISCUSSION: None.

ADJOURNMENT: **Fair moved to adjourn the meeting at 8:10 pm Supported. MOTION CARRIED.**



Linda K. Parkinson, Recording Secretary



Kim Smelker, Secretary

Dr. and Mrs Todd Tarrant  
13626 Pearwood Dr.  
Dewitt, MI 48820  
517-669-9808

Dewitt Township Zoning Board

**RECEIVED**

OCT 03 2011

DeWitt Charter Township  
Planning Department

Dear Zoning Board,

We are writing to express our concerns about the proposed changes to the zoning of the 21.xx acres of property purchased by Great Lakes Dental Group and proposed to be given a special use permit to make this area a commercial medical development. We cannot attend the zoning commission meeting on July 5, 2011 because we had a trip planned before being notified of these proposed developments. We feel that these types of developments need to be announced to the entire community and a comprehensive development plan created to insure sustainable planning and development of our community. Meetings of this sort that impact so many people with minimal notice change our communities in often negative ways, but without community feedback. We are aware that many times people do not attend meetings, but they should have the opportunity at reasonable times to attend and voice their concerns or offer alternative suggestions. Having a zoning meeting the day after the Fourth of July is a poor time to open up this sort of discussion. We feel that this issue should be tabled for the next zoning meeting.

We feel this property should retain its current residential zoning. We feel that granting this permit would create problems for both subdivisions, Village of Hawthorn Woods and Hawthorn Woods, as well as the Elementary School which is directly across from this proposed development. There is already a traffic flow problem in this area during the morning and afternoon as parents pick up or drop off their children and busses are transporting the students. Additionally, parents currently park in both subdivisions during school activities or during the peak traffic times. I understand from talking with Dewitt School Employees that the Dewitt Township Police have been dealing with the traffic issues at the schools on a regular basis and that the proposed development will just increase their issues. The proposed Dental Office and the eventual development of the other four parcels will exacerbate these issues. The Dental Group will also have problems with parents parking in their lot because it will be convenient to the elementary school. This development could cause additional safety risks for the children of the community and increase traffic flow into our currently quiet communities. Additionally, the proposed roads, unless forced to be cul-de-sacs will also increase traffic flow through the subdivisions, especially from clients to the dental office and parents picking up or dropping off children.

The residents of these subdivisions moved to Dewitt to have quiet low-traffic flow areas. This sort of zoning change and subsequent development eventually creates a completely different type of community, one more like Okemos or Lansing with their traffic flow problems. I grew up in the Detroit Metropolitan area and watched this sort of development change the community to higher traffic, increased crime, more noise and other negative aspects. Contrary to what most developers want people to believe, it does not increase property values in the long-term, but rather leads to reduced property values as the original property owners move to a new areas to get away from the development. Additionally, we believe we should be encouraging developers to reuse currently available property parcels, such as the former L&L property or the BP/Dunkin Doughnuts instead of constantly developing more areas and leaving abandoned buildings throughout our community.

In summary, we would like the zoning commission to deny the request for a special use permit for the property in question for the reasons described above. If the commission decides to grant the permit, then we would ask that they force the developer to plan ways to reduce traffic congestion/flow through the subdivision now and into the future so that we do not lose our quiet community. We would also like to request that any development, now and in the future for both the areas adjacent to our subdivisions and our community be part of a long-term sustainable community development plan that takes in the needs, wants and desires of the community members. Thank you for your consideration in this matter.

Sincerely,

Dr. and Mrs. Todd Tarrant