

**DEWITT CHARTER TOWNSHIP
1401 W. HERBISON ROAD, DeWITT, MI
PLANNING COMMISSION MINUTES
MONDAY, NOVEMBER 3, 2008**

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

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

ROLL CALL by Secretary Shively.

MEMBER PRESENT: Bruce Keilen, Dale Dailey, Terrie Shively, Kim Smelker, Steve Gobbo, and Trustee Ross.

MEMBERS ABSENT: Marsha Zimmerman and Jason Flower.

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

APPROVAL OF AGENDA: **Gobbo moved to approve the Agenda as printed. Supported. MOTION CARRIED.**

APPROVAL OF MINUTES: **Shively moved to approve the minutes of the October 6, 2008 Regular Meeting as presented. Supported. MOTION CARRIED.**

CORRESPONDENCE: None.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS:

- I. **Request for Special Use Permit 08-990009 from Ron Jona and Associates** for property located at 1171 and 1121 E. Webb Road, DeWitt, MI 48820 and 12651 and 12649 S. US 27 DeWitt, MI 48820, at the northeast corner of S. US-127BR (formerly US-27) and Webb Road, in the southwest ¼ of Section 10 of DeWitt Charter Township, to allow the applicant to construct a 13,579 sq. ft. drug store with a drive through pharmacy. **Note: Planning Commission tabled until the December 1, 2008 meeting.**

Township Planner Jim Foulds briefly reviewed staff's memorandum dated October 31, 2008 noting that request for Special Use Permit 08-990009 from Ron Jona and Associates was tabled at the request of the applicant at the October 6, 2008 Planning Commission meeting.

To this date, staff has not received any additional communication from the applicant. Therefore, it is recommended that the request be tabled for an additional thirty (30) days to allow staff time to contact the applicant regarding the status of the request.

Brief discussion followed regarding the fact that the Planning Commission has sixty (60) days to make a recommendation to the Board of Trustees. After that time period, the applicant would have to withdraw or amend the request or the Planning Commission would have to forward a recommendation to the Board.

Ross questioned if the applicant was present.

Let the record note that no representation was present for the applicant.

Gobbo moved to postpone action on request for Special Use Permit 08-990009 from Ron Jona & Associates until the December 1, 2008 meeting to allow staff time to contact the applicant regarding the status of their request. Supported.

ROLL CALL vote on motion:

AYES: 6 NAYS: 0 ABSENT: 2 (Zimmerman and Flower)

MOTION CARRIED.

NEW BUSINESS:

- I. Request to extend the Final Preliminary Plat for Kirkside Subdivision**, located east of Boichot Road, west of Wood Road and north of Stoll Road, in the southeast ¼ of Section 22 of DeWitt Charter Township.

Foulds briefly reviewed staff's memorandum dated October 30, 2008 noting the location of the site. The applicant is requesting to extend the Final Preliminary Plat for Kirkside Estates Subdivision containing 61 single family residential lots.

Previously, the Planning Commission and the Board of Trustees approved the Final Preliminary Plat with six (6) conditions. The requested extension requires approval by both the Clinton County Road Commission (CCRC) and Drain Commission (CCDC). Approvals from both the CCRC and CCDC have been received by the Township.

It is staff's recommendation to approve the extension for a two (2) year period to expire on November 5, 2010, subject to the six (6) conditions referenced in staff's report dated October 30, 2008.

Gobbo questioned what the applicant's status is in regard to meeting the six (6) conditions of approval.

Luke Freund, Kirkside Estates, 3326 W. Saginaw, Lansing, MI 48917, stated that the project has been put on hold until the economic conditions improve. However, he has no concerns with meeting the listed conditions of approval.

Ross moved that the Planning Commission recommend that the Township Board of Trustees extend the Final Preliminary Plat for Kirkside Estates for a two (2) year period to expire on November 5, 2010, subject to the following conditions:

- 1. Signage for the development shall be subject to the review and approval of the Planning Department.**
- 2. The applicant shall provide proof of an easement and a site plan for the location of the secondary emergency access from the Kirkside Drive cul-de-sac to Wood Road.**
- 3. The applicant shall provide a letter from the DeWitt Charter Township Fire Department approving the location and design of the secondary access including emergency barriers.**
- 4. The applicant shall provide a master grading plan that is acceptable to the Township Engineer.**
- 5. The applicant shall comply with all agency requirements.**
- 6. The applicant shall provide a wetland determination letter from the Michigan Department of Environmental Quality (MDEQ).**

Supported.

ROLL CALL vote on motion:

AYES: 6 NAYS: 0 ABSENT: 2

MOTION CARRIED.

II. Request to extend and revise Site Plan Review 07-150006 from Fairway Investment Corporation to construct a proposed starter structure and necessary site improvements on the property located at 14400 Wood Road, in the east ½ of Section 22 of DeWitt Charter Township.

Foulds briefly reviewed staff's memorandum dated October 30, 2008 pointing out that the site location is adjacent to the Kirkside Estates Subdivision which the Commission just took action to recommend extending the Final Preliminary Plat for two (2) additional years. The utilities for this golf course project were to be extended through Kirkside Estates. Since the residential portion of this project is now on hold, the Township staff has been working with Fairway Investment to try to revise plans with reasonable conditions to allow a portion of the golf course project to proceed and open for business.

In addition, the site plan approval for the golf course project is about to expire. It is staff's recommendation that the Planning Commission take action to extend the original approval and to permit some minor revisions on the originally approved site plan to allow the project to proceed.

Foulds advised that the requested revisions relate to a delay in the construction of the starter building and clubhouse facilities. In lieu of these buildings, the applicant is proposing a 10 ft. x 10 ft. starter house structure, as well as a reduction in the number of parking spaces to accommodate the first nine (9) holes of the golf course.

In closing, Foulds briefly reviewed the nine (9) conditions of approval (see pages 1 and 2 of staff's report dated October 30, 2008).

John Kazenko, representing Fairway Investment Corporation, 1077 E. Stoll Road, Lansing, MI 48906, thanked Township staff and all of the reviewing agencies for working with him to allow this project to move forward.

Ross moved that the Planning Commission approve the extension and revision of Site Plan Review 07-150006 from Fairway Investment Corporation to construct a proposed starter structure and necessary site improvements on the property located at 14400 Wood Road in accordance with the site plan dated August 2, 2007, for a two year period to expire on November 5, 2010, subject to the following conditions:

- 1. The applicant shall comply with the requirements of all applicable reviewing agencies.**
- 2. The applicant shall revise the site plan to provide parking lot lighting that complies with the requirements of Section 10.1.10(6) of the Zoning Ordinance prior to issuance of a building permit. Said plan shall be subject to approval by the Planning Department.**
- 3. The applicant shall provide a plan for waste management for the proposed facility. Any revisions made to the plan to comply with this condition shall be subject to the review and approval of the Planning Department.**
- 4. The applicant shall meet all requirements of the Mid-Michigan District Health Department regarding water service to the site. A revised site plan must be provided to the Township that depicts a revised water service plan (location and size of water wells, dimensions, etc.).**
- 5. The applicant shall meet the requirements of the DeWitt Charter Township Building Code regarding the provisions of sanitary sewer service to the proposed starter structure prior to issuance of a building permit.**
- 6. The applicant shall meet all of the requirements of the Clinton County Drain Commissioner's office concerning the drainage improvements along Wood Road, along the driveway, and on the golf course, west of Kirkside Estates prior to the issuance of a Certificate of Occupancy.**

7. **The applicant shall submit plans for any bar and/or kitchen facilities at the site to the Mid-Michigan District Health Department for proper permitting at the time the originally proposed clubhouse/banquet center is constructed.**
8. **The applicant shall meet Fire Department signage requirements along the proposed driveway to the site.**
9. **When the originally proposed clubhouse/banquet center is to be constructed, the applicant shall resubmit a revised final site plan document for review and approval by the Planning Commission.**

Supported.

ROLL CALL vote on motion:

AYES: 6 NAYS: 0 ABSENT: 2 (Zimmerman, Flower)

MOTION CARRIED.

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

I. Trustee:

Trustee Ross gave a brief report on business conducted and action taken at the October 13, 2008 and October 27, 2008 regularly scheduled Board of Trustees meetings.

II. Zoning Board of Appeals:

III. Committees:

Commissioner Gobbo reported that there was no Zoning Board of Appeals meeting held on October 15, 2008, due to no applications being filed.

IV. Staff: None.

DISCUSSION: Trustee Ross reminded everyone to get out and vote on Tuesday, November 4th.

ADJOURNMENT: **Gobbo moved to adjourn the meeting at 7:31. Supported. MOTION CARRIED.**