

Chair
Bruce Keilen
Vice-Chair
Tim Fair
Secretary
Mike Nolen
Commissioners
Trustee Fedewa
Dale Dailey
Adam Bertram
Erika Hayes
Abby Lorenzen
Vacant



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Community Development Director
Brett C. Wittenberg

Planner

Recording Secretary
Kelli Furgason

PLANNING COMMISSION MINUTES

MONDAY, OCTOBER 4, 2021
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 Keilen.

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

ROLL CALL by Secretary Nolen.

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

MEMBERS ABSENT: None

APPROVAL OF AGENDA: **Fair moved to approve the agenda as presented. Supported by Lorenzen.**

AYE Vote on motion:

AYES: 8 NAYS: 0 ABSENT: 0

MOTION CARRIED

APPROVAL OF MINUTES: Hayes noted that there was an error on page three. The minutes listed Commissioner Dailey as absent rather than Commissioner Hayes in the voting section.

Fair moved to approve the September 7, 2021 meeting minutes with the correction. Supported by Lorenzen.

AYE Vote on motion:

AYES: 8 NAYS: 0 ABSENT: 0

MOTION CARRIED

CORRESPONDENCE: None

PUBLIC COMMENTS: None

UNFINISHED BUSINESS:

I. PUBLIC HEARING – Condominium STEP II Preliminary Review from Signature Land Development, for the development of 20 single family villa and 2-unit condominium buildings on an approximately 77.980-acre parcel located on the south side of Clark Road, east of Myers Road, west of S. US 27, and north of Stoll Road, in the northeast ¼ of Section 21 of DeWitt Charter Township (Parcel #050-021-100-005-50).

A. Open Public Hearing: Chairman Keilen opened the public hearing at 7:03 p.m.

B. Administrative Comments / Public Comments:

Community Development Director & Planner, Brett Wittenberg, reviewed the request from Signature Land Development. If approved, the project would include 20 ranch condominium units (single and duplex) and common space areas. The subject site is located south of Clark Road, north of Solon Road, east of Myers Road, and west of Business 27, in the northeast ¼ of Section 21 of DeWitt Charter Township (Parcel #050-021-100-005-50).

Wittenberg stated that the proposed development is consistent with the Step 1 approval and conditions. Additionally, the applicant has provided a sidewalk along the east side of the cul-de-sac (adjacent to units 13-20) as discussed during the Step 1 review with the Planning Commission.

Staff recommends the Planning Commission recommend that the Township Board grant Step II approval for the Thomas Farms Condominium Phase 1B project, based on the plans last revised on September 8, 2021, and received August 17, 2021, subject to the following conditions:

1. The final plan shall indicate the presence of street lights that meet the requirements of the Township.

2. The Master Deed shall be subject to review and approval by the Township Attorney prior to Step III final plan approval.
3. The applicant shall comply with the requirements of all reviewing and permitting agencies prior to the commencement of construction.

Chairman Keilen asked if there were any Commissioner questions for Staff and there were none.

Chairman Keilen asked if the applicant, Mike McGraw, had any comments and he did not.

Chairman Keilen invited any public comments from those present at the meeting.

Janet Hartner, 14190 Myers Road, asked if there had been a change in the number of units from 34 to 20.

Wittenberg noted that this hearing is for the 20-unit condominium component and that the 34 units will be part of the single-family home component.

Sue Wieferich, 14250 Myers Road, asked if there was just going to be work on one corner and noted that they have cleared all the land so she wondered if it would all be built on.

Wittenberg noted that they have been granted approval for the 34 single-family homes and the 20-unit condominiums at this time. He said they will begin work on the roads and asphalt for that portion soon.

Chairman Keilen invited any further comments from those present in-person or on the meeting call-in. There were none.

- C. Close Public Hearing:** Fair moved to close the Public Hearing at 7:09 p.m. Supported by Lorenzen.

AYE vote on motion:

AYES: 8 NAYS: 0 ABSENT: 0

MOTION CARRIED

- D. Discussion and possible action by the Planning Commission:** Fair moved to recommend that the Township Board grant Step II approval for the Thomas Farms Condominium Phase 1B project, based on the plans last revised on September 8, 2021, and received on August 17, 2021, subject to the following conditions:

1. The final plan shall indicate the presence of street lights that meets the requirement for the Township.

2. The Master Deed shall be subject to review and approval by the Township Attorney prior to Step III final plan approval.
3. The applicant shall comply with the requirements of all reviewing and permitting agencies prior to the commencement of construction.

Supported by Lorenzen.

ROLL CALL vote on motion:
AYES: 8 NAYS: 0 ABSENT: 0
MOTION CARRIED

This will go before the Board at the meeting on the 4th Monday which is October 25, 2021.

II. PUBLIC HEARING on Rezoning Request #21-880003 from Deborah Spink & Jeffrey Kelley, to rezone one (1) acre from A (Agricultural) to R-3 (Single Family Residential). The subject site is located west of S. US 27, on the north side of Stoll Road, east of Turner Road, part of the southeast ½ of the southeast ¼ of Section 21 of DeWitt Charter Township (Parcel #050-021-400-075-00).

A. Open Public Hearing: Chairman Keilen opened the public hearing at 7:12 p.m.

B. Administrative Comments / Public Comments:

Community Development Director & Planner, Brett Wittenberg, reviewed the request from Deborah Spink & Jeffrey Kelley to rezone one (1) acre from the A (agricultural) to the R-3 (Single-Family Residential) zoning district.

Wittenberg stated that presently, Deborah Spink & Jeffrey Kelly own approximately 1.00 acre of property. In August of this year, the applicant applied for a building permit for an addition to the existing single-family residence. The permit was denied, as the proposed addition encroached into the side yard setback. Staff spoke with the applicants and advised that they options were to verify the setback in compliance with the ordinance, seek a rezoning, or request a variance.

Wittenberg noted that the site is currently improved with a single-family residence and two detached accessory structures and complies with the proposed R-3 (Single-Family Residential) zoning district requirements. The surrounding zoning and Future Land Use show A (Agricultural) and M2 (Medium Density Residential).

If the rezoning were to be approved, it would allow the applicant to construct the addition in compliance without needing a variance.

Staff recommends that rezoning request #21-880003, from Deborah Spink & Jeffrey Kelley, as legally described on the application materials and survey documents, be recommended for approval for rezoning from A (Agricultural) to the R-3 (Single-Family Residential) district based on the fact that the request is not in conflict with recommendations of the Comprehensive Development Plan and is consistent with the existing land use pattern in the immediate area.

Chairman Keilen asked if there were any Commissioner questions for Staff.

Commissioner Fait asked if the neighbors had been notified and were good with the request.

Wittenberg stated that notices were sent to property owners within 300 ft of the site and there had been no queries or comments.

Commissioner Dailey stated that staff mentioned it is not a spot rezoning but that it sort of looks like one. He wondered if any consideration was given to rezoning the entire section.

Wittenberg stated that the applicant is requesting this and it is not spot rezoning. It is consistent with the Comprehensive Development Plan. It would be a large undertaking for the Township and would include a requirement to get a certain percentage of the property owners to approve it.

Commissioner Bertram asked if the Zoning Board of Appeals was an option.

Wittenberg stated that it was one of the options he presented to the applicant, however, it would be more difficult and there would be more criteria involved.

Trustee Fedewa noted that the only thing people will notice is the new addition, nothing else will change.

There were no further questions or comments from the Commissioners.

Chairman Keilen invited the applicants to speak.

Jeffrey Kelley, 1190 W. Stoll Road, said they would love to speed up the process and they are ready to break ground as soon as possible. He noted that Brett has been wonderful throughout the process. They have located a contractor, which can be difficult do to right now and are ready to get the addition done. He also noted that it will be a beautiful addition.

Chairman Keilen invited any public comments from those present at the meeting and there were none.

C. Close Public Hearing: Fair moved to close the Public Hearing at 7:29 p.m. Supported by Lorenzen.

AYE vote on motion:

AYES: 8 NAYS: 0 ABSENT: 0

MOTION CARRIED

D. Discussion and possible action by the Planning Commission: Fair moved to recommend that the Township Board approve rezoning request #21-880003, from Deborah Spink & Jeffrey Kelley, as legally described on the application materials and survey documents, for rezoning from A (Agricultural) to the R-3 (Single-Family Residential) district based on the fact that the request is not in conflict with recommendations of the Comprehensive Development Plan and is consistent with the existing land use pattern in the immediate area.

Supported by Lorenzen.

ROLL CALL vote on motion:

AYES: 8 NAYS: 0 ABSENT: 0

MOTION CARRIED

Chairman Keilen noted that this will now move to the Board of Trustees at their October 25, 2021 meeting.

Trustee Fedewa asked why it couldn't be on the Boards agenda for their October 12, 2021 meeting.

Wittenberg noted that the procedure is for them to go to the Board on the 4th Monday so they can have copies of the Planning Commission Meeting Minutes and to fulfill the statutory requirements for notices.

NEW BUSINESS: None

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS:

Sue Wieferich, 14250 Myers Road, asked how long it would be for the actual construction of the Thomas Farms site.

Wittenberg stated that work in the first phase of the Single-Family homes will begin in the very near future with the infrastructure then moving onto the final plat and Step III Condo. He estimates they will begin construction on the Single-Family homes in the spring and the condominiums will not be far behind that. His understanding is the next phase will be the townhomes in the southeast portion of the site.

Wieferich noted that she has lived across from the area in a farmhouse since 1964 so she has seen lots of changes. She also asked if there would be any road openings off of Myers Road.

Wittenberg stated that there would not be access roads via Myers Road.

Lorenzen noted that was part of the original discussion with the applicant.

Chairman Keilen stated that it can be tough to see the changes but that it should be a nice development. He asked if there were any other comments from those present or on the meeting call-in and there were none.

REPORTS:

- I. Trustee: Trustee Fedewa noted that it is budget season and Township Manager Andrew Dymczyk and the Department Heads are working on hard on it. The Board has a budget workshop meeting this Friday, the 8th.
- II. Zoning Board of Appeals: Commissioner Bertram said they did not have a meeting in September and asked Wittenberg if there will be a meeting this month and there will be.
- III. Committees:
- IV. Staff: Wittenberg noted that hopefully there will be a new planner present at the November meeting. The planner is expected to start with the Township at the end of October, pending his physical results.

DISCUSSION:

Commissioner Fair noted that there has been quite a bit of background noise from the call-ins, including people talking and someone doing the dishes. He wondered if there might be a good way to remind callers that they are part of a public meeting so they should refrain from that sort of thing.

Wittenberg stated that we usually mute all of the callers if there are several on the line. There seemed to be some issues with it at the meeting tonight. He will discuss it with the Clerk and see what can be done.

ADJOURNMENT: Fair moved to adjourn the meeting at 7:30 p.m. Supported by Lorenzen. MOTION CARRIED


Kelli Furgason, Recording Secretary


Mike Nolen, Secretary