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**PLANNING COMMISSION
MINUTES
MONDAY, MARCH 6, 2017
7:00 p.m.**

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

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

ROLL CALL by Secretary Nolen.

MEMBERS PRESENT: Keilen, Lorenzen, Dailey, Nolen, Fair.

MEMBERS ABSENT: Musselman, Zimmerman, Bertram, Krol.

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 January 3, 2017 meeting as printed. Supported. MOTION CARRIED.**

Lorenzen moved to approve the minutes of the February 6, 2017 meeting as printed. Supported. MOTION CARRIED.

CORRESPONDENCE: The following correspondence was received and noted by the Planning Commission members:

1. Meridian Charter Township – 2017 Master Plan Distribution
2. 2016 In Review: Important Open Meetings Act (OMA) Decisions

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS:

I. Request for Future Land Use Map Amendment from Signature Land Development – Michael R. McGraw, to amend from SF-M (Medium Density Single Family Residential) to SF-H (High Density Single Family Residential) for a 77.98 acre parcel 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). Action postponed at the January 3, 2017 meeting.

Chairman Keilen invited staff's comments.

Township Planner Brett Wittenberg indicated that the Planning Commission postponed action on the request at the January 3, 2017 to wait for more information from the application as well as allowing time for the applicant to address considerations from the public hearing. Since the public hearing, the applicant has provided a traffic study as well as conditions to the request. Wittenberg briefly reviewed staff's report dated March 2, 2017. He provided the following information related to the recently conducted traffic study for the area:

1. Level of Service at Clark Road and Old US 27:

As can be seen in the traffic study, the level of service at this intersection is projected to decrease in the future. However, the projected decrease in the level of service is modeled to occur with or without this development.

2. Level of service at Solon Road and Old US 27.

The level of service is projected to decrease at this intersection with the proposed development. It should be noted that this intersection was modeled utilizing a single lane eastbound on Solon Road. In discussions with the Clinton County Road Commission, while from a modeling perspective this is correct, the wide apron for the eastbound lane at Old US 27 would allow for traffic to turn southbound onto Old US 27 while there are vehicles waiting to turn northbound.

3. Level of Service at the other intersections:

The levels of service at Clark Road and Myers Road, Solon Road and Myers Road, as well as the anticipated access points to the proposed development on Clark and Solon Roads are all projected to operate at acceptable levels of service.

Wittenberg noted that staff has requested that a representative from the Clinton County Road Commission attend the meeting to address the traffic study in more detail if necessary. Dan Armentrout is present to answer any questions related to traffic.

Wittenberg went on to state that in conjunction with the Future Land Use Map Amendment request, the applicant has provided conditions as part of the rezoning request in an attempt to address some of the concerns raised at the public hearing. The following is a summary of those requests:

1. The housing units developed on the site shall be "for sale" units and not "rental" units.

At the public hearing and in correspondence received, there have been concerns raised regarding the potential of rental units. It should be noted that the Township does not have any rental regulations in place and that it is possible that any existing single-

family, duplex or other residential unit could be rented within the Township. With that said, the applicant is providing a means to limit the ability for rental units that could be accomplished through the Master Deed or some other avenue.

2. Maximum density shall not exceed 260 units.

The primary consideration in this request is amending the Future Land Use Map from an SF-M (Medium Density Single Family Residential) designation to an SF-H (High Density Single Family Residential) designation. This condition would limit the applicant to an overall density of 3.29 dwelling units per acre (d.u./acre) which would be less than that permitted in the R6 Zoning District (5.44 d.u./acre) and the R5 Zoning District (4.35 d.u./acre) and slightly higher than the density allowed in the R4 Zoning District (2.89 d.u./acre).

3. Lots that front onto Myers Road shall be a minimum of 90' wide and 15,000 sq. ft. in area (consistent with the R4 Zoning District requirements).

Those areas along Myers Road that do not have lots fronting onto it shall not have any structures within 50' of the right-of-way and the first 20' adjacent to the right-of-way will be improved with berming, evergreen, and deciduous trees.

The applicant has provided this condition as an additional assurance that the area along Myers Road shall be consistent with R4 Zoning District designation for lot width and area. In addition, larger setbacks and buffering shall be provided along Myers Road for those lots that do not front onto Myers Road.

Wittenberg provided some brief background information stating that Signature Land Development is requesting to rezone approximately 77.98 acres from A (Agricultural) to R-6 (Residential Single Family) for the property located south of Clark Road, north of Solon Road, east of Myers Road, and west of Business 27, in the southeast ¹/₄ of Section 21, of DeWitt Charter Township (Parcel #050-021-100-005-050).

The applicant has also requested an amendment to the Future Land Use Map from SF-M (Medium Density Single Family Residential) to SF-H (High Density Single Family Residential). The applicant states that the requested rezoning and amendment to the Future Land Use Map would provide a transition from the existing higher intensity zoning to the east and northeast of the property, BC (Business, Community) and M-3 (Multiple Residential), to the existing medium density residential to the west along Myers Road which is currently zoned R3 (Residential Single Family).

It should be noted that directly east of the site is currently zoned BC (Business, Community) and M-3 (Multiple Residential) which is the second most dense multi-family district. There are four multi-family zoning designations (M1 — M4). The M1 District permits up to 4 dwelling units per acre, the M2 District permits up to 8 units per acre, the M3 District permits up to 12 units per acre, and the M4 District that permits up to 24 dwelling units per acre.

In addition, the BC (Business, Community) District allows for mixed use developments that can permit up to the M-4 District density (24 units/acre) on site. In addition to the hotel east of the site and two adjacent apartment communities, the undeveloped BC zoned property adjacent to the site could have more multi-family units in the future that could increase the intensity of uses in the area.

Staff played two videos that were provided by a resident of the area and described the general characteristics of the existing and intended uses of the area.

Wittenberg also identified some of the public comments that were received at the January 3, 2017 public hearing:

Request is not consistent with the Comprehensive Development Plan.

Future Land Use Map is intended to be interpreted by carefully reading all the text in Chapters 3, 4, 5 and in light of the Growth Management Strategies in Chapter 6.

While the property is zoned Agricultural and has historically been utilized for agricultural purposes, the property has always been identified on the Township's Future Land Use Maps going back to the 1970's as intended for residential uses.

Preservation of the rural character of the neighborhood, drainage, traffic (access), conceptual layout, and transition/buffer.

These items are more site-specific design which are not submitted with a rezoning request and are addressed with required future applications (plat or site condominium) subject to change when final engineering is complete.

Opposed to change from SF-M to SF-H on future land use map.

The applicant has provided a condition to limit the number of units to 260 which would put it at a density in between the SF-M and SF-H designations.

Wittenberg also identified a number of goals that have been identified in the Comprehensive Development Plan that pertain to the request.

Goal: Preserve designated farmlands, especially prime farmland, for long-term agricultural uses and protect agricultural activities on other farmland for as long as farmers wish to farm it.

Subject property is currently designated for SF-M (Medium Density Single Family Residential).

Goal: Provide a balanced range of housing types, including affordable housing types, at varying densities while maintaining or improving the character of existing neighborhoods.

Policy: Provide all types of residential development, ranging from large low density units to high density multi-family uses to satisfy housing needs.

Goal: Assure public health and safety by permitting intensive residential growth in only those areas which can be adequately served by public utilities and services.

Policy: Maintain residential growth in neighborhoods where necessary community services, including police protection, fire protection, water, sewer, and schools, can be most economically provided.

Policy: Place greater density land uses nearer areas of higher intensity land uses to act as a transitional zone between high density residential uses, intensive commercial uses and other residential uses to assure protection of existing established neighborhoods.

Chairman Keilen stated that, although the public hearing has already been held at the January meeting, he would invite any further public comments.

John McComb, 14120 Myers Road, DeWitt, MI 48820, asked for clarification on the density requirements for the residential zoning districts.

Marcy Matson-Herrington, 1561 W. Solon Road, DeWitt, MI 48820, stated the request is not supported by the adopted Master Plan, as listed in #3 of the review criteria for reviewing rezoning requests.

Steve Church, 1495 Solon Road, DeWitt, MI 48820, stated it does not seem like the developer is taking into account the amount of unbuildable area on the site when providing an estimated number of residential units proposed for the property.

Brian Herrington, 1561 W. Solon Road, DeWitt, MI 48820, expressed concern with approving the request due to the rural character of the surrounding area. He questioned if the approval of the rezoning request would be considered spot zoning.

Mike McGraw, applicant, Signature Land Development, 1188 East Paris, SE, Grand Rapids, MI 49546, stated due to the high intensity uses surrounding the subject site it appears obvious that the property would be best used for transitional mixed uses. He is willing to reduce the number of residential units to a maximum of 260 if the R6 zoning is approved. The site can be developed under the R4 zoning district. However, the Township already has several neighborhoods of that nature.

Karen McComb, 14120 Myers Road, DeWitt, MI 48820, expressed concern that the request is not supported by the adopted Master Plan.

Amy Lusty, 14211 Myer Road, DeWitt, MI 48820, questioned why the Township is in support of this request.

Sharon Taggart, 1589 W. Solon Road, DeWitt, MI 48820, asked for clarification of what road improvements would be made such as widening Solon Road. She expressed concern with losing trees on her property. She also asked what the days and hours of operation would be for the construction process.

Dan Armentrout, Director of Engineering/Permit Coordinator, Clinton County Road Commission, 3536 S. US Highway 27, St. Johns, MI 48879, stated there would be a turn lane provided at the intersection of Old US 27 and Solon Road. There will be no widening of the roads other than intersection improvements. A left turn lane will be needed on Clark Road at the entrance to the development. This would be at the expense of the developer.

McGraw stated the best case scenario would be to construct approximately 26 homes a year which would take approximately 10 years to complete the maximum 260 residential units.

John McComb, 14120 Myers Road, DeWitt, MI 48820, questioned what it would take for MDOT to provide a turn lane at the intersection of Old US 27 and Solon Road.

Faye Hagy, 1745 E. Clark Road, Lansing, MI 48906, questioned if there would be any senior housing within the proposed development.

McGraw stated there would be market rate housing that would be handicap accessible.

Wittenberg stated as a point of clarification that some of the public comment received this evening has referenced the criteria contained in the staff report for the rezoning request and that the item currently under consideration is the Future Land Use Map Amendment request.

Fair stated he likes the proposed development but does not see it as a good fit for the area. The development would severely impact traffic in the area. Once the property is developed you cannot get farm land back.

Keilen stated the subject site has the infrastructure available and it makes sense to utilize the land.

Dailey stated he is in favor of the request. The Township is in need of different types of housing. The proposed development would make a good buffer between Old US 27.

Lorenzen stated using the subject site for transitional use makes sense when looking at the location and surrounding area.

There were no further comments.

Keilen moved that the Planning Commission recommend that the Township Board approve the Future Land Use Map Amendment 16-870001 from Signature Land Development/Michael McGraw on behalf of MSW Land Investments, LLC.

Supported.

ROLL CALL vote on motion:

AYES: 4 NAYS: 1 (Fair)

ABSENT: 4 (Musselman, Zimmerman, Krol, Bertram)

MOTION FAILED DUE TO A LACK OF AFFIRMATIVE VOTES.

Fair moved that the Planning Commission postpone action on Future Land Use Amendment request 16-870001 from Signature Land Development/Michael McGraw on behalf of MSW Land Investments, LLC until the next Planning Commission meeting to allow for more Planning Commissioner's to be present to decide upon this issue.

Supported.

ROLL CALL vote on motion:

AYES: 5 NAYS: 0

ABSENT: 4 (Musselman, Zimmerman, Krol, Bertram)

MOTION CARRIED.

Niewiadomski advised that staff would again send out notification of this request advising all property owners and people who registered at this meeting of the new date and time when this item of business will next be considered by the Planning Commission.

- II. Rezoning Request 16-880003 from Signature Land Development – Michael R. McGraw, to rezone a 77.98 acre parcel from A (Agricultural) to R6 (Residential Single Family). The property 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). Action postponed at the January 3, 2017 meeting.**

Lorenzen moved to postpone action on Rezoning Request 16-880003 until the April 3, 2017 meeting of the Planning Commission to await the results of the Future Land Use Amendment request.

ROLL CALL vote on motion:

AYES: 5 NAYS: 0

ABSENT: 4 (Musselman, Zimmerman, Krol, Bertram)

MOTION CARRIED.

NEW BUSINESS:

- I. PUBLIC HEARING - Request for Step II Site Condominium Review from Motz Development Inc. for Crowner Farms Ph. III, for property located on the north side of Howe Road, east of Airport Road, west of Schavey Road, south of Cutler Road, in the southwest ¼ of Section 6 of DeWitt Charter Township. The applicant is requesting to develop 24 single family residential units.**
- A. Open Public Hearing. Chairman Keilen declared the Public Hearing opened at 8:20 p.m.**
- B. Administrative Comments/Applicant Comments/Public Comments.**

Community Development Director Tory Niewiadomski briefly reviewed staff's report dated March 3, 2017 advising the applicant is requesting Step II Site Condominium Review. If

approved the project would include 24 detached (lots 84-107), single family residential sites and open space areas.

Niewiadomski stated the overall design appear to be consistent with the layout that was approved in 2005 as part of the Special Use Permit for the Planned Unit Development.

With respect to agency comments, Niewiadomski stated the following:

1. Lansing Board of Water and Light indicates that they are providing conditional approval for the 3rd phase and that the applicant will need to complete typical items such as entering a water service agreement and establishing a water district prior to construction.
2. Southern Clinton County Municipal Utility Authority (SCCMUA)/C2AE have provided comments and have provided conditional approvals.
3. Clinton County Road Commission has indicated that the plans meet their requirements and are approved.
4. Clinton County Drain Commissioner's Office has no objections to the proposed project but did provide a number of conditions to satisfactorily complete the project and include items such as inspections, executing drainage agreements and easements.

There were no Commissioner comments or questions.

Chairman Keilen invited the applicant to speak.

Brian Theis, representing the applicant, Motz Development Inc., 11920 Murano Drive, DeWitt, MI 48820, stated he had no comment.

Chairman Keilen invited public comment or questions.

- C. Close the Public Hearing. **Hearing no public comments, Lorenzen moved to close the public Hearing at 8:30 p.m. Supported. MOTION CARRIED.**
- D. Discussion and possible action by Planning Commission.

Lorenzen moved that the Planning Commission recommend that the Township Board grant Step II approval for the Crowner Farms Condominiums project, based on the plans last revised on January 30, 2017, and received February 1, 2017, subject to the following conditions:

1. **The final plan shall indicate the presence of street lights that meets the requirements of the Township Engineer.**
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.**

4. The applicant shall obtain all necessary permits and approvals by the DEQ.

Supported.

ROLL CALL vote on motion:

AYES: 5 NAYS: 0

ABSENT: 4 (Musselman, Zimmerman, Krol, Bertram)

MOTION CARRIED.

- II. Request for Site Plan Review 17-150001 from The Plant Professionals**, requesting approval for modification to an approved Site Plan approval for the construction of an approximate 2,160 sq. ft. storage building to support the existing business located on property at 16886 Turner Road, Lansing, MI 48906, Lot 98 of Northdale Farms Subdivision, Section 33 of DeWitt Charter Township, (Parcel #050-340-000-098-00).

Community Development Director Tory Niewiadomski briefly reviewed staff's report dated February 22, 2017 advising that in 2002 the applicant was approved for a 2,144 sq. ft. addition to the existing facility (SPR 02-150004). The business is an interior plant scape design and maintenance firm including floral design as well as providing services such as exterior landscape design, installation, and maintenance.

Niewiadomski reviewed the request for compliance with Site Plan Review standards for commercial construction as well as comments from all reviewing agencies. There were no issues or concerns related to the proposed site plan.

Niewiadomski further noted that the site appears to be in compliance with all regulations listed in Section 42-1036 of the Zoning Ordinance.

Chairman Keilen invited the applicant to speak.

Kathy Valentine, Applicant/Owner, The Plant Professionals, 16886 Turner, Lansing, MI 48906, stated she had no comment.

Fair moved that the Planning Commission approve Site Plan Review 17-150001 from Kathy Valentine on behalf of Verdant Properties, to construct a storage building, subject to the following conditions:

- 1. The applicant shall comply with the requirements of all reviewing agencies having jurisdiction over the project including the DEQ.**
- 2. The applicant complies with the Clinton County Drain Commission's requirements for connecting to the storm drain.**

Supported.

ROLL CALL vote on motion:

AYES: 5 NAYS: 0

ABSENT: 4 (Musselman, Zimmerman, Krol, Bertram)

MOTION CARRIED.

III. Comprehensive Development Plan (CDP) Update.

Niewiadomski briefly reviewed staff's report dated March 3, 2017 outlining the update on the process.

Keilen moved to direct Township Staff to begin the process of notification of intent to review the DeWitt Charter Township Comprehensive Plan. Supported.

ROLL CALL vote on motion:

AYES: 5 NAYS: 0

ABSENT: 4 (Musselman, Zimmerman, Krol, Bertram)

MOTION CARRIED.

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

I. Trustee:

In the absence of Trustee Musselman, Community Development Director Niewiadomski gave a brief report on business conducted and action taken at the recent Board of Trustees meetings.

II. Zoning Board of Appeals:

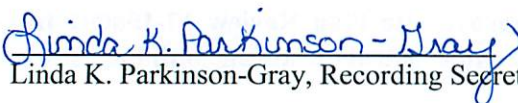
In the absence of Commissioner Krol, Niewiadomski advised there was no Zoning Board of Appeals meeting held on Wednesday, February 15, 2017.

III. Committees: None.

IV. Staff: None.

DISCUSSION: None.

ADJOURNMENT: **Fair moved to adjourn the meeting at 8:46 p.m. Supported. MOTION CARRIED.**


Linda K. Parkinson-Gray, Recording Secretary


Mike Nolen, Secretary