

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



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**Township Planner**  
Tory Niewiadomski

**Township Planner**  
Brett Wittenberg

**Recording Secretary**  
Linda K. Parkinson

**PLANNING COMMISSION  
MINUTES  
MONDAY, MAY 4, 2015  
7:00 p.m.**

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

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

ROLL CALL by Secretary Lorenzen.

**MEMBERS PRESENT:** Krol, Bertram, Keilen, Dailey, Gobbo, Musselman, Lorenzen, Fair, Zimmerman.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Township Planner Tory Niewiadomski, Township Planner Brett Wittenberg and Recording Secretary Linda Parkinson.

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

**APPROVAL OF MINUTES** Musselman moved to approve the minutes of the April 6, 2015 Meeting as presented. Supported. **MOTION CARRIED.**

Fair moved to approve the minutes of the March 30, 2015 Joint Meeting with the Planning Commission and Board of Trustees with the correction that Commissioner Krol was not present. Supported. **MOTION CARRIED.**

**CORRESPONDENCE:** 1. Senior Study

Township Planner Niewiadomski briefly reviewed the Senior Study information provided to the Planning Commission members. He noted the next step will be for staff to put together a rough outline of some potential ordinance amendments to help promote senior developments in the Township and present them to the Planning Commission.

2. Correspondence dated April 27, 2015 from Michael and Shan Tana Sollid.

Township Planner Niewiadomski noted the above referenced correspondence advising Mr. and Mrs. Sollid live adjacent to the self storage project at the corner of Howe Road and S. US 27. They have expressed concern with the approved landscaping plan. They have asked if there is anything further the Township can do to provide additional screening along the east side of the site. Staff will make the property owner of the mini storage business aware of the concerns stated by Mr. and Mrs. Sollid to see if there is an interest in working with each other to come to an agreement that would satisfy both parties involved.

Trustee Musselman and Commissioner Fair stated perhaps the applicant could move some of the required vegetation to the east side of the site since that is the only area that is adjacent to residential.

Bertram noted there was supposed to be a drainage ditch on the east side of the site. However, he hopes the applicant can be a friendly neighbor and meet with the adjacent property owner and reach an amenable resolution.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS:

- I. **PUBLIC HEARING - Request for Special Use Permit 15-990001 from Stephen Thimmig**, to operate a veterinary office and pet grooming business within an approximate 1,500 square foot suite in an existing building located at 1120 Commerce Drive, Suite D, DeWitt, MI 48820 (Parcel #050-015-200-016-00), east of S. US 27, north of Twinbrook Drive, in the northwest ¼ of Section 15 of DeWitt Charter Township.
  - A. Open Public Hearing. **Chairman Bertram declared the Public Hearing opened at 7:10 p.m.**
  - B. Administrative Comments/Applicant Comments/Public Comments.

Township Planner Wittenberg briefly reviewed staff's report dated April 28, 2015 pointing out the location of the site. The applicant is requesting to operate a veterinary and pet grooming facility from a suite within a multi tenant building located at 1120 Commerce Drive. The applicant is proposing an exterior improvement that would be a 14' x 5' containment area at the rear of the suite (east).

Wittenberg went on to advise staff mailed 52 notification letters. As of May 1, 2015 staff received 1 voicemail in support of the request. Since that time the Planning Office has received 3 additional letters dated May 4<sup>th</sup>. The only concern noted was that animals be euthanized in such a manner that it would not be noticeable to adjacent tenants of the building (Big League Lawn). David Fedewa's letter was in support of the applicant's request. He stated his business is currently near Dr. Thimmig's current location and he has had no issues with noise or smell. The last correspondence was from the property owner request. He is business is currently in close proximity to the applicant's existing of the proposed new site simply stating possible concerns she would like addressed at tonight's meeting (Lisa Stow).

Wittenberg advised the existing parcel, structures and proposed outdoor addition comply with the lot area, width, and building height requirements listed in the Zoning Ordinance.

With respect to reviewing agency comments, the Clinton County Drain Commissioner has indicated no drainage impacts are anticipated. He requested that the applicant coordinate with the Drain Commissioner to ensure appropriate measures are taken so that pet wastes do not readily find their way to the existing storm sewer system drainage structures. In addition, staff has received documentation from MDEQ indicating that the subject property is not located within the floodplain area. No other concerns were expressed by the remaining reviewing agencies.

Wittenberg went on to review the request for compliance with Section 42-1067 of the Zoning Ordinance which provides the basis for determination for Special Use Permits. The request appears to meet all requirements. The request also meets all site development standards set forth for veterinary hospitals within the BC (Business, Community) Zoning District.

Chairman Bertram invited the applicant to speak.

Stephen R Thimmig, applicant, 13020 S. US 27, DeWitt, MI 48820, addressed questions listed in the May 4, 2015 correspondence from Lisa Stow (property owner of proposed site). He stated he has been at his current location since June of 1986. He has never had complaints about noise or odor related to his outdoor area. He uses environmentally safe cleaning materials to remove any odors related to pet urine or feces. Installing a post with bags to assist in keeping the outdoor area clean is not a problem. He currently contracts with Waste Management to remove anything from the site that would be considered non office items. There are State laws he must adhere to for the disposal of animals that have been euthanized. Lastly, he has spoken to other tenants of the proposed building who have not expressed any concerns.

Lisa Stow, 1120 Commerce Park Drive, DeWitt, MI 48820, owner of property for proposed site, stated she has discussed her concerns listed in her May 4, 2015 correspondence. Any other concerns she may have can be addressed in the renter's lease.

Musselman questioned why there were no hours of operation listed in the Special Use Permit document.

Niewiadomski asked the applicant if he had any opposition to including hours of operation into the Special Use Permit.

Thimmig stated he would have no issue with the regular hours of operation being included in the Special Use Permit as 7:00 a.m. to 7:00 p.m., Monday through Saturday.

Commissioners Fair, Krol and Bertram all stated they are frequently in the vicinity of Mr. Thimmig's current location and have never experienced noise or odor coming from the site.

Chairman Bertram invited public comments.

C. Close Public Hearing.

**Hearing no public comments, Keilen moved to close the Public Hearing at 7:31 p.m. Supported. MOTION CARRIED.**

D. Discussion and possible action by Planning Commission.

**Keilen moved that the Planning Commission recommend to the Board of Trustees approval of Special Use Permit 15-990001 from Stephen R. Thimmig to develop and operate a veterinary office and pet grooming facility, as described and defined in the application materials, on the property located at 1120 Commerce Park Drive, Suite #D (Parcel #050-015-200-016-00) with the conditions listed in Special Use Permit 15-990001 and to include hours of operation as 7:00 a.m. to 7:00 p.m., Monday through Saturday. Supported.**

**ROLL CALL vote on motion:**

**AYES: 9      NAYS: 0**

**MOTION CARRIED.**

**NEW BUSINESS:**

- I. Request for Site Plan Review 15-150003 from DTN Management Co. (The Quarry Apts. Phase II), to allow the applicant to construct 19 apartment buildings with attached garages, each building including 10 units for a total of 190 units on property located at 3505 W. Clark Road, DeWitt, MI 48820 (Parcel #050-019-200-010-00), on the south side of W. Clark Road, north of I-69, east of Airport Road, west of DeWitt Road, in Section 19 of DeWitt Charter Township.**

Township Planner Niewiadomski briefly reviewed staff's memorandum dated April 29, 2015 advising that the applicant is requesting a major amendment to the previously approved site plan (12-150006) for property located at 3505 W. Clark Road. Under the previously approved site plan, the applicant was approved for the construction of 272 apartment units with 556 bedrooms that consisted of sixteen buildings along with a clubhouse and pool that consists of 143,841 square feet of building area. Each of the sixteen buildings ranged from twelve to twenty units with a range of one to three bedroom units.

The major amendment for the development of the second phase would include ten unit buildings with attached garages for each unit along with a parking pad in front of each. The revised plan would decrease the total number of units from 272 to 266. The number of bedrooms also decreased from 556 to 508. Originally the approved site plan was for 16 buildings (12 – 20 units each) and the clubhouse. The proposed second phase with include 19 buildings (10 units). The total building area has increased from 143,000 sq. ft. to 198,136 sq. ft. due to the proposed units being a little larger than the units in Phase I. Open space will decrease but will still far exceed Ordinance requirements.

Staff expressed no concerns related to parking, access, landscaping, and sidewalks. There were also no concerns expressed by reviewing agencies related to public facilities.

Niewiadomski advised the applicant has submitted to the Zoning Board of Appeals for an interpretation of the signage section of the Ordinance and possible variance to the total sign area allowed.

In closing, Niewiadomski advised the applicant and project architect are available for questions.

Musselman questioned if the proposed changes to the original site plan were due to the needs of the consumer.

Allen Russell, DTN Management, applicant, 2502 Lake Lansing Road, Lansing, MI 48912, stated there was a waiting list for every building in Phase I before construction was completed. He advised that DTN surveys its residents and there was a high demand for apartments with direct entry garages such as what is proposed in Phase II of this development. Other amenities that are planned for the Quarry consist of a dog run, playground area and nature trail. The purpose is to make the project a community rather than just an apartment complex.

Dailey questioned if the applicant has had any experience in reserving an area for senior living.

Russell stated he is well aware that there is a market in this area for senior living complexes. This project will not include senior living. However, DTN owns adjacent property and property to the north of this site that they would consider for some type of senior living project in the future.

Jeff Kyes, architect, KEBS, 2116 Haslett Road, Haslett, MI 48840, stated he was present to answer any questions the Commission may have.

**Lorenzen moved that the Planning Commission approve Site Plan Review 15-150003 from DTN Management for the site plan with revisions dated 4-27-15 for a 266 unit apartment development located at 3505 W. Clark Road, DeWitt, MI 48820 (Parcel #050-019-200-010-00). Approval is subject to the following conditions:**

- 1. The total heights of the buildings do not exceed 35 feet to comply with Section 42-857 of the Zoning Ordinance.**
- 2. The applicant provides a photometric plan in accordance with Section 42-1242 (6) of the Zoning Ordinance.**
- 3. The design and location of the proposed entrance sign shall be subject to a determination by the Board of Appeals.**
- 4. That detailed landscaping plans shall be provided and finalized by the Planning Department around the buildings prior to issuance of building permits to ensure that the requirements of Article III – Division 13 of the Zoning Ordinance are met.**
- 5. The design and engineering of the storm drainage system shall be subject to the approval of the Clinton County Drain Commission.**
- 6. The site plan shall comply with the requirements of all other applicable reviewing agencies.**
- 7. The applicant shall be required to amend the existing Utility Agreement to serve this development.**

**Supported.**

**ROLL CALL on motion:**

**AYES: 9      NAYS: 0**

**MOTION CARRIED.**

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 recent Board of Trustees meetings.

II. Zoning Board of Appeals:

Commissioner Gobbo advised there was no Board of Appeals meeting held in the month of April.

III. Committees: None.

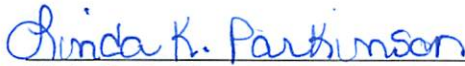
IV. Staff: None.

DISCUSSION:

Brief discussion followed regarding distribution areas of the DeWitt Bath Review and Lansing Community News.

Brief discussion followed regarding the fact that the Community Center on Brook Road is in need of additional parking.

ADJOURNMENT: **Fair moved to adjourn the meeting at 8:17 p.m. Supported. MOTION CARRIED.**



Linda K. Parkinson, Recording



Abby Lorenzen, Secretary