

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



Township Planner
Jim N. Foulds

Recording Secretary
Linda K. Parkinson

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PLANNING COMMISSION MINUTES
MONDAY, JANUARY 7, 2013
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 Chairman Keilen.

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

ROLL CALL by Vice Chairman Gobbo.

MEMBERS PRESENT: Bruce Keilen, Steve Gobbo, Adam Bertram, Dale Dailey, Kristen Krol, Marsha Zimmerman and Trustee Steve Musselman.

MEMBERS ABSENT: Kim Smelker and Tim Fair.

OTHERS PRESENT: Township Planner Jim Foulds, Planning Assistant Tory Niewiadomski and Recording Secretary Linda Parkinson.

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

APPROVAL OF MINUTES: **Musselman moved to approve the minutes of the December 3, 2012 Regular Meeting. Supported. MOTION CARRIED.**

CORRESPONDENCE: None.

PUBLIC COMMENTS: DeWitt Township Manager Rodney Taylor advised the Planning Commission that Assistant Planner Tory Niewiadomski has been offered, and has accepted, a full time position with DeWitt Charter Township. Current Township Consultant Jim Foulds will be working closely with Niewiadomski during the Year 2013 to assure a smooth transition when Mr. Foulds retires at the end of the year.

Brief discussion followed regarding the extensive list of projects for Planning staff to work on in 2013 and how the Township intends to staff the Planning Department in order to accomplish all of the projects.

Taylor advised that the staffing of the Planning Department will be reassessed in 2014 to assure sufficient staffing is available.

Commissioners Dailey and Musselman urged the Township to be proactive rather than reactive in providing adequate staffing to meet the needs of the increased development activity within the Township.

Supervisor Galardi, Township Supervisor, 2001 Arbor Meadows, DeWitt, MI 48820. Thanked the Planning Commission for their service. He concurred that the Township needs to be proactive regarding staffing.

UNFINISHED BUSINESS:

- I. PUBLIC HEARING - Request for Special Use Permit 12-990003 from Sam Dalman**, to be allowed to operate an ice cream shop with a drive thru window on property located at 13191 Schavey Road, Suite 1 of Schavey Road Shopping Center, DeWitt, MI 48820, in the northeast ¼ of Section 18 of DeWitt Charter Township. **Note: Postponed at the November 5, 2012 meeting. No action will be taken at the January 7, 2013 meeting.**

Planning Consultant Jim Foulds briefly updated the Commission on this request. The applicant is currently considering an outdoor seating area if the proposed drive thru is denied. He will discuss details of the outdoor seating area with the property owner of the shopping plaza after a final determination on this request has been received. Staff will notice anyone who registered at the Public Hearing held on November 5, 2012 and this item will be considered by the Planning Commission at the February 4, 2013 meeting.

- II. Draft Mixed Use Zoning Amendment – Discussion of language.**

Planning Consultant Jim Foulds advised that staff has been revising the proposed ordinance language based on input at the December meeting. A final draft should be finalized for the February meeting. At that time staff will recommend that the Planning Commission set a Public Hearing to be held at the March 4, 2013 meeting.

Gobbo requested that a draft copy of the ordinance be provided to the Planning Commission members prior to the next meeting for review.

NEW BUSINESS:

- I. Request for Site Plan Review 12-150006 from DTN Management “The Quarry”** to be allowed to construct a 272 unit apartment complex on property located at 3505 W. Clark Road, DeWitt, MI 48820, east of Airport Road, west of DeWitt Road, in the northwest ¼ of Section 19 of DeWitt Charter Township.

Planning Assistant Tory Niewiadomski briefly reviewed staff’s report dated January 2, 2013. The applicant is seeking site plan approval for a 272 unit apartment complex on property located at 3505 W. Clark Road. If approved, they would like to begin construction of Phase I consisting of 76 units. Mr. Allen Russell is present to represent DTN Management and answer any questions, as well as the engineer for the project, Jeff Kyes with KEBS Engineering.

Niewiadomski pointed out the location of the site and advised the Planning Commission previously approved a site plan for this property back in 2000 for similar type of project. The total site area is 25.40 acres and is currently zoned M-3 (Multiple Residential). Surrounding zoning consists of A (Agriculture) to the north and east, O-P (Office Park) to the west and the I-69 Right-of-Way to the south. The subject site has been used for agricultural purposes in the past and has the capabilities to be served by public water and sanitary sewer services.

Niewiadomski went on to advise the propose site plan exceeds off-street parking requirements; a lighting plan was not submitted. Staff recommends, if approved, a condition of approval should be that the applicant comply with lighting requirements of the Township Zoning Ordinance; access to the site would be onto Clark Road; the detailed landscaping plan for Phase I. meets all buffer yard requirements: sidewalks have been shown on the plan, in accordance to the Sidewalk Ordinance. Staff would recommend that site plan approval include the condition that the sidewalk be constructed so that future sidewalks constructed on the adjacent parcels will match the location of the sidewalk on this site; the site plan provides for almost triple the requirement for open space and recreation area; additionally, the applicant will be providing an outdoor swimming pool.

With respect to streets and roads, Niewiadomski advised the following: the Clinton County Road Commission reviewed a Traffic Impact Study and is in agreement with the recommendations of the study that indicated all turning movements at Clark Road and Airport Road, Clark Road and Schavey Road, as well as Clark Road and the Development Entrance Drive would all operate at Level of Service C or greater during peak hours except for the turning movement for southbound traffic turning left from Schavey Road onto Clark Road in the morning. This study concluded that the Clinton County Road Commission should evaluate whether a westbound right turn lane on Clark Road should be installed to help reduce southbound left turn vehicle delays on Schavey Road. The Road Commission felt comfortable that adding a right turn lane on Clark Road would be appropriate.

Regarding the remaining reviewing agency comments, Niewiadomski advised the following: the site can be served by public water and sewer systems; the Clinton County Drain Commissioner's Office has no objections for recommending approval for the project contingent upon the design/construction details being satisfactory to the requirements of the Drain Commission; the Township Fire Department has no concerns with the site plan and has requested an emergency access drive be served by breakaway bollards or a chain fence to prevent access to the site; the Mid-Michigan District Health Department has indicated that the plans for the construction of the pool are subject to review by the MDEQ.

Musselman expressed concern with increased traffic caused by the development, especially the intersection of Clark Road and Schavey Road.

Foulds stated, although the traffic currently meets the level of service operations, it is possible that additional improvements to Clark Road may be generated as Phase I of the project develops.

Allen Russell, 1690 Mack Avenue, Haslett, MI 48840, representing DTN Management, gave a brief history of DTN and other projects they have developed in the area.

Dailey questioned if DTN has considered making a few of the proposed buildings strictly for seniors.

Mr. Russell stated DTN owns adjacent property and they would be checking to see if a senior project would be viable for the area.

Jeff Kyes, KEBS, Inc., 2116 Haslett Road, Haslett, MI 48840, spoke briefly about the design of the turning lanes and the issue on the north side of Clark Road. The traffic study indicates a right turn lane for westbound Clark Road onto Schavey Road. That intersection is currently operating a level of service F. That intersection should be monitored to see how Phase I of the project would affect the area.

Musselman concurred that a traffic issue currently exist at the Clark Road and Schavey Road intersection which does not necessarily mean the applicant is responsible to fix the issue.

Lengthy discussion followed regarding increased traffic in the area, public safety, and future office park development to the west of the site.

Gobbo questioned if any run off from the site would affect I-69.

Kyes advised any run off for the subject site would go into the Loesch Drain.

Musselman moved that The Planning Commission approve Final Site Plan 12-150003 from Fred Motz Builders Inc. to construct a twenty (20) bed adult foster care facility located at 1758 East Clark Road as described on the site plan document dated 6-12-2012. Approval is subject to the following conditions:

- 1. The applicant shall comply with the site lighting requirements of Article V of the Township Zoning Ordinance.**
- 2. The applicant shall comply with the requirements of Article VIII prior to the issuance of sign permits for the project.**
- 3. The on-site sanitary sewer system shall meet the requirements of the Mid Michigan District Health Department.**
- 4. The applicant shall comply with the requirements of the Clinton County Drain Commissioner as outlined in the communication dated 6-26-2012.**
- 5. The applicant shall meet the requirements of the Township Fire Department and the State of Michigan Bureau of Fire Services permit dated 7-16-12.**
- 6. The applicant shall meet the requirements of the DeWitt Charter Township Building Code.**

Supported.

ROLL CALL vote on motion:

AYES: 7 NAYS: 0 ABSENT: 2 (Smelker, Fair)

MOTION CARRIED.

II. Election of Officers for the Year 2013.

Chairman Keilen opened the floor for the office of Chairman.

Gobbo moved to nominate Bruce Keilen for the office of Chairman.

There were no further nominations for Chairman.

Hearing no further nominations, Gobbo moved to close the nominations for the office of Chairman and cast a unanimous ballot for Bruce Keilen for the office of Chairman. Supported.

ROLL CALL vote on motion:

AYES: 7 NAYS: 0 ABSENT: 2 (Smelker, Fair)

MOTION CARRIED.

Chairman Keilen opened the floor for nominations for the office of Vice Chairman.

Musselman nominated Steve Gobbo for the office of Vice Chairman.

There were no further nominations for the office of Vice Chairman.

Hearing no further nominations, Musselman moved to close the nominations for the office of Vice Chairman and cast a unanimous ballot for Steve Gobbo for the office of Vice Chairman. Supported.

ROLL CALL vote on motion:

AYES: 7 NAYS: 0 ABSENT: 2 (Smelker, Fair)

MOTION CARRIED.

Chairman Keilen opened the floor for nominations for the office of Secretary.

Musselman nominated Adam Bertram for the office of Secretary.

There were no further nominations for the office of Secretary.

Hearing no further nominations, Musselman moved to close the nominations for the office of Secretary and cast a unanimous ballot for Adam Bertram for the office of Secretary. Supported.

ROLL CALL vote on motion:

AYES: 7 NAYS: 0 ABSENT: 2 (Smelker, Fair)

MOTION CARRIED.

The Officers for the Year 2013 are as follows:

Chairman – Bruce Keilen

Vice Chairman – Steve Gobbo

Secretary – Adam Bertram

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS:

Township Manager Rodney Taylor provided a brief update on the progress of the Road Asset Management Plan being worked on with Bath Township, DeWitt Township and the Clinton County Road Commission.

REPORTS:

I. Trustee:

Trustee Musselman gave a brief report on business conducted and action taken at the regularly scheduled meeting of the Board of Trustees held on December 10, 2012.

Musselman advised that he will be out of town and unable to attend the next two Planning Commission meetings.

II. Zoning Board of Appeals:

Commissioner Gobbo gave a brief report on business conducted and action taken at the Zoning Board of Appeals meeting held on Wednesday, December 19, 2012.

III. Committees: None.

IV. Staff:

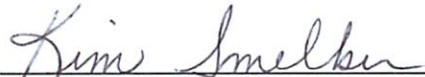
Niewiadomski gave a brief report on the status of a previously approved Special Use Permit for Brian's Automotive (SUP 12-990001) that has recently been operating outside of the conditions of their approved permit.

DISCUSSION: None.

ADJOURNMENT: **Musselman moved to adjourn the meeting at 8:30 p.m. Supported. MOTION CARRIED.**



Linda K. Parkinson, Recording Secretary



Kim Smelker, Secretary