

**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**  
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**PLANNING COMMISSION MINUTES**  
**MONDAY, DECEMBER 3, 2012**  
**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 Secretary Kim Smelker.

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

MEMBERS PRESENT: None.

OTHERS PRESENT: Planning Consultant Jim Foulds, Recording Secretary Linda Parkinson.

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

APPROVAL OF MINUTES: **Fair moved to approve the minutes of the November 5, 2012 regular meeting as presented. Supported. MOTION CARRIED.**

CORRESPONDENCE: The DeWitt Charter Township Meeting Dates and Closings for Year 2013 were received by the Planning Commission.

PUBLIC COMMENTS: None.

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 December 3, 2012 meeting.**

Foulds advised the applicant is considering using the drive through area as outdoor seating and is still in discussions with the property owner. No discussion or action is necessary at this time.

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

Foulds noted staff has previously presented in outline form the proposal to amend the commercial zoning districts to include the opportunity to develop residential uses in concert with commercial uses by way of Special Use Permit application. The Planning Commission directed staff to proceed with presenting the document in ordinance form. After hearing feedback from the Commission, hopefully a public hearing could be set for a future date.

Foulds went on to review the draft ordinance and invited any questions or comments the Planning Commission may have.

Dailey stated it might seem reasonable to allow parking in the front of a mixed use building if the developer is using an access road.

Foulds concurred with Dailey.

Musselman questioned what criteria would be used when designing a site if this ordinance eliminates certain setback requirements. It seems as if the proposed ordinance has very few parameters or direction as to how a mixed use site should be designed.

Foulds advised the standard development process includes first, an Administrative Review which explains current zoning, basic design standards, etc. The applicant receives a copy of the Administrative Review in writing. The second step is Site Plan Review which requires an examination of the plans by the local reviewing agencies. The request then comes before the Planning Commission for consideration and comment. Staff is hopeful that this ordinance would provide creative tools for a trained design professional that would help in the revitalization of certain areas in the Township.

Dailey stated it would seem as if the best starting point for the design of a project would begin with the standard regulations.

Foulds noted the items that this proposed ordinance is changing for a mixed use development are increasing the maximum allowed height of a building, removing the front, side and rear setback requirements, and disallowing parking in the front yard. Other than these items, the standard requirements would still apply, with some increased requirements related to landscaping and impervious surface parking.

The current maximum allowed height is 35 feet. That would be increased to 45 ft. The Fire Department has no issues as long as circulation is such that it allows placement of equipment in a way that 45 feet can be reached.

Fair asked if staff could provide an example of a mixed use type of development that currently exists.

Foulds noted the Stadium area in downtown Lansing is one example. The best example would be the mixed use development at the intersection of Mount Hope Road and Hagadorn Road in Meridian Township.

Brief discussion followed regarding the potential for an applicant requesting a conditional rezoning to a commercial zoning district and also submit for approval of a Special Use Permit. These tools would encourage revitalization as well as define exactly what the applicant intends to develop.

Musselman pointed out the demographics of DeWitt Township are changing. In the 1990's there were many young families that came into the community. The average age of the population is now higher and it is time to look at alternative housing to accommodate this change.

Brief discussion followed regarding signage requirements for proposed mixed use developments.

Foulds went on to point out there are many areas in the Township that are not served by public utilities. Should a site without utilities be proposed for a mixed use development, the Township would have to make a decision as to whether it would be feasible to allow an onsite system.

Discussion followed regarding density threshold requirements and the bonus density provisions.

Musselman questioned how additional landscaping could be provided on a site if the setbacks have been reduced.

Foulds advised the intention of reducing the required parking area was to provide more space for landscaping.

Bertram cautioned the Commission on reducing parking area requirements too much. It has sometimes been his experience that even though the parking requirements have been met for a project, the requirement was less than what the development needed and parking became chaotic. Also, with respect to landscaping, some communities require landscaping between every 8-10 parking spaces. This allows for the landscaping to be distributed more evenly on the site.

Discussion followed regarding how many of the standards should be met for the M-3 and M-4 Multiple Residential density level.

Musselman questioned if staff's recommendation for standards required to be met for the M-3 and M-4 density levels were average for other communities.

Foulds advised the objective of the newer regulations for mixed use developments are to achieve more building space on a lot. The older requirements for mixed use developments tend to be more standard in nature.

In closing, Foulds stated he would like for the Commission to take the next month to think about any changes they would like to make to the proposed ordinance. Perhaps final language could be discussed at the January 7, 2013 meeting and a Public Hearing could be set at the February meeting.

Gobbo had the following suggestions noted in **highlights**:

Page 2. - "Planning Commission Review of Application Documents" should read "Planning Commission **Review and Approval** of Application Documents".

Page 2 – "The Planning Commission Shall Review the Application Materials, and Conceptual Site Plan, Prior to Determination of Public Hearing Date" should read "The Planning Commission Shall Review the Application Materials, and Conceptual Site Plan **at a Regular Meeting of the Commission, prior to a determination of a Public Hearing Date.**".

Page 3 – "Front, side, and rear yard setback requirements (**include the ordinance number**)"

Page 3 – "Signage" (**reference ordinance number**)

Page 4 – Item 10. Perhaps include language indicating a waiver to sidewalks would only be approved if it does not affect the health, safety and welfare of the public.

Page 4 – “In addition to the required standards for the M-3 Multiple Residential Density Level, at least one (1) **or more** of the following additional standards are required to achieve the M-4 Multiple Residential Density Level (1800 Square Feet Per Dwelling Unit):

Page 5 – Item B. “Leadership In Energy and Environmental Design (LEED) Certification or Other Verifiable Energy Conservation Programs **and project design in accord with the certification or program:**

Page 5 – Item D. “Other Significant and Substantial Amenities Which Meet the Intent of This Amendment, As May be Recommended By The Applicant **verifiable** and Approved by the Planning Commission.

Page 5 – Section VIII. (changing the current Section VIII. to IX.) “**Recommendation for Approval to the Board of Trustees by the Planning Commission shall only occur after a Public Hearing is held and the Commission is satisfied with the conceptual plan and that the applicant can fully comply with the conceptual plan and any additional requirements imposed on the applicant by the Commission for the health, safety and welfare of the public.**”

Gobbo stated with respect to height of buildings, that there should be clear definition on where the height is measured from. He also suggested bike racks be provided in a mixed use development.

Foulds stated he would suggest using a different word in place of “waived” on page 3 Item 3.

Bertram questioned if the reduction of setbacks would cause a problem if the mixed use site was adjacent to a residential use.

Dailey suggested the proposed ordinance also include language that would encourage the facility to promote a healthy lifestyle such as a workout room, community garden, etc.

There were no further comments.

No action was taken as this item was on the agenda for discussion only.

NEW BUSINESS: None.

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 regularly scheduled meetings of the Board of Trustees held on November 13, 2012 and November 26, 2012.

**II. Zoning Board of Appeals:**

Gobbo advised there was no Zoning Board of Appeals meeting held in November, due to no applications being filed.

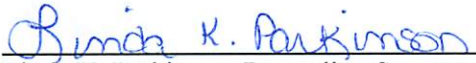
**III. Committees: None.**

**III. Staff:**

Dailey asked if staff could provide an update at the next meeting on the progress related to the Non-Motorized Transportation Plan.

DISCUSSION:           None.

ADJOURNMENT:       **Fair moved to adjourn the meeting at 8:15 p.m. Supported.**



Linda K. Parkinson, Recording Secretary



Kim Smelker, Secretary