

**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, OCTOBER 1, 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 Vice Chairman Gobbo.

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

**MEMBERS ABSENT:** Kim Smelker.

**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 September 4, 2012 Regular Meeting as presented. Supported. **MOTION CARRIED.**

**CORRESPONDENCE:** None.

**PUBLIC COMMENTS:** Ron Balzer, 3450 E. Clark Road, Bath, MI 48808, questioned who the applicant is that is requesting the update of the Comprehensive Development Plan (Item I. under Unfinished Business).

Jim Foulds, Planning Consultant, advised there is no applicant for the update of the Comprehensive Development Plan. It is a State of Michigan requirement that governmental jurisdictions review their comprehensive plans every five (5) years and make any recommended changes they think are appropriate.

**UNFINISHED BUSINESS:**

**I. Comprehensive Development Plan Update. Note: Postponed at the September 4, 2012 meeting.**

Foulds noted the following list of proposed amendments to the Plan as was discussed at the September 4<sup>th</sup> Public Hearing:

1. Traffic Access Management
2. US 127 Overlay Zone Planning Area
3. Mixed Land Use Regulations
4. Non-Motorized Transportation Planning
5. Senior Housing and Continuum of Care Services
6. DeWitt Road/US 127 Gateway Corridor Improvements
7. Low Impact Development
8. State Road Corridor Sub Area Plan
9. Wind Energy Conversion

Foulds noted a question did come up at the time of the Public Hearing related to the proposed map amendments for two parcels on Clark Road, owned by the Eyde Company (Parcel #050-015-300-010-00 & Parcel 050-015-300-020-00). The proposed amendments for those specific properties were in response to a request from the Eyde Company, based on a project the company was working toward to develop a film studio. That project has been dropped due to the tax credit change in the State of Michigan on the film industry. Due to the fact that genesis for the request no longer exists, it would be appropriate to wait for another intended use before considering a change to the Comprehensive Plan for these properties.

Gobbo noted that, should a rezoning application be filed with the Township for these properties, the Township would be legally obligated to respond to the request.

Foulds concurred with Gobbo's comment. He stated it is always the goal of the Planning Commission to have the Comprehensive Development Plan in line with any zoning decisions. Although it is not always possible it is the goal that should be worked towards.

Musselman asked for clarification of where the property is located that Mr. Balzer had described at the September Planning Commission meeting.

Foulds stated the legal description noted by Mr. Balzer is the property where Clark Corners (former outlet mall) is located at the northeast corner of S. US 27 and E. Clark Road. Foulds further stated the Township Manager Rod Taylor has confirmed that the casino issue for that property no longer exists.

Brief discussion followed regarding potential tax implications should the parcels be designated for commercial use.

**Fair moved that the Planning Commission adopt the resolution approving the Comprehensive Development Plan Update to include the List of Amendments (Items 1-9), with the deletion of the proposed amendment to the Comprehensive Development Plan Future Land Use Map for the Clark Road parcels 050-015-300-010-00 & 050-015-300-020-00, and submit the same to the Board of Trustees for its consideration. Supported.**

**ROLL CALL vote on motion:**

**AYES: 8    NAYS: 0    ABSENT: 1 (Smelker)**

**MOTION CARRIED.**

NEW BUSINESS:

- I. 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.

**Fair moved to receive request for Special Use Permit 12-990003 from Sam Dalman and set for a Public Hearing to be held on Monday, November 5, 2012. Supported. MOTION CARRIED.**

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

**I. Trustee:**

Trustee Musselman gave a brief report of business conducted and action taken at the September 10, 2012 and September 24, 2012 regular meeting of the Board of Trustees.

Commissioner Dailey questioned if there was any additional funding in the budget for additional Planning Department staff. With the limited staffing, who all do an amazing job, it would seem very difficult to move forward on many of the projects, such as the list of tasks that was just approved for the Comprehensive Development Plan Update. He feels the Township would benefit by having a person on the Planning staff that could seek out potential developers and start a dialog with them. He doubts this could be done at the current staffing level.

Musselman stated he had a recent conversation with Township Manager Rod Taylor who advised there will be additional funds available for additional staffing in the Planning Department. He will provide the exact amount of funding at the next Planning Commission meeting.

**II. Zoning Board of Appeals:**

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

Discussion followed regarding a possible ordinance amendment to address properties that have frontage on more than one street and have to meet front yard setback requirements on more than one side of the property.

**III. Committees: None.**

**III. Staff: Discussion on mixed use zoning amendment.**

Foulds advised staff has two projects under consideration by the direction of the Township Board of Trustees. One project is the overlay zone for the Corridor Improvement Authority. The other project is changes to the existing Professional Office and Commercial zoning districts to allow a mixture of land uses that would include residential, subject to a Special Use Permit review.

Foulds distributed and reviewed staff's document dated October 1, 2012 outlining the Mixed Commercial/Residential Use Special Use Permit Option in the O, OP, POD, BL, BC and BSC zoning district. Currently, residential uses are not allowed in any of these districts. There is no intent to increase the current permitted non residential uses in the office and business zoning district.

Foulds went on to explain the Special Use Permit application process for a mixed use development, as well as the density allowed for each corresponding zoning district. Lastly, Foulds reviewed the bonus residential density amenities.

Brief discussion followed regarding categorizing the amenities into two categories and also deciding what number of items A. through I. would need to be met in order to achieve the lowest density for a project.

Gobbo suggested each item be designated a certain number of points and then set a minimum amount of points required to achieve a lower density.

Fair stated he disagrees with the point system. He feels the free market will dictate what the developers will do.

Bertram stated, from a design professional perspective, some of the items on the list are definitely more encompassing and require more dollars to implement than others and should receive a higher ranking.

Brief discussion followed regarding possible ways to assign a value to each of the bonus items A. through I. listed in staff's memo.

Foulds stated the implementation of a mixed use development idea would be an important tool for the Township when it comes to redevelopment of sites. Currently, it is simply not allowed to have commercial and residential together. He noted that a variance cannot even be requested by the Board of Appeals because it would be a use variance.

Brief discussion followed regarding the impact of higher density projects on adjacent properties and how to mitigate the effect.

**Gobbo moved to adopt staff's report under Item IV. on the Agenda, dated October 1, 2012, concerning discussion on a mixed use zoning amendment that would allow commercial/residential use by Special Use Permit option in the O, OP, POD, BL, BC and BSC zoning districts and authorize staff to proceed with the development of an ordinance.**

**Supported. MOTION CARRIED.**

DISCUSSION: None.

ADJOURNMENT: **Fair moved to adjourn the meeting at 8:10 p.m. Supported. MOTION CARRIED.**



Linda K. Parkinson, Recording Secretary



Kim Smelker, Secretary