

**Chair**  
Stephen Gobbo  
**Vice-Chair**  
Bruce Keilen  
**Secretary**  
Kimberly Smelker  
**Commissioners**  
Max Calder, Trustee  
Dale Dailey  
Marsha Zimmerman  
Tim Fair  
Adam Bertram  
Kristen Krol



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**Community Development Director**  
Richard M. Trent

**Township Planner**  
Jim N. Foulds

**Recording Secretary**  
Linda K. Parkinson

**PLANNING COMMISSION MINUTES**  
**MONDAY, MAY 2, 2011**  
**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 Gobbo.

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

ROLL CALL by Secretary Smelker.

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

**MEMBERS ABSENT:** Bruce Keilen and Marsha Zimmerman.

**OTHERS PRESENT:** Township Planner Jim Foulds, Community Development Director Rich Trent and Recording Secretary Linda Parkinson.

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

**APPROVAL OF MINUTES:** Fair moved to approve the minutes of the April 4, 2011 Regular Meeting. Supported. **MOTION CARRIED.**

**CORRESPONDENCE:** None.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

- I. PUBLIC HEARING - Request for Special Use Permit 11-990001 from Genex Investments L.L.C. (Vision Collision)** to allow the applicant to construct an approximately 10,086 square foot addition to the existing 3,311 square foot building to be used as an auto body repair facility, vehicle rental and new tire sales on property located at 13393 S. US 27,

DeWitt, MI 48820, on the east side of S. US 27, south of Herbison Road, north of Twinbrook Drive, in the northwest ¼ of Section 15 of DeWitt Charter Township.

A. Open Public Hearing. **Musselman moved to open the Public Hearing at 7:04 p.m. Supported. MOTION CARRIED.**

B. Administrative Comments/Applicant Comments/Public Comments.

Planning Consultant Jim Foulds briefly reviewed staff's memorandum dated April 25, 2011 advising the nature of the applicant's request is to be allowed to construct an approximately 10,086 sq. ft. addition to the existing building to be used as an auto body repair facility, vehicle rental and new tire sales.

Foulds pointed out the location of the site being on the east side of US-27, south of Herbison Road and north of Twinbrook Drive, in the northwest ¼ of Section 15 (the former Dunkin Donuts site).

The site is zoned BC (Business, Community) and designated on the Future Land Use Map as CC (Community Oriented Commercial). The request is consistent with the designated zoning and FLU map. Foulds stated that the parcel directly to the south of the site is zoned R1 (Single Family), however, the Future Land Use designation is CC (Community Oriented Commercial). It should be noted that a commercial land use pattern is planned to extend farther to the south of the proposed site in the future.

With respect to the site plan, Foulds advised that there will be a monument sign erected at the northern shared drive entrance; the plan complies with the height, bulk, density and area requirements; the parking spaces provided exceed requirements; a landscape plan has been submitted and staff will work with the applicant to determine the amount of existing material on the site that will be able to be used; the existing entrance to the south can remain opened and used as a one-way entrance until such time as the property to the south develops and a shared driveway shall be implemented; and sidewalks will be installed as required by the Sidewalk Ordinance.

With respect to public agencies and facilities, Foulds advised the following: discussions on the access layout must be finalized with MDOT; public water is available to the site; the Drain Commissioner's office has indicated that approval can be given to the proposed development, subject to limited inspections; the Health Department expressed no objections but notes that the site is a location for Underground Storage Tank Releases; the Phase I BSA revealed no evidence of recognized environmental conditions that could impact soil and groundwater conditions except for historical uses on the site which are currently being addressed; no other agencies cited issues or concerns.

In closing, Foulds advised that staff's recommendation has been revised due to recent conversations with the Michigan Department of Transportation (MDOT) to include a condition that the applicant comply with the requirements of MDOT for drive access and the requirement for shared driveway access in the event of future redevelopment to the south.

Musselman questioned if there were any discussions with the residents to the south of the site with respect to the orientation of the proposed building. He noted that the collision repair area appears to be towards the south side of the building.

Note: Included in Planning Commission packets a memorandum to file dated April 25, 2011 regarding concerns expressed by Lynn and Phyllis Cressler (1105 Twinbrook Drive, DeWitt, MI 48820) during a phone conversation with staff.

Staff has not spoken with the homeowner to the south of the site. However, staff has discussed with the applicant that perhaps additional landscaping and/or fencing may be required along the southern boundary of the site.

Chairman Gobbo invited the applicant to speak.

Troy Yensen, 2520 S. Pennsylvania Avenue, Lansing, MI 48910, Human Resource and Special Operations Manager, Vision Collision Centers, representing the applicant, gave a brief statement regarding the nature of the proposed business and its efforts to operate in an environmentally friendly manner.

Fair questioned if the underground storage tanks still exist on the site.

Yensen advised that the tanks have been removed, as well as the contaminated dirt that was on the site.

Dailey asked if the applicant could provide additional information regarding proposed ancillary uses.

Yensen advised that the vehicle rental service and tire sales will be available for customers who are having their having their vehicles services by the auto body shop.

Musselman questioned how the applicant intends to buffer the southern boundary of the site where it abuts a residential area.

Yensen advised that a six foot fence currently exists on the southern property line. In addition, any Township landscaping requirements will be met. The reason for the service bays being located on the south side of the proposed building is due to the location of the existing buildings which will be utilized.

Gobbo questioned if the applicant anticipates storing vehicles outside and if so, for how long. He also questioned if the entire facility would be air conditioned.

Yensen advised that all vehicles are pulled inside the building at the end of the day. There may be some instances when a totaled vehicle might sit on the site for a day or two until the insurance adjuster can examine it. Only the front offices will be air conditioned. The service bays would be opened during the summer months.

Gobbo further questioned what the applicant intends to do with the existing dumpster and shed. He further asked how many employees will be at this location.

Yensen advised that the dumpster has been removed. There are no distinct plans for the shed. They intend to employ ten to twelve people at the DeWitt location.

Fair questioned when the applicant expects to complete the construction process and open the business.

Yensen advised that they are hoping to open the business by November 30th of this year.

Bertram questioned where the applicant intends to place a dumpster on the site.

Yensen stated they would like to use the existing cement pad since it already has barriers around it.

Discussion followed regarding the best placement for snow retention on the site.

Gobbo asked if the applicant had any issue with MDOT's recommendation that the southern access to the site be an entrance only, or possibly close it completely.

Yensen stated he had no issues with whatever is recommended by MDOT.

Foulds stated, at the direction of the Planning Commission, staff can work with the applicant on maximizing the southern property line of the site in terms of providing additional screening, fencing, etc.

Foulds further noted that the proposed use is less intensive than the previous use for the site. There were no restrictions on hours of operation and the previous use generated more vehicle trips.

Foulds distributed a revised recommendation to the Planning Commission adding the condition that the applicant shall comply with the requirements of the Michigan Department of Transportation (MDOT) for driveway access and the requirement for shared driveway access in the event of future redevelopment to the south.

Hearing no further Commissioner questions, Chairman Gobbo invited public comments.

Chris Haddad, 6240 Whitehills Lakes Drive, East Lansing, MI 48823, stated he is the current property owner of the proposed site. He has visited a few of the applicant's other locations and commended them for having a very "top notch" body shop operation. They would be a great addition to the DeWitt community.

Lisa Stow, DeWitt Banquet Center, 1120 Commerce Park Drive, DeWitt, MI 48820, questioned if the applicant will be required to construct an on site retention pond and where would the property drain to. Lastly, are the rental vehicles primarily for the customers who have their vehicles repaired.

Foulds advised that a retention pond will not be required. A drainage plan has been submitted with the application materials and can be reviewed at anytime.

Yensen advised that underground storage exists and all drainage will remain on the site. The perimeter of the site will have wooden fencing. The rental cars are primarily for the customers who are having their vehicles repaired. Not more than 5 to 7 will be parked on site at any given time.

Brief discussion followed regarding total loss vehicles that will be parked on the east side of the building for no more than 3 days and any leaking of fluids will be handled in the appropriate manner at hazardous waste stations on the site. The tire sales and car rental are ancillary uses to the body shop and will not operate outside of the designated hours of operation.

There were no further questions or comments.

Gobbo read into the record a letter from Autumn Redman dated April 29, 2011 representing Firstbank in support of the proposed request (see file).

Thomas Trana, 13455 Dawn Dew Drive, #4, DeWitt, MI 48820, expressed concern with increased noise in the area related to the proposed auto repair business.

Kevin Cozik, partner, Genex Investments, LLC (Vision Collision), 2520 S. Pennsylvania Avenue, Lansing, MI 48910, stated that the noise generated from the proposed use will not be any louder than that of the car dealership in the vicinity. Most auto body parts are now replaced rather than repaired. The Haslett location is within approximately 60 feet of a condominium development and there have been no complaints about excessive noise. In closing, he stated that they will operate with courtesy and intend to be good neighbors to the community.

- C. Close Public Hearing. **Hearing no public comments, Musselman moved to close the Public Hearing at 8:05 p.m. Supported. MOTION CARRIED.**
- D. Discussion and possible action by Planning Commission.

**Musselman moved that the Planning Commission recommend to the Board of Trustees approval of Special Use Permit 11-990001 from Genex Investments LLC to construct and operate a 13,397 square foot auto body repair facility on the property located at 13393 S. US 27 and legally described in the application documents. Approval is recommended on the following basis:**

1. **The proposed vehicle auto body repair facility has been designed and can comply with the requirements of Section 7.3 (Site Plan review and Section 7.13.14 (Auto Body Repair) of the Zoning Ordinance.**
2. **Upon compliance with the conditions of the Special Use Permit, the plans will comply with the site plan review standards listed in the Zoning Ordinance to include the provision of a fencing plan for the vehicle storage**

area, and compliance with the requirements of the Southern Clinton County Municipal Utilities Authority.

3. The applicant shall comply with the requirements of the Michigan Department of Transportation (MDOT) for driveway access and the requirement for shared driveway access in the event of future redevelopment to the south.
4. The Special Use Permit shall indicate hours of operation to be Monday through Friday 8:00 AM to 8:00 PM and Saturday 9:00 to 2:00 PM.
5. The standards of the Basis for Determination listed in Section 7.4.3 of the Zoning Ordinance have been met.

**Supported.**

**ROLL CALL vote on motion:**

**AYES: 7    NAYS: 0    ABSENT: 0 (Keilen, Zimmerman)**

**MOTION CARRIED.**

#### **UNFINISHED BUSINESS:**

##### **I. Comprehensive Plan Update**

Foulds briefly reviewed staff's memorandum dated April 28, 2011 listing the proposed amendments 1-9 as ranked by the Planning Commission from most important to least important as follows:

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

Staff recommends that the Planning Commission forward the proposed amendments to the Board of Trustees for final approval that would allow the distribution of the proposed amendments to adjacent governmental jurisdictions and regional planning bodies and begin the sixty day comment period.

**Fair moved to recommend the final review of the proposed Comprehensive Development Plan amendments be forwarded to the Board of Trustees for their authorization to disseminate the proposed amendments to public agencies and adjacent jurisdictions for a sixty day review period. Supported.**

Brief discussion followed regarding the potential cost of implementing each of the items listed as possible amendments to the Plan.

**ROLL CALL vote on motion:**

**AYES: 7    NAYS: 0    ABSENT: 2 (Keilen, Zimmerman)**

**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 by the Board of Trustees at the regularly scheduled meetings held on April 11, 2011 and April 25, 2011.

**II.**    Zoning Board of Appeals:

Gobbo reported that there was no Zoning Board of Appeals meeting held in the month of April.

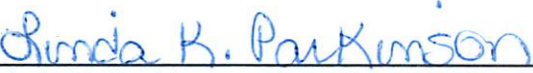
**III.**   Committees:

Community Development Director Rich Trent gave a brief report on the progress being made by the Corridor Improvement Authority and the Access Management Plan Committee.

**IV.**   Staff: None.

DISCUSSION:        None.

ADJOURNMENT:    **Musselman moved to adjourn the meeting at 8:37 p.m. Supported. MOTION CARRIED.**

  
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Linda K. Parkinson, Recording Secretary

  
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Kim Smelker, Secretary