

**DEWITT CHARTER TOWNSHIP
1401 W. HERBISON ROAD, DeWITT, MI
PLANNING COMMISSION MINUTES
MONDAY, JANUARY 7, 2008**

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, Kim Smelker, Mike Nolen, Jason Flower, Terrie Shively, Bruce Keilen, Dale Daily, and Marsha Zimmerman.

MEMBERS ABSENT: Trustee Ross.

APPROVAL OF AGENDA: **Keilen moved to approve the Agenda as presented. Supported. MOTION CARRIED.**

APPROVAL OF MINUTES: **Nolen moved to approve the minutes of the regular meeting of December 3, 2007 as printed. Supported. MOTION CARRIED.**

CORRESPONDENCE: The following correspondence was received and noted by the Planning Commission:

1. Planning Department December 2007 Activity Report.
2. Planning Seminar Pamphlets from APA MI and Michigan Land Use Leadership Academy.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS:

I. PUBLIC HEARING - Rezoning Request 07-880002 from Mike Davis representing Davis Construction, Inc., for property located at 5250 N. Grand River Avenue, Lansing, MI 48906, west of Capital City Airport Boulevard, east of Airport Road, in the southwest ¼ of Section 31 of DeWitt Charter Township, to rezone approximately 0.91 acres from the IL (Industrial, Light) zoning district to the BC (Business, Community) zoning district.

A. Open Public Hearing. **Keilen moved to open the Public Hearing at 7:05 p.m. Supported. MOTION CARRIED.**

B. Administrative Comments/Applicant Comments/Public Comments.

Planning Director Jeff Gray briefly reviewed staff's report dated January 4, 2008 pointing out the location of the 39,480 sq. ft. site. The request is to rezone from IL (Industrial, Light) to BC (Business, Community). The property is presently vacant with the exception of a garage. The

northern border abuts the C & O Railroad right-of-way, beyond that is the Capital City Airport.

The surrounding zoning consists of BC (Business, Community) to the north and east, IL (Industrial, Light) to the west and E-2 (Local Shopping) – City of Lansing and F (Commercial) – City of Lansing to the south. The surrounding land use consists of Railroad/Airport to the north, Assembly Hall to the west and Commercial to the east and west.

Gray went on to briefly review a comparison of the existing IL (Industrial, Light) and proposed BC (Business, Community) zoning districts (See page 4 of Staff's report). He pointed out that the property complies with the minimum requirements for lot size in the proposed BC (Business, Community) zoning district. The surrounding Future Land Use designations consist of CC (Community Oriented Commercial and ACOM (Airport Commercial) to the north, CC (Community Oriented Commercial) to the east and west and Commercial (City of Lansing) to the south. The proposed BC (Business, Community) zoning district is consistent with the DeWitt Charter Township Future Land Use Map.

With respect to public services and facilities, Gray advised that the site is presently served by public water. The Board of Water and Light did indicate that the fire hydrant spacing does not meet current standards. This issue will be addressed at Site Plan Review. The site is not served by public sanitary sewer. The sanitary sewer in the vicinity of the site is under the jurisdiction of the City of Lansing. It presently stops at the adjoining parcel to the east of the site. Township staff has made inquiries to the City of Lansing regarding extension of sanitary sewer to serve the proposed site, as well as the property to the west. There seems to be no interest in the City collaborating with the Township on this issue. Therefore, the site will be served with an on-site septic system. Staff would ordinarily be reluctant to recommend approval of a rezoning request where public sanitary sewer is not available. However, there is no intensive increase in use between the current IL (Industrial, Light) and the proposed BC (Business, Community) zoning district. In addition, the Mid-Michigan District Health Department has noted that the site can be served by private facilities. The Clinton County Drain Commissioner's Office indicates that significant on-site facilities for storm water may be needed and could impact the amount of land available for development. In closing, Gray stated that no additional agency comments cited issues or concerns with the proposed rezoning request.

Brief discussion followed regarding possible reasons for the City of Lansing's unwillingness to cooperate with extending public sanitary sewer to the site.

Chairman Gobbo invited the applicant to speak.

Mike Davis, representing Davis Construction, Incorporated, 5236 Dumond Court, Suite A, Lansing, MI 48917-6009, stated he had discussions with the City of Lansing staff regarding the extension of public sanitary sewer. His efforts were unsuccessful. The applicant intends to construct a sewer line out to the curb and cap it off until such time that the City of Lansing is willing to accept the connection into their system.

Chairman Gobbo invited public comments.

April Dennis, 1501 N. Chester Road, Charlotte, MI 48813, representing Dennis Holding Company, LLC 5226 Grand River Avenue, Lansing, MI 48906, asked for clarification on the

sanitary sewer connection issue. She further questioned if the applicant intends to use the existing septic system on-site.

Gray advised that the applicant is proposing the installation of a new on-site septic system. A permit has been received to allow the installation.

Shively questioned if the applicant will be required to provide landscaping on the site.

Gray advised that a landscaping plan will be reviewed at the time of Site Plan Review.

- C. Close Public Hearing. **Hearing no further comments or questions, Nolen moved to close the Public Hearing at 7:20 p.m. Supported. MOTION CARRIED.**
- D. Discussion and possible action by Planning Commission.

Flower moved that the Planning Commission recommend that the Board of Trustees approve Rezoning Request 07-880002, from Mike Davis, to rezone the approximately 39,480 square foot parcel located at 5250 N. Grand River Avenue from IL (Industrial, Light) to BC (Business, Community). Approval is recommended on the following basis:

- 1. The requested rezoning is consistent with the Future Land Use designation and commercial land use goals of the Comprehensive Development Plan.**
- 2. The requested rezoning is consistent with the Growth Management Strategy component of the Comprehensive Development Plan.**
- 3. The site can be adequately served with the necessary public facilities, including public water.**

Supported.

ROLL CALL vote on motion:

AYES: 8 NAYS: 0 ABSENT: 1 (Ross)

MOTION CARRIED.

- II. PUBLIC HEARING - Rezoning Request 07-880003 from Avalon Place, for property located at 13180 Schavey Road, DeWitt, MI 48820, south of Herbison Road, west of Schavey Road, Lot #25 of Country Meadows Estates Subdivision, in the northwest ¼ of Section 18 of DeWitt Charter Township, to rezone approximately 6.61 acres from the M-2 (Multiple Residential) zoning district to the M-3 (Multiple Residential) zoning district.**

- A. Open Public Hearing. **Keilen moved to open the Public Hearing at 7:22 p.m. Supported. MOTION CARRIED.**
- B. Administrative Comments/Applicant Comments/Public Comments.

Assistant Planner Harmony Gmazel briefly reviewed staff's memorandum dated January 4, 2008

advising that staff is recommending postponement of Rezoning Request 07-880003 from Avalon Place due to the applicant changing their intentions for the site from what was presented in the application. This could result in the Planning staff having to re-notice the request and hold the public hearing at the February meeting.

Gobbo questioned if the applicant was aware of staff's recommendation for postponement.

Gmazel advised that the applicant is aware of staff's recommendation for postponement and has chosen not to attend tonight's meeting. The applicant will be meeting with staff in the near future to clarify their intentions for the proposed site.

Chairman Gobbo invited public comments or questions.

Dave Ladd, 13210 Starwood Lane, DeWitt, MI 48820, stated that the northern portion of his property is adjacent to the site. He expressed concern with increasing the density of the existing apartment complex. He further stated that the community pool area is excessively noisy, to the point that he can not enjoy his back yard.

- C. Close Public Hearing. **Hearing no further public comments, Flower moved to close the Public Hearing at 7:28 p.m. Supported. MOTION CARRIED.**
- D. Discussion and possible action by Planning Commission.

Flower questioned if the applicant had indicated that they will be prepared for the February 4, 2008 meeting.

Gmazel stated that the applicant did indicate that they will be prepared by the February meeting.

Gray briefly explained the notification process for the request and advised that 364 notification letters had been sent.

Keilen moved that the Planning Commission postpone action on Rezoning Request 07-880003 from Avalon Place until the February 4, 2008 regular meeting to give the applicant time to explore options for the potential development of the site. Supported.

ROLL CALL vote on motion:

AYES: 8 NAYS: 0 ABSENT: 1 (Ross)

MOTION CARRIED.

NEW BUSINESS:

- I. **Rezoning Request 08-880001 from Patrick Feldpausch**, for property located at 13393 S. US-127BR, DeWitt, MI 48820, north of Twinbrook Drive, south of Commerce Park Drive, in the northwest ¼ of Section 15 of DeWitt Charter Township, to rezone approximately 1.42 acres from the BL (Business, Local) zoning district to the BC (Business, Community) zoning district.

Nolen moved to receive and set for a Public Hearing to be held on Monday, February 4, 2008. Supported. MOTION CARRIED.

II. Set a Special Meeting Date.

Gray briefly reviewed staff's memorandum dated January 4, 2008 advising that the purpose of the proposed Special Meeting is to discuss community visioning and the policies and initiatives associated with the South Central Area Plan.

Keilen moved that the Planning Commission set a Special Meeting to be held on Wednesday, February 6, 2008 at 7:00 p.m. in the Board Room. The purpose of the meeting is to discuss community visioning and to review policies and initiatives and next steps associated with the South Central Area Plan. Supported. MOTION CARRIED.

III. Election of Officers for the Year of 2008.

Chairman Gobbo opened the floor for nominations for the office of Chairperson.

Nolen moved to nominate Marsha Zimmerman for the office of Chairperson.

There were no further nominations for Chairperson.

Hearing no further nominations, Nolen moved to close the nominations for Chairperson and cast a unanimous ballot for Marsha Zimmerman for the office of Chairperson. Supported.

ROLL CALL vote on motion:

AYES: 7 NAYS: 1 (Flower) ABSENT: 1 (Ross)

MOTION CARRIED.

Chairman Gobbo opened the floor for nominations for the office of Vice Chairperson.

Flower nominated Bruce Keilen for the office of Vice Chairperson.

There were no further nominations for Vice Chairperson.

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

ROLL CALL vote on motion:

AYES: 8 NAYS: 0 ABSENT: 1 (Ross)

MOTION CARRIED.

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

Nolen nominated Terrie Shively for the office of Secretary.

There were no further nominations for the office of Secretary.

Hearing no further nominations, Nolen moved to close the nominations for Secretary and cast a unanimous ballot for Terrie Shively for the office of Secretary. Supported.

ROLL CALL vote on motion:

AYES: 8 NAYS: 0 ABSENT: 1 (Ross)

MOTION CARRIED.

The Planning Commission Officers for 2008 are:

Marsha Zimmerman, Chairperson

Bruce Keilen, Vice Chairperson

Terrie Shively, Secretary

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

I. Trustee:

Due to the absence of Trustee Ross, no Trustee report was given.

II. Zoning Board of Appeals:

Gobbo advised that there were no new applications filed. Therefore, no meeting was held in the month of December 2007.

III. Committees: None.

IV. Staff:

Gray reminded Commissioners that staff budgets for them to be able to attend training seminars related to the duties of a Planning Commission member. Gray urged the members of the Planning Commission to contact the Planning Department with any interest in attending additional training sessions.

DISCUSSION: Brief discussion followed regarding regional planning and the hope for cooperation from areas surrounding DeWitt Charter Township.

ADJOURNMENT: **Keilen moved to adjourn the meeting at 7:50 p.m. Supported. MOTION CARRIED.**

Linda K. Parkinson, Recording Secretary

Kim Smelker, Secretary