

**DEWITT CHARTER TOWNSHIP
1401 W. HERBISON ROAD, DeWITT, MI
PLANNING COMMISSION MINUTES
MONDAY, AUGUST 7, 2006**

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.

Chairman Gobbo noted the recent loss of Trustee Jeff Baumann and asked for a moment of silence in his memory.

ROLL CALL by Secretary Smelker.

MEMBERS PRESENT: Steve Gobbo, Bruce Keilen, Jason Flower, Terri Shively, Kim Smelker, Mike Nolen, Trustee Seeger and Greg White (**left at 7:20 p.m.**).

MEMBERS ABSENT: None.

VACANT SEATS: 1 (DeHoog)

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

APPROVAL OF MINUTES: **Flower moved to approve the minutes of the July 5, 2006 Regular Meeting.**

CORRESPONDENCE: None.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS:

I. PUBLIC HEARING - Rezoning Request 06-880003 from Auto-Owners Insurance Company, for property located south of I-69 and Clark Road, north of Stoll Road, east of Saffron Hills Subdivision, and west of DeWitt Road, in the east ½ of Section 19 and west ½ of Section 20 of DeWitt Charter Township, to rezone approximately 311.52 acres from A (Agricultural) to POD (Planned Office Development).

A. Open Public Hearing. **Chairman Gobbo declared the Public Hearing opened at 7:05 p.m.**

B. Administrative Comments/Applicant Comments/Public Comments.

Planning Director Jeff Gray briefly reviewed staff's report dated August 4, 2006 noting the location of the proposed site. He further advised that the applicant is requesting to rezone approximately 311.52 acres from A (Agricultural) to POD (Planned Office Development) to construct their corporate headquarters on the site.

The property includes 17 separate parcels and consists of gently rolling terrain. Two overhead Consumers Energy power lines traverse the site, one near the center of the site and the other near the southern boundary at Stoll Road. In addition, the Edward Fill county drain cuts across the northern third of the site.

The surrounding zoning consists of A (Agricultural) to the north, south, east and west; R2 (Residential Single Family) and M-2 (Multiple Residential) to the south; and R3 (Residential Single Family) to the west. The surrounding land uses consist of Single Family Residential and I-69 to the north; Single Family Residential and Undeveloped to the east; Agricultural, Single Family Residential and Undeveloped to the south; and Agricultural and Open Space to the west.

Gray noted that the POD (Planned Office Development) zoning district was developed to address large-scale office developments, such as the corporate headquarters proposed for the site by Auto-Owners. This district allows the Commission to consider a POD district based on the actual uses proposed by the applicant during the first ten years of construction on the property. In addition, the Commission is permitted to place conditions on the approval of the POD district to assure that the intent and purpose of the Zoning Ordinance will be met.

The uses proposed on the site are summarized on page 8 of the Development District Text provided by the applicant. The applicant describes construction to be in two phases. The first phase is proposed to be occupied in 2010 resulting in 500,000 sq. ft. of building on the property. The second phase proposed to be occupied in 2016 resulting in an additional 250,000 sq. ft. of buildings.

Gray further noted that the Conceptual Land Use Plan and the Development District Text submitted by the applicant both refer to the future acquisition of additional property on the west side of the proposed site. Should the acquisition take place, Auto-Owners would be required to apply for a major amendment to rezone the additional property.

Gray went on to review the required building setbacks; building heights; open space; additional site development requirements and construction phasing (see pages 5 through 7 of staff's report).

With respect to the Comprehensive Development Plan, Gray stated the following: the site is designated for O (Office) use on the Future Land Use Map. The surrounding Future Land Use designations consist of A (Agricultural) to the north; A (Agricultural) and O (Office) to the east and south; and SF-M (Medium Density Single Family Residential) and O (Office) to the west. The properties designated for SF-M use correspond to the developed single family residential subdivisions in the area. The proposed POD (Planned Office Development) zoning district is consistent with the O (Office) Future Land Use designation. Lastly, the applicant has provided proposals for providing the necessary public facilities, consistent with the growth management strategy for the Township.

With respect to public services and facilities, Gray stated the following: the

applicant has submitted a Traffic Impact Study (see overview on pages 10 and 11 of staff's report). Comments have been received from the Clinton County Road Commission. They generally concur with the recommendations included in the traffic study for roadway and intersection improvements. Gray noted that after staff's report was complete, the Township received a letter from the Michigan Department of Transportation (MDOT), dated August 4, 2006. The letter does not provide any indication of whether the improvements proposed in the traffic study are appropriate. Since the study includes a number of road segments and intersections that are under MDOT's jurisdiction it is important to have comments for consideration prior to taking action on this request. The site will be served with public water and sanitary sewer. The site has access to the Edward Fill county drain and the on-site system will connect to the county drain. The storm piping and detention areas will be sized to meet the requirements of the Clinton County Drain Commissioner. Natural gas service is available and will be provided by Consumers Energy. The location and need for electrical substations on the site will be determined with future plans. Both Consumers Energy and the Lansing Board of Water and Light have indicated that the service proposals are feasible. Lastly, no additional reviewing agencies have expressed concerns or objections to the proposed request.

Gray went on to review the request for compliance with Section 5.12B.2 of the Zoning Ordinance which provides a listing of Qualifying Conditions (see pages 13 and 14 of staff's report). In addition, he briefly reviewed Section 5.12B.5(4) of the Zoning Ordinance which provides the standards that must be met when requesting a rezoning to the POD (Planned Office Development) zoning district (see pages 15 and 16 of staff's report).

In closing, Gray stated staff's recommendation for postponement of Rezoning Request 06-880003 from the Auto-Owners Insurance Company to allow additional time for the Michigan Department of Transportation (MDOT) to complete its review of the Traffic Impact Study.

Nolen questioned what type of additional information staff is looking for from the Michigan Department of Transportation (MDOT).

Gray advised that it is unclear whether the letter dated August 4, 2006 from MDOT is the extent of their review or if additional information is forthcoming. He has attempted to contact their office for clarification. As of this date no response has been received.

Hearing no further Commissioner questions, Chairman Gobbo invited the applicant to speak.

Lisa Ayotte, representing Auto-Owners Insurance Company, 6101 Anacapi Blvd., Lansing, MI 48917, thanked staff for their assistance through the process of applying for rezoning of the proposed site. She feels Auto-Owners Insurance Company has met the intent of the requirements for the POD (Planned Office District) zoning district. When developing the site the applicant plans to consider all of the existing natural features on the property to be able to blend into the DeWitt

Township community.

Nolen asked staff to provide a brief history of the newly adopted POD (Planned Office Development) zoning district.

Gray gave a brief overview of the process.

Brief discussion followed regarding the fact that the intent of the POD (Planned Office Development) zoning district is to require adequate setbacks keeping the public's best interest in mind and provide a smooth transition for a development of this magnitude.

Chairman Gobbo invited public comments.

Tom Nitzsche, 2088 W. Stoll Road, DeWitt, MI 48820, spoke in support of the applicant developing in the township.

Fred Koos, 14201 DeWitt Road, Lansing, MI 48906, questioned if any part of DeWitt Road would be widened due to the increased traffic.

Gobbo noted that although a traffic study has been conducted, the Planning Commission does not have jurisdiction over the Clinton County Road Commission or Michigan Department of Transportation. However, staff will convey public comments to the reviewing agencies.

Robert Hurd, 14230 DeWitt Road, Lansing, MI 48906, expressed drainage concerns.

Gray advised that all plans are conceptual at the rezoning phase. Detailed plans will be provided at the time of Site Plan Review.

Carolyn Schuttler, 123 Rivergate Lane, DeWitt, MI 48820, stated that a wetland exists on the northern portion of the site and drains into a wetland on her property to the north. She questioned if plans exist to address wetland issues.

Gray advised that wetlands have been identified on the site. They will be reviewed by the Michigan Department of Environmental Quality as the property is closer to being developed.

Jon Jordine, 2840 W. Stoll Road, Lansing, MI 48906, asked staff to clarify the minimum building setback requirements from residential areas.

Gray advised that the setback is a minimum of 150 ft. from property lines. Parking areas can be within that setback. However, a landscape buffer requirement exists. The width varies, depending on the surrounding zoning.

Matt Stehouwer, 4455 Donamere Drive, Lansing, MI 48906, advised that when the subject site was initially surveyed several stakes were placed on properties near his home. This concerned many residents. He questioned what the plans are for the

property immediately west of the site (east of Saffron Hills Subdivision).

Gray advised that the applicant intends to acquire the large parcel west of the site. At the time that they wish to rezone that parcel the same process of notifications and a public hearing will be required. It is not clear at this time what use the applicant intends for this parcel.

Chester Briggs, 14155 S. DeWitt Road, Lansing, MI 48906, questioned if sanitary sewer was going to be extended north to Herbison Road.

Gray advised that sanitary sewer work will be done within the right-of-way of DeWitt Road up to Herbison Road. At this point a conceptual schematic has been drawn. Engineered drawings will follow at a later date.

John Arnsman, 2729 W. Clark Road, Lansing, MI 48906, stated that his property is adjacent to the site and is impacted the most by this rezoning request. He further stated that he is opposed to Rezoning Request 06-880003 for the following reasons: although the Township Supervisor has returned his phone call once, he has never been contacted by the applicant; a better use for the site would be large 1 acre residential parcels; increased traffic; drainage concerns; impact on septic systems when the roads are widened; will the residents bear the cost of improvements and maintenance of public improvements; lastly, Auto-Owners has not maintained the property adjacent to his property it has become an overgrown eyesore.

Jamie Clover Adams, 3565 Wynbrooke Drive, Lansing, MI 48906, questioned if the text of the applicant's proposal and staff's report were available to the public. She further questioned if the traffic impact study called for the widening of DeWitt Road. Lastly, she reiterated that the applicant is not maintaining the property they have acquired.

Gray advised that all documents are available in the Planning Department for the public to review or request copies.

John Dallal, 1294 Castlewood Circle, DeWitt, MI 48820, spoke in support of the request. He stated that the development would be a positive addition to the community.

Loretta Spinrad, representing the DeWitt Area Community Alliance (DACA), 12830 S. US 27, DeWitt, MI 48820, stated that DACA is an association of government, business, residents and schools. She stated that DACA is in support of the Auto-Owners rezoning request and proposed development. They realize that growth in the DeWitt area is necessary in order to support itself. While residential subdivisions are nice to have, the DeWitt area currently has nearly 300 homes on the market for sale that are not being purchased. Therefore, there is no need for additional residential development. DACA feels the proposed Auto-Owners development would be a good use for the property since it is close to the Capital City Airport. In addition, non homestead taxes greatly benefit the community financially.

Leo Arens, 3433 Ramsgate Drive, Lansing, MI 48906, stated that he works for the Michigan Department of Transportation (MDOT) as a traffic safety engineer. He expressed an interest in helping to move this project forward by checking with the Lansing Transportation Service Center. He went on to advise that MDOT is trying to eliminate the number of traffic lights and replace them with roundabouts. Studies have shown roundabouts to be much safer and help reduce the number of accidents.

Lisa Ayotte, representing the applicant responded to some of the public comments made. She advised that the staking of the property west of the site was done as part of their due diligence process. She apologized if it alarmed any of the neighboring property owners. The conceptual plan for this additional property is to develop the northern portion. However, the rezoning process would be required first. Ayotte noted that Stoll Road is not planned to be an initial entrance to the site. In closing, she stated that Auto-Owners take great pride in their grounds on Anacapi Boulevard. She is disappointed to hear the proposed site is not being kept up. This will be addressed with their staff immediately.

- C. Close Public Hearing. Due to expected additional information from the Michigan Department of Transportation, Chairman Gobbo suggested the public hearing remain open until the September 5, 2006 meeting.
- D. Discussion and possible action by Planning Commission.

Seeger moved that the Planning Commission postpone action on Rezoning Request 06-880003, from the Auto-Owners Insurance Company, a Michigan Corporation, to allow additional time for the Michigan Department of Transportation to complete its review of the Traffic Impact Study. Supported. MOTION CARRIED.

It was noted by staff that this item of business will remain on the Agenda until the September 5, 2006 meeting. However, no further public notifications are required.

NEW BUSINESS:

I. DeWitt Charter Township Year 2007 Capital Improvement Plan.

Seeger moved to set for a Public Hearing the DeWitt Charter Township Year 2007 Capital Improvement Plan to be held on Tuesday, September 5, 2006. Supported. MOTION CARRIED.

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

I. Trustee:

Trustee Seeger gave a brief report on business conducted and action taken at the regularly scheduled meetings of the Board of Trustees held on July 10, 2006 and July 24, 2006.

II. Zoning Board of Appeals:

Gobbo gave a brief report on business conducted and action taken at the regularly scheduled meeting of the Zoning Board of Appeals held on July 19, 2006.

III. Committees:

Gobbo questioned if staff has set a date for the next Ordinance Amendment Subcommittee meeting.

Gray advised that staff is still working with the Township Attorney for recommendations on how to amend the Zoning Ordinance to meet the requirements of the new Michigan Zoning Enabling Act.

IV. Staff:

Gray advised that Request for Proposals pertaining to the Township South Central Area Plan were sent to consulting firms. The response deadline is August 17, 2006. Hopefully a consultant will be on board in the Fall and the process will begin.

DISCUSSION:

Trustee Seeger reminded everyone to vote at the primary election scheduled for August 8, 2006.

ADJOURNMENT: Seeger moved to adjourn the meeting at 8:21 p.m. Supported. MOTION CARRIED.

Linda K. Parkinson, Recording Secretary

Kim Smelker, Secretary