

MINUTES- REGULAR MEETING
BEDFORD TOWNSHIP PLANNING COMMISSION (virtual)
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
May 26, 2021

PRESENT:

JOE GARVERICK, SECRETARY
MATTHEW ANGERER
BRAD HELM
RON FRITZ, VICE-CHAIR
PATRICK MAHONEY, CHAIR

EXCUSED:

RICK STEINER, TOWNSHIP LIASION

ABSENT:

NO COMMISSION MEMBER WAS APPOINTED AS OF THIS DATE

ALSO PRESENT:

MARTY KAMPRATH, LENNARD, GRAHAM & GOLDSMITH, LEGAL COUNSEL
JODIE L. RECTOR, PLANNING AND ZONING ADMINISTRATOR
KATRINA INGRAM, PLANNING AND ZONING, RECORDING SECRETARY

Mahoney called the Bedford Township Planning Commission meeting to order at 7:00 p.m. The Pledge of Allegiance was said. Garverick called the roll. Quorum present.

APPROVAL OF THE AGENDA

Motion by Angerer, supported by Helm, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES

Motion by Angerer, supported by Fritz, to approve the minutes of May 12, 2021. Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

Helm stated he is the developer for the following request. Helm requested to recuse himself.

- A) REQUEST TO DETERMINE IF THE PROPOSED AMENDMENT TO THE OLDE FARM ESTATES PUD IS A MINOR OR MAJOR CHANGE, LOCATED ON STERNS ROAD, EAST OF SECOR ROAD ON PARCEL NUMBER 5802-032-055-65**

Rector reviewed the history stating the subject site is Olde Farm Estates, 28-unit Two-Family (14-structures) Planned Unit Development, which is located on the south side of Sterns Road, east of Secor Road. The PUD site plan was originally approved by the Township Board on 6/16/2020.

Rector continued stating the applicant is proposing to amend the PUD from two-family attached units to single-family units. The proposed amendment request is to amend the previously approved project from a 28-unit, two-family PUD to a 23-unit single-family PUD. While the subject site is currently zoned PUD with an RT underlying zoning, per Section 400.501 principal uses permitted in an RT, Two-family Residential district states all uses permitted and as regulated in the One-Family Residential Districts.

The standards of the Schedule of Regulations applicable to the R-3, One Family District, shall apply as minimum standards when one-family detached dwellings are erected.

Rector advised at this time the applicant is requesting a determination on whether the proposed decrease in density (detaching and decrease the overall total number of units) is a major or minor amendment to the PUD. Section 400.1706A of the Zoning Ordinance allows for an applicant to seek such a determination. Rector stated should the Planning Commission determine the amendment is major in nature #1) the PUD plan amendments shall be reviewed and approved in the same manner as for an original submittal, however should the Planning Commission determine the amendment is minor in nature #2 they can a) approve the change without requiring a public hearing and without requiring a submittal to the Township Board, or b) shall have the authority to determine that a particular change, although a minor PUD plan amendment, is significant enough that it should be referred to the Township Board for final approval.

Rector stated please keep in mind, should a determination be made as a minor amendment the following would be required:

1. A submitted amended site plan to all reviewing agencies, MCRC, MCDC, MSG, BTFD and Bedford Township Planning Department for review and approval
2. All conditions from the approval from the Township Board on June 16, 2020 be addressed:
 - Addressing all issues and concerns prior to any development as stated in MCDC, MSG, MCRC and the Bedford Township Fire Department review letters
 - A Special Assessment District for street lighting shall be entered into between the Township and the developer
 - The PUD agreement and master deed shall be submitted to the Township Attorney and MSG from review and approval

Brad Helm-1860 Apple Creek Dr-Developer- Mr. Helm was available for comment.

Mahoney inquired if the revised site plan meets the requirements for development. Rector clarified a PUD, Planned Unit Development, allows for flexibility in setbacks however R-3, single family residential district, requires a minimum of 5 feet, total of 15 feet. Rector continued stating the original submitted plan was two family attached dwellings requiring 16 feet in between. Rector further stated the proposed units are now detached and provide 5 feet on either side of the dwellings, for a total of 10 feet. Garverick voiced support for the proposed change being minor due to less density and unattached dwellings selling more efficiently.

Mr. Helm stated single, stand-alone dwellings are more desirable and will provide less density within the development. Mr. Helm added no other changes from the original submittal are being proposed.

Mahoney agreed and stated he viewed it as a minor change, as it benefits the area. Fritz stated the primary concern from the public with the approved submittal was congestion and the number of the units. Fritz further stated he supports the request as a minor amendment, as the number of dwellings has been reduced. Angerer agreed.

Mahoney informed the applicant the Planning Commission was three members short, offering the option to defer to a later date when all members could be present. Mr. Helm opted to move forward as scheduled.

MOTION BY ANGERER, SUPPORTED BY GARVERICK, TO DETERMINE THE PROPOSED AMENDMENT TO THE OLDE FARM ESTATES PUD, LOCATED ON STERNS ROAD, EAST OF SECOR ROAD ON PARCEL NUMBER 5802-032-055-65, TO BE A MINOR AMENDMENT TO THE PUD AS THE PROPOSED CHANGE DECREASES THE OVERALL TOTAL NUMBER OF UNITS AND THERE ARE NO OTHER PROPOSED CHANGES TO THE ORIGINAL APPROVED PLAN.

Roll call as follows: Voting Aye: Angerer, Garverick, Fritz and Mahoney
Voting Nay: None
Excused: Steiner
Motion carried.

Helm stated he is the developer for the following request. Helm requested to recuse himself.

- B) DECISION ON THE PROPOSED AMENDMENT TO OLDE FARM ESTATES PUD, LOCATED ON STERNS ROAD, EAST OF SECOR ROAD ON PARCEL NUMBER 5802-032-055-65**

Rector stated as the decision was made to proceed as a minor amendment. Rector advised the Planning Commission will be required to make a decision on requirements for the applicant to proceed with the process to include any and all comments in the analysis.

Brad Helm-1860 Apple Creek Dr-Developer- Mr. Helm was available for comment.

Mahoney informed the applicant the Planning Commission was three members short, offering the option to defer to a later date when all members could be present. Mr. Helm opted to move forward as scheduled.

Mr. Helm stated he understood the requirements for approval.

MOTION BY ANGERER, SUPPORTED BY FRITZ, TO APPROVE THE MINOR AMENDMENT TO OLDE FARM ESTATES PUD AS PRESENTED, CONDITIONED UPON A SUBMITTED AMENDED SITE PLAN TO ALL REVIEWING AGENCIES, MCRC, MCDC, MSG, BTFD AND BEDFORD TOWNSHIP PLANNING DEPARTMENT FOR REVIEW AND APPROVAL AND ALL CONDITIONS FROM THE APPROVAL FROM THE TOWNSHIP BOARD ON JUNE 16, 2020 BE ADDRESSED

- ADDRESSING ALL ISSUES AND CONCERNS PRIOR TO ANY DEVELOPMENT AS STATED IN MCDC, MSG, MCRC, AND THE BEDFORD TOWNSHIP FIRE DEPARTMENT REVIEW LETTERS***
- A SPECIAL ASSESSMENT DISTRICT FOR STREET LIGHTING SHALL BE ENETERED INTO BETWEEN THE TOWNSHIP AND THE DEVELOPER***
- THE PUD AGREEMENT AND MASTER DEED SHALL BE SUBMITTED TO THE TOWNSHIP ATTORNEY AND MSG FOR REVIEW AND APPROVAL***

Roll call as follows: Voting Aye: Angerer, Fritz, Garverick and Mahoney
Voting Nay: None
Excused: Steiner
Motion carried.

C) REQUEST FOR A SIGN WAIVER FOR COINING PROPERTIES, LLC, ON A MULTI-UNIT BUILDING, IN A C-3, GENERAL COMMERCIAL ZONING DISTRICT, ON PARCEL NUMBER 5802-102-004-00, OTHERWISE KNOWN AS 6339 TELEGRAPH ROAD, TEMPERANCE, MI 48182

Rector stated the applicant is seeking to install a 73.58 square foot area wall sign, 2.83 feet overall height in a C-3, General Business Zoning District on a multi-unit building. Per section 400.1922 7) B, one wall sign for each unit located on the parcel is permitted 2.5 feet in height and 50 square feet in area or 80% of the width of the unit whichever is less.

Rector further stated the applicant informed the Planning Department currently they are leasing units 6,7 and 8 on the northeast side of the structure. The applicant has proposed a wall sign rendering that will utilize the entire space permitted for all three units. A letter of approval from the owner has been submitted stating the applicant has leased three units and the “box” signs previously allocated to each unit have been removed to allow for one sign for the new tenant.

Rector continued stating the three units are a combined 42 feet in width and 80% of the width of the units would permit a 33.60 square foot area wall sign. Therefore, the proposed sign requires a 39.98 square foot area waiver and a +/- .33-foot height waiver. Should any other units submit for a wall sign, the proposed signage would have to be submitted to the Planning Department, be reviewed and meet the ordinance requirements, or a new submittal for a sign waiver would be required. At this time no other signage is being proposed (monument).

Rector informed the board should the request be considered; the following waivers are required:

- A 39.98 square foot area waiver for wall sign
- A .33-foot height waiver for a wall sign
- To allow one wall sign to utilize the entire space above suites 6, 7 and 8 as approved by the owner

Rector noted the following shall be considered for inclusion in any motion to approve:

- all required permits shall be obtained from Bedford Township

No representative was available.

Fritz questioned the number of units in the building and the number of signs that would be permitted on the west side of the building. Rector clarifies each unit is permitted one wall sign and 2 additional units utilize the west side of the structure for their signage. Rector further stated those units would have to utilize the approved box sign installed on the structure, unless they were to utilize both units. Mahoney stated the area is predominately commercial and industrial, and the signage wouldn't be a nuisance. Helm, Mahoney and Garverick agreed.

Rector requested clarification on the Commission making a decision for the request from Attorney Kamprath, as no representative was available, the meeting being virtual and the Commission being 2 members short. Attorney Kamprath stated the board may proceed with a vote at the applicant's own jeopardy as there is no representative available. Mr. Welling, IT Specialist, noted he attempted to call the owner but was unable to make contact.

MOTION BY HELM, SUPPORTED BY GARVERICK, TO GRANT A 39.98 SQUARE FOOT AREA WAIVER FOR A WALL SIGN AND A 0.33-FOOT HEIGHT WAIVER FOR A WALL SIGN AND TO ALLOW ONE WALL SIGN TO UTILIZE THE ENTIRE SPACE ABOVE SUITES 6,7 AND 8 AS APPROVED BY THE OWNER AND CONDITIONED UPON ALL REQUIRED PERMITS SHALL BE OBTAINED FROM BEDFORD TOWNSHIP.

**Roll call as follows: Voting Aye: Helm, Garverick, Fritz, Angerer and Mahoney
Voting Nay: None
Excused: Steiner
Motion carried.**

D) REQUEST FOR A RECOMMENDATION FOR TENTATIVE PRELIMINARY PLAT APPROVAL FOR PRAIRIE WOODS PLAT FIVE & SIX ON PARCEL NUMBER 5802-026-061-01, LOCATED ON STERNS ROAD, EAST OF LEWIS AVENUE

Rector stated the R-3 zoned plat is proposed for development in six plats. Plats One thru Four have been developed and consist of 123 lots. This submittal is for Tentative Preliminary Plat approval for Plat Five, which consists of 21 lots and Plat Six, which consists of 24 lots. The plat has two existing ingress/egress locations off of Sterns Road with three stub streets for possible future development. The existing stub end of Lilly Lane (existing 2-foot reserve strip) will be extended with the development of Plat 5.

Rector went on to state Monroe County Road Commission issued a letter of approval with comments on May 18, 2021. Monroe County Drain Commission issued a letter of approval with comments on February 24, 2021. Mannik & Smith Group issued a letter of approval with comments on May 17, 2021. The applicant has provided the Planning Department with a wetland identification report dated June 27, 2018 and will continue to work with Michigan Department of Environment, Great Lakes and Energy (EGLE), approval shall be obtained prior to Final Preliminary Plat Approval. The Fire Department issued a letter of approval on May 20, 2021.

Rector further stated the following should be considered if Tentative Preliminary Plat approval is recommended:

1. Any and all issues outlined in the MCRC, MCDC, The Mannik & Smith Group, and the Bedford Township Fire Department letters shall be addressed and a permit shall be obtained from EGLE prior to Final Preliminary Plat approval.

Brad Greeley- 1832 Apple Creek Drive- Developer- Mr. Greeley was available to answer any questions.

Garverick stated he has no issues as it is an extension to the existing development and looks forward to the project being completed. Mahoney questioned the applicant regarding the comments made by the reviewing agencies.

Mr. Greeley stated he had spoken with his engineering firm and they are comfortable with all of the recommendations and conditions that were outlined in the approval letters. Mr. Greeley further stated he believed most of the issues had already been addressed or were in the process of being addressed.

Rector informed the Commission this is a recommendation to the Township Board. The proposed development will be presented back to the Planning Commission and The Township Board for Final

Preliminary Plat Approval. Rector continued stating after that process is complete, the applicant will be required to work with the state plat board and the Township Board for Final Plat Approval. Helm voiced support for the addition to Prairie Woods as the Township is in need of single-family housing.

Mahoney informed the applicant the Planning Commission was two members short, offering the option to defer to a later date when all members could be present. Mr. Greeley opted to move forward as scheduled.

MOTION BY ANGERER, SUPPORTED BY FRITZ, TO APPROVE THE TENTATIVE PRELIMINARY PLAT APPROVAL FOR PRAIRIE WOODS PLAT FIVE & SIX ON PARCEL NUMBER 5802-026-061-01, LOCATED ON STERNS ROAD, EAST OF LEWIS AVENUE CONDITIONED UPON ANY AND ALL ISSUES OUTLINED IN THE MCRC, MCDC, THE MANNIK & SMITH GROUP AND THE BEDFORD TOWNSHIP FIRE DEPARTMENT LETTERS SHALL BE ADDRESSED AND A PERMIT SHALL BE OBTAINED FROM EGLE PRIOR TO FINAL PRELIMINARY PLAT APPROVAL

**Roll call as follows: Voting Aye: Fritz, Mahoney, Angerer, Helm and Garverick
Voting Nay: None
Excused: Steiner
Motion carried.**

***PUBLIC COMMENT –
NONE***

INFORMATION –
Rector stated there has been no update on in person meetings yet, however once further information is provided, she will advise the Commission of any changes.

***COMMISSION / STAFF COMMENT –
NONE***

ADJOURNMENT –
The meeting was duly adjourned at 7:37 p.m.

*Respectfully submitted,
Katrina Ingram, Recording Secretary*