

MINUTES- REGULAR MEETING
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
JANUARY 8, 2020

PRESENT:

DENNIS JENKINS
JOE GARVERICK, SECRETARY
NANCY TIENVIERI, TOWNSHIP BOARD LIAISON
MATTHEW ANGERER, CHAIR
BRAD HELM
RON FRITZ, VICE-CHAIR

EXCUSED:

PATRICK MAHONEY

ALSO PRESENT:

KAREN M. KINCAID, PLANNING AND ZONING ADMINISTRATOR
JODIE L. RECTOR, PLANNING AND ZONING, ASSISTANT, RECORDING SECRETARY

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

ELECTION OF PLANNING COMMISSION OFFICERS FOR 2020

Motion by Jenkins, supported by Garverick, to nominate Mr. Angerer as Chairman.

There were no further nominations. Mr. Angerer accepted the nomination.

Roll call as follows: Voting Aye: Jenkins, Garverick, Helm, Tienvieri, Fritz and Angerer

Voting Nay: None.

Excused: Mahoney

Motion carried.

Motion by Garverick, supported by Tienvieri, to nominate Mr. Jenkins as Vice- Chairman.

There were no further nominations. Mr. Jenkins declined the nomination.

Motion by Angerer, supported by Tienvieri, to nominate Mr. Fritz as Vice-Chairman.

There were no further nominations. Mr. Fritz accepted the nomination.

Roll call as follows: Voting Aye: Angerer, Tienvieri, Helm, Garverick, Jenkins and Fritz

Voting Nay: None.

Excused: Mahoney

Motion carried.

Motion by Jenkins, supported by Angerer, to nominate Mr. Garverick as Secretary.

There were no further nominations. Mr. Garverick accepted the nomination.

Roll call as follows: Voting Aye: Jenkins, Angerer, Fritz, Helm, Tienvieri and Garverick

Voting Nay: None.

Excused: Mahoney

Motion carried.

***APPOINT THE PLANNING COMMISSION REPRESENTATIVE TO THE BOARD OF ZONING APPEALS
(recommendation to the Township Board)***

Motion by Garverick, supported by Angerer, to recommend Mr. Jenkins as Representative of the Planning Commission to the Board of Zoning Appeals.

No further nominations. Mr. Jenkins accepted the nomination.

Roll call as follows: Voting Aye: Garverick, Angerer, Tienvieri, Helm, Fritz and Jenkins

Voting Nay: None.

Excused: Mahoney

Motion carried.

APPROVAL OF THE AGENDA

Motion by Tienvieri, supported by Jenkins, to approve the agenda. Motion carried.

APPROVAL OF THE MINUTES

Motion by Tienvieri, supported by Fritz, to approve the minutes of November 20, 2019. Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A) *OPEN THE PUBLIC HEARING REGARDING THE REQUEST FROM CLR HOLDING, LLC, TO REZONE FROM C-1, LOCAL BUSINESS, TO C-3, GENERAL COMMERCIAL, PARCEL NUMBER 5802-034-020-00. (LOCATION OF TEMPERANCE ANIMAL HOSPITAL) AND A PORTION OF PARCEL NUMBER 5802-034-018-00, LOCATED ON THE SOUTH SIDE OF STERNS ROAD, ON THE WEST SIDE OF LEWIS AVENUE, TEMPERANCE, MI 48182.***

Angerer opened the public hearing at 7:08 p.m.

Kincaid reviewed the analysis stating on December 3, 2019, the Township Board gave direction to the Planning Department to move forward with the subject rezoning request.

Kincaid stated that parcel number 5802-034-020-00, located on the southwest corner of Lewis Avenue and Sterns Road is C-1, Local Business zoned, consists of approximately .83 acre, and is the site of the existing Temperance Animal Hospital. Parcel Number 5802-034-018-00 is C-1, Local Business zoned, consists of approximately .85 acre, is located to the south of Temperance Animal Hospital with frontage on Lewis Avenue, and is currently vacant. The parcel with an existing structure to the west of the existing hospital is C-3, General Business zoned.

Kincaid said the application submitted is to rezone Parcel Number 5802-034-020-00, which is the location of the existing Temperance Animal Hospital, and a portion of Parcel Number 5802-034-018-00, a vacant parcel to the south of the hospital. A veterinarian clinic requires a C-3 zoning district, where the existing site is C-1 zoned, thus a non-conforming use.

Kincaid noted that it is not typical to provide the use that has been expressed, or intended, by the applicant for a site when considering a rezoning request, as a use could change, and the Planning Commission and Township Board shall base the rezoning request on all uses that would be permitted within the zoning district and not solely on a proposed use. However, in this instance, a conceptual plan for the entire site has been presented and discussed with the Planning Department, and the plan for the well-established hospital is to construct a new hospital structure on the already C-3 zoned parcel to the west of the existing hospital parcel and create the parking area on the parcel where the hospital is currently located. As well, for additional parking and to accommodate a larger structure, the portion of Parcel Number 5802-034-018-00 requested for rezoning, approximately .483 acre, will be split from the existing vacant parcel and attached to the parcels identified as circled 1 and circled 3 to create one parcel that would accommodate Temperance Animal Hospital.

Kincaid stated while the remainder of the split parcel could stand alone, the intent is to attach the remaining portion to the parcel to the south to create one parcel. It should be noted, for ease in splitting and combining purposes, all subject parcels are under the same ownership, a Land Division application and the legal descriptions have been submitted to the Assessing Department in preparation for the land divisions and combinations should the rezoning be granted.

Kincaid advised the Master Plan designates this area as Mixed Use, which encourages the mix of residential, office and commercial uses outside of the village centers.

Kincaid informed the Planning Commission that the property to the west is C-3, General Business and R-2B, Single Family Residential; to the south C-1, Local Business; to the north C-2, Shopping Center Business; and to the east C-3, General Business.

Kincaid said the Planning Department requested a review of the rezoning request. Lucie Fortin from The Mannik & Smith Group and Planner for Bedford Township, prepared an overall review of the subject area and issued a recommendation that the Planning Commission make a recommendation to the Township Board to approve the rezoning request, as:

- It is consistent with the Township Master Plan goals and policies as well as the Mixed-Use future land use designation;
- The subject pieces are adjacent to an existing C-3 zoned parcel fronting Sterns Road;
- Should the rezoning be approved, the applicant will be required to combine the C-3 portions and the C-1 portions;
- It is supported by adequate utility and road infrastructure;
- The stated use, a reconstructed veterinary hospital/clinic clearly points to a plan for the property as opposed to a desire to increase the property's marketability; and
- Re-development in the C-3 zoning district will need to comply with the site and development standards of the Township's zoning ordinance, which include adherence to the Site and Architecture Design Manual and protective screening from residential uses.

Kincaid advised should the Planning Commission make a recommendation to the Township Board to rezone the subject properties, the reasons stated above should be included in any motion to approve.

Chris Ravary-Owner-Temperance Animal Hospital- Dr. Ravary spoke on the history of the property, saying in 2008 when the market was in question, she pulled the project that was submitted for consideration. Dr. Ravary stated she is seeking to bring the use and all three parcels into compliance and more conforming with Township Ordinance.

Motion by Jenkins, supported by Fritz, to close the public hearing at 7:16 p.m. Motion carried.

Garverick supported the request to bring the properties into Township compliance by ordinance. Angerer agreed.

MOTION BY JENKINS, SUPPORTED BY FRITZ, TO RECOMMEND TO APPROVE THE REQUEST FROM CLR HOLDING, LLC, TO REZONE FROM C-1, LOCAL BUSINESS, TO C-3, GENERAL COMMERCIAL, PARCEL NUMBER 5802-034-020-00. (LOCATION OF TEMPERANCE ANIMAL HOSPITAL) AND A PORTION OF PARCEL NUMBER 5802-034-018-00, LOCATED ON THE SOUTH SIDE OF STERNS ROAD, ON THE WEST SIDE OF LEWIS AVENUE, TEMPERANCE, MI 48182 AS:

- **IT IS CONSISTENT WITH THE TOWNSHIP MASTER PLAN GOALS AND POLICIES AS WELL AS THE MIXED-USE FUTURE LAND USE DESIGNATION;**

- **THE SUBJECT PIECES ARE ADJACENT TO AN EXISTING C-3 ZONED PARCEL FRONTING STERNS ROAD;**
- **SHOULD THE REZONING BE APPROVED, THE APPLICANT WILL BE REQUIRED TO COMBINE THE C-3 PORTIONS AND THE C-1 PORTIONS;**
- **IT IS SUPPORTED BY ADEQUATE UTILITY AND ROAD INFRASTRUCTURE;**
- **THE STATED USE, A RECONSTRUCTED VETERINARY HOSPITAL/CLINIC CLEARLY POINTS TO A PLAN FOR THE PROPERTY AS OPPOSED TO A DESIRE TO INCREASE THE PROPERTY'S MARKETABILITY; AND**
- **RE-DEVELOPMENT IN THE C-3 ZONING DISTRICT WILL NEED TO COMPLY WITH THE SITE AND DEVELOPMENT STANDARDS OF THE TOWNSHIP'S ZONING ORDINANCE, WHICH INCLUDE ADHERENCE TO THE SITE AND ARCHITECTURE DESIGN MANUAL AND PROTECTIVE SCREENING FROM RESIDENTIAL USES.**

Roll call as follows: Voting Aye: Jenkins, Fritz, Tienvieri, Helm, Garverick and Angerer

Voting Nay: None

Excused: Mahoney

Motion carried.

PUBLIC COMMENT – None.

INFORMATION – None

COMMISSION / STAFF COMMENT – None

ADJOURNMENT –

The meeting was duly adjourned at 7:19 p.m.

Respectfully submitted,

Jodie L. Rector, Recording Secretary