

MINUTES- REGULAR MEETING
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
JANUARY 11, 2017

PRESENT:

JAKE LAKE
TOM ZDYBEK
JOE GARVERICK
DAN STEFFEN
MATTHEW ANGERER
ROBYNE BUSH

EXCUSED:

MICHELLE BORK

ALSO PRESENT:

MARTY KAMPRATH, LEGAL COUNSEL, LENNARD, GRAHAM & GOLDSMITH
KAREN M. KINCAID, PLANNING AND ZONING ADMINISTRATOR
JODIE L. RECTOR, PLANNING AND ZONING, ASSISTANT, RECORDING SECRETARY

Kincaid, 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 2017

Motion by Bush, supported by Angerer, to nominate Lake as Chairman.

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

**Roll call as follows: Voting Aye: Bush, Angerer, Garverick, Zdybek, Steffen and Lake .
Voting Nay: None. Excused: Bork. Motion carried.**

Motion by Bush, supported by Lake, to nominate Angerer as Vice-Chairman.

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

**Roll call as follows: Voting Aye: Bush, Lake, Garverick, Steffen, Zdybek and Angerer.
Voting Nay: None. Excused: Bork. Motion carried.**

Motion by Lake, supported by Bush, to nominate Zdybek as Secretary.

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

**Roll call as follows: Voting Aye: Lake, Bush, Angerer, Garverick, Steffen and Zdybek.
Voting Nay: None. Excused: Bork. Motion carried.**

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

Motion by Lake, supported by Angerer, to recommend Bush as Representative of the Planning Commission to the Board of Zoning Appeals.

No further nominations. Ms. Bush accepted the nomination.

Roll call as follows: Voting Aye: Lake, Angerer, Garverick, Steffen, Zdybek and Bush. Voting Nay: None. Excused: Bork. Motion carried.

SET THE DATES AND TIMES FOR THE 2017 PLANNING COMMISSION MEETINGS

Motion by Angerer, supported by Bush, to continue with the current meeting schedule for 2017. The first Wednesday of the month shall be utilized on an as-needed basis, with the second and fourth Wednesdays of the month being dedicated as Regular Meetings. All meetings shall begin at 7:00 p.m. and end no later than 10:00 p. m. at the Bedford Township Government Center. However, there shall be flexibility allowed to reschedule any meeting to a different date if so needed. The April 12, 2017, if items are scheduled, meeting will be determined at a later date on availability for the Board Room.

Roll call as follows: Voting Aye: Angerer, Bush, Garverick, Steffen, Zdybek and Lake. Voting Nay: None. Excused: Bork. Motion carried.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES

Motion by Bush, supported by Zdybek, to approve the minutes of November 16, 2016. Motion carried. Garverick and Steffen Abstained

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A) *REQUEST FOR A SIGN WAIVER FOR OLDE SCHOOLHOUSE COMMONS, LOCATED ON PARCEL NUMBER 5802-019-127-15, OTHERWISE KNOWN AS 8336 MONROE ROAD.***

Kincaid reviewed the analysis stating the applicant is seeking to replace the current monument sign located at 8336 Monroe Road, Lambertville, MI (Olde Schoolhouse Commons located on Secor and Monroe roads). The property is zoned C-2, Shopping Center District and located within the Lambertville Village Overlay District. The Ordinance permits one monument sign of up to 40 square feet in area and four feet in height in the LVOD (Section 400.1702B 13g). The existing sign is approximately 12' tall and an overall sign totaling 144 square feet. The applicant is seeking to install a 36 square foot monument sign, 7 feet in height to include an LED message board. Per Section

400.1922 1) O, states no flashing, moving, oscillating or intermittent type of illuminated sign or display shall be permitted in any zoning district. Therefore, the Planning Commission shall determine how often the message can change so not to create a safety issue by distracting passing traffic. Therefore a 3' height variance and an approval to install an LED Message Board is required. The applicant has indicated the proposed sign will be installed where the existing sign is located. Kincaid added should the request be considered, the following waivers are required: approval to allow an LED Message Board and a 3' height waiver, also the following shall be considered for inclusion in any motion to approve: all required permits shall be obtained from Bedford Township and the applicant shall continue to maintain the entire perimeter landscaped area of the base, no less than two feet wide, growing, and in healthy condition.

Angerer inquired on the base included in the total calculation, Kincaid stated signage is calculated and the base is an additional square footage, therefore the sign and the base could both be up to the 40 square feet. Bush inquired from the applicant if the building was registered as a historical building. The applicant stated not at this time, but hopefully soon. Angerer added the proposed signage does not impede on anything within the area. Steffen inquired on the length of time the sign will be illuminated and if that could be adjusted. Garverick asked for an example of the signage and Mr. Harrell stated it will be similar to Mount Carmel Church.

Gary Harrell-Graphic Design- 3443 Quail Hollow- Mr. Harrell explained the sign location and size. Mr. Harrell also commented on the illumination and being able to control the time frame and lighting.

Planning Commission members continued discussion in regards to the location and the amount of time the message can change on previous submittal for LED Message Boards. Kincaid added the sign will be placed where the existing sign is located and previous approvals were with a minimum of a 5 second interval.

Motion by Bush, supported by Zdybek, to approve the sign waiver for Olde Schoolhouse Commons, located on parcel number 5802-019-127-15, otherwise known as 8336 Monroe Road to allow a 3' height waiver and to include an LED message board with a minimum five second message change interval. The conditions of the approval are all required permits shall be obtained from Bedford Township and to maintain the entire perimeter landscaped area of the base, no less than two feet wide, growing and in healthy condition.

Roll call as follows: Voting Aye: Bush, Zdybek, Angerer, Garverick, Steffen and Lake. Voting Nay: None. Excused: Bork. Motion carried.

B) OPEN THE PUBLIC HEARING REGARDING D & D LAND, LLC REQUEST TO REZONE FROM R-2A, SINGLE FAMILY RESIDENTIAL TO C-1, LOCAL BUSINESS WITH CONTRACTUAL AGREEMENT ON PARCEL NUMBER 5802-032-039-05. OTHERWISE KNOWN AS 2837 STERNS ROAD.

Motion by Angerer, supported by Bush, to open the public hearing at 7:24 p.m. Motion carried.

Kincaid reviewed the analysis stating the subject parcel is approximately 3.13 acres and the request is to rezone from R-2A, Single Family Residential to C-1, Local Business District, with a Contractual Condition to limit the building (s) size total not to exceed 9000 square feet. The existing surrounding zonings are to the East R-2B, Single Family Residential, RT, Two Family Residential and I-3, General Industrial; to the North C-1, Local Commercial, R-2B and R-2A, both Single Family Residential; and to the West and South, R-2A, Single Family Residential (Grey Estates). Kincaid said in January 2004 the Grey Estates Preliminary PUD site plan was submitted, which included the subject property (Phase II) as part of the Grey Estates Planned Unit Development, as the subject area and what is now developed as Grey Estates was one parcel. On June 9, 2004, after deferring from the May 12, 2004 Planning Commission meeting due to a lack of a full Planning Commission, the Preliminary PUD plan was considered by the Planning Commission; however, the developer decided to concentrate only on the residential portion of the development at that time and removed consideration of the subject site, which was then identified as Phase II. The subject 3.13 +/- acre parcel was then split from the larger parcel, and Grey Estates is now nearly fully developed. Kincaid advised the following are the uses permitted within a C-1 Local Business zoning district; however, it should be noted that the contractual restriction proposed by the applicant limits the total building(s) size to 9000 square feet. Therefore, the total of any/all structures on the site would not exceed 9000 square feet and any/all use(s) would have to comply with the zoning ordinance and the requirements per Section 400.1913 for site plan approval.

Uses permitted within a C-1 Local Business District are (Refer to Section 400.1101)

C-1 LOCAL BUSINESS DISTRICTS

400.1100 - Intent.

Sec. 1100. The C-1 Local Business Districts, as herein established, are designed to meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas, and are generally used on small parcels of land.

400.1101 - Principal uses permitted.

Sec. 1101. In a Local Business District, no building or land shall be used and no buildings shall be erected except for one or more of the following specified uses unless otherwise provided in this Ordinance, subject to the review and approval of the site plan by the Planning Commission:

1. Generally recognized retail businesses which supply commodities on the premises, such as, but not limited to: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions or hardware.

2. Seasonal outdoor retail sales limited to temporary outdoor display and sales of flowers, vegetables, pumpkins, Christmas trees and other decorative or ornamental plants which shall conform to the following provisions:
 - a. Such storage and sales shall not take place in any required setback area or right of way.
 - b. No storage or sales may take place in any required sight distance triangle or in the public right-of-way.
 - c. No storage or sales shall occupy existing required parking, loading, or access areas.
 - d. For multitenant buildings, outdoor sales may only take place immediately in front of the unit conducting the sales.
 - e. All seasonal outdoor retail sales activity shall comply with the Ambient Noise Level Ordinance (Ordinance No. 41) and Exterior Lighting Standards requirements of Section 1908 [400.1908] of this Ordinance, as required as part of the site plan or amended site plan submittal and review. No sound amplifying device may be used at the seasonal outdoor retail sales area.
3. Personal service establishments which perform services on the premises, such as but not limited to: repair shops (watches, radio, television, shoe and etc.), tailor shops, beauty parlors or barber shops, health salons, photographic studios, and self-service laundries and dry cleaners.
4. Dry cleaning establishments, or pick-up stations, dealing directly with the consumer. Central dry cleaning plants serving more than one retail outlet shall be prohibited.
5. Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic, drafting and sales.
6. Medical office, including clinics.
7. Restaurants or other places serving food or beverages, except those having the character of a drive-in, including seasonal outdoor dining areas as an accessory to restaurants subject to the following conditions:
 - a. The owner/operator may submit a detailed plot plan in place of a site plan or amended site plan which illustrates the building, patio and/or area where seasonal outdoor dining is proposed to occur, complete with all dimensions and setback distances. The plot plan shall include identification of all existing exterior lighting fixtures, as well as future and/or proposed exterior lighting fixtures. The plot plan shall also show the existing usable interior dining room floor area, excluding kitchens, bathrooms, hallways and closets. The detailed plot plan is not required to be an engineered drawing; however, it must show accurate dimensions. The detailed plot plan shall be presented for approval by the Bedford Township Planning Coordinator and Building Official.

- b. The owner/operator shall obtain and pay for any applicable building permit for the outdoor dining area. The outdoor dining area shall pass inspection by the Bedford Township Building Inspector and must meet or exceed all applicable building code standards and/or requirements.
- c. If the outdoor dining area is situated such that it can be seen or viewed by persons from a residentially zoned or used parcel which is adjacent to the property upon which the outdoor dining is situated (i.e.: the outdoor dining area is to the side or behind the restaurant and not separated from adjoining residential uses by a main structure), the owner/operator shall erect a durable and solid barrier wall constructed of architecturally and/or aesthetically pleasing treated lumber or similar type material around the perimeter of the outdoor dining area to provide a six-foot vertical barrier from the walking surface of the outdoor dining area, and shall plant a six-foot tall natural sound and visual barrier along all sides of the barrier wall provided, which can be reasonably expected to form a continuous sound and visual barrier comprised of evergreen, arborvitae and/or spruce plantings. These barriers shall be shown on the plot plan and for approval of its design and construction by the Bedford Township Planning Coordinator and Building Official.
- d. The area utilized for seasonal outdoor dining must be immediately adjacent and connected to, directly accessible from, and accessory in nature to the fully enclosed interior dining area. The seasonal outdoor dining area must comply with all fire code provisions, all local and/or state smoking regulations, and must contain conspicuous signage to notify patrons that compliance with said regulations will be strictly enforced.
- e. No outdoor service of food or beverage shall occur after 10:00 p.m. Sunday through Thursday and after 11:00 p.m. Friday and Saturday. Notwithstanding anything herein to the contrary, all use of the seasonal outdoor seating area shall cease at 11:00 p.m. Sunday through Thursday and 12:00 midnight on Friday and Saturday.
- f. Outdoor seating area shall be counted in the current parking requirement for the establishment.
- g. The outdoor dining area shall comply with the Ambient Noise Level Ordinance (Ordinance No. 41) and Exterior Lighting Standards requirements of Section 1908 [400.1908] of this Ordinance. No sound amplifying device may be used at the seasonal outdoor dining area.
- h. The provisions and requirements of subsections c. of this Section 1101.7, need not apply to a restaurant or other places serving food or beverages which meet the following criteria:
 1. Do not stay open for business past 10:00 p.m.,
 2. Do not have a wait staff serve customers seated in the outdoor dining area,
 3. Do not serve alcohol.

The exception provided by this subsection h. shall be effective only if the owner/operator verifies in writing in a signed statement to the Bedford Township Planning Coordinator or Building Official that the business will meet the above criteria. Upon any violation of the above criteria the Bedford Township Ordinance Enforcement official(s) may notify the owner/operator of the violation and order the closure of the outdoor dining, until the requirements of subsection c. are satisfied.

8. Banks, credit unions, savings and loan associations, and similar uses; drive-in facilities as an accessory use only.
9. Post office and similar governmental office buildings, serving persons living in the adjacent residential area.
10. Publicly owned buildings, public utility buildings, telephone exchange buildings; electric transformer stations and substations; gas regulator stations with service yards, but without storage yards; water and sewage pumping stations.
11. Off-street parking lots.
12. Child care centers subject to the following conditions:
 - a. No portions of a child care center shall be located within 300 feet of any gasoline pumps, underground storage tanks, or any other explosive material.
 - b. One parking space shall be provided for each employee working during the largest shift plus one space for each eight children the facility is licensed to receive for care at any one time.
 - c. A child loading/unloading area shall be provided to the Planning Commission to assure safe access to the facility and the adequacy of parking areas and maneuvering lanes to circulate peak hour traffic.
 - d. On-site traffic circulation shall be restricted to a one-way traffic flow, where possible.
 - e. Any on-site outdoor play area shall be enclosed by a fence that conforms to the applicable requirements of Section 1912 [Section 400.1912].
 - f. Any facility boundary which abuts property which is residentially used or zoned shall be screened according to the provisions of Section 1911 [400.1911], subsections c. and h. and any other applicable regulations.
 - g. Signs shall conform to the applicable requirements of Section 1922 [Section 400.1922].
13. Mortuary establishments, when adequate assembly area is provided off-street for vehicles to be used in funeral processions, provided further that such assembly area shall be provided in addition to any required off-street parking area. A caretaker's residence may be provided within the main building of mortuary establishments.
14. Places of worship, subject to the provisions of Section 1919 [Section 400.1919].

15. Accessory structure and uses customarily incident to the above permitted uses.

400.1102 - Principal uses permitted subject to special approval.

Sec. 1102. The following uses may be permitted upon making application and submitting any reasonable exhibits or information required by the Planning Commission, and after paying any fees established by the Township Board by resolution or ordinance, and after public hearing, review and approval of the site plan by the Planning Commission; and under such conditions as the Planning Commission imposes after finding that the use is not injurious to the district and environs, is not contrary to the spirit and purpose of this Ordinance, is not incompatible with already existing uses in the area, will not interfere with the orderly development of the area, would not be detrimental to the safety or convenience of vehicular or pedestrian traffic, will be served adequately by essential public facilities and services, will be consistent in assuring that the general public health, safety and welfare will not be infringed upon, and will be in compliance with all Township, County, State and Federal laws and regulations; and which, once approved, shall be deemed to authorize only one specific use, and shall expire and become null and void without further notice or action by the Planning Commission in any case where the special approval use has not been established within six months after the Planning Commission's grant of approval thereof or where the special approval use is discontinued or ceases to exist for six consecutive months or for 18 months during any three year period; and which may be revoked by the Planning Commission after it finds that any of the requirements of this Ordinance or conditions of approval are not being maintained.

1. Banquet halls subject to the following conditions:

- a. The use shall have direct access to a major or minor thoroughfare.
- b. The use shall be conducted entirely within the building.
- c. The maximum square footage of the use shall be 10,000 square feet.
- d. The structure shall be designed and constructed of materials which are compatible with adjacent residential uses. Architectural features such as a pitched and/or varied roof line, articulated facade, and the use of brick and natural stone in the construction, among other factors shall be considered evidence of design compatibility.
- e. One parking space for each three persons allowed by the maximum occupancy limit shall be provided.
- f. A loading space having a minimum dimension of 10 feet by 50 feet shall be designated in the side or rear yard. Such loading space shall not interfere with the use of parking spaces or parking lot maneuvering lanes.
- g. The intensity of exterior lighting shall not exceed one-foot candle at the property line nor shall exterior light fixtures exceed a height of 20 feet.

400.1103 - Required conditions.

Sec. 1103.

1. All business establishments shall be retail or service establishments dealing directly with customers. All goods produced on the premises shall be sold at retail on the premises where produced.
2. All business, servicing, or processing except for those uses described in Section 400.1101 2 and Section 400.1101 7, and except for off-street parking or loading shall be conducted within a completely enclosed building.

400.1104 - Site development standards for C-1 Local Business Districts.

Sec. 1104. The following development standards shall apply to all buildings, structures and uses of land in C-1 Local Business Districts, and are in addition to any other applicable requirements of this Ordinance. The Bedford Township Site and Architectural Design Manual, as may be separately adopted and amended from time to time by the Planning Commission, shall be reviewed and referred to, in order to provide clarity, guidance, insight and suggestions with regard to the design of properties, which shall serve to assist both the Planning Commission and the developer/owner to understand and meet the requirements of this Zoning Ordinance, the Township's Development Design Standards Ordinance, and other applicable Township Ordinance, or other laws relating to site plan review and development:

- A. *Architectural elements.* All buildings and structures within a C-1 Local Business District shall utilize residential design features. Covered walkways, canopies, pavilions or awnings shall be utilized in all primary pedestrian areas which are directly adjacent to principal buildings and structures. These provisions shall be construed to be in addition to the building facade regulation requirements of Section 1925 [400.1925] which, along with that required as part of the site plan review, shall also be complied with. The facade shall also be designed to provide three-dimensionality to the building or structure. The Bedford Township Site and Architectural Design Manual will be used as the primary guideline.

Lighting shall also conform to the lighting regulation requirements of Section 1908 [400.1908] of this Ordinance and as required as part of the site plan review.

- B. *Exterior colors and materials.*
 1. Facade colors and materials shall be consistent with the recommendations and suggestions in the Bedford Township Site and Architectural Design Manual.
- C. *Building and unit dimensions.*
 1. All buildings and structures, when considered collectively as a whole, shall not exceed an area greater than 25 percent of the net parcel area. Net parcel area is defined as the gross parcel area minus the road right-of-way.
- D. *Site amenities.* The proposed local business development project shall include sidewalk and/or pedestrian walking path connections to existing and future developments subject to unique topographic or site features.

- E. *Signage.* Any site signage, including entrance monuments and wall signage, shall meet the sign regulation requirements of Section 1922 [400.1922] of this Ordinance.

400.1105 - Area and bulk requirements.

Sec. 1105. See Article XVIII, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements.

Lastly, Kincaid added the Master Plan designates the area as Suburban Residential.

Brad Greeley- D & D Land, LLC - 3002 Lennox Court- Applicant- Mr. Greeley stated currently there is no potential buyer or plans for this property. Mr. Greeley stated they are looking to rezone to be able to develop a small local commercial. Mr. Greeley stated the desire is to develop the property to serve the local population with examples being an accounting office, small bakery or a dental office. Mr. Greeley added that is why the contractual agreement of 9000 square feet is being proposed, to inform the public the intent is not to develop a large box building such as a Walmart or a pharmacy. Mr. Greeley advised the Planning Commission, as they developed Grey Estates directly behind the subject location, they will be sensitive to the general area to protect our current customers as hopefully they would be customers again in the future as well.

Bush asked Mr. Greeley if there was thought to develop as residential. Mr. Greeley replied there would be a possibility for a total of four land splits with an additional four driveways coming into that intersection. Mr. Greeley added, if the rezoning is granted and is proceeds through the site plan process, the feeling is traffic would be able to be controlled better through the design of ingress/egress. Lake inquired on how the developer decided on the contractual agreement of 9000 square feet limitation. Mr. Greeley stated when Grey Estates was developed and the subject parcel was going to be a part of the development, there was a small design for four buildings each of 3200 square feet. Mr. Greeley added since that time a small portion, approximately 1 acre, of the property was split off and sold to Consumers Energy. Garverick noted a creek between the property and the existing development and Mr. Greeley added there is a very large ravine where most is within the PUD and this parcel goes to the center line of the creek, providing approximately 150 to 200 feet of buffer, and even more with the additional home site and the commercial property. Discussion continued on the previously noted surrounding zonings. Steffen inquired on the use for the portion sold to Consumers Energy, and Mr. Greeley advised he believed it would be utilized for a future sub-station if needed.

Bush referred to the time and effort of the Committee on Master Plan and designating this area as Residential. Mr. Greeley added he also spent a lot time working on the Master Plan as well, and felt it would have been a huge conflict of interest to push this subject area for commercial corner when having ownership of this parcel. Mr. Greeley said that is why this is being submitted to the Commission to review and make a recommendation. Garverick added it would be hard to determine zoning for each individual parcel with Master Plan and continued stating that is why this process is given for the commission and board to

review. Garverick stated in his opinion a 9000 square foot building(s) is a better fit for the area than a possibility for four additional driveways. Angerer asked for an example of an existing building close to 9000 square feet in size. Mr. Greeley said Miracle Salon building off Summerfield Road is little over 9000 square feet. Bush inquired if a submittal of intent could be presented to the Commission. Mr. Greeley said that information is provided when a site plan is submitted. Mr. Kamprath said when considering a rezoning, all uses permitted within the requested zoning district should be considered. Some of the uses may not be able to be developed if the use cannot meet the development requirements of the Zoning Ordinance.

Patricia Miller- 7377 Summerfield-Ms. Miller voiced opposition to the proposed zoning change due to not knowing what development is being proposed, the extent of the uses permitted and possible site plan issues (lighting, buffering and noise). Ms. Miller also stated she felt commercial development would increase in traffic flow for the area.

Ruby Grey-7293 Summerfield-Ms. Grey opposed the zoning change and voiced concern on property taxes, drainage issues and the possibility of bringing commercial to the area and causing a rise in crime. Ms. Grey requested the property remain residential.

Mark Gribble- 2573 Sterns-Mr. Gribble voiced concern on traffic and also opposed on the unknown of development. Mr. Gribble did state residential driveways probably would be terrible for the location.

Motion by Bush, supported by Angerer, to close the public hearing at 7:38 p.m. Motion carried.

Bush commented on her opposition on the Commission having the authority to decide on the use of a property, further adding in regards for a request to rezone a property it is a game changer for the surrounding area to the amount of permitted uses. Bush commented on the Master Plan designation. Angerer agreed. Lake said there needs to be consideration for the best use for the area, adding the Master Plan is a guide for the best use of the area but felt there is flexibility to allow a review and to deviate. Garverick asked Mr. Kamprath the intended guidance of the Master Plan. Mr. Kamprath stated the Master Plan is a general regional plan; it does not identify individual parcels as the review would be for the scope of the area. Mr. Kamprath continued saying the best road map for planning is the creation of the Master Plan and what is foreseen in the area with the best use, how the area is currently developing, and what would supplement or detract from the surrounding use of the area. Mr. Kamprath advised the township can deviate from the Master Plan; however there should be a good reason for that deviation. Mr. Kamprath explained the rezoning process. Mr. Kamprath continued to say there is a twist with the request as the developer is suggesting a contract rezoning, which is provided by law, wherein the developer is willing to limit the size of the building (s) to 9000 square feet. Mr. Kamprath advised the Planning Commissions' duty is to listen to the public's comment during the public hearing, take into consideration the Master Plan and the reasons why the Master Plan states residential for this area, look at adjoining uses, look at the permitted uses, taking into consideration what

the developer has offered as part of the limitations on the use and finally make a recommendation to the Township Board. Mr. Kamprath requested that any decision the Planning Commission shall make should include reason for making that decision. Mr. Kamprath advised the recommendation by the Planning Commission is then presented to Monroe County Planning Commission who will also give a recommendation to the Township Board, where the final decision on the request will be determined. Kincaid asked Mr. Kamprath give a brief explanation of the development process for new members, even though it is not being considered tonight. Mr. Kamprath stated with commercial development the ordinance requires a site plan be submitted to the Planning Commission and there is a long detailed site plan ordinance which states the criteria for the site depending on what type of use would be proposed. Mr. Kamprath gave examples of some requirements: green space, parking, utilities, lighting, setbacks, loading/unloading, signage, etc.

Lake advised the applicant the Commission is one member short, offering the option to defer to a later date when all members could be present. Mr. Greeley opted to move forward as scheduled.

Steffen stated he viewed this corner as a mixed use corner having some commercial, residential and industrial. Lake said a C-1 is the most restrictive of the commercial zoning districts and the developer has willingly offered to reduce to not exceed a total of 9000 square feet total of building (s). Lake added if it was to remain residential there could be a traffic pattern concern for local residents. Garverick requested clarification on once the Township Board makes a determination on the request, if it should be granted what is required to protect the surrounding residential parcels. Kincaid reiterated what Mr. Kamprath stated previously on the site plan submittal and approval requirements. Discussion continued with the uses and the existing surrounding zonings. Kincaid added into the Commissions discussion regarding the C-1 Zoned property to the north would allow for all C-1 permitted use to go into the existing location if meeting the requirements. Lake referenced two locations similar with a mixed use and not invasive to the local residents in the area, Quail Hollow and Summerfield Woods developments. Mr. Kamprath advised the Planning Commission with a Contractual Agreement the process by Michigan State Law in Section 125.34054 Use and development of land as condition to rezoning allows the conditions for the local unit of government to establish a time period during which the conditions apply to land, and if the conditions are not satisfied within the time specified, the land shall revert to its former zoning classification. Garverick inquired on other areas for a time frame and Mr. Kamprath advised the Commission to take into consideration the developer's request and the residential concerns to determine a time frame. Bush inquired with the applicant on the condition requirement. Mr. Greeley stated he understood the ability to set conditions on the agreement but felt the request would be an improvement for the community; however if it was to remain or revert back to residential zoning, Mr. Greeley stated the subject site would be developed as four residential homes.

Motion by Garverick, supported by Bush, to recommend approval of the contractual rezoning request of D & D Land, LLC to rezone from R-2A, Single Family Residential to C-1, Local Business with on parcel number 5802-032-039-05, otherwise known as 2837 Sterns Road with the contractual agreement of a total building (s) not to exceed 9000 square feet as it is consistent with the surrounding zonings with a four year term limitation permitted by Michigan Legislative (125.3405) implemented once the rezoning is approved and in effect, however should these conditions not be satisfied within the time specified the land shall revert to its former zoning classification.

Roll call as follows: Voting Aye: Garverick, Bush, Angerer, Steffen, Zdybek and Lake. Voting Nay: None. Excused: Bork. Motion carried.

PUBLIC COMMENT - None.

INFORMATION - Kincaid explained the rezoning process, saying the request will be presented to Monroe County Planning, which meets on the second Wednesday of the month, saying they will also make a recommendation to the Township Board and the Township Board will make a decision. If the decision is to approve the rezoning, it will be published with an ordinance amendment and will go into effect 8 days after the publication.

COMMISSION / STAFF COMMENT -

Angerer-Angerer welcomed Steffen and Garverick to the Planning Commission.

Bush-Bush advised if any of the public has any further interest in this request to stay invested. Bush also requested the public to reach out to the developer.

Steffen-Steffen stated he is looking forward to serving on the Planning Commission.

ADJOURNMENT -

The meeting was duly adjourned at 8:10 p.m.

Respectfully submitted,

Jodie L. Rector, Recording Secretary