

MINUTES- REGULAR MEETING
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
MARCH 11, 2020

PRESENT:

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

EXCUSED:

DENNIS JENKINS

ALSO PRESENT:

MARTY KAMPRAETH, LENNARD, GRAHAM & GOLDSMITH
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. Garverick called the roll. Quorum present.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES

Motion by Tienvieri, supported by Garverick, to approve the minutes of February 12, 2020. Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A) *OPEN THE PUBLIC HEARING REGARDING THE REQUEST FROM PIGHIN-BUCHNER, LLC, TO REZONE FROM C-1, LOCAL COMMERCIAL, TO R-2A, ONE FAMILY RESIDENTIAL, ON PARCEL NUMBERS 5802-665-005-00 & 5802-665-006-00, TWO VACANT PARCELS LOCATED ON THE WEST SIDE OF LEWIS AVENUE ON BORG AVENUE AND VALETTA AVENUE, TEMPERANCE, MI 48182***

Angerer informed the applicant the Commission was one member short, offering the option to defer to a later date when all members could be present. Ms. Buchner opted to move forward as scheduled.

Motion by Tienvieri, supported by Garverick, to open the public hearing at 7:06 p.m. Motion carried.

Kincaid reviewed the analysis stating at the time the Plat for the Second Addition to Wanda Estates was approved in 1957, the subject two parcels were reserved for commercial use and zoning to C-1, Local Business, as identified on the adopted zoning map of May 5, 1977 when the zoning ordinance was adopted.

Kincaid made the Commission Members aware that the Planning Department has received many inquires over the years regarding the possibility of combining the lots to create one parcel that could be developed and adhere to the

requirements of the ordinance, such as but not limited to, parking, landscaping, setbacks (as both lots have two front yard setbacks) etc. Kincaid said typically you would be able to combine lots within a subdivision, as is an option in this case, however each lot has a 6-foot easement that separates the lots, which creates a construction issue in that a structure cannot encroach on an easement, thus rendering an encumbrance. Kincaid advised on February 18, 2020 the Township Board gave direction to move forward with the rezoning request.

Kincaid stated the request is to rezone two vacant parcels within the Second Addition to Wanda Estates. Parcel number 5802-665-005-00, Lot 38 is +/- .527 acres with 153' of frontage on Lewis Avenue and 150' of frontage on Borg. Parcel number 5802-665-006-00, Lot 39 is +/- .534 acres with 154' of frontage on Lewis Avenue and 150' of frontage on Valetta. Municipal water and sanitary sewer are available. Kincaid noted the surrounding zonings are north- C-3, General Commercial, South-C-1, Local Commercial, East- AG, Agricultural, and West- R-2A, Single Family Residential.

Kincaid advised the Master Plan adopted on October 28, 2015 designates this area as Village Center and further describes the intent to promote a concentrated, pedestrian-oriented environment recognizing the historical rural villages, having a mix of residential, retail service, and office uses are all being acceptable uses.

Kincaid said the Planning Department requested a review of the rezoning request be conducted by Lucie Fortin of The Mannik & Smith Group and Planner for Bedford Township. Ms. Fortin prepared an overall review of the subject area and concluded the proposed zoning and use is consistent with the goals, policies and future land use map of the Township's Master Plan. In conclusion, it was suggested the Planning Commission make a recommendation to the Township Board to approve the rezoning request for the following key reasons: the subject properties are vacant; a residential land use is consistent with the Township Master Plan; the properties are located in an area of predominantly residential land uses; unless rezoned, single family homes cannot be built on the subject properties; and the properties have access to the Township's sanitary sewer and water system.

Lana Buchner 8369 Burning Bush, Gross Isle-Representative Pighin-Buchner & Manny Evola-Real Estate Representative – Ms. Buchner was available to answer any questions and Mr. Evola stated the intent is to sell the properties as there has been many inquiries on developing the sites but have been unable to design a building to meet all setback requirements. Mr. Evola added a residential home would be the best option for building on these two sites, however a rezoning to residential is required.

Norma Grau-1014 Borg-Ms. Grau spoke on drainage issues as she lives right next door to the subject parcel. Ms. Grau also inquired if the request would only allow for single family home and asked for clarification on R-2A.

Kincaid advised the difference in R-2A and R-2B residential zoning is the minimum requirement for the square footage of the home.

James Hunter-1025 Valetta-Mr. Hunter inquired on the address for each parcel and curb cut location.

Kincaid advised curb cuts are under the jurisdiction of the MCRC and believed the address to be served within the subdivision as both parcels are within the platted subdivision.

Motion by Tienvieri, supported by Mahoney, to close the public hearing at 7:14 p.m. Motion carried.

Tienvieri expressed she is a strong advocate for commercial development and working towards what is best for a land owner. Tienvieri stated after reviewing and further discussion on the subject sites, she concluded that residential is the best option. Tienvieri added she was glad to hear the applicant has exhausted all efforts to maintain the properties as commercial, however due to the hinder of setback, parking requirements, etc. and the easement of the properties it was unfeasible to remain as commercial. Mr. Evola explained the intent moving forward is to sell the properties as residential. Garverick stated residential would be more appealing to the area and

would have no negative impact on the surrounding neighbors or the existing subdivision. Discussion took place on the easement, drainage and curb cut access. Helm advised drainage is handled with submission of a building permit with the Building Official.

MOTION BY TIENVIERI, SUPPORTED BY HELM, TO RECOMMEND TO APPROVE THE PIGHIN-BUCHNER, LLC, TO REZONE FROM C-1, LOCAL COMMERCIAL, TO R-2A, ONE FAMILY RESIDENTIAL, ON PARCEL NUMBERS 5802-665-005-00 & 5802-665-006-00, TWO VACANT PARCELS LOCATED ON THE WEST SIDE OF LEWIS AVENUE ON BORG AVENUE AND VALETTA AVENUE, TEMPERANCE, MI 48182 AS THE SUBJECT PROPERTIES ARE VACANT; A RESIDENTIAL LAND USE IS CONSISTENT WITH THE TOWNSHIP MASTER PLAN; THE PROPERTIES ARE LOCATED IN AN AREA OF PREDOMINANTLY RESIDENTIAL LAND USES; UNLESS REZONED, SINGLE FAMILY HOMES CANNOT BE BUILT ON THE SUBJECT PROPERTIES; THE PROPERTIES HAVE ACCESS TO THE TOWNSHIP'S SANITARY SEWER AND WATER SYSTEM; AND TO REQUIRE PROPERTY ACCESS OFF EACH SUBDIVISION STREET.

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

Voting Nay: None

Excused: Jenkins

Motion carried.

B) OPEN THE PUBLIC HEARING REGARDING THE REQUEST FROM FIRECREEK REAL ESTATE, LLC, TO REZONE FROM C-1, LOCAL COMMERCIAL, TO R-T, TWO-FAMILY RESIDENTIAL, ON PARCEL NUMBER 5802-034-001-10, VACANT PROPERTY LOCATED ON THE WEST SIDE OF LEWIS AVENUE, ON THE SOUTH SIDE OF FIRECREEK, TEMPERANCE, MI 48182

Angerer informed the applicant the Commission was one member short, offering the option to defer to a later date when all members could be present. Mr. Bankowski opted to move forward as scheduled

Motion by Fritz, supported by Tienvieri, to open the public hearing at 7:26 p.m. Motion carried.

Kincaid reviewed the analysis stating the subject parcel was once RT, Two-Family Residentially zoned and on February 20, 2018, was rezoned at the owner's request to C-1, Local Commercial. The applicant originally intended to construct his office on the subject site, however, required setbacks from the residentially zoned parcels and the fact that the site has two front yards (Lewis Avenue and Firecreek) created difficulty in meeting ordinance requirements and the applicant has since constructed an office at a different location.

Kincaid said on February 18, 2020 the Township Board gave direction to move forward with the rezoning request.

Kincaid advised the request is to rezone a vacant parcel from C-1, Local Commercial to RT, Two-Family Residential. The subject parcel has +/- 139.4 feet of frontage on Lewis Avenue and +/- 165.8 feet of frontage on Firecreek. It should be noted, the site will only have access from Firecreek, with no curb cut onto Lewis Avenue. Municipal water and sanitary sewer are available. Kincaid noted the surrounding zonings are to the north- R-2B, Single Family Residential, South-C-1, Local Commercial, East- PUD, Planned Unit Development (Hickory Creek/Hickory Ridge Assisted Living), and West-RT, Two Family Residential and R-2B, Single Family Residential.

Kincaid stated the Master Plan adopted on October 28, 2015 designates this area as Mixed Use and further describes the intent to provide for a mixture and/or combination of residential, office and lower intensity commercial uses outside of the Township's Village Centers of Temperance, Samaria and Lambertville.

The Planning Department requested a review of the rezoning request be conducted by Lucie Fortin of The Mannik & Smith Group and Planner for Bedford Township. Ms. Fortin prepared an overall review of the subject area and concluded the proposed zoning and use is consistent with the goals, policies and future land use map of the Township's Master Plan. In conclusion, it was suggested the Planning Commission make a recommendation to the Township Board to approve the rezoning request for the following key reasons: it is consistent with the Township Master Plan goals and policies; it follows the Mixed-Use future land use designation; it provides for a suitable transitional use between the adjacent single-family residential uses on the west side of the Lewis Avenue corridor and the commercial and high intensity residential (senior housing) land uses along the east side of the corridor; it is supported by adequate utility and road infrastructure; and there is adequate room within the property for buffering and/or screening to alleviate some of the potential negative impacts of the adjacent higher intensity land uses.

There was no public comment.

Motion by Mahoney, supported by Helm, to close the public hearing at 7:27 p.m. Motion carried.

Bryce Bankowski 9226 Village Meadows Drive, Representative-Firecreek Real Estate, LLC - Mr. Bankowski was present for any questions.

Tienvieri commended Mr. Bukowski on his previous developments but advised she is a supporter of commercial developments and keeping tax funds within the Township. Tienvieri noted the commercial in existence South on Lewis and the need for stronger commercial development. She then questioned the reasoning for no longer building an office on the subject parcel.

Mr. Bankowski noted that after further thought and planning, the two front yard setbacks restricted the ability to put in adequate parking for the size of the building. Mr. Bankowski stated that he is planning on building a 2 unit building similar to the two RT zoned units located next to the subject property.

Angerer recalled the initial request to rezone to Commercial and noted that returning to RT would be in line with the Township's master plan.

MOTION BY TIENVIERI, SUPPORTED BY HELM, TO RECOMMEND TO APPROVE THE FIRECREEK REAL ESTATE, LLC, REQUEST TO REZONE FROM C-1, LOCAL COMMERCIAL, TO R-T, TWO-FAMILY RESIDENTIAL, ON PARCEL NUMBER 5802-034-001-10, VACANT PROPERTY LOCATED ON THE WEST SIDE OF LEWIS AVENUE, ON THE SOUTH SIDE OF FIRECREEK, TEMPERANCE, MI 48182 AS IT IS CONSISTENT WITH THE TOWNSHIP MASTER PLAN GOALS AND POLICIES; IT FOLLOWS THE MIXED-USE FUTURE LAND USE DESIGNATION; IT PROVIDES FOR A SUITABLE TRANSITIONAL USE BETWEEN THE ADJACENT SINGLE-FAMILY RESIDENTIAL USES ON THE WEST SIDE OF THE LEWIS AVENUE CORRIDOR AND THE COMMERCIAL AND HIGH INTENSITY RESIDENTIAL (SENIOR HOUSING) LAND USES ALONG THE EAST SIDE OF THE CORRIDOR; IT IS SUPPORTED BY ADEQUATE UTILITY AND ROAD INFRASTRUCTURE; AND THERE IS ADEQUATE ROOM WITHIN THE PROPERTY FOR BUFFERING AND/OR SCREENING TO ALLEVIATE SOME OF THE POTENTIAL NEGATIVE IMPACTS OF THE ADJACENT HIGHER INTENSITY LAND USES.

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

PUBLIC COMMENT – None.

INFORMATION – None

Bedford Township Planning Commission
Regular Meeting
March 11, 2020
Page 5

COMMISSION / STAFF COMMENT – Tienvieri advised on moving forward in amending the previous language approved by the Township Board on zoning and text amendments. Tienvieri spoke in great detail moving forward with CIP and Planning Commission Members being involved, having meetings for update and working with the CIP Committee to work on getting this in place for the Township. Commission Members discussed the CIP and moving forward.

ADJOURNMENT –
The meeting was duly adjourned at 7:55 p.m.

Respectfully submitted,
Jodie L. Rector, Recording Secretary