

MINUTES- REGULAR MEETING (virtual)
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
MAY 27, 2020

PRESENT:

JOE GARVERICK, SECRETARY
NANCY TIENVIERI, TOWNSHIP BOARD LIAISON
MATTHEW ANGERER, CHAIR
BRAD HELM
RON FRITZ, VICE-CHAIR (via phone)
PATRICK MAHONEY
DENNIS JENKINS

EXCUSED:

NONE

ALSO PRESENT:

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

APPROVAL OF THE MINUTES

Motion by Tienvieri, supported by Fritz, to approve the minutes of March 11, 2020. Motion carried. Jenkins abstained due to absence.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

- A) REQUEST FOR A SIGN WAIVER FOR LAMBERTVILLE DEVELOPMENT, LLC ON PARCEL NUMBER 5802-032-055-61, TRACTOR SUPPLY (RECENTLY APPROVED), OTHERWISE KNOWN AS 7342 SECOR ROAD, LAMBERTVILLE, MI 48144***

Kincaid reviewed the analysis stating on October 9, 2019 the Bedford Township Planning Commission granted approval for the proposed sign location on Secor Road.

Kincaid stated the applicant is proposing a 75 square foot area monument sign (signage), 7-feet in height to be installed on Secor Road. Per Section 400.1922, in a C-3 Zoning district, one free-standing accessory sign not to exceed 50 square feet in area and not to exceed seven feet in height is permitted. Kincaid noted while the proposed monument sign meets the 7-foot height requirement, a 25 square foot area variance is required.

Kincaid continued to state the applicant is also proposing a 147 square foot wall sign, however per Section 400.1922, one wall sign not to exceed 50 square feet in area is permitted. The applicant has expressed, due to the size of the building, this is not an unreasonable request to increase the wall sign size. The applicant has submitted two renderings: one showing the 50 square feet in area as permitted, and second showing the proposed 147 square foot sign, thus requiring a 97 square foot area variance for a wall sign. Per Section 400.1922.4, *"The Planning Commission may waive the requirements of this Section 1922, but only where exceptional conditions or*

circumstances exist, which were not contemplated at the time that this Section 1922 was enacted.....the right to waive the requirements of this Section 1922 shall include the right to allow larger wall signs or identification signs for units in multiple unit sites or buildings where the building or unit is of such a large size that the sign needs to be larger to fit the large scale of the building.”.

Kincaid advised it should be noted the “front” of the building is oriented on the site to face Sterns Road, while the “frontage” and access to the site is from Secor Road. Future development of the vacant parcel to the north of the subject site may provide access through cross-easements to Tractor Supply from Sterns Road.

Kincaid said if the request is considered, the following waivers are required: a 25 square foot in signage area waiver for a monument sign and a 97 square foot in area for a wall sign.

Kincaid noted the following shall be considered for inclusion in any motion to approve: that all required permits shall be obtained from Bedford Township, 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 and the applicant shall continue to work with the Township to ensure placement of the sign meets the approved location as shown on the submitted site plan.

Kim Allard- Allied Signs, Inc-33650 Giftos Drive, Clinton Twp. 48035- Ms. Allard was available to answer any further questions.

Angerer inquired if the proposed signage was a standard rendering for Tractor Supply. Ms. Allard stated yes, that is Tractor Supply’s standard branding. Fritz suggested the Planning Commission discuss each individual sign. Angerer agreed. Fritz voiced concern over having directional safety and inquired on access from Sterns Road where there is an access drive for Burger King. Kincaid stated there has been consideration for a cross easement to allow access, however from the Planning Department’s understanding that is yet to be determined. Tienvieri spoke on the Planning Commission being of appointed positions and upholding the ordinance. Tienvieri asked the applicant if there were any exceptional conditions to uphold the request. Ms. Allard explained the setback distance from Secor Road and that the building front was facing Sterns Road. Tienvieri inquired if that was required by ordinance. Ms. Allard explained the shape of the parcel required the position of the building to be setback a greater distance from Secor Road. Kincaid stated the building setback distance was not determined by ordinance off Secor Road, however the greater distance was due to the access drive distance. Tienvieri asked again what, if anything was an exceptional condition. Ms. Allard advised the shape and location of the parcel. Tienvieri voiced opinion that the wall sign was too large for a residential area. Garverick voiced concern on the wall sign, but stated he had no objection to the monument sign request. Garverick did stated it is a commercial area with Burger King and Rite Aid.

Helm advised the owners had expressed there was an easement granted to the access drive owned by Burger King off Sterns Road. Garverick agreed. Mahoney voiced opposition to such a large sign and inquired if there were any alternatives to the branding signage. Ms. Allard explained there is another rendering of 108 total square footage. Tienvieri again expressed concern as the request is 3 times the size permitted by ordinance and voiced objection to the wall sign variance request. Garverick voiced opposition to the wall sign request, however supported the monument signage. Discussion took place on considering each sign separately. Ms. Allard inquired on the motion for the wall sign if it was being considered for the submitted request or for the new proposed 108 square foot sign. Mr. Kamprath advised there are two requests which will require two separate motions. Mr. Kamprath also stated whomever determines to make a motion will be the deciding factor on what is being approved, denied or approved with conditions. Discussion continued on the site layout and if there is any exceptional conditions to support the request. Tienvieri maintained opposition to the wall sign. Angerer voiced opinion on the scale of the building and a smaller sign being less appealing.

MOTION BY TIENVIERI, SUPPORTED BY JENKINS, TO APPROVE THE 25 SQUARE FOOT MONUMENT SIGN WAIVER FOR LAMBERTVILLE DEVELOPMENT, LLC ON PARCEL NUMBER 5802-032-055-61, TRACTOR SUPPLY (RECENTLY APPROVED), OTHERWISE KNOWN AS 7342 SECOR ROAD, LAMBERTVILLE, MI 48144, CONDITIONED UPON ALL REQUIRED PERMITS SHALL BE OBTAINED FROM BEDFORD TOWNSHIP, 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 AND THE APPLICANT SHALL CONTINUE TO WORK WITH THE TOWNSHIP TO ENSURE PLACEMENT OF THE SIGN MEETS THE APPROVED LOCATION AS SHOWN ON THE SUBMITTED SITE PLAN

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

MOTION BY TIENVIERI, SUPPORTED BY MAHONEY, TO DENY THE 97 SQUARE FOOT WALL SIGN WAIVER FOR LAMBERTVILLE DEVELOPMENT, LLC ON PARCEL NUMBER 5802-032-055-61, TRACTOR SUPPLY (RECENTLY APPROVED), OTHERWISE KNOWN AS 7342 SECOR ROAD, LAMBERTVILLE, MI 48144, AS NO EXCEPTIONAL CONDITIONS OR CIRCUMSTANCES EXIST.

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

B) OPEN THE PUBLIC HEARING REGARDING THE REQUEST FROM LAMBERTVILLE MIXED USE, LLC, FOR FINAL PUD APPROVAL AND A REZONING FROM RT, TWO-FAMILY RESIDENTIAL, TO PUD FOR OLDE FARM ESTATES, A 28-UNIT (14-STRUCTURES) SITE CONDOMINIUM PLANNED UNIT DEVELOPMENT PROJECT ON PARCEL NUMBER 5802-032-055-65, LOCATED ON THE SOUTH SIDE OF STERNS ROAD, EAST OF SECOR ROAD, LAMBERTVILLE, MI 48144

Motion by Jenkins, supported by Fritz, to open the public hearing at 7:57 p.m. Motion carried.

Kincaid reviewed the analysis stating this request is from Lambertville Mixed Use, LLC for Final PUD approval for a 28 unit-two-family condominium (14-structures) project located off Sterns Road east of Secor Road and for a rezoning of parcel number 5802-032-055-65 from RT to PUD. The +/- 9.25-acre parcel has a total of approximately 403.32 feet of frontage on Sterns Road, which provides one means of ingress/egress, and where sidewalks are being proposed. Kincaid advised on October 1, 2019; the Township Board granted approval on the depth of the proposed cul-de-sac. On October 9, 2019, the Planning Commission granted site plan approval for a shared detention pond to serve four parcels, where the subject site is one of the four approved parcels. On March 3, 2020, the Township Board granted Preliminary PUD approval.

Kincaid stated a letter of approval was received from the MCRC on 3/23/2020 with conditions, MCDC on 3/23/2020 with conditions, MSG on 5/18/20 with conditions and the Bedford Township Fire Department on 1/6/2020.

Kincaid said Final Site Plan Approval for Olde Farm Estates should be conditioned upon addressing all issues and concerns prior to any development as stated in the 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. Kincaid advised that the PUD Agreement and Master Deed shall be submitted to the Township Attorney and MSG for review and approval.

Kris Benson-James S Jacob's Architects-representative – Ms. Benson spoke on there being no changes since the preliminary approval.

There was no public comment.

Motion by Jenkins, supported by Helm, to close the public hearing at 8:03 p.m. Motion carried.

Angerer voiced opinion in there being an increased interest in this type of development within the community and supported the layout. Garverick agreed. Tienvieri inquired on sidewalks, lighting and buffering. Ms. Benson advised the developer is looking to buffer for not only the neighboring properties but for the new owners, sidewalks will be installed and lighting will be in partnership with Consumers Energy.

Mr. Kamprath advised there is two items being considered, 1) the Final PUD Approval and 2) the request to rezone from RT, Two-Family Residential to PUD, Planned Unit Development. Mr. Kamprath also stated each item will need a separate motion and is a recommendation to the Township Board for a decision. Mr. Kamprath advised as in the agencies review letter there are several deficiencies the Commission Members should include as a condition those be addressed for approval. Ms. Benson advised those items are being addressed with the revised construction drawings which have already been resubmitted. Mr. Kamprath stated those items on the review letter will need amended on Final PUD plan as the plan will be required to be recorded with the Monroe County Register of Deeds.

MOTION BY JENKINS, SUPPORTED BY TIENVIERI, TO RECOMMEND TO APPROVE THE REQUEST FROM LAMBERTVILLE MIXED USE, LLC, FOR FINAL PUD APPROVAL, A 28-UNIT (14-STRUCTURES) SITE CONDOMINIUM PLANNED UNIT DEVELOPMENT PROJECT ON PARCEL NUMBER 5802-032-055-65, LOCATED ON THE SOUTH SIDE OF STERNS ROAD, EAST OF SECOR ROAD, LAMBERTVILLE, MI 48144, CONDITIONED UPON ADDRESSING ALL ISSUES AND CONCERNS PRIOR TO ANY DEVELOPMENT AS STATED IN THE 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, AND 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: Jenkins, Tienvieri, Fritz, Garverick, Mahoney, Helm and Angerer

Voting Nay: None

Excused: None

Motion carried.

MOTION BY JENKINS, SUPPORTED BY HELM, TO RECOMMEND TO APPROVE THE REQUEST FROM LAMBERTVILLE MIXED USE, LLC, TO REZONE FROM RT, TWO-FAMILY RESIDENTIAL, TO PUD, PLANNED UNIT DEVELOPMENT, FOR OLDE FARM ESTATES, FOR A 28-UNIT (14-STRUCTURES) SITE CONDOMINIUM PLANNED UNIT DEVELOPMENT PROJECT ON PARCEL NUMBER 5802-032-055-65, LOCATED ON THE SOUTH SIDE OF STERNS ROAD, EAST OF SECOR ROAD, LAMBERTVILLE, MI 48144.

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

Voting Nay: None

Excused: None

Motion carried.

C) REQUEST FOR A SIGN WAIVER FOR BRIDGEPOINT CHURCH, LOCATED ON PARCEL NUMBER 5802-010-053-00, OTHERWISE KNOWN AS 9875 LEWIS AVENUE, TEMPERANCE, MI 48182

Kincaid reviewed the analysis saying while the zoning ordinance does not address wall signage, or a logo, for other than home occupations within an agricultural zoning district, the Planning Commission may waive the restrictions of Section 400.1922 as follows:

The Planning Commission may waive the requirements of Section 400.1922, but only where exceptional conditions or circumstances exist, which were not contemplated at the time Section 400.1922 was enacted, or which are so unusual that they are not adequately regulated by Section 400.1922, but only if the waiver may be granted without impairing the intent and purpose of Section 400.1922, and without substantial detriment to the public health, safety and welfare. The right to waive the requirements of Section 400.1922 shall include the right to allow larger wall signs or identification signs for units in multiple unit sites or buildings where the building or unit is of such a large size that the sign needs to be larger to fit the large scale of the building or unit. When allowing larger signs, the Planning Commission shall first determine that the building or unit is uniquely large to warrant the waiver, then determine the minimum waiver required to make the sign size reasonable and proportionate for the building or unit size, and then determine that the intent and purpose of Section 400.1922 not be impaired.

Kincaid stated on May 22, 2019, the Planning Commission granted such a waiver during the site's Final Site Plan approval to allow an 80 square foot bronze, backlit cross logo.

Kincaid advised the applicant is no longer planning to install the cross logo, and is proposing a 172.35 square foot backlit wall sign calculated per Section 400.1922 as "The surface area of a sign for purposes of calculating the maximum area a sign may be, shall be measure as a rectangle, whose width is the distance between the two widest points of the sign and whose height is the distance between the highest point and the lowest point of the sign." Due to the large logo, much of the area included within the calculated area does not include "signage". For comparison purposes only, calculating the logo separate from the text reduces the signage square footage by 61.95 square feet, or 110.40 square feet.

Kincaid stated the sign rendering submitted is to scale on the structure, and is proposed on the bumped-out portion of the East (rear) elevation of the structure facing Lewis Avenue, which is the same location as the previously approved cross logo sign.

Kincaid said it should be noted, the applicant stated they will enter into a contract with a sign company once a determination has been made on the sign waiver request. Should the waiver be granted, the sign company shall provide to the Building Department the design details, including illumination details and structural details to move through the permit process.

Kincaid advised should the request be considered, the following waiver is required is to allow a 172.35 square foot sign in an Agricultural zoning district for a church use and the use is not injurious to the district and environs, is not contrary to the spirit and purpose of the ordinance, would not be detrimental to the safety or convenience of vehicular or pedestrian traffic, and will be consistent in assuring that the general public health, safety and welfare will not be infringed upon.

Kincaid noted the following shall be considered for inclusion in any motion to approve that a color rendering with sign dimensions and design details shall be submitted to the Township and all required permits shall be obtained from Bedford Township.

Kincaid advised the Planning Commission Members that ordinance language does not address wall signs within an AG district, thus the request is for the entire square footage of the sign.

Craig Killinen-Pastor-Representative for Bridgepoint Church-Mr. Killinen stated he had nothing further to add, however wanted the Commission to understand the only reason there is another request from the approved cross rendering is there has been a change in leadership within the church.

Garverick voiced no opposition to the request due to such a large frontage on Lewis Avenue. Fritz agreed. Tienvieri voiced opposition to the request as the location already has two free standings signs, one being an LED message board. Jenkins agreed with Tienvieri. Helm voiced no concerns and supported the rendering. There was no further discussion.

MOTION BY HELM, SUPPORTED BY GARVERICK, TO APPROVE THE 172.35 SQUARE FOOT WALL SIGN WAIVER FOR BRIDGEPOINT CHURCH, LOCATED ON PARCEL NUMBER 5802-010-053-00, OTHERWISE KNOWN AS 9875 LEWIS AVENUE, TEMPERANCE, MI 48182 AS THE USE IS NOT INJURIOUS TO THE DISTRICT AND ENVIRONS, IS NOT CONTRARY TO THE SPIRIT AND PURPOSE OF THE ORDINANCE, WOULD NOT BE DETRIMENTAL TO THE SAFETY OR CONVENIENCE OF VEHICULAR OR PEDESTRIAN TRAFFIC, AND WILL BE CONSISTENT IN ASSURING THAT THE GENERAL PUBLIC HEALTH, SAFETY AND WELFARE WILL NOT BE INFRINGED UPON, CONDITIONED UPON A COLOR RENDERING WITH SIGN DIMENSIONS AND DESIGN DETAILS SHALL BE SUBMITTED TO THE TOWNSHIP AND ALL REQUIRED PERMITS SHALL BE OBTAINED FROM BEDFORD TOWNSHIP.

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

D) DISCUSSION REGARDING THE CAPITAL IMPROVEMENT PLAN

Tienvieri spoke on the memo that was sent to the Commission Members and the CIP Committee regarding the CIP. Tienvieri advised she had not received any comments at this time; however, she will continue to move this project forward. Tienvieri spoke on some items, such as the introduction, property projects, executive summary, advised on some assets within the township, and future purchases. Tienvieri spoke on the 2020-2021 budget moving forward and every year the Planning Commission will need to review the CIP and submit to the Township Board. Commission Members made comments and Tienvieri suggested to review the memo and submit comments, questions, etc. for further discussion. Commission Members agreed this is a good move to have in place for the Township.

PUBLIC COMMENT – None.

INFORMATION – None

ADJOURNMENT – Angerer thanked the Commission Members for working through the first virtual meeting. All Commission Members and Staff “Thanked” Mr. Welling.

The meeting was duly adjourned at 8:42 p.m.

*Respectfully submitted,
Jodie L. Rector, Recording Secretary*

