

MINUTES
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
July 11, 2018

PRESENT:

MATTHEW ANGERER, CHAIR
DENNIS JENKINS, VICE-CHAIR
LAMAR FREDERICK, TOWNSHIP BOARD LIAISON
DAN STEFFEN, SECRETARY
TOM ZDYBEK-Late arrival @ 7:20 p.m.
RON FRITZ
JOE GARVERICK

EXCUSED:

NONE

ABSENT:

NONE

ALSO PRESENT:

MARTY KAMPRATH, LENNARD, GRAHAM & GOLDSMITH, LEGAL COUNSEL
KAREN M. KINCAID, PLANNING AND ZONING
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. Steffen called the roll. Quorum present.

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT (LIMIT 3 MINUTES)

NONE

Garverick recused himself from the request for Villas at Summerlyn Lakes Phase IV.

NEW BUSINESS

A) REQUEST FOR FINAL SITE PLAN APPROVAL FOR VILLAS AT SUMMERLYN LAKES PHASE IV ON A PORTION OF PARCEL NUMBER 5802-031-009-05, LOCATED ON THE NORTHWEST CORNER OF SECOR AND SMITH ROADS

Kincaid reviewed the analysis stating the subject site is within the Summerlyn PUD, which is located on the northwest corner of Secor and Smith roads. The PUD site plan was originally approved on 5/15/07, with a PUD amendment to separate the then planned 4-unit buildings on 9/12/12. On 12/2/2015 an approval was granted to amend the PUD to include an additional 17-acre parcel for future development. On 8/13/14, Phase I of the Villas at Summerlyn Lakes was approved, which included 20 units. Phase II was approved on 12/2/2015, which consists of 13 units and Phase three consists of an additional 36 units. The approval of Phase IV, consisting of 34 residential units and 2 commercial units will complete the PUD project development.

Kincaid noted approval letters with conditions have been received from the MCDC (6/25/2018), the Mannik & Smith Group (7/3/2018), the MCRC (7/3/2018), and the Bedford Township Fire Department (5/2/2018). Once the permanent entrance and road within Phase IV is constructed to provide the second entrance to the Villas at Summerlyn Lakes, the developer may abandon the construction entrance within Phase III that now serves as a second means of access in the case of an emergency.

Kincaid advised being consistent with previous phases, the developers do not plan to install a walking path or sidewalks within Phase IV; however, sidewalks will be extended along Smith Road and Secor Road.

Kincaid noted street lights are required and a Special Assessment District must be set up for the entrance street light and to spread the use among the residents of Phase IV for the street lights. Kincaid said Municipal water and sanitary service is available. The storm water system and roads are private.

Kincaid added after further review and discussion with legal counsel, Phase IV has already been included in the Master Deed and the commercial parcels will be reviewed when submitted for development, as the two parcels are within the PUD; however, are not part of the condominium project.

Lastly, Kincaid said Final Site Plan Approval for Phase IV of the Villas at Summerlyn Lakes should be conditioned on addressing all issues and concerns as stated in the MCDC, the MCRC, the Mannik & Smith Group, and the Bedford Township Fire Department review letters.

Angerer informed the applicant the Commission was two members short, offering the options to defer to a later date when members could be present. Mr. Bollin opted to move forward as scheduled.

Scott Bollin-6622 Summerlyn Blvd.-Mr. Bollin personally thanked Kincaid for all her help working with the reviewing agencies to move this project forward to tonight's meeting. Mr. Bollin thanked the Township Staff as well.

Mr. Frederick inquired with Mr. Bollin on being able to satisfy the reviewing agencies requirements. Mr. Bollin stated the items will be addressed. Frederick asked in regards to the commercial lots being outside the PUD. Mr. Kamprath stated the commercial lots are within the PUD but will not be included in the condominium project. Mr. Kamprath added the commercial lots have access off the proposed private drive and no access is being proposed off Smith Road. Mr. Bollin stated there is a proposed curb cut off Secor Road and they are working with the Monroe County Road Commission. Mr. Kamprath stated there is no review at this time of the site plan for the commercial lots.

MOTION BY FREDERICK, SUPPORTED BY STEFFEN, TO APPROVE THE SITE PLAN FOR VILLAS AT SUMMERLYN LAKES PHASE IV ON A PORTION OF PARCEL NUMBER 5802-031-009-05, LOCATED ON THE NORTHWEST CORNER OF SECOR AND SMITH ROADS CONDITIONED UPON MEETING THE REQUIREMENTS OF THE MCDC (6/25/2018), THE MANNIK AND SMITH GROUP (7/3/2018), THE MCRC (7/3/2018), AND THE BEDFORD TOWNSHIP FIRE DEPARTMENT (5/2/2018), ALSO ALL TOWNSHIP REQUIREMENTS SET FORTH FROM THE PLANNING DEPARTMENT:

- **Note on Commercial Lots on all pages should be amended to state: Commercial Parcel within PUD-Site Plan to be submitted by others-Not a part of Phase IV condominium project.**
- **Cover page 1/3-general information note shall include PUD information at top of column**
- **All pertaining sheets-setback notes and "35' setback from the east property line" should be changed to "50' from the 60' road right-of-way" all dimensions/setbacks shall be drawn on the site plan**
- **All pertaining Sheets-note- "27' sanitary easement" shall be changed or include"27' highway and utility easement"**
- **Cover page 1/3-unit setback drawings shall be included for all setback options**
- **A cross-easement agreement shall be required for the commercial sites**
- **The Commercial parcels shall move through the Land Division process**

Roll call as follows: Voting Aye: Frederick, Steffen, Jenkins, Fritz and Angerer

Voting Nay: None.

Excused: Zdybek

Absent: None

Recused: Garverick

Motion carried.

B) REQUEST FOR A SIGN WAIVER FOR WENDY'S ON PARCEL NUMBER 5802-491-003-00, 3367 W. STERNS ROAD, LAMBERTVILLE, MI 48144

Kincaid reviewed the analysis saying this the applicant is seeking to install a second wall sign on the newly renovated Wendy's located on Sterns Road west of Secor Road and is not located on a corner lot where a second wall sign would be permitted. Currently there is a wall sign located on the north side of the building facing Sterns Road. The applicant is seeking a waiver to allow for a second wall sign consisting of 43.46 square feet to be installed on the east side of the building. Section 400.1922 "Sign", in a C-1 zoning district, for each lot or parcel, one accessory wall sign is not to exceed 50 square feet in area in addition to one monument sign not to exceed 50 square feet and 7 feet in height is permitted. It should be noted that this site is located on an interior lot within the Quail Hollow PUD where the recorded restrictions (Liber 1592, Page 0767), states "No billboards, advertising signs or other signs and displays except for a sign identifying the name, business and product of the firm occupying a particular development site and of a size, shape, color and illumination meeting the requirements of this paragraph 1.23 and of Article II hereof shall be erected, placed or maintained on any Commercial Lot or Office.....".

Kincaid advised as well, it should be noted on February 11, 2004, Wendy's sought a sign waiver to place a second wall sign on the east side of the building. The request was denied based on failure to cite any practical difficulty or specific hardship.

It should also be noted the existing freestanding sign has an overall height of 15'5" where the ordinance now restricts the height to 7 feet in a commercial zoning district. With the recent renovation, Wendy's sought and was issued a Building Permit (PB180249) on June 13, 2018 for a face change to the existing freestanding sign. In accordance with Section 400.1922.8.b., once a change is made to a non-conforming freestanding sign, a 7-year grace period begins, which requires that within seven years the sign shall be made to comply with the then existing provisions of the sign ordinance.

Kincaid stated should the request be considered; the following waivers are required: to allow a second wall sign on a building not located on a corner lot, to allow a 43.46 square foot area waiver.

Kincaid stated the following shall be considered for inclusion in any motion to approve: all required permits shall be obtained from Bedford Township

Mike Ellinger- 15815 Gorrill Road- Bowling Green, OH - Mr. Ellinger advised there is a sign on the north side of the building, however there are no markings on the east or west side.

Frederick spoke on this location being within the PUD of Quail Hollow and the language within the restrictions stated "A SIGN" meaning one, and there would be a lot of challenges to overcome before the commission could grant such a request. Mr. Kamprath spoke on any approval could contain conditions, such as an amendment of the PUD, as that would be the first step to make a determination of a major or minor amendment to move forward from the PUD restrictions. Frederick voiced opinion on the motion of the previous request for one sign and not showing a practical difficulty. Jenkins stated in reviewing the previous request minutes there has been no change and the applicant is asking for this Commission to approve the same request that was denied in 2004. Steffen agreed with denying the request as there is no

adequate reason to change the previous decision of 2004. Discussion took place on the applicant's request to move the existing north sign to the east side of the building. Mr. Kamprath advised there would be no restrictions on moving the signage as long as a review from the Planning Department is acquired to determine the sign meets the requirements of the ordinance. Kincaid agreed with a review from the Planning Department the signage from the north side of the building could be relocated. Fritz agreed with the previous minutes motion in that the monument sign provided adequate signage from east to west. Kincaid noted the 7-year contract has been signed by the owner and submitted to bring the monument sign into compliance within 7-years. Zdybek asked if the monument sign complied with the ordinance at the time it was installed. Kincaid advised the sign height was granted, as it was consistent with the surrounding signs at that time.

MOTION BY JENKINS, SUPPORTED BY ZDYBEK, TO DENY THE SIGN WAIVER REQUEST FOR WENDY'S ON PARCEL NUMBER 5802-491-003-00, 3367 W. STERNS ROAD, LAMBERTVILLE, MI 48144 FOR AN ADDITIONAL WALL SIGN AS THERE IS NO CHANGE IN THE REQUEST SINCE THE PREVIOUS REQUEST OF 2004 WHICH WAS DENIED AT THAT TIME.

**Roll call as follows: Voting Aye: Jenkins, Zdybek, Fritz, Garverick, Steffen, Frederick and Angerer
Voting Nay: None.**

Excused: None

Absent: None

Motion carried.

C) REQUEST FOR A SIGN WAIVER FOR FOREST VIEW LANES ON PARCEL NUMBER 5802-028-023-00, 2345 W. DEAN ROAD, TEMPERANCE, MI 48182

Kincaid reviewed the analysis saying the applicant is seeking to install an LED message board monument sign to replace the existing non-conforming pylon sign. The Ordinance permits one monument sign of up to 50 square feet in area and seven feet in height in a C-2 zoned district with less than 10 acres. The proposed sign does not exceed the area or height requirements; however, does require a variance to allow the LED message board. Per Section 400.1922.1.0, it states no flashing, moving, oscillating or intermittent type of illuminated sign or display shall be permitted in any zoning district. Kincaid advised therefore, the Planning Commission shall determine how often the message can change so not to create a safety issue by distracting passing traffic. Kincaid stated past practice has been to restrict the message change to no more than five seconds. The applicant has indicated the proposed sign will be installed where the existing sign is located. Kincaid noted should the request be considered; the following waivers are required: to allow an LED message board. Kincaid also noted the following shall be considered for inclusion in any motion to approve: 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 the sign shall be located outside of the road right-of-way and the driveway clearance area.

No representative was in attendance for the request.

Angerer asked on the height of the existing sign. Kincaid stated it does not meet the requirements. Garverick voice no opposition to the proposed signage, however felt discussion on the time change of the message board should be consistent with previous approvals. Steffen agreed and noted most LED message boards allow for remote access to adjust the lighting even if not present on site.

MOTION BY STEFFEN, SUPPORTED BY JENKINS, TO APPROVE THE SIGN WAIVER FOR FOREST VIEW LANES ON PARCEL NUMBER 5802-028-023-00, 2345 W. DEAN ROAD, TEMPERANCE, MI 48182 TO ALLOW FOR AN LED MESSAGE BOARD, CONDITIONS OF THE APPROVAL ARE NO MORE THAN A FIVE SECOND INTERVAL, REMOVAL OF CURRENT SIGNAGE AND EXISTING MESSAGE BOARD, 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 AND NEW SIGN MUST BE LOCATED OUTSIDE OF THE ROAD RIGHT-OF-WAY AND THE DRIVEWAY CLEARANCE AREA.

**Roll call as follows: Voting Aye: Steffen, Jenkins, Fritz, Garverick, Frederick, Zdybek and Angerer
Voting Nay: None.
Excused: None
Absent: None
Motion carried.**

D) REQUEST FOR A SIGN WAIVER FOR COMPELLED CHURCH ON PARCEL NUMBER 5802-022-047-00, 8970 JACKMAN ROAD, TEMPERANCE, MI 48182

Kincaid reviewed the analysis saying the applicant is seeking to install a monument sign located on the southeast corner of Jackman Road and Temperance Road to replace their existing sign. The Ordinance permits one monument sign of up to 32 square feet in area and five feet in height to serve as identification in an R-2B, Single Family Residential Zoning District for lots or parcels containing other than dwelling units. Kincaid said the applicant is seeking to install a 50 square foot non-illuminated sign on a one-foot tall base for an overall height of six feet. Therefore, the proposed sign requires an 18 square foot area waiver and a one-foot height waiver. The applicant has indicated the proposed sign will be installed where the existing sign is located.

Kincaid said should the request be considered; the following waivers are required: a one-foot height waiver and an 18 square foot area waiver. Kincaid noted the following shall be considered for inclusion in any motion to approve: 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, the sign shall be located outside of the road right-of-way and the corner clearance area.

Pastor Nathan Elarton- 1040 W. Temperance- Mr. Elarton sated the current signage is 50 square feet. Angerer inquired on the location of the sign. Mr. Elarton advised this is not for an LED message board, just requesting the addition height and area due to a corner location of the church and to allow for more visibility moving east and west on Temperance Road.

No further discussion.

MOTION BY JENKINS, SUPPORTED BY STEFFEN, TO APPROVE THE SIGN WAIVER FOR COMPELLED CHURCH ON PARCEL NUMBER 5802-022-047-00, 8970 JACKMAN ROAD, TEMPERANCE, MI 48182 FOR A 1' HEIGHT VARIANCE AND AN 18 SQUARE FOOT AREA VARIANCE, CONDITIONED UPON 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 AND THE SIGN MUST BE LOCATED OUTSIDE THE ROAD RIGHT-OF-WAY AND THE CORNER CLEARANCE AREA.

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Roll call as follows: Voting Aye: Jenkins, Steffen, Garverick, Frederick, Fritz, Zdybek and Angerer

Voting Nay: None.

Excused: None

Absent: None

Motion carried.

PUBLIC COMMENT –

None.

INFORMATION –

None.

COMMISSION / STAFF COMMENT –

None

ADJOURNMENT –

The meeting was duly adjourned at 7:50 p.m.

Respectfully submitted,

Jodie L. Rector, Recording Secretary