

MINUTES- REGULAR MEETING
BEDFORD TOWNSHIP PLANNING COMMISSION
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
OCTOBER 14, 2015

PRESENT:

TOM ZDYBEK
ROBYNE BUSH
PAUL PIRRONE
MARYANNE BOURQUE

EXCUSED: JAKE LAKE, KORLEEN BIALECKI, JEFF BIGGS-RESIGNED AS A MEMBER OF THE COMMISSION

ALSO PRESENT:

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

Bourque, called the Bedford Township Planning Commission meeting to order at 7:02 p.m. The Pledge of Allegiance was said. Kincaid called the roll. Quorum present.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES OF SEPTEMBER 9, 2015

Motion by Pirrone, supported by Zdybek to approve the minutes of September 9, 2015. Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)-None

NEW BUSINESS

A) REQUEST FOR FINAL SITE PLAN APPROVAL FOR LASCALA PROFESSIONAL CENTER BUILDING ADDITION AND SITE IMPROVEMENTS ON PARCEL NUMBER 5802-570-014-00, LOCATED AT 6601 LEWIS AVENUE, TEMPERANCE, MI 48182

Kincaid reviewed the analysis stating the proposed site plan is on a 1.346 acre parcel having 217.9 feet of frontage on Lewis Avenue and 269.93 feet of frontage on Smith Road. The parcel is within the Supervisor's Plat of Hazeldell Farm and PBO zoned. The surrounding zonings are R-2B, Single Family Residential to the North and West, C-3, General Commercial to the South and C-2, Shopping Center to the East on the East side of Lewis Avenue. The existing building is 2300 square feet and the applicant is proposing an additional four 2300 square feet building units with open floor plans for flexible sized units, with one building unit to be similar to the existing building with a professional doctor's office. There are two existing points of ingress/egress, one located off Lewis Avenue and one on Smith Road. The approvals have been received from The Mannik & Smith Group, 9/30/2015; Bedford Township Fire Department, 9/10/2015; the MCDC 9/3/2015; and the MCRC 9/24/2015. Kincaid commented on the parking requirements of

Section 400.1904 D Offices #2 and Section 1904 D #3, saying a total of 54 parking spaces are required and the submitted plan displays 60 parking spaces where 4 of which are barrier free. The landscaping plan within the project shown on page L-1 meets the requirements of the Ordinance. Kincaid went on to say the proposed additional buildings will resemble the existing building on site. Per Section 400.1004 D, site amenities, professional business development projects shall include sidewalk connections to existing and future developments subject to unique topographic or site features, adding the sidewalks are shown on the plan and it should be noted the sidewalks shall be installed with the proposed addition. Kincaid added municipal water and sanitary sewer service is available to the parcel as are all private utilities. Kincaid noted that an existing sign is located on the property and no proposed change had been submitted. The Master Plan designation is Local Commercial. Lastly, if the request for final site plan is approved the following shall be included in the motion:

- **Address all the comments from The Mannik & Smith Group, Bedford Township Fire Department the MCDC, and the MCRC**
- **Sidewalks shall be installed at the time the site is developed**

Mark Davison- Davison Building and Development, 1212 South Telegraph, Monroe MI, and Jim Jacobs – James S. Jacobs Architects, 25 Washington Street, Monroe MI, were present to Dr. LaScala. Mr. Davison stated the only request the applicant would like the Planning Commission to consider is to waive the requirement to install the sidewalks. Mr. Davison stated there are no sidewalks in the immediate area, and the developed southeast corner does not have sidewalks. Mr. Davison referenced other buildings in the area not having sidewalks. Mr. Davison said while sidewalks are important, the sidewalks on this site would lead to nowhere. Kincaid added there is vacant land on the East side of Lewis Avenue which is C-2 zoned, and the Southwest corner is C-3 zoned, stating sidewalks will be required as those properties are developed, however the property on the Southeast corner is currently developed and does not have sidewalks as sidewalks were not required when that site location was developed. Mr. Davison showed the Commission members an aerial of a mile wide area showing no connection to existing sidewalks.

Mr. Davison referred to the Mannik & Smith approval letter with regards to the providing of bumpers/curbs where abutting grassy area, stating currently there are none on the South side. The applicant would request the Commission to waive the request as the curbs are not a requirement of the ordinance. Kincaid said sidewalks are required by ordinance and the Master Plan designates the area as a commercial corridor. Pirrone added with regards to the current updates to the Master Plan, focus has been on the connect ability for the community and to require the sidewalks when the site is developed. Bush inquired if then crosswalks would be required, Kincaid added they would be required when each site was developed. Mr. Kamprath stated in reviewing the site plan ordinance requirements, the providing of sidewalks is not discretionary and is not a waivable requirement. Mr. Davison asked if a request to waive the sidewalks needed to be made to the Board of Zoning Appeals or is there an agreement the applicant could sign stating sidewalks would be installed at a later date when area development takes place. Mr. Kamprath added that there is Commercial and/or PBO zoned property on every corner, which may not be currently developed but is Master Planned for Commercial and the ordinance requires sidewalks for commercial building development.

Mr. Jacobs advised the Commission members of the landscaping plan and meeting the requirements of the ordinance. Mr. Jacobs reiterated his question on going before the BZA for a variance from the requirement of installing sidewalks. Mr. Kamprath noted the site plan ordinance is part of the zoning ordinance which would be subject to an interpretation from the BZA, leaving the decision to the BZA to decide the appropriateness of varying from the ordinance requirement in a Commercial development for installing sidewalks, which would be a special hearing, and if a variance was granted a new site plan would need to be presented to the Planning Commission.

Discussion continued in regards to the request from Mannik & Smith Group to install bumper blocks and the need for them with sidewalks but not abutting the grassy area. Mr. Jacobs stated as it is not required by ordinance it is just a personal choice not a health and safety issue.

Bourque advised the applicant he would need a unanimous vote for approval if wanting to move forward or reschedule with full commission. The applicant waived the right to defer and requested to move forward.

Motion by Bush, supported by Zdybek, to approve the Final Site Plan for Lascala Professional Center building addition and site improvements on parcel number 5802-570-014-00, located at 6601 Lewis Avenue, Temperance MI 48182 contingent upon meeting the requirements noted in the approval letters from the Mannik & Smith Group, MCRC, MCDC and the Bedford Township Fire Department; and the sidewalks are to be installed at the time of the development but there is no requirement to install bumper blocks or curbing where parking spaces abut landscape or grassy areas.

Roll call as follows: Voting Aye: Bush, Zdybek, Pirrone and Bourque. Voting Nay: None. Excused: Bialecki, Lake. Motion carried.

B) REQUEST FOR FINAL SITE PLAN APPROVAL FOR CIOLINO'S PRODUCE MARKET ADDITION N PARCEL NUMBER 5802-035-058-20, LOCATED AT 6750 LEWIS AVENUE, TEMPERANCE, MI 48182

Kincaid reviewed the analysis stating the applicant is proposing a 1630 square foot building addition to the rear of the existing 9754 square foot building. The proposed addition is for storage and will include a new loading dock area. The addition will allow for an increased area to unload produce and the trash compactor will provide a means to dispose of produce that is no longer for sale. Kincaid noted the building materials will match the existing structure and no changes will be made to the lighting, landscaping, signage or parking area as the addition does not include any additional usable floor space where 34 parking spaces are required by ordinance and 41 parking spaces are already provided. Kincaid said the proposed area to the east (rear) of the building to accommodate truck deliveries and trash pickup shall be paved or hard surface as required by ordinance. Kincaid added the Bedford Fire Department review and approved the site plan on 9/14/2015 subject to meeting all the zoning ordinance requirements and having the opportunity to review construction drawings. The plan also has been submitted to the MCDC, but the Planning Department has not yet received comments back. The Mannik & Smith Group reviewed and approved the site plan 10/5/2015 contingent upon the applicant revising the plan

based upon the noted engineering requirements and approvals from the MCDC and FD. The MCRC was not required to review the plan as there will be no change in the existing curb cut on Lewis Avenue. Kincaid said should site plan approval be granted a motion should include the approval is contingent upon addressing all conditions of the Fire Department the Mannik & Smith Group and approval shall be obtained from the MCDC.

Bill Moninee-6624 Jackman, contractor, and Sam Ciolino, Owner, were present.

Bush referred to the letter from Mannik & Smith Group regarding the customer's parking on the grassy area, Mr. Ciolino stated he doesn't own that property and once the addition is completed the area currently being utilized for loading and the dumpster will open up and there will be more area to use for parking. Mr. Ciolino advised with the growth of the business adding this additional area will allow for larger amounts of supply and more area for customer parking.

Bourque advised the applicant he would need a unanimous vote for approval if wanting to move forward or reschedule with full commission. The applicant requested to move forward.

Motion by Pirrone, supported by Bush, to approve the request for final site plan approval for Ciolino's Produce Market addition on parcel number 5802-035-058-20, located at 6750 Lewis Avenue, Temperance MI 48182 subject to all issues being addressed by the Bedford Township Fire Department, The Mannik & Smith Group, and approval from the Monroe County Drain Commission be obtained. The proposed gravel area must be a hard surface with a paving bond being provided to Bedford Township for future installation due to time frame for asphalt delivery during winter months.

Pirrone commended Mr. Ciolino on the great job and business he is maintaining.

Roll call as follows: Voting Aye: Pirrone, Bush, Zdybek, and Bourque. Voting Nay: None. Excused: Bialecki, Lake. Motion carried.

C) OPEN THE PUBLIC HEARING REGARDING A REQUEST FOR A CONCEPT/PRELIMINARY APPROVAL FOR AN AMMENDED PLANNED UNIT DEVELOPMENT FOR SUMMERLYN PLANNED UNIT DEVELOPMENT ON PARCEL NUMBERS 5802-031-090-12 AND 5802-031-090-05, LOCATED TO THE EAST OF THE EXISTING PUD, LOCATED ON THE NORTHWEST CORNER OF SECOR ROAD AND SMITH ROAD.

Motion by Pirrone, supported by Bush, to open the public hearing at 7:35 p.m. Motion carried.

Kincaid reviewed the analysis as the request is from Southfork Real Estate, LLC to amend the Summerlyn PUD to include 17 additional acres for development. The 17-acre parcel has 557.67 +/- feet of frontage on Smith Road and 1102.33 +/- feet of frontage on Secor Road. The subject parcel is currently vacant and is located to the immediate east of the existing PUD. Kincaid went on to state the review letter from the Mannik & Smith Group was received on 10/7/2015. MSG has several comments that must be addressed prior to any conceptual plan consideration on the project. The MCRC has not yet conducted their review on the proposed curb cut on Smith

Road, and indicated they will not be able to schedule the plan for review prior to the already scheduled public hearing. Kincaid stated due to the lack of required reviews and approvals and the fact that the public hearing notice had already been published and notifications were mailed to the owners within the existing PUD and surrounding property owners, the Planning Department is requesting the public hearing be held to hear all comments from the public regarding the request. Kincaid advised that although the public hearing will be held, no action shall be taken on the request at this time, further discussion will take place at the meeting regarding procedures and possible requirement should there be significant changes required to the submitted plan. Kincaid concluded that at this time there had been no letters or comments of objection to the request and 107 notices were mailed on September 28, 2015 to adhere to the minimum of 15 day notice prior to the scheduled public hearing.

Public Comment-

Larry Vandevelde-6618 Summerlyn Blvd-spoke in favor of the new additional development.

Jenny Felix-3666- Judy Drive- stated she was not opposed of the new additional development but wanted the Commission to know her concern of the increase in traffic on Smith Road and additional traffic at the intersection of Secor and Smith Road especially where the proposed ingress/egress is to the additional homes proposed off Smith Road. Ms. Felix also advised of her concern with the traffic cutting though off Judy Drive to Whiteford Center Road to avoid the heavy traffic at certain times of the day.

Motion by Bush, supported by Zdybek, to close the public hearing at 7:54 p.m. Motion carried.

Patty Lyden- Southfork Real Estate-Advised the Planning Commission she is aware and understands of the process holding the public hearing now as it was already published but that the concept will still need to be presented back to the Planning Commission with all the approval letters.

Further discussion continued regarding the layout proposed, Kincaid added the MCRC has not yet had an opportunity to review the submitted plan, so at this time there will be no decision on the submitted concept until the Planning Department has received all the approval letters.

Commission members praised the developer on what a great job on the development for that corner location. Ms. Lyden thanked the commission and stated they want to develop with a plan that will continue to protect the current and new residents.

Motion by Zdybek, supported by Bush, to table the request for a concept/preliminary consideration for an amended planned unit development for Summerlyn Planned Unit Development on parcel numbers 5802-031-090-12 and 5802-031-09005, located at the east of the existing PUD, located on the Northwest corner of Secor Road and Smith Road until all approval letters from Bedford Township Fire Department and Mannik & Smith Group, MCRC and MCDC have been received and can be presented to the Planning Commission.

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**Roll call as follows: Voting Aye: Bush, Pirrone, Zdybek, and Bourque. Voting Nay: None.
Excused: Bialecki, Lake. Motion carried.**

PUBLIC COMMENT –None

INFORMATION – Bourque advised and read aloud a letter received from member Jeff Biggs resigning his position from the Planning Commission.

COMMISSION / STAFF COMMENT –

Kincaid- informed there is a public hearing scheduled for the Master Plan on the next meeting October 28, no changes or comments from the reviewing neighboring communities.

ADJOURNMENT –

The meeting was duly adjourned at 8:04 p.m.

Respectfully submitted,
Jodie L. Rector-Recording Secretary