

MINUTES- REGULAR MEETING
BEDFORD TOWNSHIP PLANNING COMMISSION (virtual)
8100 JACKMAN ROAD, TEMPERANCE, MICHIGAN
JANUARY 13, 2021

PRESENT:

DENNIS JENKINS
JOE GARVERICK, SECRETARY
MATTHEW ANGERER
BRAD HELM
RON FRITZ, VICE-CHAIR
PATRICK MAHONEY, CHAIR (entered meeting late-excused)

EXCUSED:

NONE

ABSENT:

NO TOWNSHIP BOARD LIAISON WAS APPOINTED AS OF THIS DATE

ALSO PRESENT:

MARTY KAMPRATH, LENNARD, GRAHAM & GOLDSMITH, LEGAL COUNSEL
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.

ELECTION OF PLANNING COMMISSION OFFICERS FOR 2021

Motion by Jenkins, supported by Garverick, to nominate Mr. Fritz as Vice-Chairman.

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

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

Voting Nay: None.

Excused: Mahoney

Motion carried.

Motion by Angerer, supported by Jenkins, to nominate Mr. Garverick as Secretary.

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

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

Voting Nay: None.

Excused: Mahoney

Motion carried.

Motion by Garverick, supported by Fritz, to nominate Mr. Angerer as Chairman.

Mr. Angerer declined the nomination.

Motion by Angerer, supported by Jenkins, to nominate Mr. Helm as Chairman.

Mr. Helm declined the nomination.

Motion by Angerer, supported by Fritz, to nominate Mr. Mahoney as Chairman.

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

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

Voting Nay: None.

Excused: None

Motion carried.

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

Kincaid informed the Commission Members of the process and requirements to qualify to serve as a representative to the Board of Zoning Appeals.

Motion by Fritz, supported by Helm, to recommend Mr. Angerer as Representative of the Planning Commission to the Board of Zoning Appeals.

No further nominations. Mr. Angerer accepted the nomination.

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

Voting Nay: None.

Excused: None

Motion carried.

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES

Motion by Jenkins, supported by Helm, to approve the minutes of December 16, 2020. Motion carried.

PUBLIC COMMENT (LIMIT 3 MINUTES)

None

NEW BUSINESS

A) REQUEST FOR A SIGN WAIVER IN AN AGRICULTURAL ZONING DISTRICT, FOR RAYMOND AND ELLA NUSBAUM, ON PARCEL NUMBER 5802-017-024-00, OTHERWISE KNOWN AS 9700 SECOR ROAD, TEMPERANCE, MI 48182

Kincaid reviewed the analysis stating the applicant is seeking to install an agricultural produce sign to include a LED message board at 9700 Secor Road, location of Nusbaum's Farm. The Ordinance permits an agricultural produce sign no larger than 20 square feet in area in an Agricultural Zoning District, and if a freestanding sign, shall not exceed 4 feet in height. The applicant is seeking to display a 53-inch by 28-inch (10.31 square feet) sign to include a LED message board. While the proposed sign meets the permitted square footage and height requirements, a waiver is required to allow for a 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. Kincaid noted should the request be considered, an approval to allow a LED Message Board for an Agricultural produce signage waiver is required.

Kincaid advised 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 should a monument sign be installed (not required if temporary sign), and the sign must be located outside the road right-of-way.

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

Treasa Nusbaum-9700 Secor Road-Daughter (representative for the applicant)- Ms. Nusbaum stated the request is to be able to list all items the farm has for sale. Ms. Nusbaum advised all requirements and guidelines will be followed. Ms. Nusbaum felt the proposed sign would be more aesthetically appealing than the existing sign.

Fritz inquired if the sign was going to be removable or permanent. Ms. Nusbaum informed the farm sells items all year long and would like to install a monument sign to remain permanent, should that be permissible. Kincaid advised a permanent sign is permissible by ordinance as long as the height and square footage remain compliant by ordinance. Mahoney inquired if the proposed sign meets the requirements by ordinance. Kincaid said yes, however, should the applicant move forward with a monument sign, a rendering will need to be submitted and approved prior to a building permit being issued for compliance purposes. Discussion took place on previous approvals and requirements of five second intervals and dimming of the sign at dusk. Ms. Nusbaum informed the Commission they will comply and may even shut off the sign at night.

MOTION BY ANGERER, SUPPORTED BY HELM, TO GRANT A LED MESSAGE BOARD SIGN WAIVER IN AN AGRICULTURAL ZONING DISTRICT, FOR RAYMOND AND ELLA NUSBAUM, ON PARCEL NUMBER 5802-017-024-00, OTHERWISE KNOWN AS 9700 SECOR ROAD, TEMPERANCE, MI 48182 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 SHOULD A MONUMENT SIGN BE INSTALLED (NOT REQUIRED IF TEMPORARY SIGN), THE SIGN MUST BE LOCATED OUTSIDE THE ROAD RIGHT-OF-WAY, MESSAGE CHANGE NO MORE THAN FIVE SECOND INTERVALS, AND THE SIGN MUST EITHER BE DIMMED OR TURNED OFF AT DUSK.

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

Voting Nay: None

Excused: None

Motion carried.

Helm stated there is a possibility of involvement with the following request. Helm requested to recuse himself.

- B) OPEN THE PUBLIC HEARING REGARDING THE REQUEST FROM 6630 MICH LTD, FOR A REZONING OF PARCEL NUMBER 5802-035-058-08, FROM C-2, SHOPPING CENTER, TO C-3, GENERAL COMMERCIAL, LOCATED ON THE EAST SIDE OF LEWIS AVENUE, NORTH OF SMITH ROAD, TEMPERANCE, MI 48182**

Mahoney opened the public hearing at 7:36 p.m.

Kincaid reviewed the analysis stating the existing parcel consists of approximately 8.85 acres with 414.20 +/- feet of frontage on Lewis Avenue and 660 +/- feet of frontage on Smith Road. The subject site is currently C-2, Shopping Center Business, zoned. The site is served by municipal water and sanitary sewer, and the surrounding zonings are: North: C-2, Shopping Center Business, West: C-3, General Commercial and R-2B, One Family Residential, South: C-3, General Commercial (Old Monroe Bank & Trust Building (Vacant) and PBO, Professional and Business Office District (State Line Christian School)
East: RM-1, Multiple-Family Residential (Luther Haus Apartments)

Kincaid stated the Master Plan adopted on October 28, 2015 designates this area as Mixed-Use and further describes the intent to promote mixed uses and flexible redevelopment in areas outside of the Village Centers, having a mix of residential, office and lower intensity commercial uses.

Kincaid said this request is to rezone the vacant subject parcel with approximately 8.85 +/- acres from C-2, Shopping Center Business, to C-3, General Business.

Kincaid advised 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:

- **A C-3 rezoning is generally consistent with the Township Master Plan goals and policies.**
- **With frontage on two busy roadways and a high traffic location, the car-dependent uses allowed in the C-3 zoning classification would be appropriate for this property.**
- **It is supported by adequate utility infrastructure.**
- **While the three other intersection corners are now zoned C-3 at this intersection, the property's larger size may be more appealing for certain types of uses permitted in the C-3 district than the other nearby parcels.**
- **The uses that may be more objectionable at this location are allowed by special approval, which provides an opportunity for the Planning Commission and Township Board to impose reasonable conditions to alleviate any potential impact on surrounding properties. Reasonable conditions such as increased landscaping or screening, reduced hours of operation, or similar mitigation measures could be imposed when considering the special approval request.**

Kincaid informed that it should be noted that all uses within the C-2 and C-1 zoning districts are also permitted within the C-3 zoning district if the conditions and/or stipulations of ordinance requirements can be obtained.

Mahoney informed the applicant the Planning Commission was two members short, offering the option to defer to a later date when all members could be present. Mr. Keaton inquired on clarification. Mr. Kamprath advised, as the Commission is two members short, the applicant has an option to defer to the next meeting or move forward with a decision. Mr. Kamprath informed the applicant's representative this is a recommendation to the Township Board, further stating the Township Board will make the final determination. Mr. Keaton opted to move forward as scheduled.

Garrett Keaton-Attorney-Representative for the applicant -Mr. Keaton commended Ms. Fortin from MSG on the review analysis supporting the request. Mr. Keaton voiced opinion the request would bring the Lewis and Smith corner in conformity as all corners would be C-3 zoned parcels. Mr. Keaton stated the request would make the site more marketable.

There was no public comment.

Motion by Jenkins, supported by Angerer, to close the public hearing at 7:40 p.m. Motion carried.

Angerer agreed with Ms. Fortin's review letter. Mahoney agreed with the proposed request and stated it is a good area for investment and development. Garverick and Fritz both agreed.

MOTION BY ANGERER, SUPPORTED BY FRITZ, TO RECOMMEND TO APPROVE THE REQUEST FROM 6630 MICH LTD, FOR A REZONING REQUEST OF PARCEL NUMBER 5802-035-058-08, FROM C-2, SHOPPING CENTER, TO C-3, GENERAL COMMERCIAL, LOCATED ON THE EAST SIDE OF LEWIS AVENUE, NORTH OF SMITH ROAD, TEMPERANCE, MI. 48182 AS IT WILL BRING CONFORMITY TO THE FOUR CORNERS AND FOR THE FOLLOWING REASONS:

- *A C-3 rezoning is generally consistent with the Township Master Plan goals and policies.*
- *With frontage on two busy roadways and a high traffic location, the car-dependent uses allowed in the C-3 zoning classification would be appropriate for this property.*
- *It is supported by adequate utility infrastructure.*
- *While the three other intersection corners are now zoned C-3 at this intersection, the property's larger size may be more appealing for certain types of uses permitted in the C-3 district than the other nearby parcels.*
- *The uses that may be more objectionable at this location are allowed by special approval, which provides an opportunity for the Planning Commission and Township Board to impose reasonable conditions to alleviate any potential impact on surrounding properties. Reasonable conditions such as increased landscaping or screening, reduced hours of operation, or similar mitigation measures could be imposed when considering the special approval request.*

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

Voting Nay: None

Excused: None

Motion carried.

Kincaid advised the Commission the following analysis is for the items C, D & E, however item C is not a public hearing but is part of the proposed request for Oak Creek Holdings, LLC.

C) THE REQUEST OF OAK CREEK HOLDINGS, LLC, FOR A RE-APPROVAL OF A PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN FOR A 136-UNIT CONDOMINIUM PROJECT ON PARCEL NUMBERS 5802-022-065-13, 5802-022-053-00 & 5802-022-052-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS

Kincaid reviewed the analysis, stating this request is from Oak Creek Holdings, LLC, for Final PUD approval for a 136-unit condominium project located off Jackman Road, north of Dean Road and for a rezoning of parcel numbers 5802-022-065-13 and 5802-022-052-00 from R-3, Single Family Residential to PUD and parcel number 5802-022-053-00 from R-2A to R-3 to PUD. The +/- 45.25-acre parcel has a total of approximately 438 feet of frontage on Jackman Road, which provides one means of ingress/egress, however connection is being made to Phase I of the subject development through Foxmore Drive within the Brookwood Villas Subdivision off of Dean Road. Phase I consists of 31-units, Phase II 38-units, Phase III 17-units and Phase IV 50-units. A construction route is being provided off Jackman Road and shall be installed and maintained during construction of the site, as all construction/development access for the site shall be from Jackman Road and not through Brookwood Villas or Village at Oak Creek subdivisions off of Dean Road.

Kincaid gave some history stating the public hearing for preliminary/concept approval for the request was held where the Planning Commission recommended approval on 9/26/2018, and the preliminary/concept PUD plan was approved by the Township Board on 10/16/2018. Due to the time frame and to avoid a lapse in the one-year approval, a re-approval for preliminary/concept PUD plan was granted by the Township Board on 10/1/2019. Kincaid stated per Section 400.1703A.6, the Township Board, upon written application by the applicant, may extend the preliminary PUD plan approval for successive 12-month periods, except that no more than two such 12-month extensions may be granted. Due to the lapse in time frame and Covid-19 restrictions, a re-approval of the preliminary/concept PUD is required by ordinance.

Kincaid informed the Commission that Oak Creek Holdings, LLC is seeking an additional re-approval for the preliminary/concept PUD plan, Final PUD approval for North River Villas and Final Site Plan approval for Phase I of the project.

Kincaid stated it should be noted the Planning Department is working with the Developer, Consumers Energy and the Clerk's Department on the street lighting plan. Sidewalks are being proposed around the exterior units.

Per Section 400.1907.12 Storm Water Detention - Ponds require one deciduous shade or evergreen tree, and ten shrubs shall be planted for every 100 lineal feet of pond perimeter as measured along the top of bank elevation. However, the submitted proposed landscaping plan does not meet the requirements by ordinance. Per Section 400.1907.20 Modifications to landscape requirements states in consideration of the overall design and impact of a specific landscape plan, and in consideration of the amount of existing plant material to be retained on the site, the Planning Commission may modify the specific requirements outlined herein, provided that any such adjustment is in keeping with the intent of this Section and this Zoning Ordinance in general. It also states in determining whether a modification is appropriate, the Planning Commission may base its decision on any one or more of the listed circumstances which exist in connection with the site.

Kincaid said the developer has advised the Planning Department that the color rendering will be earth tones.

Kincaid advised a letter of approval was received from the MCRC on 12/28/20 with comments and conditions, from MCDC on 12/28/20 with comments and conditions, MSG on 1/5/2021 with comments and conditions and the Bedford Township Fire Department on 03/11/20 with comments and conditions.

Kincaid noted the following conditions shall be included in motions for approval:

- Final PUD Approval – Conditioned upon addressing all issues and concerns stated in the 1/5/2021 MSG review letter. The construction drive shall be utilized for all construction/site development for this site, and no access for construction/development purposes shall be made through Brookwood Villas and Village at Oak Creek subdivisions off of Dean Road. The special assessment district for street lighting within Phase I shall be set up through the Clerk's Department, and the PUD Agreement and Master Deed shall be submitted to the Township Attorney and Mannik and Smith Group for review and approval.
- Final Site Plan Approval for Phase I of North River Villas - shall 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.

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

Kincaid stated this request for re-approval is required by ordinance. Mr. Kamprath advised should the parcels and the PUD Plan be approved by the Township Board, the applicant will be required to go through the land division process. Kincaid noted that process is handled through the Assessing Department.

There was no further discussion on this item.

MOTION BY JENKINS, SUPPORTED BY ANGERER, TO RECOMMEND RE-APPROVAL OF A PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN FOR A 136-UNIT CONDOMINIUM PROJECT ON PARCEL NUMBERS 5802-022-065-13, 5802-022-053-00 & 5802-022-052-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS AS REQUIRED BY ORDINANCE.

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

Voting Nay: None

Excused: None

Motion carried.

Kincaid noted this request is a public hearing and informed the Commission the applicant acquired this additional parcel after the rezoning was approved for the two other parcels. Kincaid stated this parcel was included when the preliminary/concept of the project was approved.

D) OPEN THE PUBLIC HEARING REGARDING THE REQUEST OF OAK CREEK HOLDINGS, LLC, FOR A REZONING FROM R-2A, SINGLE FAMILY RESIDENTIAL TO R-3, SINGLE FAMILY RESIDENTIAL FOR A PLANNED UNIT DEVELOPMENT PLAN FOR A 136-UNIT CONDOMINIUM PROJECT TO INCLUDE PARCEL NUMBER 5802-022-053-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS, OTHERWISE KNOWN AS 8514 JACKMAN ROAD, TEMPERANCE, MI 48182

Mahoney opened the public hearing at 8:02 p.m.

Melody Carmichael-479 E. Erie Road- Ms. Carmichael spoke in opposition to the proposed development. Ms. Carmichael spoke on the increase of multiple units and becoming a financial burden on Jackman Road. Ms. Carmichael voiced opinion of the affect with increased housing and existing residents, traffic, taxes burden, use of land and increase on restrictions with increase of population. Ms. Carmichael stated the Township has moved so far away from the rural nature of the community with all the increase of development.

Dave Schmitt-Developer-Oak Creek Holdings, LLC- Mr. Schmitt stated the project has been reduced in density from the original 145-units to 136-units. Mr. Schmitt explained during the preliminary/concept approval there was discussion on increase setback on the homes located on Jackman Road and additional landscaping installed to the homes to the south within the Brookwood Subdivision. Mr. Schmitt agreed to those terms and has resubmitted a landscape plan. Mr. Schmitt advised the Commission Members the request to reduce the required landscape around the detention ponds is due to those units on the pond being more desirable. Mr. Schmitt advised there is a demand in this community for this type of development.

Ken Creighton- 8310 Twin Creek Circle- Mr. Creighton spoke on the area being within a high-water table and wondered if a hydro study had been completed. Mr. Creighton asked if the MCDC was working on the site and would the development be utilizing the existing storm drain within Brookwood and Village Oak Creek subdivisions. Mr. Creighton was concerned with flooding issues.

Gene Stock-8322 Twin Creek Circle- Mr. Stock stated he was the representative for the 45 lot owners within Brookwood & Oak Creek subdivisions who signed a petition to increase the landscaping proposed. Mr. Stock stated while the trees are being proposed, the homeowners whom signed the petition would like to see more of a barrier, such as the vinyl fencing located in the existing Summerlyn development. Mr. Stock inquired on when the trees/landscaping would be installed as the homeowners would like an instant barrier, even during the construction phase.

Motion by Angerer, supported by Jenkins, to close the public hearing at 8:16 p.m. Motion carried.

Mr. Schmitt provided clarification on the discussion from the residents that the Monroe County Drain Commission and EGLE have been heavily involved in the project. Mr. Schmitt informed that no hydrological testing had been done as there were no issues. Mr. Schmitt explained this site would not be tied into the pond within Brookwood & Oak Creek subdivisions. Discussion occurred with Commission members and Mr. Schmitt on the proposed landscaping and if any additional landscaping or fencing would be provided. Mr. Schmitt stated he would provide additional landscaping on both south sides abutting Brookwood and Oak Creek developments; however, he is not in favor of installing fencing. Garverick advised the fencing does provide an additional barrier of sound and lighting. Garverick inquired on types of landscaping. Mr. Schmitt advised he is not opposed to additional trees, even the possibility of installing on a mound, should that be approved from the neighbors. Mahoney inquired on the

requirements. Kincaid advised no barrier or buffer is required between residential abutting residential zoning districts.

Garverick stated he agrees with installing a buffer, however would not want it to become cost prohibitive for the developer. Mr. Schmitt agreed, as there is already an increase of cost installing on both sides of the developments. Mr. Schmitt again reiterated he is opposed to installing a fence. Angerer stated he is in favor of a mound and natural landscaping. Angerer stated fencing may require a responsible party for maintenance requirements. Angerer commended Mr. Schmitt for working with the neighbors on installing a buffer.

MOTION BY ANGERER, SUPPORTED BY FRITZ, TO RECOMMEND TO APPROVE THE REQUEST OF OAK CREEK HOLDINGS, LLC, FOR A REZONING FROM R-2A, SINGLE FAMILY RESIDENTIAL TO R-3, SINGLE FAMILY RESIDENTIAL FOR A PLANNED UNIT DEVELOPMENT PLAN FOR A 136-UNIT CONDOMINIUM PROJECT TO INCLUDE PARCEL NUMBER 5802-022-053-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS, OTHERWISE KNOWN AS 8514 JACKMAN ROAD, TEMPERANCE, MI 48182 AS THE PROPOSED DEVELOPMENT IS LESS DENSE THAN PREVIOUSLY SUBMITTED AND APPROVED, IT IS CONSISTANT WITH THE SURROUNDING AREA AND DESIGNED TO COMPLETE THE BROOKWOOD AND VILLAGE AT OAK CREEK SUBDIVISIONS.

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

- E) OPEN THE PUBLIC HEARING REGARDING THE REQUEST OF OAK CREEK HOLDINGS, LLC, FOR APPROVAL FOR A FINAL PUD AND REZONING FROM R-3, SINGLE FAMILY RESIDENTIAL, TO PUD, PLANNED UNIT DEVELOPMENT PLAN FOR A 136-UNIT CONDOMINIUM PROJECT AND FOR FINAL APPROVAL FOR PHASE I, ON PARCEL NUMBERS 5802-022-065-13, 5802-022-053-00 & 5802-022-052-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS**

Mahoney opened the public hearing at 8:29 p.m.

Kincaid stated this is a continuation of the previous analysis discussion.

Gail Keane-1056 W. Temperance-Ms. Keane asked on where the public could obtain access to the overall plan. Ms. Keane inquired if Phase 3 of the plan would be developed last. Ms. Keane spoke against the additional access off Jackman Road as there is connection through Brookwood Subdivision and existing entrances though Brookwood and Village at Oak Creek subdivisions. Ms. Keane agreed with Angerer in not installing fencing as a buffer, as it could become a maintenance nightmare and whose property the fence is located on in the future. Ms. Keane agreed with maintaining a natural buffer to try and preserve the rural nature of the community as much as possible. Ms. Keane voiced opinion on a huge negative impact this development will have with an access directly across from the school, church and library. Ms. Keane again reiterated access should be from Dean Road.

Gene Stock-8322 Twin Creek Circle- Mr. Stock wanted to meet with a representative of the people abutting along the new PUD to discuss the landscaping proposed further with the developer.

Motion by Angerer, supported by Fritz, to close the public hearing at 8:36 p.m. Motion carried.

Mr. Schmitt stated he is willing to work with Mr. Stock and the neighbors to amend the landscaping plan to discuss and provide for the needs of both developments. Angerer requested to the Commission Members to recommend to

approve the landscaping as proposed and allow Mr. Schmitt and Mr. Stock time before the request is presented for approval to the Township Board to work on an amended landscape plan. Commission Members agreed.

There was no further discussion.

MOTION BY JENKINS, SUPPORTED BY FRITZ, TO RECOMMEND TO APPROVE THE REQUEST OF OAK CREEK HOLDINGS, LLC, FOR APPROVAL FOR A REZONING FROM R-3, SINGLE FAMILY RESIDENTIAL, TO PUD, PLANNED UNIT DEVELOPMENT PLAN FOR A 136-UNIT CONDOMINIUM PROJECT, ON PARCEL NUMBERS 5802-022-065-13, 5802-022-053-00 & 5802-022-052-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS.

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

MOTION BY ANGERER, SUPPORTED BY JENKINS, TO RECOMMEND TO APPROVE THE REQUEST OF OAK CREEK HOLDINGS, LLC, FOR APPROVAL FOR A FINAL PUD, FOR NORTH RIVER VILLAS PLANNED UNIT DEVELOPMENT FOR A 136-UNIT CONDOMINIUM PROJECT, ON PARCEL NUMBERS 5802-022-065-13, 5802-022-053-00 & 5802-022-052-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS CONDITIONED UPON ADDRESSING ALL ISSUES AND CONCERNS STATED IN THE 1/5/2021 MSG REVIEW LETTER, THE CONSTRUCTION DRIVE SHALL BE UTILIZED FOR ALL CONSTRUCTION/SITE DEVELOPMENT FOR THIS SITE, AND NO ACCESS FOR CONSTRUCTION/DEVELOPMENT PURPOSES SHALL BE MADE THROUGH BROOKWOOD VILLAS AND VILLAGE AT OAK CREEK SUBDIVISIONS OFF OF DEAN ROAD, THE SPECIAL ASSESSMENT DISTRICT FOR STREET LIGHTING WITHIN PHASE I SHALL BE SET UP THROUGH THE CLERK'S DEPARTMENT, AND THE PUD AGREEMENT AND MASTER DEED SHALL BE SUBMITTED TO THE TOWNSHIP ATTORNEY AND MANNIK AND SMITH GROUP FOR REVIEW AND APPROVAL, THE DENSITY WAS REDUCED FROM THE PRELIMINARY/CONCEPTUAL APPROVAL, APPROVAL OF THE SUBMITTED LANDSCAPING PLAN; SUBJECT TO THE APPLICANT WORKING WITH BROOKWOOD/VILLAGE AT OAK CREEK SUBDIVISIONS ON AN AMENDED LANDSCAPE PLAN TO BE SUBMITTED AND APPROVED BY THE TOWNSHIP BOARD, APPLICANT SUBMIT APPLICATION FOR A LAND DIVISION TO COMBINE THE THREE SUBJECT PARCELS, AND APPROVE THE LANDSCAPE PLAN AS SUBMITTED FOR THE DETENTION PONDS DUE TO THE AREA IS HEAVILY WOODED AND THE AREA RUNS THE DITCH LINE THROUGH THE PROPERTY.

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

MOTION BY ANGERER, SUPPORTED BY JENKINS, TO APPROVE THE REQUEST OF OAK CREEK HOLDINGS, LLC, FOR FINAL APPROVAL FOR PHASE I, FOR NORTH RIVER VILLAS, ON PARCEL NUMBERS 5802-022-065-13, 5802-022-053-00 & 5802-022-052-00, LOCATED ON JACKMAN ROAD BETWEEN DEAN AND TEMPERANCE ROADS CONDITIONED UPON APPROVAL FROM THE TOWNSHIP BOARD FOR FINAL PUD, APPLICANT AND BROOKWOOD/VILLAGE AT OAK CREEK SUBDIVISIONS SUBMIT AN AMENDED LANDSCAPE PLAN TO BE APPROVED BY THE TOWNSHIP BOARD AND ALL SHALL 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.

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

Voting Nay: None

Excused: None

Motion carried.

PUBLIC COMMENT –

Gene Stock-8322 Twin Creek Circle-Mr. Stock thanked the Planning Commission for listening and taking into consideration the residents' concerns. Mr. Stock agreed to meet with Mr. Schmitt and felt that working together there would be a resolution on the details for the landscaping. Mr. Stock voiced opinion that it could and would be handled before the items went before the Township Board. Mr. Stock spoke on the requirements for meetings and public hearings. Mr. Stock read aloud his email to the Township Board on working with other options to inform the public of items on all Board/Commission agendas.

INFORMATION – Kincaid advised at this time there are no items scheduled for the January 27, 2021 meeting agenda.

COMMISSION / STAFF COMMENT – None

ADJOURNMENT –

The meeting was duly adjourned at 9:08 p.m.

Respectfully submitted,

Jodie L. Rector, Recording Secretary