

BRIDGEPORT CHARTER TOWNSHIP PLANNING COMMISSION
Regular Meeting
Monday, July 26, 2004 - 7:00 p.m.
Governmental Center - 6206 Dixie Highway

The pledge to the U.S. Flag was led by Chairperson Tate

I. THE MEETING WAS CALLED TO ORDER at 7:01 p.m. by Chairperson Tate.

II. ROLL CALL was taken by Code Administrator King.

Present: Chairperson M. Tate, Vice-Chairperson F. Housner, Commissioners: J. Bennett,
P. DeSander, W. Fairchild, T. Gerken, H. Langschwager, E. Stone
Absent: Secretary Antku, Commissioners:

Also, present: Code Administrator King, and approximately fourteen people in attendance.

III. APPROVAL OF MINUTES of the June 28, 2004, Regular Meeting of the Bridgeport Charter Township Planning Commission.

MOTION by Langschwager, seconded by Fairchild to approve the minutes of the June 28, 2004, Regular Meeting of the Bridgeport Charter Township Planning Commission as presented.

Ayes: 8 Nays: 0 Absent: 1 Motion Carried.

IV. AGENDA

MOTION by Langschwager, seconded by DeSander to approve the agenda as presented.

Ayes: 8 Nays: 0 Absent: 1 Motion Carried.

V. SPECIAL ORDERS & SCHEDULED PUBLIC HEARINGS

- A. *Public Hearing rezoning application 04-02RZ from John Rapanos for property known as 5150 Washington and 5200 Washington from a Residential RR and Business B-2 Districts to a Residential R-1 District.*

MOTION by DeSander, seconded by Gerken to Open Public Hearing for rezoning application 04-02RZ for property known at 5150 and 5200 Washington Road to change zoning from a Residential RR District to a Business B-2 District..

Tate read aloud the Hearing Procedures Rules.

King read aloud rezoning application 04-02RZ from John Rapanos for property known as 5150 Washington and 5200 Washington from a Residential RR and Business B-2 Districts to a Residential R-1 District.

Tate now asked that those wishing to address the Commission to speak **IN FAVOR** of the zoning change to now address the Commission.

Julie Keil, 925 E. Wheeler, Midland - explained that she is representing Mr. Rapanos. Keil reviewed the history of previous rezoning attempts with the Commissioners. Keil told Commissioners that the property is currently used for agriculture but as such is not cost effective. Keil said that Mr. Rapanos has been unsuccessful in his attempt to sell the property. Keil said they would like to develop the property and are requesting a higher density to make the project viable. Keil said the higher density should be appropriate in that there are apartment buildings further down the street and she believes that Residential R-1 zoning district is appropriate.

Tate now asked that those wishing to address the Commission to speak **IN OPPOSITION** of the zoning change to now address the Commission.

Adolf Hoffman, 5135 S. Washington, told Commissioners that this is the third time Rapanos has asked for rezoning. Hoffman said that this is a quiet neighborhood and they would like to keep it that way. Hoffman asked what Rapanos wanted to do on the property? Hoffman said if it is modular housing they don't want it.

Mrs. Zeimer, of 5220 S. Washington, said that they have lived here for 14 years and that they own a 7 acre parcel. Zeimer was concerned that what Rapanos does on the property may bring more children in the area. Zeimer asked what kind of problems are going to come with 50 or 100 additional families? Zeimer said if that happens they will look elsewhere. Zeimer said this is a good neighborhood and they are happy to keep it the way it is.

Antku entered the meeting at 7:17 p.m.

Mr. Barnett, of 5121 S. Washington, asked what Rapanos was going to put in. (Tate responded that R-1 allows single family homes on an 8,000 square foot lot). Barnett responded that we are against it. The property is near the sewer plant which smells. Barnett said at times he can smell it at his house. Those people are going to be close to the plant, How are they going to like the smell? Barnett said that because it is near the sewer plant the only people they can sell to are going to be low income people. Barnett says that no one knows what Rapanos is going to build there? Barnett asked the Commissioners if they would want this development in their back yard?

Laura Schroeder, of 5 West Bridge Court, told Commissioners that she was concerned and asked if (A) the houses would be on foundations and (B) is this in the flood plain. Schroeder said that something would have to be done with the traffic on Washington which is already dangerous and that there will be a lot of children walking to school. Schroeder said that if this is in the floodplain the people will up and leave the houses once they experience a flood and will reduce the value of their property.

Tate asked King about the foundation and floodplain. King responded that in an R-1 District the homes are required to be a minimum of a thousand (1000) square feet which requires a foundation per the Michigan Building Code. King said that a home can be built in a floodplain area provided it meets flood mitigation requirements of the code, which would be very costly. King said that approximately 15 acres are in the floodplain.

Tate now asked for any rebuttal comments to now be made to the Commission.

Julie Keil, 925 E. Wheeler, Midland, told Commissioners that this is a different request than before, and they are requesting a different zoning classification. Keil said they would have to meet the requirements of the zoning classification. Keil said that they do not have specific plans as to how to develop the property and does not know if any project would be for higher or lower income people. Keil said that Mr. Rapanos has owned the land for 28 years and has a right to develop it. Keil said any development would improve the tax base.

Tate asked if there was any correspondence regarding the matter that should be enter into the record.

King responded that no correspondence regarding this application has been received prior or during the meeting.

King gave administrators report. Kings said the property is approximately 90 acres which is all undeveloped. There is water and sewer available. King said a check with the Road Commission indicates that Washington Road is designed to handle the increased traffic. King read from page 4-3 of the Master Plan regarding Residential Development that *Acceptable residential densities associated with any proposed development and/or rezoning, including mobile home parks and multiple family dwellings, should be determined based upon the consideration of a number of factors, including, but not limited to:*

- *available infrastructure and public services to meet the demands of the project.*
- *surrounding land uses and densities, and the protection of property values.*
- *the planned future land use pattern for the area*

- *local development trends*
- *site characteristics, including topography, sensitive environmental resources, and soil conditions*
- *surrounding vehicular circulation patterns and the ability to accommodate the heightened traffic demands.*

MOTION by Langschwager, seconded by Bennett to Close Public Hearing for rezoning application 04-02RZ.
 Ayes: 9 Nays: 0 Absent: 0 Motion Carried. Public Hearing Closed 7:26 p.m.

VI. PUBLIC APPEARANCE BEFORE THE PLANNING COMMISSION - NON-AGENDA ITEMS

A question regarding abandoned and dilapidated buildings and a concern about a neighbors trees were referred to the Township Board and Code Administrators office respectively.

VII. CORRESPONDENCE & COMMUNICATIONS - NONE

VIII. NEW BUSINESS - NONE

IX. COMMITTEE REPORTS - No committee reports.

X. OLD BUSINESS

- A. *Rezoning application 04-02RZ from John Rapanos for property known as 5150 Washington and 5200 Washington from a Residential RR and Business B-2 Districts to a Residential R-1 District.*

Commissioners discussed traffic impact and expressed concern about the intermixing of truck and auto traffic on Marlea drive. Commissioners also discussed concerns about the surrounding a business and industrial area with single family dwellings. Some of the problems foreseen in addition to traffic would be noise, odor and the potential strangulation of business and industry in the area due to the limited access of Marlea Drive , which would require truck and worker traffic to enter and leave through a residential neighborhood.

MOTION by Langschwager, seconded by Bennett that the existing Rapanos property currently zoned as General Business (B-2) remain as General Business (B-2) for the following reasons:

- Would present a negative impact on existing business/industrial uses in the area
- Traffic pattern of entering and leaving the business/industry area through a residential area would present a hazard to residents and workers in the area.
- Intermixing of passenger vehicles with delivery trucks could be dangerous

Fairchild - Yes Bennett - Yes Langschwager - Yes DeSander - Yes Housner - Yes Stone - Yes
 Antku - Yes Gerken - Yes
 Ayes: 9 Nays: 0 Absent: 0 Motion Carried

MOTION by Bennett, seconded by Langschwager to change the zoning for the parcel identified as 09-11-5-17-1002-000 that is currently zoned a Rural Residential (RR) District to a Low Density Urban Residential (R-1) District for the following reasons:

- adequate infrastructure available
- the area to the North of the property already allows for a density equal to or greater then the request.

DeSander - Yes Langschwager - Yes Bennett - Yes Fairchild - No Gerken - No Antku - No
 Stone - Yes Housner - Yes Tate - Yes
 Ayes: 6 Nays: 3 Absent: 0 Motion Carried

XI. COMMENTS

- A. Public Participation - None
 B. Minutes of Other Boards & Commissions - No comments

C. Zoning Officer - No comments

D. Planning Commissioners - Antku asked about the plans for Fort Road repair.

Fire Chief Nelson said the county is seeks funds from the State because the damage was a result of recent flooding.

Tate asked about the status of the repairs for the Marathon Station at the corner of King and Williamson.

King said the Township has taken legal action to get area cleaned up and the building restored.

Tate voiced his frustration, concern and confusion as to want the Township wants. Tate said that recent zoning change requests have been turned down by the Township Board. Tate said it does not seem to matter what is been asked for a number of people are always against it.

XII. ADJOURNMENT

MOTION by Langschwager, seconded by Antku to adjourn.

Ayes: 9 Nays: 0 Absent: 0

Motion Carried meeting adjourned at 8:20 p.m.

Respectfully submitted,
Lawrence King,
Recording Secretary

Approved: _____
Jamie Antku, Secretary
Bridgeport Charter Township
Planning Commission