

**Charter Township of Bangor  
PLANNING COMMISSION  
MINUTES OF JUNE 25, 2014 MEETING**

A regular meeting of the Charter Township of Bangor Planning Commission was held on the 25<sup>th</sup> day of June 2014 in the Township Administration Building of Bangor Township, 180 State Park Drive, Bay City, Michigan, pursuant to notice of said meeting.

MEMBERS PRESENT: Dick Bishop, Ed Davis, Ed LaPlant, Mike Nielsen, Mark Norton, Bill Schubert, Tom Washabaugh

MEMBERS ABSENT: None

At 6:00 p.m., Mr. Schubert called the meeting to order. The Pledge of Allegiance was recited.

**The first item on the agenda was approval of the May 28, 2014 regular meeting minutes.** *Mr. Norton moved to approve the minutes as written. Mr. Davis seconded the motion. Seven (7) ayes, no (0) nays. The motion passed.*

**The next item on the agenda was a request for Special Exception Use Permit/Site Plan approval for TVC Construction Services for property at 101 N. Euclid (09010L2000600700) specifically for a drive-in establishment for the retail delivery of products to customers in automobiles where that type of drive-in establishment is not otherwise specifically included in the ordinance. 12.03C**

The DWS wrote they take no exception to the site plan. Installation of the new water main on the East side of N. Columbian Street as well as the water and sanitary sewer service leads will need to comply with the Bay County Department of Water and Sewer Standard Specifications for Construction.

The Fire Department takes no exception to the request.

Jim Lillo from the Bay County Road Commission wrote with regard to the TVC Construction Services for property at 101 North Euclid, they have no objection to the petition. They have had several conversations with TVC Construction Services and continue to work with them to resolve any issues along Midland Road and N. Columbian Street with regard to access and parking associated with this development. The variances described, they believe, are covered under the Township's ordinances and they do not have jurisdiction.

MDOT would like a signed shared access agreement required by the Twp.; the area of road to be impacted should be made rectangular, details for the new walk for ADA compliance. This has all been sent back to the applicant and they have not seen any changes at this time.

Rich Sheppard, attorney from Smith and Broker, and John Bauman were in attendance. Mr. Sheppard explained a meeting was held with the residents within 300' of the property to explain the project. Five variances were requested and approved by the Zoning Board of Appeals. The adjacent property owners along Columbian were approached regarding shielding their properties from lights and noise. Mr. Sheppard added the Texan currently did not have curbs. They will be improving the area by putting in curb and gutter and designating ingress and egress.

Mr. Sheppard stated the Bay County Road Commission approved the on street parking along Columbian. Water and sewer standards will be met. All the setbacks and proposed landscaping were approved. The property is unique and has three front yards.

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Mr. Sheppard explained MDOT wanted the Township to force a shared access agreement between CVS and the Linden Hof property. There is a two lane opening proposed through the properties. The owners of the property are not interested in signing any easements/agreements at this time. Mr. Sheppard stated they approached the owners of the Linden Hof property and the restaurant owners regarding this issue.

Mr. Nielsen asked what variances were requested. Mr. Sheppard explained they asked for a parking setback variance along N. Euclid Ave. of 7.5' to be 7.5'; a variance of 7.5' to be 7.5' for the landscaping planting strip adjacent to N. Euclid; a 3.5' parking setback variance to be 11.5' along W. Midland Road; a front yard setback variance of 25' to be 15' along N. Columbian St.; and a variance of 35' to be 15' for a screen/buffer along N. Columbian St.

There was no one in the audience for or against the request.

Mr. Norton asked if there would be a hydrant on the north end of the property. Mr. Bauman stated there would be. He added new waterlines would be run. The hydrant will be added to the drawing.

Mr. Bishop had concerns about the storm sewer in the northwest area being problem. Mr. Bauman stated everything would be brought up to grade.

Mr. Nielsen had concerns regarding the 18' parking spaces. 20' is required. Different options were discussed to get the 20'.

Mr. Nielsen asked for details regarding the pylon sign. Mr. Bauman stated he did not have the plans but it would be 20' high.

More discussion took place on the parking spaces. Sidewalk width could be reduced to give more length. Mr. Norton asked if the sidewalk along Midland and Euclid could be moved away from the curb. Mr. Bauman stated it could not because the green area would be too difficult to maintain. Mr. Nielsen asked if the sidewalk would meet ADA requirements at the corners and curbs. Mr. Bauman stated they would meet ADA requirements.

Mr. Nielsen asked what type of enclosure would be used for the dumpster. Mr. Bauman stated it would be brick with a chain link gate.

Mr. Washabaugh explained if the parking spaces were changed, the 24' lane would no longer line up with the island. The island may have to be shifted. Turn radii were discussed.

Mr. Nielsen brought up a concern on the tree height along Euclid. He wanted to make sure there would be clear vision. Mr. Bauman stated everything would meet requirements.

A discussion took place on the barrier to the north. There is no agreement with the neighbor at this time.

*Mr. Schubert moved to approve the request for Special Exception Use Permit/Site Plan approval for TVC Construction Services for property at 101 N. Euclid (09010L2000600700) specifically for a drive-in establishment for the retail delivery of products to customers in automobiles where that type of drive-in establishment is not otherwise specifically included in the ordinance, with the stipulations the trees along Euclid will have a minimum of 6' clearance; the parking spaces will be at least 19' in depth; the island at the northeast entrance of the property will be shortened; the sidewalk along Euclid will abut the curb and all sidewalks will be ramped; a signed shared access agreement is not required, the applicant tried to get an agreement with the adjacent neighbor but they were not interested; any signage*

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*will meet Township requirements; and fire hydrants will be shown on the plan. Mr. Norton seconded the motion. Seven (7) ayes, no (0) nays. The motion passed.*

**The next item on the agenda was request for Special Exception Use Permit/Site Plan approval for Marookeh Nahikian for property at 3405 E. Midland Road (0901001920006000) specifically for adult care and child care facilities that provide care for seven (7) to twelve (12) individuals. 6.03C**

The DWS wrote they take no exception to the site plan.

The Fire Department takes no exception to the request.

Jim Lillo from the Bay County Road Commission wrote with regard to the petition for a Special Exception filed by Marookeh Nahikian for property at 3405 East Midland Road (old YWCA), they have no objection to the petition. The proposed is an addition to an existing building. They do not believe it will create a significant increase in traffic to and from the property or impact road right-of-ways under the jurisdiction of the BCRC.

Mr. Nahikian represented the request. He explained the site was the former YWCA building. They are asking to go from six to up to twelve residents for assisted living. The State application requires local jurisdiction approval. No changes will be done to the exterior of the building, only internal. Mr. Nahikian added they have to follow State guidelines. The gym will no longer be rented out so there will be less traffic.

There was no one in the audience for or against the request.

Mr. Nahikian stated there will not be child care. He explained a ramp will be installed for the new area. It will meet all State requirements. The concrete ramp will go to a secondary entrance.

Mr. Washabaugh asked if the design for the ramp will be submitted to the Township. Mr. Nahikian stated it will be done correctly.

*Mr. Norton moved to approve the request for Special Exception Use Permit/Site Plan approval for Marookeh Nahikian for property at 3405 E. Midland Road (0901001920006000) specifically for adult care facilities that provide care for seven (7) to twelve (12) individuals. Mr. Washabaugh seconded the motion. Seven (7) ayes, no (0) nays. The motion passed.*

**The last item on the agenda was the Labadie Toyota (909 N. Euclid) site plan update.** Gary Labadie represented the item. He presented information to the Board. Mr. Labadie explained he received a site plan approval extension until July 2014. The landscaping requirements were too extensive. He would like to modify what was approved to be planted on the North end of the property. He would like to have a lined walkway. MDOT is requiring them to close the center curb cut. It will be closed by the end of July. Mr. Labadie stated they just received the MDOT permit.

Mr. Nielsen asked for a summary of the project. Mr. Norton explained the property was developed prior to site plan approval. Only the north 80' is what is being referred to.

Discussion took place on how to tie the Labadie sidewalks to the Kroger sidewalks. Mr. Schubert stated when Kroger site was developed; they were required to put in sidewalks but were not told exactly where. The Labadie sidewalk plan is better.

Mr. Labadie stated he has a contractor for the work and permits from MDOT.

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Mr. Bishop asked if Mr. Labadie would be submitting a new site plan or if he would be starting the project before the current plan expired. Mr. Schubert stated the approval for the site plan cannot be extended. Mr. Labadie stated he would get the project started so the site plan approval did not expire.

Scott DeShano of DeShano Development Company approached the Commission regarding a possible development on Shrestha Drive. He is working with the Township DDA. They are proposing a minimum 22,000 square foot building with a minimum of 30 beds. A special exception use permit is required. They are asking if they can request the special exception use and do the site plan review at a later date. Mr. DeShano stated they don't want to spend the money on the engineering if they aren't allowed to do the development.

Mr. Schubert stated the proposal is a good fit in that area.

Mr. DeShano explained they have built 13 similar developments. The building would fit the area. It is a quiet facility.

The Commission was in favor of the proposal. They agreed they would review the Special Exception Use application and if approved, would postpone the site plan review.

Mr. Nielsen asked about the two site plans that were postpone in April. No information was received on either plan. If the petitioners come back, they will have to reapply.

*Having no other business before the Commission, Mr. Nielsen moved to adjourn. Mr. Davis seconded the motion. Seven (7) ayes, no (0) nays. The motion passed and the meeting was adjourned at 7:25 p.m.*

Respectfully submitted,



Barbara A. Potts  
Planning Commission Coordinator

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