

**Texas Township
Planning Commission
Minutes of Regular Meeting**

October 24, 2023 – 6:00 P.M.

Present: Michael Corfman (Chair); Larry Loeks; Kathy Buckham; Ryan Eavey; Jeff Matson; Trish Roberts; Laura Genovich (Township Attorney); Christopher Forth, AICP (Township Planning Consultant); Members of the Public.

Absent: Bart Davis.

Item 1. Call to Order

The meeting was called to order at 6:00 p.m. by Michael Corfman (Chair).

Item 2. Roll Call

Roll was taken, and Commissioner Davis was noted as absent.

Item 3. Public Comments

There were no public comments.

Item 4. Adoption of Meeting Agenda

Commissioner Loeks moved, seconded by Commissioner Matson, to approve the meeting agenda. The motion carried unanimously.

Item 5. Approval of Meeting Minutes

The Planning Commission reviewed the minutes of the October 10, 2023 workshop meeting. Commissioner Roberts proposed to amend the draft minutes as follows:

Line 67: Where the draft minutes read “in all residential districts,” it should read, “in R-1, R-2, and R-3.”

Commissioner Roberts moved, seconded by Commissioner Loeks, to approve the minutes as amended. The motion carried unanimously.

Item 6. New Business

A. Planning Commission Case #23-15 – Miller Front Yard Accessory Building

Applicant: Robert Miller

Address: 10472 South 2nd Street

Request: Review and approval of a Special Exception Use to allow an accessory building that exceeds the allowable lot coverage for the parcel.

Township Planning Consultant Christopher Forth gave a presentation summarizing the application and the planning consultant's report, both of which were included in the meeting packet.

The applicant, Mr. Miller, offered additional comments in support of his application regarding the view of the proposed accessory building from the street. He noted that the accessory building will be serviced by the same driveway and that the area was excavated when they built their home.

Commissioner Loeks moved to open the public hearing, seconded by Commissioner Matson. The motion carried unanimously.

Chair Corfman read letters into the record, all of which were in support of the application. The letters were submitted by John Polderman; Brian Lewis; Tom Alberti; Joe Juiper; and Scott and Michelle Markum.

Commissioner Loeks moved, seconded by Commissioner Matson, to close the public hearing. The motion carried unanimously.

The Commission deliberated on the application. The Commissioners discussed the fact that on GIS, the accessory building appears close to the neighbors, but based on topography and the lot size, the building likely will not be visible to neighbors. The Commissioners also noted that there would be a retaining wall.

Motion: Commissioner Roberts moved, seconded by Commissioner Loeks, to approve the Special Exception Use for an accessory building that exceeds the allowable square footage for an accessory structure. The motion was amended with consent to clarify that the building must not exceed 1,120 square feet, as detailed in the application. The motion carried unanimously.

A. Planning Commission Case #23-16 and 23-17: MIST 5 Properties

Applicant: Bosch Architecture (Steve Bosch)

Address: 7201-7299 West Q Avenue

Request: Review and Approval of (1) Special Exception Use and (2) Step 1 and Step 2 of the CBD Mixed-use Site Condominium Plan Review to construct a mixed-use site condominium development in the Corners Business District.

Commissioner Loeks disclosed a possible conflict of interest, specifically that he owns a business with Steve Bosch but has no interest in this project. No Planning Commissioners raised any issues or concerns with this. Commissioner Loeks did not recuse himself.

Township Planning Consultant Christopher Forth gave a presentation summarizing the Special Exception Use application and the planning consultant's report, both of which were included in the meeting packet. Chair Corfman also noted that the Engineer's comments and Fire Department's written review were in the packet as well.

Steve Bosch spoke on behalf of the applicant. He clarified that the project could include up to 17 buildings, although it would likely have fewer. He does not wish to be limited to seven buildings. Mr. Bosch also spoke about the vegetation and the overall nature of the mixed-use site condo project. He noted that completing all screening when the first unit is sold is onerous. He would prefer to install screening "per unit." Screening for each site should be done as it is approved.

The Planning Consultant noted that the application includes two parts – the Special Exception Use approval (which requires a public hearing), and the site plan approval (which does not). Commissioner Loeks moved, seconded by Buckham, to open the public hearing. The motion carried unanimously.

During the public hearing, Ron Berleger addressed the Planning Commission asked why a Special Exception Use permit is required for this project. Commissioner Loeks explained that Special Exception Use approval is required because it is a mixed-use site condominium, not strictly a residential development.

Commissioner Loeks moved, seconded by Matson, to close the public hearing. The motion carried unanimously.

The Commission deliberated on the application. The Commission discussed that screening can be consider as part of the Special Exception Use approval or site plan approval. Chair Corfman noted that screening is needed, but if it is put in before units are sold, it will need to be maintained by the developer (rather than unit owners). Commissioner Roberts asked whether there needs to be screening to buffer the use from the CBD properties. Commissioner Loeks noted that there is a large open space there. Mr. Bosch stated he has no objection to screening but wants to add the screening in phases.

The Commission reached a consensus that screening is necessary as part of site plan review.

Motion: Commissioner Roberts moved, seconded by Matson, to approve the Special Exception Use conditioned upon site plan approval and the preservation and improvement of a vegetation screen along the west property line, to be determined by the site plan. The motion carried unanimously.

The Planning Commission then turned to Step 1 and Step 2 site condo site plan review.

Planning Consultant Christopher Forth gave a presentation summarizing the site plan and the planning consultant's report, both of which were included in the meeting packet. The applicant is seeking both Step 1 and Step 2 approval. Step 1 is review of the preliminary design and layout, and Step 2 is review and approval of the detailed working drawings for the site improvements. The

third and final step will be the review and approval of individual site plans, which is not before the Planning Commission at this meeting.

Mr. Forth summarized the Fire Department's recommendations that certain areas on the site plan be at least graveled to support the weight of a fire truck and that the future connection to the Belle Meade project to the south also at least be graveled to support the weight of a fire truck.

The Township Engineer recommended that additional documentation be included in this submittal regarding drainage and volume of storm water flowing to Belle Meade. The Township Engineer also recommends at least three feet of cover over storm sewer pipes. There is a 100-foot compatibility zone along the west property line. The uses in the development will be low-impact, such as office uses. The applicant will comply with all building height and setback requirements. Mr. Forth noted that several elements in the plan are conceptual.

Mr. Bosch, for the applicant, made brief comments and answered questions from the Planning Commission concerning the effect of the proposed development on Belle Meade and other neighboring properties.

Mr. Bosch indicated that the exact number of residential units is unknown at this stage. Chair Corfman asked about snow removal and the possibility of carports or garages. Chair Corfman also indicated that the Planning Commission wants to ensure it will be able to approve each individual unit.

The applicant was asked how long the project would take to develop, and Mr. Bosch indicated it could be a ten-year project.

The Planning Commission discussed whether there was sufficient information (particularly concerning utilities) to issue Step 1 and Step 2 approval. Finding sufficient information, the Planning Commission decided to consider approval of Step 1 (design phase) and Step 2 (detailed drawings) separately.

Commissioner Loeks expressed concern about the pedestrian connection. A gate might be appropriate until the entire development is paved. The Planning Commission discussed possible conditions related to a gate.

Motion: A motion was made and seconded to approve Step 1. The motion carried unanimously.

The Planning Commission then addressed Step 2 approval. The Commissioners deliberated extensively on screening options with input from the applicant and access points.

Motion: Commissioner Buckham moved, seconded by Commissioner Loeks, to approve Step 2 subject to the following conditions:

1. The applicant must comply with all recommendations in the report from the Township Engineer dated October 20, 2023.
2. The applicant must provide a 40-foot wide access connector along the east side of unit 15 to the south property line that connects to Belle Meade, with the size of unit 15 being reduced accordingly.

3. The applicant must comply with all recommendations in the Fire Marshall's October 23, 2023 report.
4. The screening will be installed as each unit is developed, extending 20 feet north and south of the unit on the west property line. The applicant must inventory trees that are existing on each unit and on 20 feet on either side of the unit. The minimum dimension is six inches diameter measured 12 inches above the root ball. The existing trees will be displayed on the site plan as each unit is approved.
5. Site plan review and approval is required for each individual unit.

The motion carried unanimously.

Item 7. Old Business

None.

Item 8. Planning Commissioner Comments

Commissioner Roberts updated the Commission on recent Township Board actions, including the reinitiation of the Eagle Lake special assessment district, and the establishment of hiring committees for the Planning Director position, Zoning Administrator position, and Building Official position.

Item 8. Adjournment

There being no further business, the meeting was adjourned on a unanimous vote at approximately 8:10 p.m.