

CHARTER TOWNSHIP OF YORK  
PLANNING COMMISSION  
REGULAR MEETING  
YORK TOWNSHIP HALL  
September 24, 2007

**DRAFT**

A regular meeting of the Planning Commission of the Charter Township of York was held at 11560 Stony Creek Road on Monday, September 24, 2007. Chairperson Shearer called the meeting to order at 7:30 P.M.

MEMBERS PRESENT: Jane Kartje, Paolo Visoni, Sandy Shearer, Joan Alexander, John Hargrove, Aimee Kay, Keith Fineberg.

MEMBERS ABSENT: None

OTHERS PRESENT: Don Pennington and Rodney Nanney of Don Pennington Land Use Planning and Consulting, Michael Peterson, Nowak & Fraus, list on file.

DETERMINATION OF A QUORUM

A quorum was present.

ADOPTION OF AGENDA

Motion by Kartje, seconded by Fineberg to adopt the agenda as amended.

Motion carried: 7-0-0

APPROVAL OF MINUTES

Motion by Alexander seconded by Hargrove to approve the minutes of the September 10, 2007 regular meeting as amended, and September 15, 2007, September 22, 2007 of the special Planning Commission meetings.

Motion carried: 7-0-0

CALL TO PUBLIC

None

CORRESPONDENCE

Motion by Kartje, seconded by Visoni to accept the correspondence and place it on file.

Motion carried: 7-0-0

REPORTS

Report of Chairperson

None

Report of Township Board Representative

1. Board approved pre-payment to Garst Propane Gas, Inc. for the 007/2008 heating season.
2. Appointed Wayne Meijer as a Board Trustee.
3. Approved Fosdick Road Improvement with York Ridge & York Place Group.
4. Board is initiating a fee schedule for tap-in fees and user rates for water and sewer.

Report of Zoning Board of Appeals

None. Has not met since last Planning Commission meeting.

Report of Planning Consultant

Given under old business.

Report of Engineering Consultant

Given under old business

Report of Parks Committee Representative

None. Has not met since last Planning Commission meeting.

Report of Zoning Official

Given under old business

OLD BUSINESS

1. Revocation of Bemis Farms SUP for Ongoing Zoning Violations and failure to comply with SUP conditions-Hearing for Owner to Show Cause why PC should not revoke the permit.

Mr. Girbach, Zoning Administrator gave a presentation on the history of the property and a timeline of the Special Use Permit for Bemis Farms.

Members from the audience spoke on behalf of keeping the Bemis Farms Day Care facility operating. The consensus from the public was that they were not in favor of revoking the permit.

Mr. Andrew King, on behalf of Bemis Farms stated that their Planner has submitted plans showing changes to the Bemis Farms site plan.

Mr. Patrick Carmody, representing Bemis Farms stated that their position is that Bemis Farms is in compliance with the amount of children because the State of Michigan has approved the amount. He provided the Planning Commission with other correspondence from citizens that could not be in attendance. He described the use of the site the operation of the business and a general brief history of the Day Care Facilities.

Mr. Peter Preston, project planner gave a brief overview of the current site plan.

Chairperson Shearer, Kay and Alexander read letters of support for Bemis Farms for the record.

Motion by Fineberg, seconded by Alexander to turn the plans dated August 31, 2007 over to the consultants for review and comments.

Motion carried: 7-0-0

## 2. MAV Development, Yorktown Commons Rezoning Proposal.

Mark Melchi of MAV Development was present. He indicated that MAV Development owns a 65 acre parcel of land that has been approved for a PUD. They have recently purchased the 1.6 acre parcel, ID # S-19-11-100-001 at the southwest corner of Willis and Carpenter Roads. It is their intent to add this parcel to the 65 acre approved PUD parcel.

Mr. Melchi indicated that the process of combining the two parcels of land has begun. Mr. Melchi met with Township staff to start this process.

Mr. Melchi addressed timeline issues with regard to the overall PUD. He stated that the current approval date of the PUD is January 29, 2007 and indicated that they are aware of the eighteen month window before they are required to submit a preliminary site plan. Also he stated that they are aware that it is their responsibility to request an extension if the time requirement under the zoning

Commissioner Alexander asked about the combination of the parcels and how this would occur with regard to the re-zoning.

Mr. Melchi discussed the possible scenarios for conformity with the land combination and the zoning requirements for the PUD.

Motion by Alexander seconded by Visoni that The Charter Township of York Planning Commission has held a public hearing on September 10, 2007 and recommends to the Board of Trustees approval of the rezoning application/area plan amendment request made by Mark Melchi of MAVDevelopment for parcel #S-19-11-100-001, commonly known as 3990 E. Willis Rd., from C-3 to PUD, and recommends adding this parcel to the area plan for Yorktown Commons approved on October 9, 2006. The Planning Commission recognizes that there is an application pending to combine this parcel with parcel # S-19-11-100-002 and recommends that the combination be completed prior to the Board taking action.

It has been determined by the Charter Township of York Planning Commission that adding this parcel to the already approved area plan for Yorktown Commons will be a minor change. Adding this parcel is a minor variation in layout of the approved area plan, per section 43.10D of the Charter Township of York Zoning Ordinance.

Additionally, adding this parcel to the already approved area plan for Yorktown Commons will enhance the entire proposed development and improve the appearance of the corner at Willis and Carpenter Rds. by blending it into this development.

Per section 58.05, Findings of Fact, of the Charter Township of York Zoning Ordinance the Planning Commission finds the following in relation to the rezoning request:

- A. The requested zoning change is justified by a change in conditions since the original rezoning ordinance was adopted.
- B. There will be no precedents set by approving this rezoning petition as the property immediately to the south has already been rezoned to PUD. This parcel will become part of the proposed development of the property to the immediate south.
- C. York Township will have the ability to provide services to this site as it is located in Urban Service District #1. Other governmental agencies will also have the ability to provide services to this parcel as they have already been doing.
- D. Approval of this rezoning petition should have no negative effects on the condition and/or value of property in York Township.
- E. Approval of this rezoning application will meet the criteria set forth in the Charter Township of York Growth Management Plan as indicated for Urban Service District #1.

Roll call vote:

Fineberg – Yes

Hargrove – Yes

Visioni – Yes

Shearer – Yes

Kay – Yes

Alexander – Yes

Kartje – Yes

Motion carried: 7-0-0

Motion by Kartje, seconded Visioni to extend the Planning Commission Meeting past 10.00 p.m. to complete the agenda items.

Motion carried: 7-0-0

#### 1. ZONING AMENDMENT DISCUSSION

Commissioners deferred discussion regarding amendments to the Zoning Ordinance.

#### NEW BUSINESS

None.

#### COMMENTS FROM THE COMMISSION

Commissioner Visioni asked about the status of the Yorktown Golf Natural Features violations. Carl Girbach stated that the Township is waiting for a response from the property owner.

FINAL CALL TO PUBLIC

None.

NEXT REGULAR MEETING

October 8, 2007 at 7:30 p.m.

ADJOURNMENT

Motion by Alexander, seconded by Hargrove to adjourn the meeting at 10:07 p.m.

Motion carried: 7-0-0

Respectfully Submitted,

Aimee Kay  
Planning Commission Secretary

Proposed minutes prepared by Aimee Kay, Planning Commission member, Charter Township of York. Submitted to the Planning Commission for their review and consideration for approval at their next regularly scheduled meeting.

For additional York Township information visit our website at [www.twp-york.org](http://www.twp-york.org)