

Re-examining the ordinances

Township board
will review
zoning
requirements

By **CURTIS ZIMMERMANN**
Bedford Now

Bedford Township's new commercial zoning ordinances have been a hot political topic since the township board approved them in August.

The ordinances give specific limits on the size, look and design of commercial buildings. Township officials say they were drafted to make the township's commercial developments more attractive, but the ensuing controversy has been anything but pretty.

While there was no objection from residents the night they were approved, business owners formed the Bedford Industrial and Commercial Association (BICA) shortly afterward to vigorously protest the new ordinances.

The organization has repeatedly called for the ordinances to be repealed or amended and has publicly stated that it is looking for candidates to run for township board positions in 2004.

The ordinances, BICA members say, hinder commercial development because they make it too costly to build within the township. Another concern is the ordinances make all existing businesses legal non-conforming, which means they can't expand or rebuild their businesses — even in the case of a natural disaster — without being subjected to the new standards.

Because of the controversy, the township board is planning to re-examine the ordinances May 20. This comes after Trustee Dennis Steinman, at a recent board meeting,

questioned the process by which the ordinances were designed and ratified.

"What I'm trying to do is force the issue to get this resolved," Steinman said.

Many township officials hope to amend the ordinances. Planning Commission Chairman Tom Covrett said he hopes the commission will review suggested changes in the coming weeks to get the process started.

The township board doesn't have the authority to repeal the ordinances, and the amendment process is rather lengthy. First, the amendments have to be published twice. Second, a public hearing must be held. Then both the Bedford Township Planning Commission and the Monroe County

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6 *The biggest problem was we had no real direction and didn't know what they were looking for." — Dave Kubiske, of David Arthur Consultants*

Ordinances (cont.)

Planning Commission must make recommendations.

The township board could then vote to either approve or deny the proposed changes.

Four developers have submitted commercial building and site plans to the township since the ordinances went into effect. Though all four have been approved, the owners and developers had vastly different experiences with the process.

The first two developments to come through the system were Home Town Plaza, a new strip mall on Secor Rd., and Start's Auto Parts, which wants to build an addition to its current business on Lewis Ave.

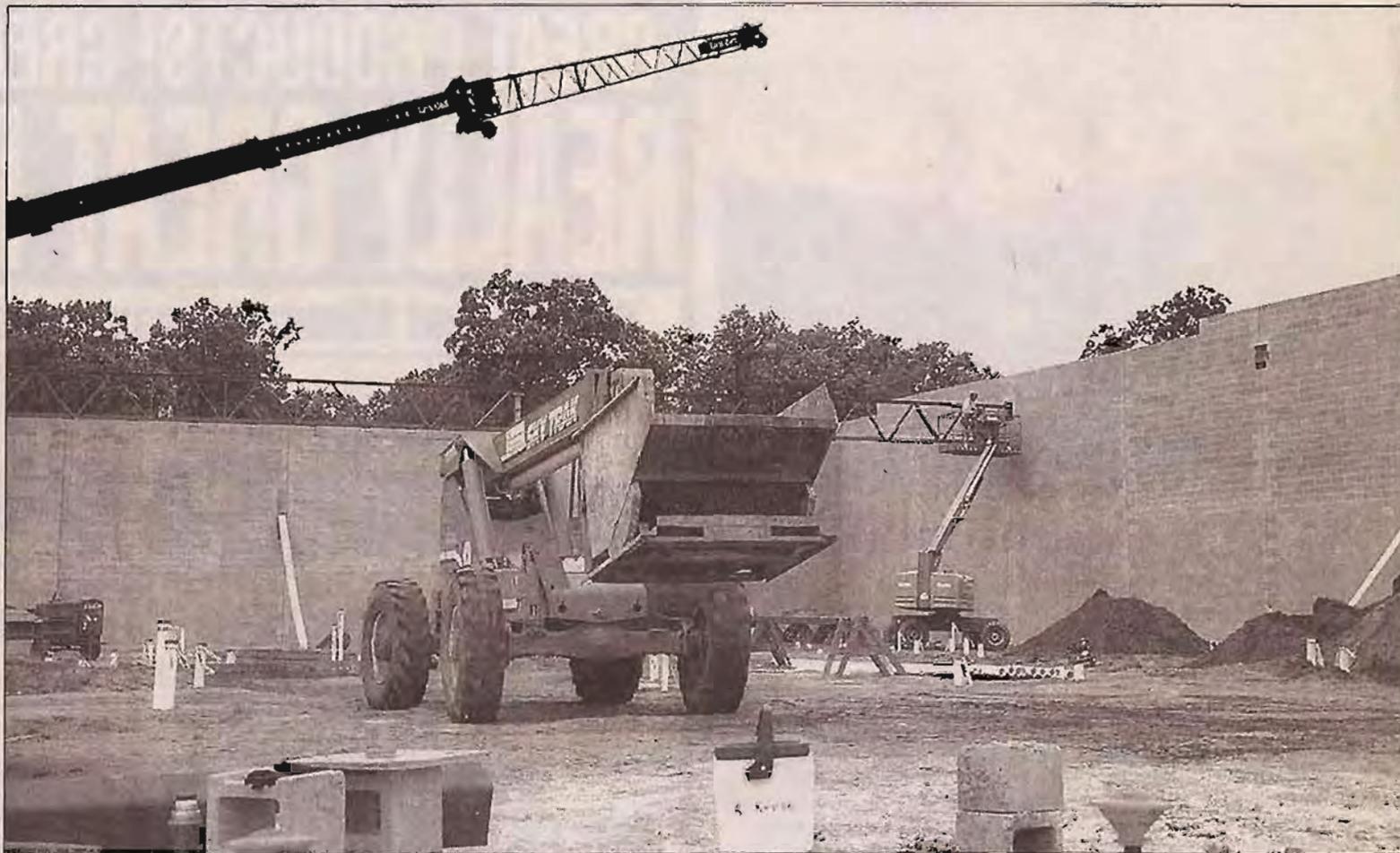
Though both were conceptualized and designed prior to the passage of the ordinances, the township determined, under the advice of legal counsel, that because the old ordinances no longer existed, the planning commission had to apply the standards of the new ones.

After three meetings, the planning commission approved, with numerous changes, the design for Home Town Plaza Oct. 23.

"We had cooperation between the planning commission and developers," said Planning Commissioner Arvind Shah.

"There was no controversy, no offensive/defensive type dealings."

Representatives from Tower Building Services declined to comment for this story. But Dave Kubiske, president of David Arthur Consultants, the firm that designed the building and site plan, said his company had many



— Bedford Now file photo

In May, 2001, prior to the new commercial zoning ordinances, the Kroger Plaza at Sterns and Secor Rds. was under construction.

were approved, Tom Start, owner of Start's Auto Parts, submitted a building and site plan to the township to expand his business, which he has operated for 27 years.

It is the only existing business to put an addition on since the ordinances were ratified.

Originally, he said he had planned to use metal for the exterior on the 5,000-square-foot addition,

your prices and pay for it." Start said he didn't think the ordinances would be as controversial if the board had inserted a grandfather clause exempting existing businesses.

"Why do you have to change the old building?" he said. "It doesn't make a whole lot of sense."

Covrett said he could understand the frustration of current business owners about this problem, and granting waivers to existing businesses

think they were very good to work with."

The most recent development to receive approval was a strip mall at Secor and Consear

Rds. owned by Arnold Jennings, a member of the township board and the plan-

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“ I think (the ordi-

problems trying to redesign the building under the new codes because they are too vague.

"The biggest problem was we had no real direction and didn't know what they were looking for," he said.

The changes, Kubiske said, forced them to alter and submit the design numerous times.

In the process, they redesigned the whole front facade and roofline, changed the type of block used on the exterior, added windows to one side of the building and put a sidewalk at the front of the property.

A week after the ordinances

nances) are right on target. I think they were very good to work with."

— **Bill Decker Jr.,**
Decker Builders

pitched, even though it will remain flat.

"To change the roof line, I don't think that's going to improve my business," he said.

Start said the additional architect and designer fees and the increased cost of building materials is \$60,000.

"These people (the township) don't realize who's paying for it," he said. "You can't raise

but he had to change it to cement blocks.

He also had to put a liner around the upper portion of both the addition and his current building to give the illusion that the roof is

waivers to existing businesses is one of the many changes the township is considering.

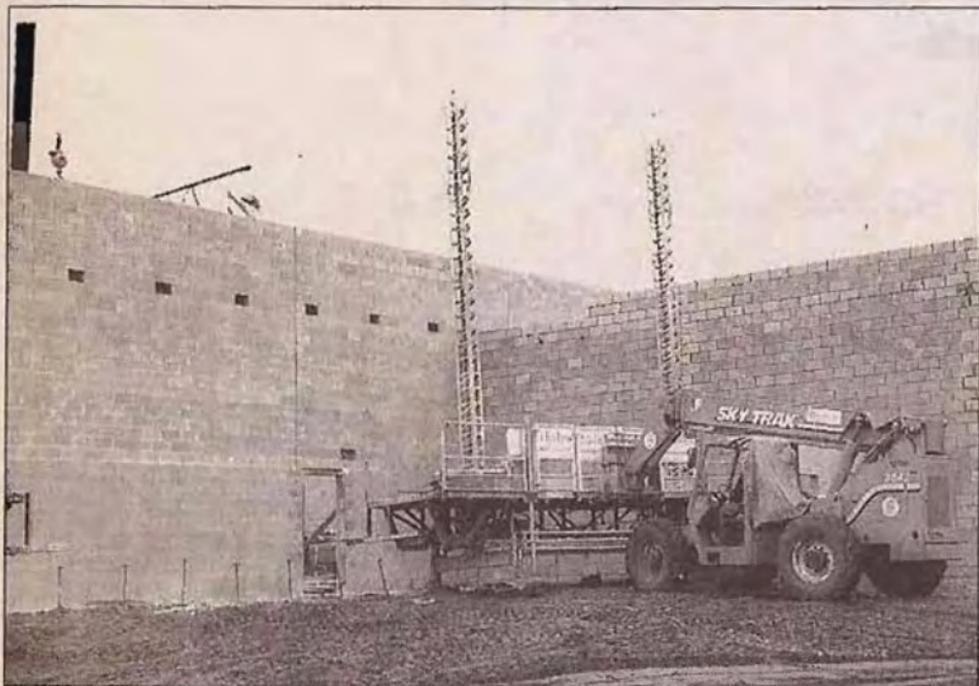
The two most recent site plans approved by the planning commission had fewer problems receiving approval.

"I think they were much more aware of what the requirements were when they were given the ordinances up front," Covrett said.

In the next few weeks, Bill Decker Jr. will begin construction on an 8,000-square-foot commercial development near Smith and Summerfield Rds. It will house a beauty salon and his offices.

Decker said the new ordinances had absolutely no effect on his site plan, his business plan or the cost of the development.

"I think (the ordinances) are right on target," he said. "I



— Bedford Now file photo

Construction crews work on the Kroger Plaza in Lambertville in this May, 2001, file photo.

Ordinances (cont.)

ning commission.

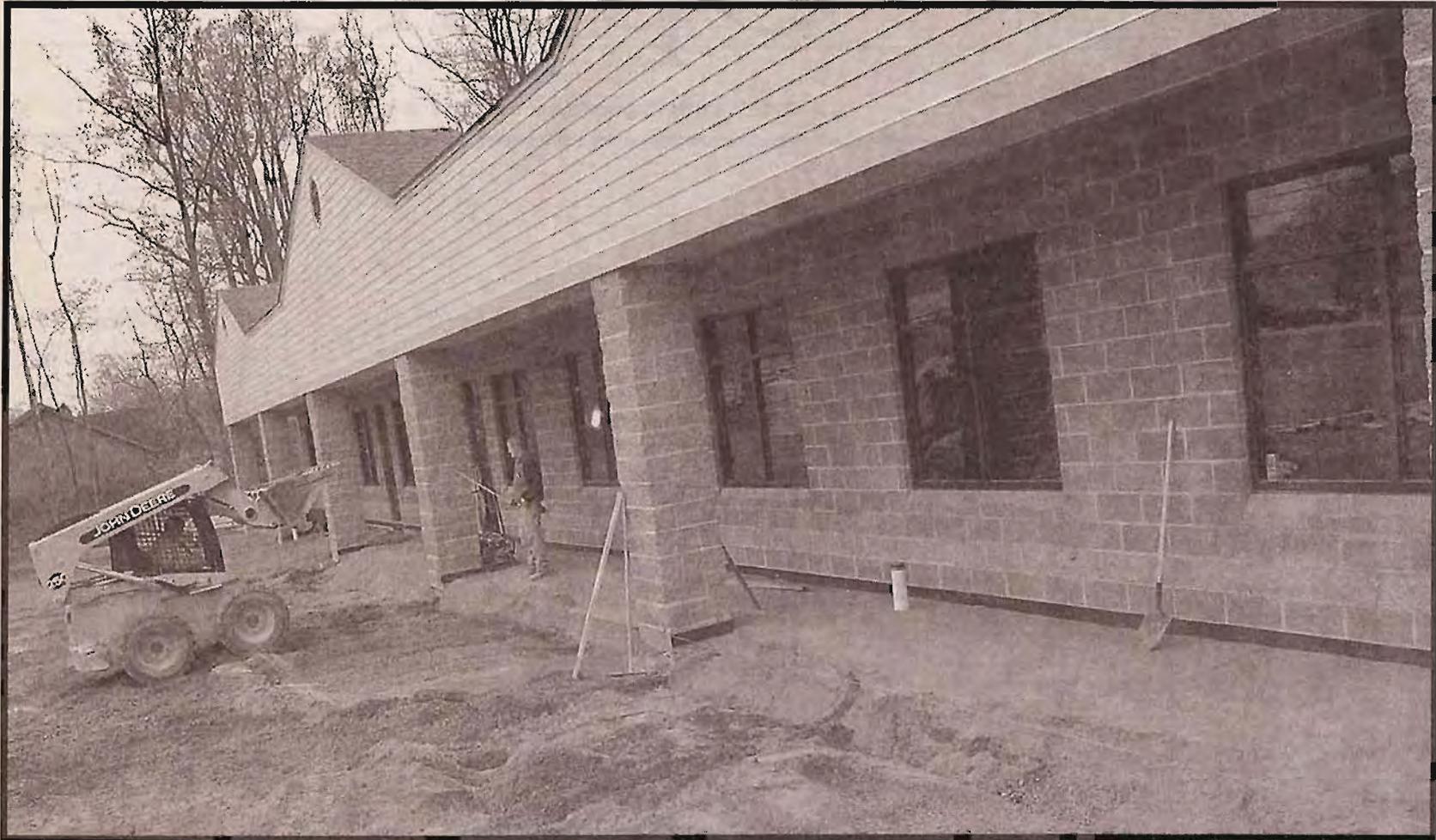
Jennings said he didn't have problems with the architectural or the lighting ordinances, but he did have to change some of the architectural landscaping to include more berms and trees at the front of the property.

The changes increased Jennings' landscaping costs from \$10,000 to \$20,000. He said one of the problems with the landscaping portion of the ordinances is it doesn't allow developers much flexibility.

"You take a lot of the creativity away from people," Jennings said.

Covrett said the commission, Decker and Jennings were able to compromise on the issue of landscaping. For example, instead of putting trees around his dumpster, Decker has to build a fence so it can't be seen from adjacent yards.

As businesses keep going through the process, many township officials continue to insist the ordinances are works in progress, but even when revisions get made, it will take some time to get all of the issues resolved.



— Bedford Now photo by NANCY CHORZEMPA

Construction is nearing completion at a strip mall on Secor Rd. next to Sidelines in Larrbertville.