

*Coff*

December 17, 2006

Mr. Walt Wilburn, Supervisor  
Bedford Township, Michigan  
8100 Jackman Rd.  
Temperance, MI 48182

We, the board members of Bedford Watch, and the people we represent, are requesting a cap on the size of any commercial/retail building in Bedford Township. Building size not to exceed 75,000 sq. ft.

We are also requesting an emergency meeting with the Planning Commission and Township Board members and trustees to discuss this issue. We would like to meet on any of the following dates; Dec. 26, 27,28 or 29<sup>th</sup>, 2006.

We are looking forward to a reply by December 22, 2006

Respectfully,  
Bedford Watch

Dennis and Cheri Rabb      847-0368  
7574 Indian Rd.

Doug Bermick      847-4747  
1031 Birchwood Dr.

Kevin and Lisa Tracy      847-8702  
7498 Indian Rd.

Judy Frankowski      847-6878  
1115 Ashland Dr.

cc: Mr. Dennis Jenkins  
    Mr. Duane Tucker

cc: Mr. Bob Schockman-Clerk  
    Ms. Sherri Meyer-Treasurer  
    Mr. Larry O'Dell-Trustee  
    Mr. Paul Francis-Trustee  
    Mr. Rick Steiner-Trustee  
    Mr. Dennis Steinman-Trustee

Planning Commission  
Mr. Tom Covrett-Chairman  
Mr. Rollie Abel-Vice Chairman  
Mr. Tom Zdybek-Secretary

Mr. Dale Hinkleman  
Mr. Tom Peitz  
Mr. Mike Bassinger

**Dennis Jenkins**

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**From:** Young, Adam [AYOUNG@WadeTrim.com]  
**Sent:** Wednesday, November 18, 2009 3:57 PM  
**To:** Dennis Jenkins  
**Cc:** Tom Graham  
**Subject:** RE: zoning draft 2009 revised

Dennis,

There are a couple items that I find troublesome. Although the practice of limiting the size of an individual building has been done elsewhere, I do not know what the basis is for the particular maximums. Why 23,000 square feet but not 27,000 square feet? It would be prudent to first study and refer to tested codes, standards and publications and gather citizen/stakeholder input on the issue. With regard to the proposed change to the building coverage calculation, I have never seen an Ordinance that uses such a method (were landscaping, parking, easements, open spaces and "other requirements" are excluded from the calculation). First, "other requirements" needs to be better defined. Second, the language is too cumbersome... why not just increase the maximum building coverage from 25% to 35% (not that I'm saying we should without a rational basis and careful study)? Finally, if Dennis's assessment is correct, we do not want to adopt an amendment that would result in the creation of a significant number of non-conforming buildings in the Township.

My above comments are initial reactions to the proposed amendment. I would be happy to conduct a more detailed study and provide an official opinion. Let me know-



**Adam Young**, AICP, Community Planner  
500 Griswold, Suite 2500, Detroit, MI 48226  
313.961.3650 office | 313.961.0898 fax

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11/18/2009



# WADE TRIM

January 11, 2010

## RECEIVED

JAN 11 2010

Bedford Township  
8100 Jackman Road  
P.O. Box H  
Temperance, MI 48182-9423

BEDFORD TOWNSHIP  
PLANNING DEPT.

Attention: Mr. Dennis Jenkins, Community Development and Planning Coordinator

**Re: Proposed Building Dimensions Amendment Opinion Letter  
Wade Trim Job No. BED 6266-10T, Phase 700**

Dear Mr. Jenkins:

You have requested that we conduct an analysis and provide our opinion of a proposed amendment to the Bedford Township Zoning Ordinance that would add/modify building dimension requirements within the PBO, PBO-1, C-1, C-2, and C-3 Districts. We are pleased to respond to this request.

Currently, the Bedford Township Zoning Ordinance includes an identical provision under "site development standards" in the PBO, PBO-1, C-1, C-2, and C-3 Districts as follows:

*C. Building and unit dimensions.*

*1. All buildings and structures, when considered collectively as a whole, shall not exceed an area greater than 25 percent of the net parcel area. Net parcel area is defined as the gross parcel area minus the road right-of-way area.*

Specifically, for each district, the proposed amendment would modify the above subsection by:

- Adding a maximum building size limitation (ranging from 17,000 square feet to 75,000 square feet depending on the district);
- Keeping the 25 percent maximum building coverage requirement but modifying the definition of net parcel area to be defined as "the gross parcel area minus the road right-of-way, any and all required open space accommodations, parking surfaces, and easements and utility rights of way, and other requirements of this Ordinance"; and,
- Adding a limitation on the number of building stories permitted (ranging from one story to three stories depending on the district).

Wade Trim Associates, Inc.	313.961.3650
500 Griswold Avenue	313.961.0898 fax
Suite 2500	www.wadetrim.com
Detroit, MI 48226	

After reviewing the proposed building dimension Zoning Ordinance amendment, we have several concerns, as follows:

1. With regard to the maximum building size limitations, we are not familiar with the basis for the particular size limitations proposed in each District. For example, are the size limitations based on those found in surrounding communities for similar districts or are they based on research on typical building sizes within Bedford Township? Although the practice of limiting the size of buildings within a district may be appropriate, such district limitations must be based on sound research, established standards, and citizen input.

As a means to test one of the proposed building size maximums (the 25,000 square foot maximum proposed for the C-1 District), we reviewed the sizes of numerous existing buildings zoned C-1 District within Bedford Township. This analysis was done an examination of the Bedford Township Zoning Map, interpretation of 2005 aerial photos, and GIS measurements. Although most of the buildings we measured were smaller than 25,000 square feet, we found two existing buildings zoned C-1 District that were larger than 25,000 square feet: the Food Town supermarket located on Lewis Avenue (approximately 26,500 square feet) and a strip mall located at the northeast corner of Secor Road and Erin Court (approximately 27,000 square feet). This may be an indication that the proposed size limitation for the C-1 District should be increased. Prior to the adoption of the proposed amendment, we suggest that similar research be done for the proposed building size limitations within the other affected zoning districts.

2. Our second concern is in regard to the revised definition of "net parcel area" as it relates to the calculation of maximum building coverage. In our experience representing other communities, we have not come across such a definition for net parcel area, where parking surfaces, required open spaces, easements, and other Ordinance requirements are excluded. First, the language is very general and it is unclear to us what would fall into the "other requirements" definition. For example, would the minimum required yard setback areas be included within the "other requirements of this Ordinance" definition? Second, we believe that the proposed definition for net parcel area as it relates to the calculation of building coverage would create a significant number of non-conforming properties and severely constrain future development within the Township.

Through an examination of the Bedford Township Zoning Map, interpretation of 2005 aerial photos and GIS measurements, we tested the proposed building coverage language on an actual site in Bedford Township: the Valvoline Instant Oil Change/Car Wash located at 7326 Secor Road. This site was chosen because it represents a typical commercial use on a primary road in Bedford Township. Zoned C-3 District, the site has a gross parcel area of approximately 43,100 square feet and features an approximately 6,250 square foot building. The portion of the site within the Secor Road right-of-way accounts for

approximately 4,000 square feet, while the existing parking lot accounts for approximately 23,500 square feet. Based on the current definition for net parcel area, the building coverage stands at approximately 16 percent, which conforms to the current Ordinance requirement. However, if the net parcel area definition is

modified as proposed, the existing building coverage would increase to approximately 40 percent. It is possible that the existing building coverage percentage would be even higher depending on whether any easements existed on the property and if any "other requirements of the Ordinance" are excluded. Thus, if the proposed amendment were adopted, the site would be made nonconforming. Although this is only one example, we expect similar results for numerous sites throughout the Township.

3. Finally, with regard to the proposed building story limitations, we do not feel that such language is necessary given that a maximum height limitation is already included in the Zoning Ordinance for every district in the Township. Currently, the maximum building height for the PBO, PBO-1 and C-1 Districts is 30 feet while the maximum building height for the C-2 and C-3 Districts is 40 feet (see Article XVIII, Schedule of Regulations). The proposed language would limit buildings in the PBO and PBO-1 Districts to three stories; C-1 District to two stories; and C-2 and C-3 Districts to one story. Given that one story is typically equal to 15 feet in height, the proposed building story limitations would conflict with the existing maximum building height requirements of the Zoning Ordinance.

In conclusion, based on the findings above, we do not recommend that the Township adopt the proposed building dimensions Zoning Ordinance amendment. Rather, we believe that modifications to the language are necessary after further study. Please feel free to contact our office if you have any questions regarding this opinion.

Very truly yours,

Wade Trim Associates, Inc.

  
Adam C. Young, AICP  
Community Planner

ACY: Imp  
BED6266-10D  
PW/Taylor/BED 6266/10D/Docs/Building Dimensions Amendment Opinion.Letter 01-11-10 Final.doc