

**SAGINAW CHARTER TOWNSHIP PLANNING COMMISSION  
SAGINAW CHARTER TOWNSHIP HALL  
NOVEMBER 5, 2014**

Members Present

B. Gombar  
B. Nelson  
M. Peterson  
P. Brucker  
J. Howell  
J. Egbert  
C. Nolan

Members Absent

Others Present

B. Smith, Planner  
M. Mahlberg, Attorney  
C. Edlinger, Recording Secretary

Mr. Brucker called the meeting to order at 7:00 p.m.

**Approval of Minutes:**

Motion by Mr. Nelson, supported by Mr. Nolan to approve the minutes of September 17, 2014.

**VOTE:        7 YEAS        0 NAYS        0 ABSENT        MOTION CARRIED**

**New Business:**

- A.    S-14-24 and C-14-01** –Monarch Development of Midland, Michigan is requesting site plan approval to construct fifty-two (52) condominium units as part of Phase II of the Tuscany Villas condominium project located north of McCarty Road on Tuscany Circle between Bay and Mackinaw Roads. (23-12-4-03-4019-000)

Ms. Smith stated the applicant is requesting site plan approval to build an additional fifty-two (52) condominium units as part of Tuscany Villas Phase II. Phase I of the project was the first request the Township had for conditional rezoning. Conditional zoning is permitted under the Township Zoning Act, which was amended in 2004, and became effective in January of 2005. This project proposes the development of attached residential condominium units in two distinct phases, eventually resulting in a total of 90 dwelling units. The expansion is consistent with the initial submittal to the Township, and can be considered a reasonable completion of the conditional rezoning agreement.

The property in question is located along the north side of McCarty Road, east of Mackinaw, and is currently conditionally zoned R-2, Medium Density Residential. Phase II is located on the northern half of the development and would complete the road loop of Tuscany Circle.

Whereas the proposed condominium development meets the requirements for R-2, Medium Density Residential Development, staff recommends approval of the site plan S-14-24 and condominium development C-14-01, with the conditions listed in staff's report.

Mr. Dennis Dittenber, a representative for Monarch Development, was present to answer any questions. Mr. Dittenber had no problem with the conditions listed in staff's report.

Mr. Gombar inquired as to how many dwellings are currently rented. Mr. Dittenber informed the Commission that all of the units are owner occupied. Mr. Gombar stated that one of the original restrictions of the zoning agreement was that no more than 25% of the total units could be rented at any one time. Ms. Smith stated that the original zoning agreement was still in effect and applied to this expansion and that the agreement would be made part of the final site plan approval.

Mr. Brucker then asked for public comments in favor or in opposition to the proposed site plan.

There being no comments, Mr. Brucker closed the public hearing portion of the proposed site plan.

Discussion followed among the Planning Commission members.

Motion by Mr. Nolan, supported by Mr. Howell, to recommend approval of the proposed condominium plan (C-14-01) with the eight (8) conditions listed below:

1. Approval of a final site plan by the Fire Department, Building Department and the Department of Public Services prior to the Township Board issuing utility contracts.
2. Review and approval of the rear lot drainage system by the Township Engineer. The Township Board will not issue any utility contracts for public water and sanitary sewer until the rear lot drainage plan has been approved.
3. Prior to the Building Department issuing an occupancy permit for any home within this subdivision, the Contractor and Engineer must certify that the storm water management system has been installed in accordance with the approved design and fill out the forms.
4. Follow the requirements of the Condominium Ordinance No. 437 and provide a copy of the Master Deed with the restrictive covenants and easements to the Community Development Department for review and approval.
5. The developer shall be responsible for costs incurred during the review of the private road by the Township Engineer. Further, the developer must deposit funds in an amount equal to 110% of the estimated roadway construction cost as agreed upon by the Township Engineer. The type of security required for the road construction shall be determined by the Township Manager and Director of Fiscal Services.

6. The final site plan for this condo development will need to be modified by indicating the lots as building units along with indicating building envelopes as limited common elements for each site, along with indicating all of the general common element areas within this development.
7. Submission of a landscaping plan, detailing the following minimum elements:
  - a. Landscaping required with each dwelling unit, including one street tree and an additional one (1) tree and eight (8) shrubs to be planted in and around each dwelling unit.

The landscaping is to be installed upon occupancy of each individual dwelling unit.

8. Dimensions of the building and appropriate setbacks must be shown on the site plan

**VOTE:        7 YEAS        0 NAYS        0 ABSENT        MOTION CARRIED**

Motion by Mr. Nolan, supported by Mr. Nelson, to recommend approval of the proposed site plan (S-14-24) with the eight (8) conditions listed above.

**VOTE:        7 YEAS        0 NAYS        0 ABSENT        MOTION CARRIED**

**Receive and File All Correspondence:**

- A. Food Trucks
- B. Copies of the August and September issues of Planning & Zoning News.

**Other New Business:**

- A. S-14-18 – Konwinski Construction of Mt. Pleasant, Michigan on behalf of Lodgco Management of Mt. Pleasant, Michigan has received administrative site plan approval to construct an outdoor patio for Uno’s Pizzeria at the Four Points Sheraton located at 4960 Towne Centre. (23-12-4-02-1003-000)

**Adjournment:**

Motion by Mr. Howell, supported by Ms. Egbert, to adjourn the meeting at 7:22 p.m.

**VOTE:        7 YEAS        0 NAYS        0 ABSENT        MOTION CARRIED**