

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
June 22, 2022  
MINUTES**

Chairperson Kelley called the meeting to order at 5:30 p.m.

**ROLL CALL:**

**Present:** Cullin, Atchinson, Budd, Jahr and Kelley.

**Excused:** Barr.

**Staff:** Director Power and Secretary Harman.

**Planning Representatives:** McKenna Associates, Vidya Krishnan and Adam Cook (remote).

**Applicant(s) in Attendance:** None.

**Audience:** Two (2) and One (1) remote viewer.

**APPROVAL OF AGENDA:**

Motion Jahr, Cullin second to approve the agenda of June 22, 2022 as presented. **Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Jahr, Cullin second to approve the regular meeting minutes of June 8, 2022 as presented.

**Motion Carried.**

**NEW BUSINESS:**

**ITEM #1: DISCUSSION: SUMPTER ROAD CORRIDOR PLAN**

**THE CHARTER TOWNSHIP OF VAN BUREN HAS COMPLETED A DRAFT AMENDMENT TO ITS 2020 MASTER PLAN TO ADDRESS A SUB AREA LOCATED ALONG AND NEAR SUMPTER ROAD BETWEEN BEMIS ROAD AND INDUSTRIAL PARK DRIVE. THE PLAN INCLUDES AN AMENDMENT TO THE TOWNSHIP'S FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION TO THE SUMPTER ROAD MIXED USE DISTRICT.**

Director Power gave the presentation. The full draft of the plan has been in circulation among the Township's neighboring communities and service providers for great than the 42 days required by Michigan PA 33 of 2008, or the Michigan Planning and Enabling Act (MPEA). Director Power provided brief update on the changes that have been made to the plan based on the feedback received, including the following:

- Minor formatting changes, removing a photograph of a business that no longer exists. There was also a reference to Fire Station 2, which was changed to Fire Station 1.
- On the south end of the Corridor near Sumpter and Bemis Roads there are 3 parcels, one (1) on the northeast corner and two (2) on the northwest corner. The property owner of the two (2) northwest parcels is not interested in mixed use and would like them to remain residential. The parcels are being reverted back to rural residential.
- Landlocked lots have been renamed Rear lots as there may be a road or access drive provided to these lots in the future.
- There are new color renderings of Anchor lots, Shallow Frontage lots, Deep Frontage lots and Rear lots.

- The dashed lines on the mobility plan are for where it is perceived that potential future roads may be.
- Rural Residential has been removed as a lot type.
- There is a distinction on the Deep Frontage Lots, a split on the building types. The front and rear designation is based on the relation to the road. The front building types are still what would be seen on lots along Sumpter Road, not on a rear lot.

Director Power displayed the Sumpter Road Corridor Plan and identified the changes that were discussed.

Commissioner commented that the plan looks really good and a lot of hard work has been put into it. No comments from the audience or remote viewers.

**ITEM #2: DISCUSSION: SUMPTER ROAD MIXED USE ZONING DISTRICT (SRMU) AND SUMPTER ROAD OVERLAY DISTRICT.**

**DISCUSSION OF THE PROPOSED TEXT AMENDMENTS TO THE VAN BUREN TOWNSHIP ZONING ORDINANCE TO CONSIDER THE ADDITION OF SECTION 3.121 (SUMPTER ROAD MIXED USE DISTRICT) AND ARTICLE 6, CHAPTER 4 (SUPPLEMENTAL ZONING DISTRICT STANDARDS – SUMPTER ROAD OVERLAY DISTRICT) AND RELATED AMENDMENTS.**

Director Power provided revised sets of the Zoning Ordinance Amendment to the Commission and provided a summary of the changes made. The changes are noted in call out boxes on the amendment and include the following:

- Definitions have been included for cottage or artisanal manufacturing, light manufacturing, accessory dwelling unit, brew pub, micro-brewery, small distillery, service road.
- In the Table of Permitted Uses, gasoline service stations will be changed to a special land use.
- The footnotes for section 3.105 (I)(5), commercial, educational and institutional uses are subject to the C, C-1 and C-2 greenbelt requirements. The reference defines the edge/buffer requirements for two different districts.
- Section 3.121 (C) commercial uses under the special land use category. The footnotes should link to 3 and 5, not 2 and 5. Footnote 3, puts limits on the proximity of commercial uses near residential dwellings. Within 100 feet of an existing dwelling. Footnote 5, is the greenbelt buffer requirement.

Director Power opened the meeting to discussion, noting on footnote 3 that there are terms that put limits on Commercial uses in relation to residential uses. The west side of Sumpter road is planned for the lowest intensity. There are limits on items like outdoor dining and only certain commercial uses allowed on those parcels. Initially within 100 feet of a residential building, would be subject to C district restrictions unless the Planning Commission finds that a modification is justified. It is rare to regulate based on proximity to a structure rather than a lot line. The intent was to make the requirement based on existing structures, as existing homes

site may be treated a little more sensitively. There is flexibility built in, however he would like to protect the existing residential dwellings. Director Power asked the Commission to discuss further.

- Vidya Krishnan of McKenna Associates informed that there are other portions in the zoning ordinance where when there is an existing legal non-conforming residential use, the setback is from the district boundary rather than from the use. However those provisions of the ordinance also have protection for residential dwellings in terms of greenbelts, screening and design elements.
- Commissioner inquired if we are looking at modifying that from an existing dwelling to the residential zoning, would that be more consistent with the remainder of the ordinance. Vidya Krishnan of McKenna Associates confirmed yes and informed that the setbacks can be based consistent with what is required on all other residential zoning in the township. Commissioner would like to see it consistent across the board.
- Commissioner agreed that consistency is important. Inquired whether the boundary is measured from the walls of the building or the property line, it's not necessarily a choice between 100 feet from the building or 100 feet from the property line, we would need to come up with a new number? Director Power, informed that if you build a new building, it has to be 100 feet from the residential zoning district, not existing residential structure in order to be exempt from certain restrictions. Commissioner thinks for the bulk of the document, it's better to have the distance be measured from the property line as the property line is less likely to change, where a building or structure may shift.
- Director Power informed that in subsection F, there are going to be frontage lots and rear lots, not primary lots and secondary lots. Commissioners agreed to the change.
- Subsection H, there is a matter of interpretation with the building types. The ordinance as written is very prescriptive, not a lot of question as to what the buildings are. There is a clause in the end that the Planning Director's interpretation of a building type may be appealed via a written request for an appeal for architectural interpretation to the Township's Planning Commission. If we are opening up to property owners, would you want all the owners within 300 feet able to appeal? Vidya Krishnan of McKenna Associates, commented that is a good idea to have an appeal process. In this case not talking about the impact of use, rather the architectural style. Reasonable to allow for the appeal, but only the applicant or other property owners who share a common property line. Commissioner does not feel it's necessary to be a full appeal, may be change to a review. Mrs. Krishnan suggested changing the language to the Planning Director's determination of building style may be brought before the planning commission for clarification and final determination. Mrs. Krishnan and Director Power will look into the language further, need to add clarification for neighboring property owners with line of sight impact. Commissioner commented that if we are allowing the ability for a clarification period may want to add a timeframe.
- Subsection I, the Regulation Plan, Director Power will make sure the image is the same as what is in the plan documents.
- In the Sumpter Overlay District, subsection C, 3(c) Windows, the second sentence that nonresidential buildings shall have 50% glass is to be stricken. Where used at the ground floor, glass shall be non-reflective and transparent.
- Vidya Krishnan of McKenna Associates recommend removing the underlining under of all the text in the ordinance to make it easier to read.

- Resident had trouble hearing part of the discussion regarding dwellings and commercial buildings proximity. Vidya Krishnan explained the language is committed to the same standards as elsewhere in the ordinance. Director Power informed that it would expand the buffer by being based off of the property line versus the dwelling and would now have to be 100 feet from the property line. There is some language that the Planning Commission has in order to allow for flexibility, but the basic standard is based on the property line.

Director Power explained that the next step is to schedule the public hearing, the earliest date would be July 27<sup>th</sup>. Director Power will make sure everything is up to date on the website and that notice is given to the residents of the public hearing.

No questions or comments from the remote viewers.

**Motion Jahr, Cullin second to have staff schedule a public hearing for the Sumpter Road Corridor Plan, Sumpter Road Mixed Use Zoning District (SRMU) and Sumpter Road Overlay District at the next available meeting time.**

**Roll Call:**

**Yeas: Budd, Atchinson, Cullin, Jahr and Kelley.**

**Nays: None.**

**Excused: Barr.**

**Motion Carried.**

**ITEM #3: UPDATE: 20-035 – 44605 HULL ROAD AND VICINITY IRRIGATION PONDS.**

**STAFF WILL PROVIDE AN UPDATE ON THE REQUEST BY APPLICANT, KW LAND DEVELOPMENT, ON BEHALF OF OWNER, WILKIN FARM PROPERTIES. THE APPLICANT SEEKS TO CONSTRUCT TWO (2) FIVE-ACRE IRRIGATION PONDS FOR AGRICULTURAL PURPOSES PURSUANT TO CHAPTER 42, ARTICLE IV OF THE VAN BUREN TOWNSHIP CODE OF ORDINANCES. THE IRRIGATION POND APPROVAL FOR THE PROJECT WAS GRANTED BY THE PLANNING COMMISSION ON MARCH 24, 2021. THE PROJECT IS ANTICIPATED TO BEGIN IN JULY 2022, SUBJECT TO BOARD OF TRUSTEES APPROVAL.**

**THE AFFECTED PROPERTIES INCLUDE 180.57 ACRES OF LAND ON THE SOUTH SIDE OF HULL ROAD BETWEEN SUMPTER ROAD AND MARTINSVILLE ROAD, INCLUDING PARCEL 83-134-99-003-701, 44605 HULL ROAD / 83-134-99-0001-000, 44975 HULL ROAD / 83-134-99-0002-705 AND PARCEL 83-133-99-0003-701.**

Director Power provided an update on the 44605 Hull Road and vicinity irrigation ponds. The Planning Commission in March of 2021 reviewed a request for two 5-acre irrigation ponds for agricultural purposes, located near the southeast corner Hull and Sumpter Roads. The way the ordinance for ponds is written, the Planning Commission reviews the project and the Planning Director issues the pond permit. The Board of Trustees has to approve the excavation of the site.

A preconstruction meeting was held in October with the soil erosion official from Wayne County. Work has not yet begun, excavation is anticipated to start in July. The neighboring property owners will be notified prior to the start of excavation.

No questions or comments from the Commission, audience or remote viewers.

**ITEM #4: UPDATE: 21-025 – AMERISTAR HANGAR.**

**STAFF WILL PROVIDE AN UPDATE ON A PROPOSED SITE PLAN FOR A 21,712 SQ. FT. HANGAR WITH OFFICE AND STORAGE LOCATED ON THE SOUTH PORTION OF WILLOW RUN AIRPORT.**

**51500 TYLER ROAD EXTENSION (TAX PARCEL NUMBER 83-189-99-0006-005). THE PROPERTY IS LOCATED ON THE NORTH SIDE OF TYLER ROAD EXTENSION NEAR THE BORDER WITH YPSILANTI TOWNSHIP, AT THE FORMER “HANGAR 2” LOCATION.**

Director Power provided an update on the Ameristar Jet Charter Company Hangar. Ameristar has charter jets for private traffic and cargo. They are relocating from Hangar 1 at Willow Run Airport to a new site called Hangar 2 on the west end of the Willow Run Airport bordering Ypsilanti Township. The Wayne County Airport Authority has the primary jurisdiction for airport projects, the Township has the ability to review the site plan and the authority to issue the building permits. Director Power summarized the comments from his staff review letter. The hangar is roughly 21,712 square feet with office space, 13 parking spaces and related site improvements. The storm water design has been approved by Wayne County and the Wayne County Airport Authority. A sign permit has been submitted to Van Buren Township and a permit for the sanitary sewer connection must be obtained from the Township’s Water and Sewer Department prior to construction. The proposed site will connect to the Ypsilanti (YCUA) water supply system and YCUA will be the holder of standard construction details for the water utilities. The Fire Marshals review letter had the following comments:

- All Fire hydrants shall conform to the Van Buren Township Engineering Standards.
- If a security gate is to be installed, an approved access control device will be required.
- The approved gate access shall be KNOX gate and KEY switch.
- The width of the access roads in the front and the side of the hangar shall be increased to 30 feet.
- The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.

Director Power believes that all comments in the Fire Marshals review letter have been addressed, he will verify.

No questions or comments from the Commission, audience or remote viewers.

**ITEM #5: UPDATE: 19-011 – ARBY’S #6830 REMODEL**

**STAFF WILL PROVIDE AN UPDATE ON A PROPOSED SITE PLAN FOR THE REMODEL OF ARBY’S STORE.**

**10940 BELLEVILLE ROAD (PARCEL NUMBER 83-064-99-0003-708), LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN THE NORTH INTERSTATE 94 SERVICE DRIVE AND WESTLAKE CIRCLE. THE SITE IS ZONED C-2 – EXTENSIVE HIGHWAY BUSINESS DISTRICT.**

Director Power provided an update on the proposed Arby's remodel. The applicant had plans in place in June of 2019, then the pandemic hit. Director Power has reviewed the old planning file which had only minor landscape comments. A color rendering of the remodel was included in Commissioners packets and planning staff supports the architectural changes to the building.

Commissioner inquired if the restaurant was located in the Belleville Overlay District (BROD) and if the plan matches the amenities that are required in the BROD? Director Power will verify and make sure that the amenities are addressed prior to any final inspection on the site.

No questions or comments from the audience or remote viewers.

**ITEM #6: UPDATE: 22-027 – RE-OCCUPANCY OF 2153 RAWSONVILLE ROAD.**

**STAFF WILL PROVIDE AN UPDATE ON A PROPOSED SITE PLAN FOR THE REDEVELOPMENT OF THE FORMER PAYLESS SHOES RETAIL STORE TO BE REPURPOSED AS A RETAIL SUPPLY STORE FOR BEAUTY SUPPLIES IN AN EXISTING 3,062 SQUARE FOOT BUILDING.**

**2153 RAWSONVILLE ROAD (PARCEL NUMBER 83-074-01-0005-002), LOCATED ON THE EAST SIDE OF RAWSONVILLE ROAD BETWEEN THE SOUTH INTERSTATE 94 SERVICE DRIVE AND GROVE ROAD. THE SITE IS ZONED C-1 – GENERAL BUSINESS DISTRICT.**

Director Power provided an update on the interim site plan for the former Payless Shoe store. The new property owner has completed interior renovations, along with fire alarm and bathroom upgrades. The building will be utilized as a beauty supply store, which will have minimal site impacts. The site is unique, as it shares an access drive with the house behind it. The applicant has built a new dumpster enclosure, resurfaced the parking lot and patched holes in the parking lot where needed. Director Power will also have the applicant complete double striping in the parking lot as required.

No comments from the Commission, audience or remote viewers.

**GENERAL DISCUSSION:**

Commissioner inquired if Director Power had heard back from Cobblestone Creek? Director Power informed that Cobblestone Creek has provided the draft Master Deed, By-laws and are working on the PRD documents. The Township Attorney is looking at the materials provided.

Commissioner inquired if Director Power had heard anything back from Camping World? Director Power informed that the applicant has made good on the tabled conditions from the

Planning Commission meeting in May and he is just waiting for the Camping World Corporate office to provide their submittals.

**ADJOURNMENT:**

**Motion Budd, Cullin second to adjourn the meeting at 6:43 p.m. Motion Carried.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CH', with a long horizontal line extending to the right.

Christina Harman  
Recording Secretary