

CHARTER TOWNSHIP OF VAN BUREN
BOARD OF ZONING APPEALS
Tuesday August 11, 2020
MINUTES

Prior to the start of the meeting, the public was given instructions on how to take part in the meeting.

The meeting was called to order at 7:03 pm via Zoom by Chairperson Aaron Sellers.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Haase, Herman, Larocque, Boynton, Martin, Grissett, Sellers

Absent Excused: Kelley

Staff: Power, Renaud, Best, Dohring

Audience: 3

ACCEPTANCE OF AGENDA: Boynton motioned; Herman seconded to approve the agenda.

ROLL CALL:

Yeas: Haase, Herman, Larocque, Boynton, Martin, Grissett, Sellers

Nays: None

Absent: None

Motion Carried

APPROVAL OF MINUTES: Boynton motioned; Haase seconded to approve the minutes from the July 14, 2020 meeting.

ROLL CALL:

Yeas: Haase, Herman, Larocque, Boynton, Martin, Grissett, Sellers

Nays: None

Absent: None

Motion Carried

CORRESPONDENCE: None

NEW BUSINESS:

1. Case Number: 20-009 – Clover Communities Van Buren LLC

Location: 8470 Belleville Rd. Parcel ID# 83 036 99 0002 702.

Request: The applicant is requesting a variance from the following section of the Charter Township of Van Buren Zoning Ordinance:

- **Architectural standards** of section 6.309 (C) (Belleville Road Overlay District-Architectural and Site Design Standards) of the Van Buren Township Zoning Ordinance and relatedly section 5.143(l)(5), which requires that senior housing buildings located within the BROD shall comply with the architectural standards set forth in Section 6.309:

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- **Required:** Use of unpainted red brick, brown brick, natural stone, or similar high-quality materials as the primary building material.
- **Proposed:** Application of Hardie plank siding to approximately 70% of the building façade

- **Accessory building requirements** of 7.202(a) (Accessory Structure and Buildings - All Districts) of the Zoning Ordinance which limits the size of the detached accessory buildings:
 - **Required:** The maximum lot coverage of all detached accessory buildings on any lot shall be 4,800 square feet
 - **Proposed:** 9,600 square feet of total detached accessory garage building area.

Boynton motioned, Herman seconded to open public hearing.

ROLL CALL:

Yeas: Haase, Herman, Martin, Larocque, Boynton, Martin, Grissett, Sellers

Nays: None

Absent: None

Motion Carried

Beth Ernat with Clover Communities introduced herself along with Jared Kime and John Ackerman of Atwell Engineering. Ms. Ernat began her presentation explaining that Clover Communities is a market rate housing alternative for seniors that are 55+ years old. They don't have healthcare or dining and the residents control their own schedule. The building setback is 400 ft. from Belleville Rd. Out lot is created for future commercial use. 125 units, 3 story, 40 garages, 118 surface parking spaces, sidewalk connection to Belleville Rd. Lot to remain wooded with exception of building pad and stormwater area. Each unit has a private outdoor living space (balcony or patio). Communal open space located in the courtyard. The proposed development is in the BROD district. All other multi-family or residential on Belleville Rd were removed from the BROD district and are not identified for redevelopment. Proposed development is comparable to Westlake Apartments, less than ½ mile away. BROD standards were created for commercial/mixed use properties that generate higher rents than market rate senior living (avg. rent \$1300/mo.). Senior living & aging in place opportunities identified as core need for Van Buren Township. Proposed building will be developed with 'durable material'. Cost of brick or stone for 90% of the façade is not feasible. Proposed building was moved back 400ft. from Belleville Rd to allow commercial out lot to enhance BROD corridor. Due to mature trees identified for preservation the building will barely be visible from Belleville Rd. Senior independent living is a special use in district and is unique by nature of special use, thus not likely to create precedent.

Ms. Ernat stated the proposed accessory structure coverage of 9600 square feet is for garages. The garages will reduce the amount of surface parking needed to serve the development, screen the property from surrounding industrial use, and increase the marketability of the units. The size of the accessory structures would be permitted in the RM district.

Director Power gave an overview of the applicants BZA variance requests, reiterating what the architectural standards are of the BROD district, and what Clover Development is proposing, as well as accessory building requirements, noting that community garages are permitted in the RM zoning districts.

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Vidya Krishnan of McKenna Associates presented her letter dated July 5, 2020 recommending subject to any additional information presented and discussed by the applicant, Board, and/or public during the public hearing and incorporated into the record prior to any findings being made, that the Board of Zoning Appeals take the following action for the proposed development located at 8470 Belleville Road.

1. **Deny** the variance requested from the architectural standards
2. **Approve** the requested variance to construct 9,600 square feet of accessory structures.

Public Comments: Mr. Roland of Clover Development stated that in the vicinity of the proposed project, the materials they are proposing to use would match and possibly be an upgrade, and the façade would have breaks in the materials. They have several projects throughout the country using Hardie plank, and it is the top of the mountain for them as far as materials and is generally an upgrade for neighborhoods. The cost of the required exterior materials would kill the project.

Boynton moved to close the public hearing, Grissett seconded.

ROLL CALL:

Yeas: Haase, Herman, Larocque, Boynton, Martin, Grissett, Sellers

Nays: None

Absent: None

Motion Carried

BOARD DISCUSSION

Commissioners requested clarification of the 90% brick or stone, and 50% also mentioned in the presentation. Director Power answered that the primary building material must be red or brown brick or natural stone, which reasonable interpretation of primary would be more than half of the building façade.

Commission asked applicant if consideration to increase the amount of stone shown on design so that all elevation sections matched having some stone on the façade.

Vidya Krishnan clarified that the ordinance does not state it needs to be 100% brick or stone, the ordinance states that up to 25% metal panelized veneer, up to 25% fiber siding, mix of materials up to 75%, and then 10% accent material including Hardie plank.

Ms. Ernat replied they put the attention into visible areas, Hardie plank is durable up to 50 years, it's a concrete fiber siding, it will have less maintenance than stone or brick. As far as increasing the amount of stone or brick, they can look at it, they were really focusing on the entrances and what is visible from Belleville Road.

Commissioners expressed concern that allowing a variance to the facade requirements, after making past developments follow the ordinance requirements, sets an unwanted precedent.

Vidya Krishnan pointed out that that it is the BZA's role to approve or deny the variance requests, the actual design of the façade is up to the Planning Commission to approve or deny.

Director Power supported Ms. Krishnan's statement on the role of the BZA and stated that it important to act on the variance requests at this time. He added that there is more specificity in the Senior Housing ordinance in regards to the façade material, with percentages, the BROD standards have the general requirements.

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Commission questioned if the application thru the Planning Commission was zoning driven or attempting a special land use because of the references to the expense of the brick. There was no mention of the benefits to the Township for this cost savings. It was also pointed out that pictures of the applicant's current properties with the proposed Hardie siding material might have been helpful to the presentation, as well showing the percentages of the materials used in the pictures. Applicant responded that it is a special use in the C-2 district. The public benefit of this property would be to allow aging in place within Van Buren Township, which is not a product the township currently has, and was a product being sought by the Planning Commission. Ms. Ernat also stated that she was not present for the Planning Commission meetings where the architectural standards were discussed. They would be open to bringing back an alternative design. Commission again reiterated that the job of BZA was to vote yes or no on the variance requests and the negotiations should be left up to the Township.

Martin motioned, Haase, seconded to deny applicants request for variance on architectural aspect of the project.

ROLL CALL:

Yeas: Haase, Herman, Larocque, Boynton, Martin, Grissett, Sellers

Nays: None

Absent: None

Motion Carried

Herman motioned, Martin seconded to approve variance on accessory structures.

ROLL CALL:

Yeas: Haase, Herman, Larocque, Boynton, Martin, Grissett, Sellers

Nays: None

Absent: None

Motion Carried

Director Best stated to the applicant that Director Power would be in contact for next steps. The Township is available to work with Clover Communities to follow the rules and standards in the zoning ordinance to make sure that senior housing development can get up and running.

Herman motioned, Boynton seconded to adjourn meeting 8:18pm.

ROLL CALL:

Yeas: Haase, Herman, Larocque, Boynton, Martin, Grissett, Sellers

Nays: None

Absent: None

Motion Carried

Respectfully submitted,

Tammy Dohring, Recording Secretary