

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
May 22, 2019  
MINUTES**

Chairperson Thompson called the meeting to order at 7:30 p.m.

**ROLL CALL:**

**Present:** Kelley, Atchinson, Budd, Boynton, Jahr, Franzoi and Thompson.

**Excused:** None.

**Staff:** Director Akers, Planning Intern Stamper and Secretary Harman.

**Planning Representatives:** McKenna Associate, Vidya Krishnan.

**Audience:** Five (5).

**APPROVAL OF AGENDA:**

**Motion Boynton, Kelley second to approve the agenda of May 22, 2019 as presented. Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Jahr, Franzoi second to approve the regular meeting minutes of May 8, 2019 as presented. Motion Carried.**

**PUBLIC HEARING:**

**ITEM # 1                    19-019 - REZONING**

**TITLE:                        THE APPLICANT, ANDREA L. RATAJSKI, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 13414 MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.**

**LOCATION:                    SUBJECT PROPERTY IS LOCATED AT 13414 MARTINSVILLE ROAD. (PARCEL ID # 83-105-99-0002-000).**

**Motion Boynton, Kelley second to open the public hearing. Motion Carried.**

The applicant, Andrea L. Ratajski, gave the presentation. Mrs. Ratajski, a 20-year resident of the township, is requesting to rezone her property located at 13414 Martinsville Road. The home needs to be rezoned to R1-B, single family residential in order for the new homeowner to secure a mortgage.

Commissioner Atchinson identified that she has been friends with the applicant for many years, has no financial gain or interest in the property and inquired if she should be recused from the discussion. Commissioners agreed that recusal was not necessary.

No comments from the audience.

**Motion Boynton, Atchinson second to close the public hearing. Motion Carried.**

**NEW BUSINESS:**

**ITEM # 1                    19-019 - REZONING**

**TITLE:                    THE APPLICANT, ANDREA L. RATAJSKI, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 13414 MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.**

**LOCATION:                SUBJECT PROPERTY IS LOCATED AT 13414 MARTINSVILLE ROAD. (PARCEL ID # 83-105-99-0002-000).**

No further comments from the applicant.

Planning Intern Stamper presented her staff review letter dated 4-30-19 recommending the Planning Commission recommend approval of the request to rezone parcel # 83-105-99-0002-000, 13414 Martinsville Road, from M-1 (light industrial) to R1-B (single family residential).

No comments from the Commission or the audience.

**Motion Budd, Boynton second to recommend the Township Board grant the rezoning request for 13414 Martinsville Road, parcel ID # 83-105-99-0002-000, from M-1, light industrial to R1-B, single family residential, based upon the reasons listed in the staff review letter dated 4-30-19:**

- 1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map.**
- 2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.**
- 3. The street system has shown that it is capable to safety and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.**
- 4. The Township's utilities and services have been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.**
- 5. The requested rezoning does not change the Zoning Ordinance but brings the Township further into compliance with the future land use map.**
- 6. The requested rezoning is not expected to result in exclusionary zoning.**
- 7. The sites physical, geological, hydrological and other environmental factors are compatible with the permitted zoning district.**
- 8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.**
- 9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.**
- 10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.**
- 11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.**

**12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.**

**Roll Call:**

**Yeas: Franzoi, Jahr, Boynton, Kelley, Atchinson, Budd and Thompson.**

**Nays: None.**

**Absent: None.**

**Motion Carried. (Letter attached)**

**GENERAL DISCUSSION:**

**ITEM #1: SENIOR HOUSING DEVELOPMENT OPTIONS**

Vidya Krishnan of McKenna Associates discussed the findings in her senior housing review letter dated 5-2-19 in which she compared zoning ordinance provisions for senior housing in four (4) communities including: Lyon Township, Orion Charter Township, City of Inkster and City of Rochester. Based on recent development trends there is a definite need for senior housing in the community. Allowing for senior housing of all types as a conditional land use in the RM multiple family residential districts would be consistent with the Township's vision. Based upon an inventory of the available RM zoned parcels to accommodate such house, the Planning Commission could also consider expanding the use to the light industrial district.

Audience member, Beth Arnett of Clover Development (a senior housing development group) provided information on what senior housing developers are looking for in a community. Clover Development typically looks for light industrial properties of 8 to 10 acres to build approximately 120 units in 2-4 story buildings. The senior housing development typically offers three levels of senior independent living (independent, full care, memory care/nursing services). A parking variance is a common request as the residents have no vehicle or only one vehicle and there is a low volume of staff. The property is restricted to ages 55 and older.

Commissioners discussed the square footage of the units, surrounding amenities the developer looks for, the impact of only allowing senior housing developments in certain zoning districts, having special provisions for senior housing and having planning staff identify 8-10 acre properties for senior housing development applicants. The general consensus of the Commission is a hybrid of the senior housing comparison review, allowing flexibility for parking and greenspace while maintaining consistency in other requirements. Based off the Commissions comments, Ms. Krishnan will bring back revised senior housing development language to a future meeting.

**ITEM #2: AUTOMOBILE RENTAL AND LEASING AGENCIES ZONING DISTRICT**

Director Akers presented his staff memo dated 5-14-19 discussing automobile rental and leasing agencies zoning. Automobile rental and leasing agencies are currently allowed as a special land use in the C-1 (general business) and C-2 (extensive highway business) districts. Staff was asked to look into whether the use should remain in C-1 and C-2 or be moved to M-1 (light industrial).

Commissioners discussed M-1 versus M-2 zoning, impact of the zoning change, whom it will affect, creating a separate land use for box truck rental. Director Akers identified that automobile leasing is not the concern, it may be appropriate to discuss further and put automobile leasing and big box truck rentals in separate zoning districts.

**ADJOURNMENT:**

**Motion Boynton, Jahr second to adjourn at 8:19 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary



# Memo

**DATE:** April 30, 2019  
**TO:** Planning Commission  
**FROM:** Grace Stamper  
Planning and Economic Development Intern  
**RE:** 19-019 Rezoning Request on Martinsville Road

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## Staff Report

**File Number:** 19-019

**Site Address:** 13414 Martinsville Road

**Parcel Number:** 83-105-99-0002-000

**Parcel Size:** ≈0.94 acres

**Location:** West side of Martinsville between Huron River Drive and Savage Roads

**Applicant:** Andrea Ratajski

**Property Owner:** Same as applicant

**Request:** Applicant is requesting to rezone the property from M-1 (Light Industrial) to R-1B (Single Family Residential)

**Zoning and Existing Use:** M-1, Light Industrial & Residential Use

**Adjacent Zoning and Existing Uses:**

**North:** M-1 (Light Industrial) & Residential Use

**East:** M-1 (Light Industrial) & Residential Use

**South:** M-1 (Light Industrial) & Residential

**West:** M-1 (Light Industrial) & Vacant

**Other:** Public hearing notices were published in the Belleville Independent on May 2, 2019 and notices were sent to all property within 300' of the subject property on April 30, 2019 in accordance with the Michigan Zoning Enabling Act.

**Summary:**

The applicant has requested to rezone the above specified property from M-1, Light Industrial to R1-B, Single Family Residential. The existing use of the parcel is already residential and the future land use map designates the property as residential. The primary purpose for the request is the property owner is working toward selling their home and the purchaser is currently having difficulty obtaining a mortgage due to the residential use being a legal non-conforming use.

**Master Plan and Future Land Use:**

The Southside Master Plan (2007) and the future land use map (2018) designate the property as Village Residential in its future land use map. According to the plan, Village Residential is intended to be the densest area of single-family housing on the South Side. This density is meant to support the civic and business activities in the nearby city of Belleville. This designation is usually within a half mile of the city limits and consists primarily of single-family residential uses. The plan suggests that design standards should be adopted for development in the Village Residential area. Maximum density should be 4.1-5 units per acre with a minimum lot size of 8,400 square feet.

Village Residential is not a current zoning district in the Township. The closest match to this district would be R-1C, Single Family Housing, which has a minimum lot size of 8,400 square feet just like Village Residential. The current request is for the R-1B, Single Family Residential district which is similar to many of the parcels which are in the same area and abut Savage Road. The R1-B zoning district has a minimum lot size of 10,000 square feet and a minimum lot width of 80 feet, which the parcel exceeds. Due to the existing width of the parcel and square footage of the property, the close proximity of other R1-B properties in the vicinity, and due to the same permitted uses being allowed in the R1-B district as the R-1C district, staff finds that this proposed rezoning would be consistent with the Township's Master Plan.

**Zoning:**

The existing zoning of the properties is M-1, light industrial. This district is meant to allow certain industrial and commercial uses but to limit noise, smoke, glare, or other features of industrial development that could negatively impact residential or commercial uses. It is meant to be a transition zone between heavy industrial and non-industrial uses. Permitted uses include wholesale sales, warehousing, light manufacturing and processing, minor and major laboratories, retail dry cleaning plants and laundries, public utility buildings, accessory outdoor storage, and accessory structures and uses related to the above permitted uses, and indoor recreation. The above uses are not compatible with the current residential use of the property.

The requested zoning of the properties is R-1B, Single Family Residential. The district is meant to provide a place for single-family dwellings while prohibiting any uses which would interfere with that. Permitted uses include detached single-family dwellings, publicly-owned recreation facilities, local government buildings and similar uses, schools, private swimming pools, accessory buildings and uses, home occupations, adult foster care or family homes, horses for

personal non-commercial uses, family day care homes, and accessory structures and uses related to the above permitted uses. These above uses are compatible with the current residential use of the property.

**Standards of Review for Amendments:**

In Section 12.504 of the Zoning Ordinance, there are standards of review for amendments to the Ordinance text or Zoning Map. Below is a list of the criteria, each with a response about how the rezoning request applies.

**(A) Consistency with the goals, policies, and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.**

Response: The South Side Master Plan and future land use map (2018) designate the property for residential zoning. As the parcel meets the lot size requirements of the R-1B district, it makes sense to rezone it as R-1B to maintain consistency with neighboring parcels. Therefore, the rezoning request is consistent with the Master Plan.

**(B) Consistency with the basic intent and purpose of this Zoning Ordinance.**

Response: The Zoning Ordinance intends to designate certain areas of the Township for single-family dwellings while prohibiting uses which may interfere with that. As the future land use map (2018) designates this property as residential, the request is consistent with the Zoning Ordinance.

**(C) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.**

Response: Residential uses have low traffic volumes. The property is already being used as a residence, and the street system is currently able to accommodate traffic. It is expected that the street systems will be able to continue accommodating the traffic generated by the residential use.

**(D) The capacity of the Township's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the Township.**

Response: The property is already being used as a residence and the capacity of the Township's utilities and services has been sufficient. It is expected that they will continue to be sufficient.

**(E) That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.**

Response: The requested rezoning does not change the Zoning Ordinance but rather brings the Township further into compliance with the South Side Master Plan and future land use map (2018).

**(F) That the amendment will not be expected to result in exclusionary zoning.**

Response: The intent of the future land use map (2018) is to eventually transition multiple properties including and around the subject properties to residential, so the rezoning would not result in exclusionary zoning.

**(G) If a rezoning is requested, compatibility of the site's physical, geological, hydrological, and other environmental features with the uses permitted in the proposed zoning district.**

Response: The property is already being used residentially, showing that the site's physical, geological, hydrological, and other environmental features are compatible with the permitted uses in the proposed zoning district,

**(H) If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.**

Response: The property is already being used residentially and is also across the street from a planned residential development. The present use will simply be continued, so it will remain compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

**(I) If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.**

Response: The property is next to a planned residential environment that is zoned residential, and the properties are designated as residential in the future land use map (2018), so the boundaries are reasonable. The property already has a residence on it but is also big enough to meet dimensional regulations should a new dwelling be built in place of the old.

**(J) If a rezoning is requested, the requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.**

Response: The future land use map (2018) designates the property as residential, so the requested zoning district is the most appropriate from the Township's perspective when the zoning of surrounding properties is considered.



**(K) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.**

Response: Rezoning is more appropriate than amending the list of permitted or special land uses in the current zoning district because the South Side Master Plan and future land use map (2018) both designate the property as residential, and R-1B is most appropriate to promote continuity in the neighborhood.

**(L) If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.**

Response: The property is across the street from a planned residential development and also borders another residential property. The requested rezoning would therefore not create an isolated or incompatible zone in the neighborhood, especially considering that multiple properties in the neighborhood are designated as residential in the South Side Master Plan and future land use map (2018).

**Recommendation:**

Staff recommends that the Planning Commission recommend approval of the request to rezone Parcel # 83-105-99-0002-000, 13414 Martinsville Road, from M-1(light industrial) to R-1B (single family residential) based upon the following reasons:

1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map (2018).
2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.
3. The street system has shown that it is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
4. The Township's utilities and services have been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the Township.
5. The requested rezoning does not change the Zoning Ordinance but brings the Township further into compliance with the future land use map (2018).
6. The requested rezoning is not expected to result in exclusionary zoning.
7. The site's physical, geological, hydrological, and other environmental factors are compatible with the permitted zoning district.
8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.
9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.

10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.
11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.