

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, April 28, 2021 – 7:30 PM
REMOTE MEETING –AGENDA**

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to Van Buren Township residents; this Van Buren Township’s Planning Commission meeting will be conducted virtually as permissible under Public Acts of 2020 Act No. 254 and Declaration of a Health Emergency in Wayne County. To participate in the meeting electronically, the public may follow the instructions below.

- Join by weblink: <https://zoom.us/j/98518168460>
- Or dial in by phone: 1 312 626 6799
- Webinar ID: 985 1816 8460

For instructions on [how to join a Zoom meeting, make a public comment, ADA information, and virtual meeting compliance from the State please click here.](#)

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1: Approval of minutes from the regular meeting of April 14, 2021.

CORRESPONDENCE

PUBLIC HEARING

OLD BUSINESS

NEW BUSINESS

ITEM # 1 INTRODUCTORY WEBINAR: SUMPTER ROAD CORRIDOR PLAN

DESCRIPTION: The Township’s Master Plan consultant, McKenna, will host a virtual webinar designed to update stakeholders on the pertinent issues facing the Sumpter Road corridor from the City of Belleville city limits to Bemis Road, and elicit stakeholder input and feedback. This will be part of a broader planning process that will explore possible future land use map amendments and other recommendations in the study area as an update to the 2020 Van Buren Township Master Plan.

GENERAL DISCUSSION AND UPDATES

ADJOURNMENT

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM
March 24, 2021
MINUTES**

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

Chairperson Thompson called the meeting to order at 7:33 p.m.

ROLL CALL:

Present: Jahr, Cullin, Kelley, Budd, and Thompson.

Excused: Atchinson and Franzoi.

Staff: Director Power, Director Best, Fire Marshal Lenaghan and Secretary Harman.

Planning Representatives: McKenna Associate, Vidya Krishnan and Fishbeck Associate, Paul Kammer.

Applicant(s) in Attendance: Matt Roland, Jared Kime and Beth Ernat for Clover Development. Rob Wagner and Kevin Ramirez for Midwest Consulting. Eric Arquette, T. Waller and Kenney Farmer for KW Land Development.

Audience: Five (5).

APPROVAL OF AGENDA:

Motion Kelley, Jahr second to approve the agenda of March 24, 2021 as presented.

Roll Call:

Yeas: Cullin, Kelley, Budd, Jahr and Thompson.

Nays: None.

Absent: Atchinson and Franzoi.

Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Jahr second to approve the regular meeting minutes of March 10, 2021 as presented.

Roll Call:

Yeas: Kelley, Budd, Cullin, Jahr and Thompson.

Nays: None.

Absent: Atchinson and Franzoi.

Motion Carried.

PUBLIC HEARING:

ITEM #1: LOT COVERAGE ZONING ORDINANCE TEXT AMENDMENT

**PROPOSED AMENDMENTS THAT WOULD REVISE THE DEFINITIONS OF LOT
COVERAGE UNDER SECTION 2.102 (DEFINITIONS) AND REGULATIONS RELATED**

TO LOT COVERAGE UNDER SECTION 4.103 (FOOTNOTES TO SCHEDULE OF REGULATIONS) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE IN ORDER TO RELAX LOT COVERAGE REQUIREMENTS RELATED TO UNENCLOSED ROOFED STRUCTURES.

Motion Jahr, Kelley second to open the public hearing. Motion Carried.

Roll Call:

Yeas: Cullin, Kelley, Budd, Jahr and Thompson.

Nays: None.

Absent: Atchinson and Franzoi.

Motion Carried.

Director Power inquired if anyone in the audience was here to make a public comment on the lot coverage zoning ordinance text amendment. There were no comments from the audience.

Motion Kelley, Jahr second to close the public hearing. Motion Carried.

Roll Call:

Yeas: Budd, Kelley, Cullin, Jahr and Thompson.

Nays: None.

Absent: Atchinson and Franzoi.

Motion Carried.

OLD BUSINESS:

ITEM #1: LOT COVERAGE ZONING ORDINANCE TEXT AMENDMENT.

PROPOSED AMENDMENTS THAT WOULD REVISE THE DEFINITIONS OF LOT COVERAGE UNDER SECTION 2.102 (DEFINITIONS) AND REGULATIONS RELATED TO LOT COVERAGE UNDER SECTION 4.103 (FOOTNOTES TO SCHEDULE OF REGULATIONS) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE IN ORDER TO RELAX LOT COVERAGE REQUIREMENTS RELATED TO UNENCLOSED ROOFED STRUCTURES.

Director Power gave a brief presentation, this is the third discussion on the lot coverage zoning ordinance text amendment. The amendment is intended to provide reasonable relief to industrially zoned properties with permitted outdoor storage areas to enable coverage of the outdoor storage areas up to 10% beyond lot coverage limits within the zoning ordinance. Vidya Krishan of McKenna Associates will discuss the changes to the text amendment.

Vidya Krishnan of McKenna Associates explained the intent for the lot coverage zoning ordinance text amendment is to meet lot coverage requirements for the industrial districts (M-1, M-2 and M-T) in order to allow for coverage of previously approved outdoor storage areas. This will not increase the surface area or add to any impervious area on the site. The addition of a sentence

in definitions referencing porticos and solar panels was removed as it was unnecessarily confusing the issue by adding more limitations, language has been added to clarify that the 10% coverage allowable up to 20,000 square feet is beyond the 35% lot coverage that is already allowed and the language clearly specifies that the amendment is for the industrial districts only.

Commissioners like the updates to the text amendment and the simplifying of the language. No comments from the audience.

Director Power explained the process moving forward is a motion of recommendation from the Planning Commission to the Township Board of Trustees to adopt the zoning ordinance text amendment. The Township Board will have two subsequent meetings in which the amendment will be reviewed prior to adoption.

Motion Kelley, Jahr second to recommend the Township Board of Trustees adopt the proposed zoning ordinance text amendment regarding lot coverage.

Roll Call:

Yeas: Cullin, Kelley, Budd, Jahr and Thompson.

Nays: None.

Absent: Atchinson and Franzoi.

Motion Carried.

ITEM #2: 19-040 – CLOVER COMMUNITIES SPECIAL LAND USE REVIEW.

THE APPLICANT, CLOVER COMMUNITIES OF VAN BUREN LLC, IS REQUESTING SPECIAL LAND USE APPROVAL FOR THE CONSTRUCTION OF A PROPOSED SENIOR HOUSING FACILITY WITH 128 INDEPENDENT SENIOR HOUSING UNITS.

LOCATION: THE PROPERTY, 8470 BELLEVILLE ROAD (PN 83-036-99-0002-702), IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD, BETWEEN TYLER ROAD AND ROBSON ROAD AND IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS) DISTRICT. THE PARCEL IS A +/- 17.7 ACRES IN AREA INCLUDING A +/- 16.16 ACRE DEVELOPMENT SITE AND A +/- 1.57 ACRE OUT PARCEL.

Director Power gave the presentation. Senior housing was accepted into the zoning ordinance as a special land use in 2019, there are special standards that apply to a senior housing use. This project has had a series of review steps and on September 9th a public hearing was held along with the initial consideration of special land use and preliminary site plan approval. The Planning Commission decided to postpone consideration of preliminary site plan approval for a couple items to be addressed. The minimum dwelling unit size for the senior housing project along with the relocation of the driveway to the south of Robson Road, where staff and the applicant agreed it would be more conducive to safety. Notices and reminders were sent to the neighboring properties, there is no additional formal public hearing. Director Power identified that his staff review letter has comments on the possible future road connection to Robson Road to the west, there is room for that road to be placed in the future. If there is a connection made to Robson

Road on the west, the driveway to the south may potentially be restricted with the main access to the senior housing facility redirected through Robson Road at that time.

Vidya Krishnan of McKenna Associates presented her review letter dated 3-17-21, identifying that the applicant has worked with the Township over the past several months to address several of the outstanding concerns. At this time, McKenna Associates, finds that the proposed senior housing development meets the criteria for special land use approval, subject to conditions. Therefore, recommending the Planning Commission recommend special land use approval to the Township Board of Trustees, subject to the following conditions:

1. Approval of the utility plan and storm water detention plan by the Township Engineer and Wayne County.
2. Revisions to architectural elevations and approval of architectural elevations by the Planning Commission.
3. That all of the conditions of site plan approval are met.

The applicant will provide a presentation under the preliminary site plan review.

No comments from the Commission or the audience.

Motion Kelley, Jahr second to recommend the Township Board of Trustees grant special land use approval to the applicant, Clover Communities of Van Buren LLC, for the construction of a proposed senior housing facility, located at 8470 Belleville Road, based on the analysis and subject to the recommendations in the McKenna Associates review letter dated 3-17-21.

Roll Call:

Yeas: Cullin, Kelley, Budd, Jahr and Thompson.

Nays: None.

Absent: Atchinson and Franzoi.

Motion Carried. (Letter Attached)

ITEM #3: 19-040 – CLOVER COMMUNITIES PRELIMINARY SITE PLAN.

THE APPLICANT, CLOVER COMMUNITIES OF VAN BUREN LLC, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A PROPOSED SENIOR HOUSING FACILITY WITH 128 INDEPENDENT SENIOR HOUSING UNITS.

LOCATION: THE PROPERTY, 8470 BELLEVILLE ROAD (PN 83-036-99-0002-702), IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD, BETWEEN TYLER ROAD AND ROBSON ROAD AND IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS) DISTRICT. THE PARCEL IS A +/- 17.7 ACRES IN AREA INCLUDING A +/- 16.16 ACRE DEVELOPMENT SITE AND A +/- 1.57 ACRE OUT PARCEL.

Director Power displayed the preliminary site plan and handed the discussion to Vidya Krishnan of McKenna Associates to present her review.

Vidya Krishnan of McKenna Associates presented her review letter dated 3-17-21, there are a few items that remain to be addressed and these items can be modified or corrected prior to final plan approval. Therefore, McKenna Associates recommends that the Planning Commission grant preliminary site plan approval for Clover Communities senior housing to be located at 8470 Belleville Road, subject to the following conditions being address on a revised plan submitted for final site plan approval:

1. Wayne County's approval of detention pond landscaping.
2. Approval of storm water detention calculations by the Township Engineer and Wayne County.
3. Submission of a photometric/lighting plan addressing all of the issues noted.
4. Revision of garage elevations to break up buildings into smaller sizes.
5. Submission of details for proposed dumpster enclosure.
6. Revision of sign design to include monument base.
7. Relocation of transformer pad.

Paul Kammer of Fishbeck Associates presented his review letter dated 3-17-21, recommending the Planning Commission grant the Clover Senior Housing Project preliminary site plan approval for engineering feasibility, subject to the comments listed in the review letter and in accordance with the Township's Engineering Standards Manual. Fishbeck is particularly concerned with the review and comments from Wayne County regarding the storm water management system, as well as the Belleville Road ROW construction. These items must be discussed with the County prior to the Township accepting the applicant for engineering review.

The Van Buren Fire Marshal's review letter dated 3-8-21 identified the NFPA fire codes to be addressed.

Beth Ernat of Clover Communities provided a PowerPoint presentation which displayed the following: unit layouts (1 and 2 bedroom), coffee bar, game room, community room, outdoor patio area (with community grills), the shift of the front entry driveway location, the floor plan showing the mix of units and a rendering of a similar Clover Communities project in Canton Township.

Engineer, Jared Kime for Clover Communities informed the Commission that he has reached out to Wayne County regarding storm water retention, the applicant will submit a new photometric/lighting plan and provide the dumpster enclosure information. Mr. Kime displayed a sample of the monument sign in which the base is brick. The applicant would prefer not to separate the garages as they will have to build 8 additional walls and include a 15-foot gap between the buildings.

Commissioners had the following questions and concerns:

1. Is the brick wrap for the columns to go up 3 stories or only cover the base? Vidya Krishnan of McKenna Associates responded all the way to the top (3 stories) or the same height as the brick on the exterior façade. The applicant is willing to take the brick wrap up to the brick height on the exterior façade.

2. In Director Power's memo, there is a recommendation about new construction and landscaping being limited or removed within 30 feet of the north property line. The language was added to make sure that this project does not put itself in a situation if/when Robson Road is connected to the west side of Belleville Road. The landscaping trees can be shifted to accommodate for the road.
3. In the traffic study, with their being 128 units and residents needing to make left hand turns into the entry, is that going to cause traffic backup? Beth Ernat of Clover Communities informed that the residents are not peak traffic time users, with the maximum peak traffic time users as 3-5 residents. The possible future expansion of Robson Road will help to minimize the movements at the entry.
4. Will the monument sign be lit? Yes, the applicant confirmed there will be up lighting at the monument sign.
5. Commissioners agree breaking up of the garage into two units is more aesthetically appealing and is a good recommendation to consider. The applicant is willing to split the garages.
6. Commissioners thanked Beth Ernat of Clover Communities for her hard work and look forward to having Clover Communities as part of the Township.

No comments from the audience.

Motion Kelley, Jahr second to grant the applicant, Clover Communities of Van Buren LLC, preliminary site plan approval for the construction of a proposed senior housing facility with 128 independent senior housing units, located at 8470 Belleville Road, based on the analysis and subject to the conditions detailed in the McKenna Associates review letter dated 3-17-21, Fishbeck Associates review letter dated 3-17-21, Fire Department review letter dated 3-8-21, along with specific references to the concerns and clarifications raised by Director Power and Commissioner Jahr regarding landscaping, setbacks and brick wrap.

Roll Call:

Yeas: Budd, Kelley, Cullin, Jahr and Thompson.

Nays: None.

Absent: Atchinson and Franzoi.

Motion Carried. (Letters Attached)

NEW BUSINESS:

ITEM #1: 21-010 – 44145 YOST ROAD – PRELIMINARY VARIANCE DISCUSSION.

THE APPLICANT, ROB WAGNER OF MIDWESTERN CONSULTING, HAS APPLIED FOR A DISCUSSION OF A POTENTIAL SETBACK VARIANCE TO ALLOW THE CONSTRUCTION OF A 5,400 SQUARE FOOT ROOFED STRUCTURE TO BE USED FOR SHELTERING A WASTE TRANSFER AREA TO ENCROACH TO WITHIN 0.5' OF THE SIDE YARD LOT LINE, CONTRARY TO SECTION 4.102 OF THE ZONING ORDINANCE, WHICH REQUIRES A 40' SETBACK IN THE M-1 LIGHT INDUSTRIAL ZONING DISTRICT.

LOCATION: 44145 YOST ROAD (PARCEL NUMBER 83-009-99-0004-001). THIS SITE IS LOCATED ON THE NORTH SIDE OF YOST ROAD, EAST OF SHELDON ROAD.

Director Power gave the presentation and displayed the site of Yost Road Waste Transfer. The site includes some covered building area and open storage area. The State of Michigan Department of Environment, Great Lakes and Energy (EGLE) as part of the issuance of a license, requires that some of the open storage area has to be covered by a roof. The proposed shelter is 5,400 square feet in area. The applicant is requesting two variances, 0.5 feet from the rear yard and 7.89 feet from the side yard. If the requested variances are approved by the BZA, the proposed structure will be considered by the Planning Commission as part of a formal site plan review.

Robert Wagner of Midwest Consulting spoke on behalf of the owner. The site is 1.5 acres and they are proposing to construct a 5,400 square foot roof structure, 3-sided wind breaker to shield the waste transfer area. The property has changed ownership in the past year, the waste transfer station has been operating since the 1970's. The variances are being requested to bring the existing structure into compliance with the State of Michigan.

Commissioners had the following questions and comments:

1. Is the railroad subject to notification? Yes, the railroad will be notified prior to the BZA meeting.
2. How long ago was the structure permitted but never built? The owner will find that information and bring back to Township staff.
3. When did the ownership of the property change? Approximately 2 years ago.
4. Does Township staff know the dimensions of the easement? Director Power will confirm the dimensions and provide the information to the Commission.

No comments from the audience.

Commissioners agreed they are supportive of the variance as long as the applicant meets all other recommendations required and feel it's in the best interest to bring the site into compliance with the state mandate.

Director Power asked Commissioners to email him any additional comments they would like to share with the BZA.

ITEM #2: 20-035 – 44605 HULL ROAD AND VICINITY IRRIGATION PONDS.

THE APPLICANT, KW LAND DEVELOPMENT, ON BEHALF OF OWNER, WILKIN FARM PROPERTIES, 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.

LOCATION: THE AFFECTED PROPERTIES INCLUDE 180.57 ACRES OF LAND ON THE SOUTH SIDE OF HULL ROAD BETWEEN SUMPTER ROAD AND MARTINSVILLE ROAD, INCLUDING PARCEL 83-134-99-0003-701, 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 overview and displayed the site area and plan. The applicant approached the township last fall to inquire about two 5-acre irrigation ponds for agriculture. The process is fairly involved and the Township Engineer and Director Power have been working with the applicant. There will be safety signage, setback requirements, information on the hydrology, the ponds are not to affect the ground water and use of the land in the area. There will be 192,000 cubic yards of material to be moved. The Planning Commission is being asked to take a look at the request and to provide questions or comments. Notices will be sent out to neighboring properties.

Eric Arquette spoke on behalf of the applicant. A revised drawing will be available displaying the depth, various locations of access for the farmer and will encompass the parcels included. The irrigation ponds are for the farmer to use to properly irrigate his parcels, proper slogging of the ponds and safety precautions have been taken. Kenny Farmer informed that the digging is just to expose the water, the ponds will not affect neighboring properties, there will be no discharge to local drains or ditches, the ponds are for retention only and they will not be bringing any water onto the property.

Commissioners had the following questions and comments:

1. What is the water table in that area? Mr. Farmer stated the water table generally runs about 3-5 feet.
2. Is the pond proposed to be lined? No, there is no need for the pond to be lined. The applicant is digging about 15 feet to expose the ground water for irrigation use.
3. Is the applicant planning on any underground water distribution? No, all water distribution will be above ground.
4. When pulling up the parcel numbers, it appeared to have been split. Director Power informed that the applicant is going to update the survey and provide a new drawing.
5. Does it take 10-acres to irrigate the property remaining after digging the ponds? The farmer owns several farms in the area and needs that much to irrigate all of them. The two 5-acre ponds will be pumped out to reach different areas.
6. Will the ponds be fenced in? The applicant hadn't looked into fencing in the ponds, they are not easily accessible. The slope of the ponds will be steady and gradual, a 4 to 1 slope.

No comments from the audience.

GENERAL DISCUSSION:

Member of the audience inquired whether staff knows if Timber's subdivision is still selling homes and if someone can reach out to them as he would like to see the neighborhood in progress. Director Power will follow up on the inquiry.

Commissioner inquired if the Planning Commission will continue to meet virtually in April. Director Best informed that the Wayne County Executive's Office has extended virtual meetings until June.

ADJOURNMENT:

Motion Budd, Jahr second to adjourn the meeting at 9:45 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary