

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, March 24, 2021 – 7:30 PM  
REMOTE MEETING –AGENDA**

To reduce the spread of COVID-19, protect the public health, and provide essential protections to Van Buren Township residents; this Van Buren Township's scheduled regular Planning Commission meeting will be conducted remotely.

- Join by weblink: <https://zoom.us/j/97972232627>
- Or dial in by phone: 1 1 929 436 2866
- Webinar ID: 979 7223 2627

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:** Approval of minutes from the regular meeting of March 10, 2021.

**CORRESPONDENCE:**

**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.

**ACTION ITEMS:**

- A. Planning Commission opens public hearing
- B. Public comment
- C. Planning Commission closes public hearing

**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.

**ACTION ITEMS:**

- A. Presentation from Staff
- B. Planning Commission discussion
- C. Public comment
- D. Planning Commission considers recommendation to Township Board of Trustees for text amendment.

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

**TITLE:** 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 +/- 17.7 acres in area including a +/- 16.16 acre development site and a +/- 1.57 acre out parcel.

**ACTION ITEMS:**

- A. Presentation by the Township staff.
- B. Presentation by the applicant.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the special land use.

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

**TITLE:** 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 +/- 17.7 acres in area including a +/- 16.16 acre development site and a +/- 1.57 acre out parcel.

**ACTION ITEMS:**

- A. Presentation by the Township staff.
- B. Presentation by the applicant.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the preliminary site plan.

## **NEW BUSINESS:**

### **ITEM # 1                      CASE 21-010- 44145 YOST ROAD – PRELIMINARY VARIANCE DISCUSSION**

**TITLE:**                      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 SHLETERING 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.

**ACTION ITEMS:**                      A. Presentation from Township Staff  
B. Presentation from Applicant  
C. Planning Commission discussion  
D. Public comment  
E. Planning Commission considers recommendation to the BZA

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

**TITLE:**                      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.

**ACTION ITEMS:**                      A. Presentation by the Township staff.  
B. Presentation by the applicant.  
C. Planning Commission discussion.  
D. Planning Commission considers irrigation pond approval.

## **GENERAL DISCUSSION AND UPDATES**

## **ADJOURNMENT**

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

**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 7:31 p.m.

**ROLL CALL:**

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

**Excused:** None.

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

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

**Applicant(s) in Attendance:** Jim Jacobs on behalf of Neapco.

**Audience:** Three (3).

**APPROVAL OF AGENDA:**

Motion Jahr, Budd second to approve the agenda of February 24, 2021 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**APPROVAL OF MINUTES:**

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

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**NEW BUSINESS:**

**ITEM #1:       DISCUSSION: 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 the presentation. The Van Buren Township Board of Zoning Appeals (BZA) requested a postponement of their decision to allow Neapco Drivelines to propose up to +/- 35.9% of their parcel to be covered by roofed structures, contrary to a 35% lot coverage limit in the M-1, light industrial zoning district. The BZA requested the applicant seek an appropriate course of action through the Planning Commission to review and consider an alternative remedy for the issue. The intent of the lot coverage limits in the Van Buren Township Zoning Ordinance is to limit the over-building of sites, with respect to preservation of open space, stormwater runoff, and overall use intensity. The Planning Commission was asked to consider a Zoning Ordinance text amendment which maintains a mechanism for avoiding over-building of sites while providing a reasonable means of covering existing impervious areas that have been authorized through lawful means by unenclosed roofed structures. The Township Principal Planner has researched how comparable communities in the region address this issue and has prepared recommendations.

Vidya Krishnan of McKenna Associates presented her review letter dated 2-19-21 and discussed her review of zoning ordinance regulations from comparable communities, the communities comparable by size and large swaths of industrial area. The comparable communities included Lyon Township, Canton Township, Plymouth Township and Northville Township. McKenna Associates offered the following possible solutions which will support industrial developments, while meeting the intent of the Ordinance and sound planning principles:

- Revise the definition of lot coverage in Section 2.02 to include: "For industrially zoned parcels, lot coverage shall not include unenclosed roofed structures that provide shelter over existing paved surfaces";
- Add a footnote to the schedule of regulations for industrial districts detailing that unenclosed covered roof structures on existing impervious surface areas shall not exceed 10% of total lot area up to a maximum of 20,000 square feet.

Commissioners provided the following questions and comments:

1. Commissioner liked the idea of the amendment to help address some of the issues in industrial zoned areas.
2. Commissioner inquired if the amendment will allow for a parking garage with solar panels, possibly a shelter of an existing paved surface area with a mini solar farm to help run the company. Vidya Krishnan and Director Power informed the Commission that solar panels could be a possibility and that any roofed structure that is otherwise permitted would be able to capture this additional credit.
3. Commissioner concerned the proposal seems like it is adding a limitation with the footnote on the area that could be constructed with roofing. Vidya Krisnan informed that the intent of the footnote is to be in addition to the 35% lot coverage, adding up to 10% of the total lot area up to a maximum of 20,000 square feet.
4. Commissioner liked the comment on the solar panel and roof coverings and identified that changes may allow for more than just a waiver for industrial outdoor storage area

coverage, it may allow for a wider set of changes to the industrial code and merits further discussion.

5. Commissioner concerned that the proposed changes may open up additional unintended consequences. Vidya Krishnan mentioned possibly adding a clarification to specify the amendment is for industrially zoned parcels and lot coverage shall not include unenclosed roof structures that provide shelter over existing paved surfaced approved for outdoor storage.
6. Commissioner inquired about green roofs for additional coverage and whether or not they would be allowed? Director Power informed that green roofs are an innovative solution to stormwater, but in the interest of enforceability and overall building intensity they would still be lumped in with roofs. Vidya Krishnan added that green roofs are green building initiatives and language could be added to cover them.

Director Power mentioned that the Neapco project and vast majority of other projects where this standard is going to be reviewed on industrial sites, will still need to come before the Planning Commission for site plan review.

Jim Jacobs the architect for Neapco thanked the Planning Commissioner for their review. The language that is presented will address Neapco's needs and they are in support of the text amendment.

Commissioner asked for clarification on the text amendment, does this only take place on approved outdoor storage areas in industrial zoning. Yes, the ordinance amendment is only for industrially zoned parcels. Vidya Krishnan will change the text amendment to clarify that 10% of the up to 20,000 sq. ft. is above the 35% lot coverage already allowed and only for approved outdoor storage areas and will bring the revised text amendment back to the Commission for review.

Director Power explained the review process for the text amendment and asked the Planning commission to consider having the Township Principle Planner make the discussed changes to the text amendment and schedule a public hearing.

**Motion Kelley, Cullin second to schedule a public hearing for the lot coverage zoning ordinance text amendment on March 24, 2021.**

**Roll Call:**

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

**Nays: None.**

**Absent: None.**

**Motion Carried.**

**GENERAL DISCUSSION:**

Director Power reminded the Commission of upcoming risk management training through the Michigan Planning Association on March 9, 2021. The meeting is the same night as the

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM  
March 10, 2021  
MINUTES - DRAFT**

**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 7:31 p.m.

**ROLL CALL:**

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

**Excused:** None.

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

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

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

**Audience:** Four (4).

**APPROVAL OF AGENDA:**

Motion Jahr, Cullin second to approve the agenda of March 10, 2021 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Kelley, Jahr second to approve the regular meeting minutes of February 24, 2021 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**NEW BUSINESS:**

**ITEM #1:       DISCUSSION: 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 provided a brief presentation. The discussion is a continuation from the February 24, 2021 Planning Commission meeting in which the Commission recommended a few changes to the proposed lot coverage zoning ordinance text amendment. The discussed changes have been implemented and the Principal Planner will review the changes with the Commission.

Vidya Krishnan of McKenna Associates gave the presentation. The proposed amendments are in response to an existing request to increase lot coverage area by 1%, the BZA decided to ask the Planning Commission for insight. McKenna Associates provided research from other communities and it was found that Van Buren Township was more restrictive than other communities. The amendment allows the Township to be less restrictive while still protecting from potential stormwater issues. The proposed amendments to the lot coverage in the Zoning Ordinance are as follows:

**The addition of language to Article 2. Definitions, Section 2.102 Specific Terms: (121) Lot Coverage.** For industrially zoned parcels located in the M-1, M-2 and M-T zoning districts, lot coverages shall not include unenclosed roofed structures that provide shelter over approved outdoor storage areas located over existing paved surfaces as noted in Section 4.102, footnote BB. Green roofs, solar panels, porticos and similar coverings shall not be allowable under this provision and shall be considered an architectural feature subject to the regulations of the district.

**The addition of footnote BB under Article 4. Schedule of Regulations, Section 4.102.** (BB) Unenclosed covered roof structures over approved outdoor storage areas located on existing impervious surface areas shall not exceed 10% of total lot area up to a maximum of 20,000 square feet. This coverage is in addition to any such coverage possible within the allowable 35% lot coverage.

**The addition of language to Article 5. Development Standards for Specific Uses, Section 5.101., Accessory Outdoor Industrial Storage.** Such approved outdoor storage areas may be provided with an unenclosed roof structure covering up to a maximum of 10% of the total lot area, up to a maximum of 20,000 square feet.

Commissioners discussed the changes to the amendment and provided the following questions and comments:

1. Commissioner inquired regarding the last sentence in (121) Lot Coverage, what if the applicant wanted solar panels on top of an awning that they are already building? It would qualify as part of their lot coverage as it is a dual purpose. If the request was for stand-alone solar panels it would not be allowable. Language will be added to clarify that the last sentence is to address stand-alone solar panels, green roofs and porticos.
2. Commissioner inquired if the last sentence of (121) Lot Coverage is needed at all if they are allowed by the building codes? Vidya Krishnan agreed that some features are allowable with compliance to the building code and clarified that the extra language is



added to avoid confusion with interpretation. Commissioner also inquired about the portico clause. Vidya Krishnan will look further into the language and fine tune it for clarification.

3. Commissioner inquired with the 10% lot area coverage and maximum of up to 20,000 square feet, how did we come up with the 10%? Commissioner identified that the number may not match what is allowable in other areas of the Zoning Ordinance. Vidya Krishnan informed that the 10% was a reasonable number when looking at the comparison communities, she will look at the numbers further to make sure they match.
4. Commissioners discussed what is allowable under the zoning ordinance for lot coverage. Director Power and Vidya Krishnan will discuss further and tighten up the language.

Director Power informed that an applicant from Neapco was present in the audience and expressed their thanks to the Planning Commission for reviewing the lot coverage text amendment language. Neapco also inquired about solar panels on the existing roof. Director Power informed that there are provisions in the zoning ordinance that are separate to address a request for solar panels on an existing roof. Director Power also noted that the changes discussed by the Commission will be looked into and brought back to the March 24, 2021 public hearing. After the public hearing the Planning Commission will consider a recommendation to the Township Board based on the final edits.

**ITEM #2: DISCUSSION: SENIOR HOUSING DEVELOPMENT ZONING ORDINANCE TEXT AMENDMENTS: MINIMUM USABLE FLOOR AREA AND SIGNAGE.**

**PROPOSED AMENDMENTS TO SECTION 5.143 THAT WOULD CLARIFY REQUIRED SITE MINIMUM USABLE FLOOR AREA IN SQUARE FEET PER DWELLING (INDEPENDENT SENIOR HOUSING DEVELOPMENTS) AND REVISE REQUIREMENTS FOR SIGNAGE IN SENIOR HOUSING DEVELOPMENTS.**

Director Power gave a presentation and brief history of the work on the senior housing zoning ordinance. There are currently two senior housing development applications, the latter of the two has prompted important discussion relating to how the language within the ordinance applies with respect to the minimum usable floor area. The ordinance 5.143(D)(1) states the required minimum usable floor area in square feet per dwelling unit and/or independent living units, efficiency, studio or 1 bed is 650 square feet and 2 bed are 800 square feet. The clarification is whether the language is referring to the minimum usable floor area in square feet per dwelling unit as an aggregate for what a development produces or as in the original interpretation the space that's inside of each individual dwelling unit. Based on the BZA's decision to proceed with reasonable limits on usable floor area that can be credited from common rooms, staff has created a text amendment for review.

Vidya Krishnan of McKenna Associates gave the presentation. Senior independent living facilities are different as seniors are more likely to use the amenities where they live (game room, dining room, recreation room, etc.), therefore including a percentage of the common area as usable floor area can be included. The suggested amendment will acknowledge that common areas count towards the usable floor area. The amendment is as follows:

**The addition of language to Section 5.143(C)(1).** Common space/community space/spaces with amenities within the building can be included in the required per-unit usable floor area calculation, not to exceed a maximum of 10% of the unit size. Balconies, decks, patios and other unenclosed open spaces shall not be included in such determination.

Commissioners discussed the amendment and provided the following questions and comments:

1. Commissioner inquired in the senior living ordinance there is a specific allotment for usable floor area, thought it was the intent to acknowledge the different use by acknowledging the lower amount. The increased use in the common area wasn't clear in the ordinance, are we counting the space twice? No, the common space is counted as a percentage of the usable floor area.
2. Commissioner inquired if we are planning on including what is included as a common space? Vidya Krishnan explained that the ordinance clearly defines and specifies what is not counted as common space area. Common space areas are the amenities. Language will be added to spell out what types of areas in the amendment and senior housing ordinance.
3. Commissioner inquired how staff came up with the minimum floor area number and asked if the table will be included in the ordinance as the math calculations on the table are confusing. Director Power explained that the table will not be included in the ordinance and that the room combined usable area has to be 650 square feet for a 1 bedroom with 10% of that square footage outside of the room (common area) that is credited to each individual unit.
4. Commissioner inquired if there is a reason why we don't lower the usable floor area requirements to account for the common area? Yes, so that future developments don't just use the extra square footage to squeeze in more units, it encourages having more common area. Vidya Krishnan informed that the table will disappear and the language will be tightened up.

Vidya Krishnan of McKenna Associates gave a brief presentation the sign language to the text amendment. At the time of the adoption of the senior housing ordinance, the signage placement was to be similar to the residential districts with a larger sign, however would have a 30-foot setback. Residents of the senior housing development need to be able to see the sign when they are driving, so they know where to turn, the residential requirement puts the sign too far back. The underlying zoning regulations requirements are very reasonable when the development is located in RM, C, and mixed-use districts, which gives the applicant the benefit of a smaller sign and more visible being closer to the entrance. The wall signs will still be limited, with the road sign comfortable enough for the residents and for citizens within the community.

Resident believes the Township should have the highest requirements in regards to signage. Vidya Krishnan explained that the sign for the current development will still comply and have to meet the sign standards for the Belleville Road Overlay District (BROD).

Vidya Krishnan will make changes to clarify the common areas and changes to usable floor space. Director Power discussed the next steps in the process and inquired if the Commission would like

to schedule the public hearing and see the revisions at that time or have the text amendment revisions come back to a meeting prior to the public hearing. Commissioners agreed that they are comfortable with the changes and to schedule the public hearing for April 14, 2021.

**Motion Kelley, Atchinson second to schedule the public hearing for April 14, 2021 to address the proposed amendments.**

**Roll Call:**

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

**Nays: None.**

**Absent: None.**

**Motion Carried.**

**GENERAL DISCUSSION:**

Director Power informed that the next Planning Commission meeting is scheduled for March 24, 2021 and there will be a full agenda. Director Power also informed that there are training opportunities coming up, if Commissioners are interested, please contact Director Power and he will get them signed up.

Director Best reached out to the Commission with an idea that staff has been working on. Due to Covid, the economy and changes in zoning, the landscape has changed around the Belleville area. There is a strong demand for service oriented commercial space and staff is looking at how to build growth within the Township. The idea is to create an overlay district along Sumpter Road in the area just south of the City of Belleville to the north side of Hull Road with a mixture of commercial and light industrial, bringing in more restaurants, retail and light industrial (ex. Sign company, plumbing company, etc.). The rural development areas to the south of Hull Road will have rules in place to protect them, not necessarily looking to change the rural areas. Commissioners discussed and agreed that they would like staff to continue to look into this idea and bring more detailed information back to a future meeting.

**ADJOURNMENT:**

**Motion Kelley, Jahr second to adjourn the meeting at 9:01 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary



## MEMO

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TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Zoning Ordinance Lot Coverage and Structure Definitions  
DATE: March 19, 2021

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The Planning Commission is requested to consider zoning ordinance amendments that will allow unenclosed roofed structures to cover up to 20,000-square feet or 10% of additional lot area beyond underlying the area limited by lot coverage requirements in the Van Buren Township Zoning Ordinance when used within approved accessory outdoor industrial storage areas. The proposed ordinance amendments have been developed over the course of Planning Commission meeting discussions which were held on February 24 and March 10, 2021.

Based on the March 10, 2021 Planning Commission discussion, changes have been made to the draft ordinances including the removal of references to certain architectural features in the definition of lot coverage and the clarification that the additional permitted unenclosed roofed structures will be entirely within accessory outdoor industrial storage areas.

For your reference, this packet includes the newest draft zoning ordinance text amendments on the following page, and this packet also includes minutes and reports from past meetings. I look forward to the hearing on March 24<sup>th</sup>. Please feel free to contact me with any questions.

Sincerely,

Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC: Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning Consultant –  
McKenna Associates  
Matthew Best, M.S. - Public Services Director, Van Buren Charter Township

CHARTER TOWNSHIP OF VAN BUREN  
COUNTY OF WAYNE, STATE OF MICHIGAN  
ORDINANCE NO. xx-xx-21

AN ORDINANCE TO AMEND THE ZONING ORDINANCE 5-2-17(2) AS AMENDED OF THE CHARTER TOWNSHIP OF VAN BUREN TO ALLOW LIMITED ADDITIONAL LOT COVERAGE BEYOND DISTRICT LOT COVERAGE LIMITS IN THE INDUSTRIAL ZONING DISTRICTS FOR PURPOSES OF ALLOWING UNENCLOSED ROOFED STRUCTURES OVER ACCESSORY OUTDOOR INDUSTRIAL STORAGE AREAS. THE AMENDMENTS WILL INCLUDE UPDATES TO SECTIONS 2.102 – DEFINITIONS, 4.103 – FOOTNOTES TO THE SCHEDULE OF REGULATIONS, AND 5.101 – ACCESSORY OUTDOOR INDUSTRIAL STORAGE.

THE CHARTER TOWNSHIP OF VAN BUREN ORDAINS:

**SECTION 1- ORDINANCE AMENDMENT**

Pursuant to this Ordinance, the following sections of the Charter Township of Van Buren Zoning Ordinance shall be amended in accordance with the below text upon the effective date of this Amendment:

**Article 2. Definitions.**

**Section 2.102. Specific Terms:**

**(121) LOT COVERAGE:** The part of a lot occupied by buildings or roofed structures including accessory buildings or structures. For industrially zoned parcels located in the M-1, M-2 and M-T zoning districts, lot coverage shall not include unenclosed roofed structures that provide shelter over approved outdoor storage areas located over existing paved surfaces as noted in Section 4.102, footnote BB.

**Article 4. Schedule of Regulations, Section 4.102. Add footnote**

**(BB)** Unenclosed covered roof structures that are entirely within and used to provide cover over approved outdoor storage areas located on existing impervious surface areas shall not exceed 10% of total lot area up to a maximum of 20,000 square feet. This coverage is in addition to any such coverage possible within the allowable 35% lot coverage.

**Article 5. Development Standards for Specific Uses.**

**Section 5.101. Accessory Outdoor Industrial Storage.**

(I) Outdoor storage areas shall be located on paved impervious surfaces and shall have adequate storm water management systems. Such approved outdoor storage areas may be provided with an unenclosed roof structure covering up to a maximum of 10% of the total lot area, up to a maximum of 20,000 square feet, beyond the zoning district's maximum lot coverage per Section 4.102 of the Zoning Ordinance.

## **SECTION 2 - SEVERABILITY**

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

## **SECTION 3 - REPEALER**

All other provisions of the Zoning Ordinance, or Ordinances or parts of Ordinances, in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

## **SECTION 4- SAVINGS CLAUSE**

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under the Zoning Ordinance, or any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

## **SECTION 5 - EFFECTIVE DATE**

The provisions of this Ordinance are hereby ordered to take effect seven (7) days after publication of the notice of adoption in a newspaper of general circulation within the Township. This Ordinance shall be immediately recorded by the Township Clerk in the Township Ordinance Book as soon as it is adopted, which record shall be authenticated by the signatures of the Supervisor and Clerk and shall be published in a newspaper of general circulation in the Township within fifteen (15) days of passage. A copy of this Ordinance may be purchased or inspected at the Clerk's Office, 46425 Tyler Road, Van Buren Township, MI 48111 during normal business hours.

## **SECTION 6 - ADOPTION**

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren at a meeting duly called and held on the 3rd day of September, 2019, and ordered to be given publication in the manner prescribed by law.

I hereby approve the foregoing Ordinance,

Leon Wright, Clerk

Kevin McNamara, Supervisor

Adopted:

Published:

Effective:



## MEMO

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TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Zoning Ordinance Lot Coverage and Structure Definitions  
DATE: February 19, 2021

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On February 9, 2021, the Van Buren Township Board of Zoning Appeals (BZA) requested a postponement of their decision to allow Neapco Drivelines to propose up to +/- 35.9% of their parcel to be covered by roofed structures, contrary to a 35% lot coverage limit in the M-1 – Light Industrial zoning district. The BZA requested the applicant to seek an appropriate course of action through the Planning Commission to review and consider an alternative remedy for this issue.

The intent of the lot coverage limits in the Van Buren Township Zoning Ordinance is to limit the over-building of sites, with respect to preservation of open space, stormwater runoff, and overall use intensity. The Planning Commission is asked to consider a Zoning Ordinance text amendment which maintains a mechanism for avoiding over-building of sites while providing a reasonable means of covering existing impervious areas that have been authorized through lawful means by unenclosed roofed structures.

The Township Principal Planner has researched how comparable communities in the region address this issue and has presented recommendations in her letter dated February 19, 2021. We now ask the Planning Commission to consider forwarding a recommendation to staff to finalize her proposed amendments to sections 2.102 (Definitions) and 4.103 (Footnotes to the Schedule of Regulations) of the Van Buren Township Zoning Ordinance for consideration at a public hearing. Thank you for your consideration.

Sincerely,

Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC: Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning Consultant – McKenna Associates  
Matthew Best, M.S. - Public Services Director, Van Buren Charter Township



February 19, 2021

Planning Commission  
Charter Township of Van Buren  
46425 Tyler Road  
Van Buren Township, Michigan 48111

**Subject: Lot Coverage in Industrial Districts**

Dear Planning Commission Members:

Recently a case appeared before the Township's Board of Zoning Appeals (BZA). The applicant was representing an existing industrial development in the Township. The facility was expanding and to meet their operational needs, wanted to provide an unenclosed but roofed structure on the rear of their building to protect their outdoor storage items. The unenclosed but covered structure is technically considered as part of the lot's coverage per the Township Zoning Ordinance. The current definition for lot coverage in the Van Buren Township Zoning Ordinance reads: *"The part of a lot occupied by buildings or roofed structures including accessory buildings or structures."* Maximum permitted lot coverage in the M-1, M-2 and M-T districts is 35%. The proposed lot coverage with the addition of the new structure resulted in the site exceeding the lot coverage by approximately 1% (18, 401 square feet).

Although the requested variance appeared minimal, the justification provided did not meet the test for granting of a variance under State Law and the applicant's request was postponed by the BZA. The BZA recommended that the Planning Commission consider the merit of some of the reasoning presented by the applicant with regard to lot coverage standards.

Since the meeting, we reviewed the zoning ordinance regulations in comparable communities by size and large swaths of industrial area. We have summarized our findings as follows:


**1. Community: Lyon Township**

Located in the southwest corner of Oakland County, Lyon Township has a population of 20,628. The Township includes many industrial sites especially on its northern half, with a portion of Interstate 96 traversing through it. Lot coverage for nonresidential sites is defined as *"The part or percent of the lot that is occupied by buildings, structures, paved surfaces, or other impervious surfaces."* The maximum lot coverage for Industrial Districts in Lyon Township is 75%, much higher than what's allowable for Van Buren Township which is 35% for the Industrial Districts. However; lot coverage in Van Buren does not include parking and paved areas; therefore a comparison of the two would not be equitable.

**2. Community: Canton Township**

Located in Wayne County, Canton Township along Van Buren's northern border, has a population of 90,173. The Township has moderate industrial areas that are concentrated along the Interstate 275





corridor and US-12 corridor. The definition for lot coverage reads “*The part or percent of the lot that is occupied by buildings or structures.*” This definition is very similar to Van Buren’s. However, The Zoning Ordinance does not have regulations for lot coverage in the Industrial Districts. The coverage is determined by meeting others site development standards such as landscaping, parking, greenbelts etc.

### 3. Community: Plymouth Township

Located in Wayne County, Plymouth Township located on the north side of Canton, has a population of 27,069. The definition for lot coverage reads “*That part or percentage of the lot occupied by buildings or structures, including accessory building or structures.*” This definition is nearly identical to Van Buren’s. The Zoning Ordinance does not have regulations for lot coverage in the Industrial Districts; however coverage is determined by meeting others site development standards such as landscaping, parking, greenbelts etc.

### 4. Community: Northville Township

Located in Wayne County, Northville Township located to the north of Plymouth Township, has a population of 29,099. The Zoning Ordinance for Northville Township does not provide a definition for lot coverage. Additionally, The Zoning Ordinance does not have regulations for lot coverage in the Industrial Districts. As in the previous 2 cases, coverage is determined by meeting others site development standards such as landscaping, parking, greenbelts etc.

## Recommendation


The purpose of including lot overage limits in zoning Ordinances is to prevent over-building of sites. Van Buren Township is relatively flat and flooding and storm water drainage issues are of major concern. Therefore limiting the amount of ‘coverage’ on a parcel helps regulate the impervious surface cover. Nevertheless, the issue at hand is:

If the proposed “coverage” by a structure is on an existing impervious surface and unenclosed i.e., not resulting in any additional run-off, should it be counted towards coverage similar to a fully enclosed structure? Based on our review of other Ordinances it appears that communities allow for some flexibility in non-residential districts in order to accommodate situations like the once faced by the applicant before the BZA.

The Township supports vibrant business and industrial growth and understands the changing needs and demands. Therefore, we offer the following possible solutions which will support Industrial developments, while meeting the intent of the Ordinance and sound planning principles:

- Revise the definition of lot coverage in Section 2.02 to include: “*For industrially zoned parcels, lot coverage shall not include unenclosed roofed structures that provide shelter over existing paved surfaces*”;
- Add a footnote to the schedule of regulations for industrial districts detailing that *unenclosed covered roof structures on existing impervious surface areas shall not exceed 10% of total lot area up to a maximum of 20,000 square feet.*

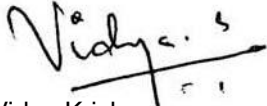




We will be present at the Planning Commission and look forward to discussing and reviewing this matter with you.

Respectfully,

**McKENNA**



Vidya Krishnan  
Principal Planner

cc: Dan Power, Director of Planning & Economic Development  
Matt Best, Director of Public Services

COPY



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

**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 7:31 p.m.

**ROLL CALL:**

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

**Excused:** None.

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

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

**Applicant(s) in Attendance:** Jim Jacobs on behalf of Neapco.

**Audience:** Three (3).

**APPROVAL OF AGENDA:**

Motion Jahr, Budd second to approve the agenda of February 24, 2021 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**APPROVAL OF MINUTES:**

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

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**NEW BUSINESS:**

**ITEM #1:       DISCUSSION: 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 the presentation. The Van Buren Township Board of Zoning Appeals (BZA) requested a postponement of their decision to allow Neapco Drivelines to propose up to +/- 35.9% of their parcel to be covered by roofed structures, contrary to a 35% lot coverage limit in the M-1, light industrial zoning district. The BZA requested the applicant seek an appropriate course of action through the Planning Commission to review and consider an alternative remedy for the issue. The intent of the lot coverage limits in the Van Buren Township Zoning Ordinance is to limit the over-building of sites, with respect to preservation of open space, stormwater runoff, and overall use intensity. The Planning Commission was asked to consider a Zoning Ordinance text amendment which maintains a mechanism for avoiding over-building of sites while providing a reasonable means of covering existing impervious areas that have been authorized through lawful means by unenclosed roofed structures. The Township Principal Planner has researched how comparable communities in the region address this issue and has prepared recommendations.

Vidya Krishnan of McKenna Associates presented her review letter dated 2-19-21 and discussed her review of zoning ordinance regulations from comparable communities, the communities comparable by size and large swaths of industrial area. The comparable communities included Lyon Township, Canton Township, Plymouth Township and Northville Township. McKenna Associates offered the following possible solutions which will support industrial developments, while meeting the intent of the Ordinance and sound planning principles:

- Revise the definition of lot coverage in Section 2.02 to include: "For industrially zoned parcels, lot coverage shall not include unenclosed roofed structures that provide shelter over existing paved surfaces";
- Add a footnote to the schedule of regulations for industrial districts detailing that unenclosed covered roof structures on existing impervious surface areas shall not exceed 10% of total lot area up to a maximum of 20,000 square feet.

Commissioners provided the following questions and comments:

1. Commissioner liked the idea of the amendment to help address some of the issues in industrial zoned areas.
2. Commissioner inquired if the amendment will allow for a parking garage with solar panels, possibly a shelter of an existing paved surface area with a mini solar farm to help run the company. Vidya Krishnan and Director Power informed the Commission that solar panels could be a possibility and that any roofed structure that is otherwise permitted would be able to capture this additional credit.
3. Commissioner concerned the proposal seems like it is adding a limitation with the footnote on the area that could be constructed with roofing. Vidya Krisnan informed that the intent of the footnote is to be in addition to the 35% lot coverage, adding up to 10% of the total lot area up to a maximum of 20,000 square feet.
4. Commissioner liked the comment on the solar panel and roof coverings and identified that changes may allow for more than just a waiver for industrial outdoor storage area

coverage, it may allow for a wider set of changes to the industrial code and merits further discussion.

5. Commissioner concerned that the proposed changes may open up additional unintended consequences. Vidya Krishnan mentioned possibly adding a clarification to specify the amendment is for industrially zoned parcels and lot coverage shall not include unenclosed roof structures that provide shelter over existing paved surfaced approved for outdoor storage.
6. Commissioner inquired about green roofs for additional coverage and whether or not they would be allowed? Director Power informed that green roofs are an innovative solution to stormwater, but in the interest of enforceability and overall building intensity they would still be lumped in with roofs. Vidya Krishnan added that green roofs are green building initiatives and language could be added to cover them.

Director Power mentioned that the Neapco project and vast majority of other projects where this standard is going to be reviewed on industrial sites, will still need to come before the Planning Commission for site plan review.

Jim Jacobs the architect for Neapco thanked the Planning Commissioner for their review. The language that is presented will address Neapco's needs and they are in support of the text amendment.

Commissioner asked for clarification on the text amendment, does this only take place on approved outdoor storage areas in industrial zoning. Yes, the ordinance amendment is only for industrially zoned parcels. Vidya Krishnan will change the text amendment to clarify that 10% of the up to 20,000 sq. ft. is above the 35% lot coverage already allowed and only for approved outdoor storage areas and will bring the revised text amendment back to the Commission for review.

Director Power explained the review process for the text amendment and asked the Planning commission to consider having the Township Principle Planner make the discussed changes to the text amendment and schedule a public hearing.

**Motion Kelley, Cullin second to schedule a public hearing for the lot coverage zoning ordinance text amendment on March 24, 2021.**

**Roll Call:**

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

**Nays: None.**

**Absent: None.**

**Motion Carried.**

**GENERAL DISCUSSION:**

Director Power reminded the Commission of upcoming risk management training through the Michigan Planning Association on March 9, 2021. The meeting is the same night as the

CHARTER TOWNSHIP OF VAN BUREN  
COUNTY OF WAYNE, STATE OF MICHIGAN  
ORDINANCE NO. xx-xx-21

AN ORDINANCE TO AMEND THE ZONING ORDINANCE 5-2-17(2) AS AMENDED OF THE CHARTER TOWNSHIP OF VAN BUREN TO ALLOW LIMITED ADDITIONAL LOT COVERAGE BEYOND DISTRICT LOT COVERAGE LIMITS IN THE INDUSTRIAL ZONING DISTRICTS FOR PURPOSES OF ALLOWING UNENCLOSED ROOFED STRUCTURES OVER ACCESSORY OUTDOOR INDUSTRIAL STORAGE AREAS. THE AMENDMENTS WILL INCLUDE UPDATES TO SECTIONS 2.102 – DEFINITIONS, 4.103 – FOOTNOTES TO THE SCHEDULE OF REGULATIONS, AND 5.101 – ACCESSORY OUTDOOR INDUSTRIAL STORAGE.

THE CHARTER TOWNSHIP OF VAN BUREN ORDAINS:

**SECTION 1- ORDINANCE AMENDMENT**

Pursuant to this Ordinance, the following sections of the Charter Township of Van Buren Zoning Ordinance shall be amended in accordance with the below text upon the effective date of this Amendment:

**Article 2. Definitions.**

**Section 2.102. Specific Terms:**

**(121) LOT COVERAGE:** The part of a lot occupied by buildings or roofed structures including accessory buildings or structures. For industrially zoned parcels located in the M-1, M-2 and M-T zoning districts, lot coverage shall not include unenclosed roofed structures that provide shelter over approved outdoor storage areas located over existing paved surfaces as noted in Section 4.102, footnote BB. Green roofs, solar panels, porticos and similar coverings shall not be allowable under this provision and shall be considered an architectural feature subject to the regulations of the district.

**Article 4. Schedule of Regulations, Section 4.102. Add footnote**

**(BB)** Unenclosed covered roof structures over approved outdoor storage areas located on existing impervious surface areas shall not exceed 10% of total lot area up to a maximum of 20,000 square feet. This coverage is in addition to any such coverage possible within the allowable 35% lot coverage.

**Article 5. Development Standards for Specific Uses.**

**Section 5.101. Accessory Outdoor Industrial Storage.**

(I) Outdoor storage areas shall be located on paved impervious surfaces and shall have adequate storm water management systems. Such approved outdoor storage areas may be provided with an unenclosed roof structure covering up to a maximum of 10% of the total lot area, up to a maximum of 20,000 square feet.

## **SECTION 2 - SEVERABILITY**

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

## **SECTION 3 - REPEALER**

All other provisions of the Zoning Ordinance, or Ordinances or parts of Ordinances, in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

## **SECTION 4- SAVINGS CLAUSE**

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under the Zoning Ordinance, or any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

## **SECTION 5 - EFFECTIVE DATE**

The provisions of this Ordinance are hereby ordered to take effect seven (7) days after publication of the notice of adoption in a newspaper of general circulation within the Township. This Ordinance shall be immediately recorded by the Township Clerk in the Township Ordinance Book as soon as it is adopted, which record shall be authenticated by the signatures of the Supervisor and Clerk and shall be published in a newspaper of general circulation in the Township within fifteen (15) days of passage. A copy of this Ordinance may be purchased or inspected at the Clerk's Office, 46425 Tyler Road, Van Buren Township, MI 48111 during normal business hours.

## **SECTION 6 - ADOPTION**

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren at a meeting duly called and held on the 3rd day of September, 2019, and ordered to be given publication in the manner prescribed by law.

I hereby approve the foregoing Ordinance,

Leon Wright, Clerk

Kevin McNamara, Supervisor

Adopted:

Published:

Effective:



# PLANNING & ZONING APPLICATION

Case number 19-040

Date Submitted 12-20-19

## APPLICANT INFORMATION

**Applicant** Michael Joseph, Clover Communities Van Buren LLC **Phone** 716-688-8640  
**Address** 348 Harris Hill Road **Fax** 716-688-7460  
**City, State** Williamsville, NY **Zip** 14221  
**E:mail** bernat@clovergroupinc.com **Cell Phone Number** 734-346-0426  
**Property Owner** William Carr Estate **Phone** 810-599-1469  
(if different than applicant)  
**Address** PO Box 60010 **Fax**  
**City, State** Corpus Christi, TX **Zip** 78466  
**Billing Contact** Clover Construction Management West Corp **Phone** 716-688-8640  
**Address** 348 Harris Hill Road **Fax**  
**City, State** Williamsville, NY **Zip** 14221

## SITE/ PROJECT INFORMATION

**Name of Project** Clover Communities Van Buren LLC  
**Parcel Id No.** V125-83- 036-99-0002-000 **Project Address** 8470 Belleville Road

### Attach Legal Description of Property

**Property Location:** On the west Side of Belleville Road; Between Ecourse Road and Tyler Road. **Size of Lot** Width 667 Depth 1216

**Acreage of Site** 18.648 **Total Acres of Site to Review** 10 **Current Zoning of Site** C-1

**Project Description:** Development of a market rate independent senior living facility. The project would include 125 senior apartments restricted for ages 55 and older. The development is independent living and includes self-contained units with kitchens and laundry facilities. Site development includes on-site garages and in building storage units

**Is a re-zoning of this parcel being requested?** No **YES (if yes complete next line)** NO  
**Current Zoning of Site** C-1 **Requested Zoning** C-1

## SPECIAL PERMIT INFORMATION

**Does the Proposed Use Require Special Approval?** Yes **YES (if yes complete next line)** NO  
**Section of Zoning Ordinance for which you are applying** 5.143 - Senior Housing Developments

**Is there an official Woodland within parcel?** No **Woodland acreage** 0  
**List total number of regulated trees outside the Woodland area?** 0 **Total number of trees** 0  
**Detailed description for cutting trees** Survey and plan to be provided with site plan application.

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

## OWNER'S AFFIDAVIT

Frances Carr Tapp, Executrix: Estate of F. Wm. Carr

Print Property Owners Name

Frances Carr Tapp

Signature of Property Owner

STATE OF FLORIDA  
COUNTY OF PALEMBACH

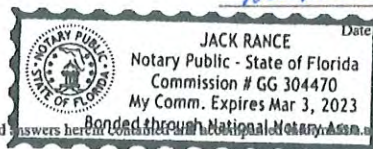
The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained are true and correct to the best of my knowledge and belief.

Subscribed and sworn before me this 21st day of November 2019.

JR

Notary Public, Palm Beach County, Florida

My Commission expires 03/03/2023



November 21, 2019

Date

JACK RANCE

Notary Public - State of Florida

Commission # GG 304470

My Comm. Expires Mar 3, 2023

Bonded through National Notary Association

2023  
Rev 1/12/04



**Parcel 1**

**Tax ID: 83-36-99-0002-000**

**THE NORTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 9, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:**

**BEGINNING AS THE EAST ¼ CORNER OF SAID SECTION 9: THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 9, A DESTANCE OF 660.00 FEET MORE OR LESS: THENCE WESTERLY PARALLEL TO THE EAST AND WEST ¼ LINE OF SAID SECTION 9, A DESTANCE OF 1230.90 FEET MORE OR LESS: THENCE NORTHERLY AND PARALLEL TO THE AST LINE OF SAID SECTION9, A DISTANCE OF 660.00 FEET MORE OR LESS: THENCE EASTERLY ALONG THE EAST AND WEST ¼ LINE OF SAID SECTION 9, A DISTANCE OF 1230.90 FEET MORE OR LESS TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE EASTERLY 60 FEET OF THE NORTH 12 OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION, AS CONVEYED BY DEED RECORDED AT LIBER 53416, PAGE 329.**



## MEMO

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TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: SPR 19-040 - Clover Development - Special Land Use and Preliminary Site Plan Review for Proposed Senior Housing Facility  
DATE: March 19, 2021

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Applicant Clover Communities of Van Buren, LLC has applied requesting special land use approval for the construction of a proposed senior housing facility with 128 independent senior housing units. 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 +/- 17.7 acres in area including a +/- 16.16-acre development site and a +/- 1.57 acre out parcel.

Senior housing is a Special Land Use in the C-2 District. The proposed Special Land Use requires a public hearing. This hearing is being held in accordance with Article 12, Chapter 3 of the Zoning Ordinance (Administrative Procedures - Special Land Use Review).

The public hearing for this request was held on September 9, 2020, following an adjournment of the public hearing on August 26, 2020. At the meeting held on September 9, the Planning Commission postponed their decision on this request in order to allow for the applicant to finalize their request and design regarding the sizes of the proposed dwelling units.

Following the September 9, 2020 meeting, the applicant requested a different interpretation of the Zoning Ordinance regarding the minimum dwelling unit size for independent senior housing units. At a meeting held on February 9, 2021, the Board of Zoning Appeals (BZA) accepted the interpretation that a senior housing development may include communal living areas in its accounting of required minimum usable floor area (UFA), which is calculated based on number and type of units. This accepted interpretation allows the Clover project to proceed.

The applicant has submitted a site plan package dated February 26, 2021. Revisions in this submittal include the relocation of the main access driveway to the south and a northward shift in the proposed outparcel to accommodate this driveway. The driveway shift was recommended based on concerns about the need to offset the proposed driveway, both from the current end of Robson Road where it terminates at Belleville Road, and from a planned future road connection to Robson Road on the site's northern edge. In the event that the Robson Road connection is constructed, measures should be taken to ensure the road serves its purpose as a main access route to and from development sites west of Tyler Road, without traffic conflicts from adjacent land uses. I therefore recommend that new construction and landscaping should be limited or removed within

30' of the north property line, to allow this area to be utilized in the future as road right-of-way if necessary. I also recommend that the applicant shall commit to future driveway restrictions if/as necessary to limit future turning movements that conflict with the future road connection. Additionally, driveway permit approvals must be secured from Wayne County.

Project submittals are available for the public to review. Review materials regarding the special land use and preliminary site plan request are included in this packet, along with relevant past minutes of approval. Notification has also been provided to residents within 300' of the subject property regarding the resubmitted application for preliminary site plan and special land use review. Submittals have also been uploaded to the *Development and Planning Commission Activities* webpage which is accessible on Van Buren Township's website. The applicant's Traffic Impact Study, which is not included with the printed version of the Planning Commission packet, is included on the *Development and Planning Commission Activities* webpage.

I look forward to participating in another review of, and recommendations for, this proposed project. If the project is recommended for approval by the Planning Commission, the Township Board of Trustees will then consider approving the special land use. An engineering application will then be made and the project will be considered by the Wayne County Department of Public Services and the Van Buren Township Engineer prior to the Planning Commission's consideration of final site plan approval.

Thank you for your consideration.

Sincerely,



Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC: Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning Consultant – McKenna Associates  
Paul Kammer – Van Buren Charter Township Engineer – Fishbeck  
Andy Lenaghan – Chief Fire Inspector, Van Buren Charter Township  
Matthew Best, M.S. - Public Services Director, Van Buren Charter Township  
Beth Ernat and Matthew Roland – Clover Communities of Van Buren, LLC



March 17, 2021

Planning Commission  
Charter Township of Van Buren  
46425 Tyler Road  
Belleville, Michigan 48111

**Subject: VBT-19-040 Clover Communities / 8470 Belleville; Special Land Use Review #3; Revised Site Plans Dated February 26, 2021.**

Dear Commissioners:

The applicant, Michael Joseph a representative of Clover Communities Van Buren LLC, proposes to construct a Senior Housing development named Clover Communities. The proposed 3-story, 45,860 square foot building will comprise of 128 independent living units. The site is located on the west side of Belleville Road, between Ecorse Road and Tyler Road and has a total site area of 17.728 acres. We have reviewed the special land use request based on Zoning Ordinance standards and sound planning and design principles. Our comments are as follows (items requiring changes or additional information are underlined):

**Special Land Use Review Comments**

Section 12.306 of the Zoning Ordinance sets forth criteria for the Planning Commission to consider when reviewing special land use proposals. Following is our review of each criterion:

- 1. Will promote the use of land in a socially and economically desirable manner for those persons who will use the proposed land use or activity; for those landowners and residents who are adjacent; and for the Township as a whole.**

The need for Senior Housing in Van Buren has been discussed at several board meetings at the Township previously. As a result, the Township recently adopted a new senior housing ordinance to allow for the construction of such facilities which would provide an opportunity for residents to 'age in place'. The subject site is located along a major thoroughfare in the Township. The proposed use will promote the use of the land in a socially and economically desirable manner by providing for much required housing in the Township. Any impacts resulting from the proposed development on the adjacent properties will be mitigated through setbacks, landscaping and screening, which are reviewed in our site plan review letter under separate cover.

- 2. Is necessary for the public convenience at that location.**

The subject site is zoned C-2, Extensive Highway Business District and has direct access to Belleville Road, providing convenient location for access.

- 3. Is compatible with adjacent uses of land.**

Although the proposed senior housing development is adjacent to a commercial use to the north and an industrial use to the south, uses on the east side of Belleville Road are almost exclusively residential. With the extensive natural features on the site and the provision of the required landscaping we find that the proposed development will be compatible with the adjacent uses of land.

- 4. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.**

The proposed development is designed to comply with the site design requirements for senior housing set forth in the Zoning Ordinance. Therefore, we do not anticipate any adverse impacts on public health, safety, and welfare.

**5. Can be adequately served by public services and facilities without diminishing or adversely effecting public services and facilities to existing land uses in the area.**

The proposed senior housing facility can be adequately served by public services and facilities without diminishing or adversely effecting public services and facilities to existing land uses in the area. The applicant is working with the Township Engineer to meet all utility requirements.

**6. Will not cause injury to other property in the neighborhood in which it is to be located.**

The proposed senior housing facility is not anticipated to cause injury to other property in the neighborhood in which it is to be located.

**7. Will consider the natural environment and help conserve natural resources and energy.**

The subject site has significant tree cover of which 438 trees are proposed for preservation and 264 trees are to be removed. The trees to be removed are located within areas of driveway and building footprint. The applicant is providing replacement for all regulated trees to be removed with the provision of 108 trees and the payment of 68 trees into the Township tree fund. We have reviewed the adequacy of tree replacement proposed in our site plan review letter under separate cover.

**8. Is within the provisions of uses requiring special approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located and meets applicable site design standard for special approval uses.**

The proposed Senior Housing Facility is within the provisions of uses requiring special approval, and is in harmony with the purposes and conforms to the applicable regulations of the Extensive Highway Business zoning district and meets applicable site design standard for special approval uses.

**9. Is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.**

The Senior Housing Facility is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.

**Specific Approval Criteria for Senior Housing [Section 5.143]:** In pursuit of the above purpose and intent, elderly housing developments are permitted in RM, RMH, C, C-1, C-2, and M-U zoning districts subject to special use and site plan approval. The subject site is zoned C-2 (Extensive Highway Business) District and the proposed senior housing development is subject to the following use specific standards:

- 1. The minimum senior housing site area shall contain 5,500 square feet per independent living unit, 2,000 square feet per dependent living bed, or the total area required for each type.** This standard has been met. With 128 independent living beds proposed, a total site area of 704,000 sq. ft. is required and has been provided.
- 2. The required minimum usable floor area for assisted living units must comply with State of Michigan licensing requirements.** This standard has been met. A single resident room for an independent living unit must be a minimum of 650 square feet. The revised plan notes that the project will include 1-bedroom 1-bathroom units at a minimum of 682 square feet each and 2-bedroom units with a mixture of 1 and 1.5 baths the square footage ranging from 776 square feet to 810 square feet each. The



applicant received approval from the Board of Zoning Appeals to include a limited amount of communal living spaces towards the individual unit usable floor area in order to comply with the Ordinance minimum requirements.

3. **The proposed site must have at least one (1) property line abutting an existing or planned major thoroughfare with a right-of-way width of 120' feet or more as described in the Wayne County Master Thoroughfare Plan. All vehicular ingress and egress must be directly from the major thoroughfare.** This standard has been met. The proposed senior housing Facility has frontage along Belleville Road from which on-site access is proposed, which is designated as major thoroughfares with a 120' ROW width.
4. **The maximum building height for a senior housing development shall not exceed forty (40') feet.** This standard has been met. The proposed building is a three-story structure with a maximum height of 33'.
5. **The minimum setbacks for senior housing are 50' each for the front rear and side yards.** This standard has been met. The proposed senior housing facility meets all of the required setbacks.
6. **A minimum of twenty-five (25%) percent of the site, exclusive of existing or planned public road right-of-way, must be maintained as landscaped open space. Courtyards larger than 2,400 square feet may be counted as required open space. Recreation facilities, active and/or passive, including paved walkways and covered sitting areas shall be provided in a manner that meets the needs of the resident population.** This standard has been met. The site plan submission has provided an open space calculation. A total of 4.04 acres are required to be open space and 9.54 acres have been provided. Additionally, per the applicant the building amenities include a large community room for shared meals and arranged activities, coffee bars/ game rooms on each floor, an activity center, an outdoor common patio in addition to individual balconies for each unit. The large courtyard area is available for use to meet the needs of the resident population. The applicant is proposing typical community amenities in the courtyard area include a community patio and barbeque, raised garden beds and useable open space for organized activities/games.
7. **Senior housing buildings must present a residential architectural image in terms of building facades, the composition and use of exterior wall surface materials, and building length. Any building façade longer than 100 feet must provide for variations in the outside wall and roof line. Exterior building materials must be high quality and comply with Ordinance requirements. Building facades must not exceed 600 feet.** This standard can be met. The architectural plans are the same as previously submitted. The applicant has submitted detailed elevations and colored renderings of the proposed buildings. The applicant originally proposed a building constructed almost entirely of hardiplank siding, which did not meet the standards of Senior Housing or the BROD District. The applicant sought a variance from the Board of Zoning Appeals for the same at their 8/11/2020 meeting, but was denied. Subsequently the applicant made revisions to the building façade elevations and materials. The main building at this time is constructed predominantly of brown brick with hardiplank siding, batten wood and vinyl being used as accent and secondary materials. The balconies are intended to provide for a break in the horizontal mass and the variation of materials is intended to add interest and break up the long building facades.



The applicant has revised the building materials and color palette to bring the structure significantly into conformance to the BROD and Senior Housing regulations. However, we recommend some additional changes noted in our site plan review letter under separate cover.

8. **Accessory structures and uses are limited to those that are customary or incidental for the servicing of the developments' residents and employees.** This standard has been met. The site plan includes parking garages, which are accessory to the principal use of the senior housing facility, and therefore deemed as accessory structures. Table 3 of Section 7.202 (A) of the Zoning Ordinance sets limits on the maximum permitted size for detached accessory structures. The four garage structures will make up 9,600 sq. ft. total, double the 4,800 sq. ft. permitted. *The applicant appeared before the Zoning Board of Appeals on 8/11/2020 and received approval of a variance from this standard.*
9. **The senior housing development shall comply with the parking requirements of the Ordinance.** This standard has been met. The site plan proposes 18 foot deep parking spaces. The Ordinance allows for 18' deep spaces instead of 20' if the space abuts a sidewalk that is at least 8 feet wide. The applicant has legibly labeled the sidewalk width abutting the sidewalk at 8 feet, compliant with this standard.
10. **The senior housing development shall comply with the landscaping and screening standard set forth in the ordinance.** This standard has now been met. The applicant has gained compliance with the landscaping and screening standards set forth in the ordinance.
11. **The senior housing development shall comply with the sign regulations of the Ordinance.** This standard has been met. The site plan includes a monument sign along the site's Belleville Road frontage in compliance with the sign regulations for setbacks.

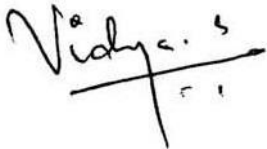
#### Recommendation

The applicant has worked with the Township over the past several months to address several of the outstanding concerns. At this time, we find that the proposed senior housing development meets the criteria for special land use approval, subject to conditions. Therefore, we recommend that the Planning Commission recommend special approval to the Township Board of Trustees, subject to the following conditions:

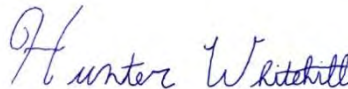
1. Approval of utility plan and storm water detention plan by Township Engineer and Wayne County.
2. Revisions to architectural elevations and approval of architectural elevations by the Planning Commission.
3. That all of the conditions of site plan approval are met.

Respectfully submitted,

McKENNA



Vidya Krishnan  
Principal Planner



Hunter Whitehill  
Associate Planner

c: Matt Best, Van Buren Township Director of Public Services  
Paul Kammer, FTCH, Township Engineer  
David McNally, Van Buren Township Fire Chief







**MCKENNA**

March 17, 2021

Planning Commission  
Charter Township of Van Buren  
46425 Tyler Road  
Belleville, Michigan 48111

**Subject: VBT-19-040 Clover Communities Senior Housing / 8470 Belleville; Site Plan Review #4;  
Revised Site Plans Dated February 26, 2021.**

Dear Commissioners:

The applicant, Michael Joseph a representative of Clover Communities Van Buren LLC, proposes to construct a Senior Housing development named Clover Communities. The proposed 3-story, 45,860 square foot building will comprise of 128 independent living units. The site is located on the west side of Belleville Road, between Ecorse Road and Tyler Road and has a total site area of 17.728 acres. We have reviewed the site plan based on Zoning Ordinance standards and sound planning and design principles. Our comments are as follows (items requiring changes or additional information are underlined):

## **COMMENTS**

- 1. Zoning and Use.** The site is currently zoned C-2 (Extensive Highway Business District). The site is also located within the BROD (Belleville Road Overlay District) which is a mandatory overlay district. Section 3.112 of the Zoning Ordinance permits senior housing as a special land use in the C-2 Extensive Highway Business District.
- 2. Required Information.** Section 12.203 of the Zoning Ordinance includes requirements for information on a site plan. The applicant has provided all submittal requirements.
- 3. Lot.** Per the application the site is a total area of 17.728 acres. The legal description is included with the tax parcel ID number. The minimum required lot area for 128 independent units is 16.16 acres per Section 5.143 (c). The site plan proposes a lot split to create a 1.57-acre outlot with the principal parcel at 16.16 acres, compliant with the Zoning Ordinance.
- 4. Dimensional Requirements.** There is no required minimum lot width in the C-2 Extensive Highway Business District.

The minimum required front, rear, and side yard setbacks for senior housing development per Section 5.143 of the Zoning Ordinance are 50 feet each. The proposed building complies with the required setbacks. The building is also in compliance with the setback from Robson Road which is planned for an extension along the north side of the subject site, per the Master Plan.

Maximum permitted building height in the C-2 District is 4 stories and 40 feet. The plan proposes a 3-story building with a building height of 33 feet to the mid-point of the peak, compliant with the Ordinance.

**HEADQUARTERS**  
235 East Main Street  
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**Communities for real life.**



## 5. Access and Circulation.

- a. Location of Curb Cuts.** The site plan includes one proposed access drive from Belleville Road. The Master Plan envisions Robson Road which is located at the northeast corner of the subject site, eventually becoming a through roadway with a connection to the west along the site's north property line. The driveway location previously proposed would place the new roadway intersection in close proximity to the subject site's main driveway creating many points of conflict and safety concerns. Upon the Township's recommendation, the applicant has shifted the proposed access drive from the northeast corner of the site, further south. This creates a reasonable distance from the future intersection and also improves the safety on Belleville Road. The pavement is proposed to be striped with a 100' 4" solid yellow line extending from the driveway.

Belleville Road has a single lane in either direction along the site's frontage. With 128 additional units and corresponding trips in and out of the site, the proposed development is anticipated to have an impact on the roadway. The applicant has submitted a traffic study conducted by Rowe Professional Services Company which concludes with the finding that all approaches at each of the study intersections would operate at acceptable levels during both the AM and PM peak hours under all analysis scenarios. The traffic study does not recommend the addition of any improvements to the site's Belleville Road frontage. The applicant has noted that the Wayne County preliminary review concurs with this finding.


- b. Cross Access.** Cross Access is encouraged by the Township wherever feasible. The parcels to the north and south are currently zoned M-1, but also located within the BROD district which permits mixed uses. The parcel to the west is zoned C-2. The revised site plan notes a future connection to Robson Road to the north, and an access point from the main access drive to the outlot which would not be permitted to have its own driveway onto Belleville Road. Due to the location of wooded areas and the detention pond, cross access to the south does not appear to be feasible.
- c. Sidewalks.** The plan notes the construction of a new 5' concrete sidewalk along the site's entire Belleville Road frontage, compliant with the Zoning Ordinance.

Part of the proposal includes garages for resident parking. These are located to the southwest and south sides of the proposed building. To walk to them, residents will need to cross the internal circulation drive. The applicant has proposed crosswalks connecting the parking garages to the internal sidewalk system.

## 6. Parking and Loading.

- a. Space Dimensions.** Parking spaces on the site are dimensioned at 9.5 feet wide by 18 feet long. Per Section 9.104 of the Zoning Ordinance, parking spaces shall be 9.5' x 20'. Parking stall depth less than 20' is permitted provided the spaces abut a sidewalk which measures a minimum of eight (8) feet in width. The sidewalks have now been legibly labeled and are compliant with this standard. The parking spaces are proposed to be double striped.



- 
- b. Number of Parking Spaces.** The parking requirement for independent living is one and a quarter (1.25) space for each dwelling unit plus one (1) for each employee in the largest shift. With 128 units, the required parking is 160 spaces + employee parking. The applicant has noted 2 employees will be in the largest working shift, requiring a total of 162 parking spaces, which has been provided. The applicant has stated: *“There is one on-site property manager for the property. An additional parking space has been added to accommodate an additional maintenance employee.”*

The site plan includes parking garages, which are accessory to the principal use of the senior housing facility, and therefore deemed as accessory structures. Table 3 of Section 7.202 (A) of the Zoning Ordinance sets limits on the maximum permitted size for detached accessory structures. The four garage structures will make up 9,600 sq. ft. total, double the 4,800 sq. ft. permitted. *The applicant appeared before the Zoning Board of Appeals on 8/11/2020 and received approval of a variance from this standard.*

- c. Barrier Free Spaces.** The plan indicates a total of eight (8) barrier free spaces, which is adequate for a parking lot with 151-200 parking spaces. Barrier free ramp locations are shown and are subject to review and approval by the Township Engineer.
- d. Loading.** The proposed building requires one (1) 10' x 50' loading space, which has been provided on the east side of the main entrance to the building. While not ideal, the space appears to be the most functional.
- e. Bicycle Parking.** Chapter 3 of Article 6 provides standards for buildings within the Belleville Road Overlay District (BROD). Per this chapter, one (1) bicycle parking space shall be provided for each twenty-five (25) vehicle parking spaces or fraction thereof. With 158 proposed parking spaces, six (6) bicycle parking spaces are required. The applicant has provided three (3) bicycle loops near the main entrance of the building to accommodate 6 bicycle parking spaces.
- 7. Landscaping and Screening.** The site is located in the Extensive Highway Business (C-2) district. All sites are strongly encouraged to exceed Zoning Ordinance minimums for landscaping, site design, and building appearance among others. Our comments on individual landscaping requirements are reflected in the following comments:
- a. Landscaping Adjacent to the Right-of-Way.** Section 10.103(A) requires lot frontage landscaping of 1 deciduous tree/40 lineal feet + 1 ornamental tree/100 lineal feet + 8 shrubs/40 lineal feet. The site has a frontage of 643' on Belleville Road, which requires a total of 16 deciduous trees + 6 ornamental trees + 129 shrubs. The applicant has provided frontage calculations and proposes to preserve the existing wooded area adjacent to the r-o-w. In the future when the outlot is developed, frontage landscaping will be required.
- b. Parking Lot Landscaping.** Section 10.103(B)(1) requires all parking lots to be landscaped and screened from adjoining public or private rights-of-way. Landscaping shall include a landscaped yard at least five (5) feet in width containing an opaque screen of landscaping (evergreen or deciduous hedge) at least three (3) feet in height. The building is setback from Belleville Road approximately 380'. With frontage landscaping, existing vegetation on the outlot and future development on the lot, we



anticipate the parking on the east side of the building visible from Belleville Road will be adequately screened.

**Interior parking lot landscaping.** Section 10.103(B)(2) requires the provision of landscaping within islands in a parking lot. Interior landscaping shall account for a minimum of five percent (5%) of all paved parking areas, including parking and loading spaces, driveways, and aisles. With 63,967 sq. ft. of total payment area, a total of 3,198 sq. ft. of interior parking lot landscaping is required and 3,227 sq. ft. has been provided. Additionally, one (1) deciduous tree shall be planted for each three hundred (300) square feet of interior landscaping. Therefore, 11 interior parking lot trees are required and 11 have been provided.

**c. Loading Area Landscaping.** Section 10.103 (C) of the Zoning Ordinance requires an opaque wall or a greenbelt for required screening. We find that Loading Area Landscaping will be acquired with the provision of the required frontage landscaping above.

**d. Display Area Buffering.** This requirement is not applicable.

**e. Greenbelt Buffering.** Section 5.143 (L)(1) of the Zoning Ordinance, requires a 20-foot-wide buffer with one (1) tree per twenty (20) linear feet between the senior housing development and all adjacent uses. A 20-foot-wide buffer has been proposed between the proposed development and all adjacent uses. The applicant is proposing to keep 438 existing trees and 154 of these are required along the property lines to satisfy the one tree per twenty lineal feet requirement.

**f. Extensive Highway Business (C-2) Landscaping District.** Section 5.143 (L)(2) of the Zoning Ordinance, requires specific additional landscaping requirements for senior housing developments pursuant to §10.103(F)(1) of the Zoning Ordinance. Section 10.103(F)(1) of the Zoning Ordinance requires senior housing developments to contain a minimum of two (2) deciduous or evergreen trees and four (4) shrubs per dwelling unit. With 128 living units proposed, 256 deciduous or evergreen trees and 512 shrubs are required. With 284 of the existing trees remaining from the 438 total preserved the applicant has satisfied the 256-tree requirement. Additionally, 512 shrubs are proposed to be distributed throughout the development to satisfy the shrub requirement.

**g. Detention Pond Landscaping.** The site plan includes a detention pond on the south side of the proposed building. Any planting around the pond is under Wayne County's jurisdiction. The planting plan for this area must be provided and approved by the County. The applicant has acknowledged this fact and stated that the detention pond planting plan will be reviewed and approved by Wayne County as part of their construction permit review.

**h. Other.** The applicant has provided the location of recreation amenities proposed for the outdoor courtyard area which is part of the essential open space for the development. Typical community amenities in the courtyard area include a community patio and barbeque, raised garden beds and useable open space for organized activities/games.

**8. Tree Removal Permit.** A tree removal permit is required if the applicant proposes to remove any trees of 5" caliper or larger. As the new replacement trees are deciduous and between



three (3) to four (4) inch D.B.H. a 1:1.5 ratio of replacement trees to removed trees applies. As the applicant has proposed 264 trees for removal, 176 trees at the above ratio are required as replacement trees. The applicant has proposed 108 of these trees onsite with the remaining 68 trees being paid into the township tree fund to meet the replacement tree requirement.

- 9. Stormwater Pond.** The site plan proposes a detention pond on the south side of the building. The pond will provide storage for both the current development site and future development of the outparcel. Storm water detention calculations are subject to review and approval by the Township Engineer and Wayne County.

- 10. Lighting.** A photometric lighting plan has not been provided in this submittal. The applicant has noted an updated lighting package will be provided after the site plan is approved. Approval of the lighting plan is part of site plan approval and must be completed prior to final site plan approval.

The following comments were applicable with the applicant's previous photometric plan submittal. The plan proposes 3 different light poles (A, D and C) disbursed throughout the development. Poles A and D are 20 feet tall while pole C is 12 feet tall. The photometric plan identified D as a pole fixture while the elevations identify fixture D as a wall mounted light on the accessory garage buildings. The discrepancy must be corrected. The reason for the difference in heights and placement is unclear. The placement of the taller poles along the main access drive gives it the look of an industrial park. We recommend that shorter decorative light poles be installed along the main access drive with taller poles along the sides and back of the site. Information regarding any wall mounted light fixtures must also be provided. The light pole detail must include material and color and clarification of the fixtures are single or dual-head. Manufacturer's cut sheet detail for proposed fixtures must be noted on the photometric plans.

- 11. Architecture and Building Details.** The applicant has submitted detailed elevations and colored renderings of the proposed buildings. The applicant originally proposed a building constructed almost entirely of hardiplank siding, which did not meet the standards of Senior Housing or the BROD District. The applicant sought a variance from the Board of Zoning Appeals for the same at their 8/11/2020 meeting, but was denied.

Subsequently the applicant made revisions to the building façade elevations and materials. The main building at this time is constructed predominantly of reddish brown brick with hardiplank siding, batten wood and vinyl being used as accent and secondary materials. The balconies are intended to provide for a break in the horizontal mass and the variation of materials is intended to add interest and break up the long building facades. The Township Staff has been working with the applicant to bring the building into compliance with the architectural standards set forth in Chapter 3, Article 6 which includes the BROD standards, and Section 5.143 (I) Senior Housing Architectural Standards:

- a.** Buildings in the BROD are required to be constructed of unpainted red brick, brown brick, natural stone, or similar high-quality materials as the primary building material. *The revised plan notes 50% brown brick on the main facades, 25% hardiplank siding, 16% wood and 7% vinyl. Clarify what the remaining 2% is.*



- b.** The physical design of building facades are required to vary at least every 40 linear feet for the Gateway Mixed Use Subarea. The ordinance provides multiple suggestions for how this can be accomplished. The plan submitted by the applicant includes balconies with a wood batten siding to provide a break from the brick and hardiplank and create visual relief. The east and west elevations includes poles at the ends supporting the balconies above. We had recommended that brick be added to the base of the pole to improve its appearance and durability and not appear like a old gas station canopy pillar. The applicant responded stating "It is not possible to add brick to the base of the poles. These are structural support columns needed to bear weight and weight shifts". The proposed pole bears less load than the canopy of a gas station. Recently approved gas station canopies in the BROD have all been provided with full brick supports. Brick in fact will add to the ability of the poles to bear increased weight. We continue to make the recommendation.
- c.** Type and maximum percentage of durable exterior materials. The percentage of various building materials used on the façade has been noted.

At the Planning Commission meeting held on 6/10/2020 to provide feedback regarding the requested variance, the PC noted that while they support the variance request for garage size, the proposed garage buildings must be broken up. The applicant revised the garage elevations to include brick and wall mounted light fixtures to improve their appearance from a storage unit building. However, the Planning Commission had also recommended that the applicant not provide single large garage buildings, but break it up into two smaller buildings each to create a more residential look. Per the applicant, separating the garages would increase pavement areas and impervious coverage. Shifting the foundations would also create issues with water flow and drainage of the site. It is unclear how splitting the building into two which will maintain the exact same footprint overall will affect drainage/impervious surface or foundations. The garage buildings are placed along the main circulation drive. Creating break of 10-15' between the buildings is not going to create any drainage course change or increase impervious surface. The light fixtures on the rear façade of the garages serves no purpose. We recommend placing a couple of wall pack fixtures on the rear facade for security and placing the decorative fixtures on the front façade of the garage between the doors.

- 12. Dumpster.** The applicant has not submitted the dumpster elevations that were submitted with the previous plan. The applicant must provide the dumpster elevations with every submittal. The site plan includes a dumpster pad location on the northwest corner of the development. Details of the enclosure to match the building materials and steel reinforced wooden gates with bollards must be included in the next submission.
- 13. Signs.** The applicant has proposed a monument sign at the entry of Belleville Road and has provided a rendering of the proposed sign. The proposed monument sign is within the maximum permitted sign area limit and is setback 10 feet from the r-o-w; however, the sign design does not meet the Ordinance requirements for a 'monument sign'. The sign must be provided with a minimum 24" tall base constructed of brick to match the building. Ordinance is intended to subject senior housing to sign area standards for residential developments when located in a residential district. The setback is compliant with the requirement for the underlying zoning district.



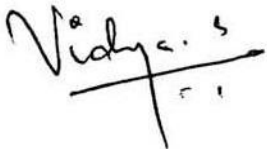
- 14. Other.** Location and screening detail for all proposed outdoor mechanical equipment has been identified. It is unclear why the plan includes a transformer on the northeast side of the site, placed away from the building. We recommend an alternate location would not place it prominently in view, unless the applicant can demonstrate the need for its placement at that specific location.

## RECOMMENDATION

The applicant has worked with the Township over the past several months to try and address outstanding issues and concerns. While there are a few items that remain to be addressed, these items can be modified or corrected prior to final plan approval. Therefore, we recommend 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 addressed 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 in Comment 10, above.
4. Revision of garage elevations to break up buildings into smaller sizes as noted in Comment 11 above, clarification regarding building material percentage amounts and addition of brick to the pole supports for the balconies.
5. Submission of details for proposed dumpster enclosure.
6. Revision of sign design to include monument base.
7. Relocation of transformer pad.

Respectfully,  
**McKENNA**



Vidya Krishnan  
Principal Planner



Hunter Whitehill  
Associate Planner

c: Matt Best, Van Buren Township Director of Public Services  
Paul Kammer, FTCH, Township Engineer  
David McNally, Van Buren Township Fire Chief





March 17, 2021  
Fishbeck Project No. 191784  
Township Project No. 19-040

Carol Thompson  
Planning Commission Chairperson  
Van Buren Township  
46425 Tyler Road  
Van Buren Township, MI 48311

**Clover Senior Housing  
8470 Belleville Road  
Preliminary Site Plan Review**

Dear Carol:

At the request of Van Buren Township (Township), Fishbeck has reviewed the revised Site Plan dated February 26, 2021, submitted to the Township for the Preliminary Site Plan review for the proposed Clover Senior Housing project located at 8470 Belleville Road. At this time, Fishbeck examines and reviews the feasibility of the engineering aspects of the site design but will not conduct a full engineering review until the engineering submittal. Please note, the previous site plan was recommended for Preliminary Site Plan approval for engineering feasibility in our letter dated August 17, 2020.

This project entails construction of a new 125-unit senior housing center at 8470 Belleville Road south of Ecorse Road. The existing site includes an undeveloped 17.25-acre lot fronting Belleville Road. The proposed project includes: construction of a 45,860-square-foot, three story assisted living building; construction of sidewalk and pavement; construction of a 162-space bituminous pavement parking lot; construction of a water main loop around the proposed building; construction of storm drain improvements including a drainage basin; construction of a sanitary sewer system and sewer lead; construction of one driveway with access to Belleville Road; and other various landscaping and site plan improvements. The plans also indicate a proposed parcel split where 1.57 acres will be left as an 'outparcel.'

Our review comments are as follows:

## General

The following items are general requirements established as part of the *Engineering Standards Manual, Charter Township of Van Buren (April 2014)*. The applicant must include the following items as part of the construction plans:

1. Any irrigation plans must be included with the submittal of the Engineering Plans.
2. Soil boring information, including the ground water elevations, must be provided.
3. A quantity list itemizing all proposed public sanitary sewer, storm sewer, and water main construction must appear on each sheet indicating such construction. A quantity list indicating the total quantities of construction for the entire project must also be provided.
4. Plans must include the applicable Standard Detail Drawings as found in Appendix A of the Township *Engineering Standards Manual*. The Township can provide full size sheets of multiple details upon request.

## Water Main Service

**Existing:** The Township's Geographic Information System (GIS) records indicate a publicly owned 12-inch asbestos cement water main running north-south along the east side of Belleville Road.

**Proposed:** The applicant's plan indicates a proposed 8-inch water main loop around the proposed building and connecting to the existing water main running north-south along Belleville Road. The plans also indicate a fire lead and water service lead to the south side of the proposed building from the proposed loop and four proposed fire hydrants.

### Comments:

1. The minimum of ten feet of horizontal separation shall be provided between water mains and sanitary sewer lines, storm sewer lines, or other water mains. This is measured from outside of pipe to outside of pipe and should be indicated on the plans.
2. All water main type and class must be labeled the pipe.
3. Water main and easement must be clear of proposed landscaping trees, signs, and other elements. The following location of water main should be adjusted to provide a clear area for future maintenance and repair:
  - a. The alignment along the south side of the driveway. This water main and easement sit directly below the landscape row of trees and the complex sign. Future maintenance and repair will be very difficult and could impact the water main. This water main alignment should shift to the south, out of the influence of the trees, out of the footprint of the sign. Indicate a cleared 12-foot easement on the south side of the landscaping. This will also shift the tapping location and manhole on the east side of Belleville Road out of the residential driveway and into the grass area.
  - b. The alignment along the northern side of the building. There does not appear to be any reason for the water main to remain in the parking lot and under the proposed landscape peninsula trees. Fishbeck believes the water main can move north into the greenbelt north of the curb line.
  - c. The alignment along the southern side of the building. Again, the water main and easement is directly below proposed trees to be planted. Applicant should shift the alignment south to avoid being within the peninsula. This may also require some adjustment to the storm sewer alignment to maintain the 10 feet of separation as indicated in comment No. 1.
4. The configuration of all utilities (water, sanitary, storm) near the forbay and curved driveway section needs to be simplified. There are too many water main bends, sanitary and storm manholes, and overall too many utility crossings that appear can be avoided if configurations are adjusted. One starting point could be to move the "Public Sanitary Manhole" to the east/north side of the driveway. This could help eliminate having the water main shift into the road.
5. Engineering plans must include all proposed and existing information on how the water main is planned on being installed across Belleville Road, including the tapping method of both locations. Plans must indicate methodology, profiles, areas of disturbance, existing right-of-way (ROW) lines on Belleville Road, potential easements from property owners, pavement and turf restoration, and approval from Wayne County for all work within the ROW.
6. The Township will also require an additional valve to be installed on the 12-inch water main located between the two loop connections to allow for continuous flow to the complex in the event of a repair on the Belleville Road main. This valve can be placed near the southern tap.

## Sanitary Sewer

**Existing:** The Township's GIS records indicate there is an 8-inch public clay sanitary sewer line that runs north-south along the east side of Belleville Road which connects into a 10-inch public clay sanitary sewer line closer to Tyler Road.

**Proposed:** The applicant is proposing to install two 6-inch private sanitary sewer leads flowing into two separate proposed private sanitary manholes and 8-inch PVC sanitary sewer lines, which converge and tap into a proposed public sanitary manhole. A proposed public 8-inch sanitary sewer then flows east towards Belleville Road, where it crosses the roadway and connects into an existing public manhole on the 8-inch sanitary sewer line running north-south along Belleville Road.



#### Comments:

1. The applicant has provided the sanitary basis of design. The overall capacity looks sufficient, but once final design is completed, the sanitary sewer design must be finalized and verified.
2. The sanitary sewer service material must be indicated on the plans.
3. Due to the segment of sanitary sewer being used for future expansion (outlot), the 8-inch sanitary line will be designated as a public sewer, as it is indicated on the plans, and the applicant (and Township) will be required to submit for a sanitary sewer permit from Michigan Department of Environment, Great Lakes, and Energy (EGLE) (Part 41) application.
4. All sanitary easements must extend a minimum of 10 feet beyond the upstream manhole.
5. For engineering review, all sanitary sewer, private and public, must include profiles, indicating size, slope, trench type, crossing distances, and any other information required in the Van Buren Township Engineering Standards manual.
6. The configuration of all utilities (water, sanitary, storm) near the forbay and curved driveway section needs to be simplified. There are too many water main bends, sanitary and storm manholes, and overall too many utility crossings that appear can be avoided if configurations are adjusted. One starting point could be to move the "Public Sanitary Manhole" to the east/north side of the driveway. This could help eliminate having the water main shift into the road.
7. Engineering plans must include all proposed and existing information on how the sanitary sewer is planned on being installed across Belleville Road. Plans must indicate methodology, profiles, areas of disturbance, existing ROW lines on Belleville Road, potential easements from property owners, pavement and turf restoration, and approval from Wayne County for all work within the ROW.

## Storm Sewer

**Existing:** The Township's GIS records indicate there is no existing storm sewer system along Belleville Road adjacent to the proposed development. Stormwater runoff along Belleville is conveyed by an open ditch with driveway culverts towards the south/southwest.

**Proposed:** The applicant is proposing to collect stormwater using a proposed privately-owned storm sewer system and conveyed to an onsite drainage basin. According to the plan's stormwater narrative, the stormwater pond with forebay will be sized to accommodate stormwater from the subject site and future development of the outparcel. The pond is oversized for preliminary detention design and will likely reduce in size during detailed engineering design. The plans indicate a proposed emergency overflow spillway with sheet flow onto the adjacent property at the back of the lot, with no outlet indicated from the basin to an existing stormwater system. Fishbeck understands the coordination with Wayne County is ongoing.

#### Comments:

1. As part of the storm water conveyance system, computations indicating the calculation of the C value for each of the drainage areas should be provided. Assumptions for the base C values should be clearly indicated. Aggregate C values for more than one drainage area are not permitted.
2. Calculations for the design of the storm sewer system must be provided as part of the Engineering Review Application. This is generally given in table format and at minimum, with the information indicated, but not limited to, those items indicated in Chapter 2, Section C.19 of the Township *Engineering Standards Manual*.
3. Flow arrows indicating the existing overland flow routes must be indicated on the existing topographic map indicating the pre-development flow routes onsite.
4. Applicant must submit for stormwater approval from Wayne County prior to the Township accepting submission for Engineering and Final Site Plan approval. The Township will request to see that Wayne County has reviewed and commented on the stormwater system prior to reviewing the system itself.

5. If, after meeting with Wayne County, the applicant is required or recommended to use a retention basin onsite, as they had proposed during their first review process in 2020, the applicant shall read through requirements in Chapter 5, Section A.2 of the Township *Engineering Standards Manual* to determine the use of a retention facility on site. If it is determined no natural drainage course for discharging is available, then the Township can allow the use of a retention basin, in accordance with the Township standards. More information is needed from the applicant and their discussion with Wayne County. Upon gathering the information, the Township, Fishbeck, and the Engineer will discuss allowable options from Wayne County.
6. Please note, if a detention basin is required, the maximum allowable discharge in the Township for detention basins in 0.1 cfs/acre.

## Paving and Grading

1. As part of the Engineering review process, the applicant will be required to provide more detailed grading plans that indicate detailed parking lot grades, Americans with Disabilities Act 2010 (ADA) ramp grades, and all other paved areas.

## Soil Erosion and Sedimentation Control (SESC)

1. The SESC Legend does not match the indicated line type indicated on the plans.
2. SESC plan needs to include all work for tying in the utilities on the east side of Belleville Road.
3. The SESC plan provided must be in accordance with the Township *Engineering Standards Manual*, Chapter II, Plan Requirements, Paragraph D, SESC Plan Requirements, and in accordance with Wayne County SESC standards. A permit must be acquired from the Wayne County SESC County Enforcing Agency.  
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>

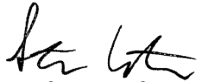
## Recommendation

We are recommending the Planning Commission grant the Clover Senior Housing Project Preliminary Site Plan approval for Engineering feasibility, subject to the comments listed above 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 application for Engineering review. If you have any questions regarding this project, please contact me at 248.324.2137 or [pkammer@fishbeck.com](mailto:pkammer@fishbeck.com).

Sincerely,



**Paul J. Kammer, PE**  
Senior Civil Engineer



**Stephen C. Clayton, PE**  
Civil Engineer

By email

Copy: Matthew Best – Township  
Dan Power – Township  
James Taylor – Township  
Vidya Krishnan – McKenna  
Dave Potter, PE – Fishbeck

Andrew Lenaghan  
Fire Marshal  
O: 734-699-8900 ext. 9416

Van Buren Fire Department  
46425 Tyler Rd  
Van Buren Twp, MI 48111



3/8/2021

Department Building and Planning  
46425 Tyler Road  
Belleville, MI 48111

19-040

Re: Preliminary Site Plan  
Clover Senior Housing  
8470 Belleville Road  
Van Buren Township, Michigan 48111

To whom it may concern:

I have reviewed the **revised** site plan for the proposed Clover Communities to be located 8470 Belleville Rd.

The plan set was reviewed for Fire and Life Safety using the township adopted fire code NFPA 1 and NFPA 101 2018 editions.

Again, please note that **all** applicable **NFPA** codes and standards apply as adopted by the Township of Van Buren.

1. An Electronic Knox-Box will need to be ordered and installed by owner where fire department indicates prior to occupancy. [www.knoxbox.com](http://www.knoxbox.com)

**NFPA 1 16.3.4.3**

2. Emergency Responder Radio Coverage System is required unless it can be proven after building is constructed, and occupied that coverage is sufficient. This will be verified by AHJ prior to final C/O.

**NFPA 72 24.5.2.2.3**

- ~~3. Site Plan CO3 Utility plan shows fire protection leads coming in on the South East corner of the building. A hydrant will need to be placed within 50ft. on the outside of the drive. FDG sign with pressure should be located on the East corner of the building.~~

4. Standpipe connections with 1 ½ connections for firefighting hoses will be required in each stairwell on every level. In the center of the building near the elevator. It shall be a standpipe hose closet as well. No hose is required, just the connection.

**Our Mission:** The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.

**Van Buren Fire Department**  
**46425 Tyler Rd**  
**Van Buren Twp., MI 48111**



Original	Re-Submit	Re-Insp.
	X	

Site Plan  
Building Plan

## Inspection

## Fire Suppression C of O

Review / Inspection	Review Number	Review Date	Reviewed By	Invoice Date	
Preliminary Site Plan	PB19-0040	3/8/2021	Lenaghan	3/8/2021	
Item No.	Description of Services		Hours	Unit	Total
	Additional follow up Site Plans (for corrections and additions)		1	\$50.00	\$50.00

Attachments: Account 101-000-628-001

Notice mailed August 10, 2020

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
REMOTE PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **August 26, 2020 at 7:30 p.m.** Pending extensions to the State of Michigan Governor's Executive Order #2020-129, which allows for remote public meetings, this meeting will take place electronically due to health concerns associated with COVID-19. Alternatively, if the meeting is to occur in person at the on-site location of 46425 Tyler Road, Van Buren Township, MI, 48111, advance notice will be provided via mail. The Planning Commission will consider the following request:

**Case # 19-040-** A request by Beth Ernat of Clover Communities Van Buren LLC to construct a senior housing development with 125 independent senior housing units. The proposed +/- 45,860 square foot, 3-story building is located on the west side of Belleville Road between Tyler Road and Robson Road on a +/- 17.7 acre site including a +/- 15.8 acre development site and a +/- 1.9 acre out parcel. The subject property, 8470 Belleville Road (Parcel ID# 83 036 99 0002 702), is zoned C-2 – Extensive Highway Business District and also in the Belleville Road Overlay District (BROD).

Senior housing developments are a Special Land Use in the C-2 District. The proposed Special Land Use requires a public hearing. This hearing is being held in accordance with Article 12, Chapter 3 of the Zoning Ordinance (Administrative Procedures - Special Land Use Review).

Members of the public may access the agenda materials via the Township website – [www.vanburen-mi.org](http://www.vanburen-mi.org) beginning **August 21, 2020**. On this website, members of the public will also gain access to **means of participating in the electronic meeting**, including a unique Zoom weblink and dial-in phone number with a meeting ID for meeting videoconference or teleconference access. The meeting will be available to view live on the Van Buren Township YouTube Channel which can be reached from the live meeting link located on the Van Buren Township website home page ([www.vanburen-mi.org](http://www.vanburen-mi.org)). Closed captioning will be available after YouTube fully renders meeting video.

A complete **procedure for public comment by electronic means** is provided on a guide which is accessible on the Van Buren Township website ([www.vanburen-mi.org](http://www.vanburen-mi.org)). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments via e-mail to [dpower@vanburen-mi.org](mailto:dpower@vanburen-mi.org) by **Noon, Tuesday, August 25, 2020**, which is the day before the meeting. Members of the public may also contact [dpower@vanburen-mi.org](mailto:dpower@vanburen-mi.org) to be connected with members of the Planning Commission prior to the meeting by e-mail.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend a meeting, and/or to obtain this notice in alternate formats, please contact the Clerk's Office at 734.699.8900 extension 9205.

Posted: 7/31/2020  
Published: 8/6/2020

Notice mailed March 8, 2021

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
REMOTE PUBLIC MEETING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a remote public meeting on **March 24, 2021 at 7:30 p.m.\*\* to discuss the following project:**

**Case # 19-040-** A request by Beth Ernat of Clover Communities Van Buren LLC to construct a senior housing development with ~~125~~ 128 independent senior housing units. The proposed +/- 45,860 square foot, 3-story building is located on the west side of Belleville Road between Tyler Road and Robson Road on a +/- 17.7 acre site including a +/- 16.16 acre development site and a +/- 1.57 acre out parcel. The subject property, 8470 Belleville Road (Parcel ID# 83 036 99 0002 702), is zoned C-2 – Extensive Highway Business District and also in the Belleville Road Overlay District (BROD).

Senior housing developments are a Special Land Use in the C-2 District. The proposed Special Land Use requires a public hearing. A public hearing was held in accordance with Article 12, Chapter 3 of the Zoning Ordinance (Administrative Procedures - Special Land Use Review) on Wednesday, September 9, 2020. At that time, action on the requested project was postponed with an uncertain action date. **This notice is being sent as a courtesy to you and other nearby residents to let you know that the project has been resubmitted for further review and the Planning Commission will again consider action on the requested special land use and preliminary site plan. You may view submittals for this project by visiting [www.vanburen-mi.org](http://www.vanburen-mi.org) → “Development and Planning Commission Items”.**

\*\*We anticipate the review date and time being March 24, 2021 at 7:30 p.m., but we will post an update to the website as soon as possible if there is a change to the schedule under [www.vanburen-mi.org](http://www.vanburen-mi.org) → “Development and Planning Commission Items”.

Members of the public may access the full agenda materials via the Township website – [www.vanburen-mi.org](http://www.vanburen-mi.org) five (5) days prior to the review date. On this website, members of the public will also gain access to **means of participating in the electronic meeting**, including a unique Zoom weblink and dial-in phone number with a meeting ID for meeting videoconference or teleconference access. The meeting will be available to view live on the Van Buren Township YouTube Channel which can be reached from the live meeting link located on the Van Buren Township website home page ([www.vanburen-mi.org](http://www.vanburen-mi.org)). Closed captioning will be available after YouTube fully renders meeting video.

A complete **procedure for public comment by electronic means** is provided on a guide which is accessible on the Van Buren Township website ([www.vanburen-mi.org](http://www.vanburen-mi.org)). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments via e-mail to [dpower@vanburen-mi.org](mailto:dpower@vanburen-mi.org). Members of the public may also contact [dpower@vanburen-mi.org](mailto:dpower@vanburen-mi.org) to be connected with members of the Planning Commission prior to the meeting by e-mail.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend a meeting, and/or to obtain this notice in alternate formats, please contact the Clerk’s Office at 734.699.8900 extension 9205.

Posted: 3/8/2021

82 83 033 99 0042 000  
KARANA, WATHIK M.  
6905 KIRKBRIDGE HILL  
WEST BLOOMFIELD MI 48322

82 83 033 99 0043 001  
PRICE, RAYMOND  
12012 RYZNAR DR  
VAN BUREN TOWNSHIP MI 48111

82 83 033 99 0043 002  
HUNT, JACOB  
STATE FARM INSURANCE  
8380 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 035 99 0001 703  
VAN BUREN CHARTER TOWNSHIP  
46425 TYLER RD  
VAN BUREN TOWNSHIP MI 48111

82 83 036 99 0001 704  
8700 BELLEVILLE ROAD HOLDINGS, LLC  
5910 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 036 99 0002 701  
DDA OF THE CHARTER TWP OF VAN BUREN  
46425 TYLER RD  
VAN BUREN TOWNSHIP MI 48111

82 83 036 99 0002 702  
CARR, F WILLIAM  
FRANCES CARR TAPP  
PO BOX 60010  
CORPUS CHRISTI TX 78466-0010

82 83 038 01 0001 000  
DAVIS, MARY  
PO BOX 202  
VAN BUREN TOWNSHIP MI 48112

82 83 038 01 0002 000  
DAVIS, MARY  
PO BOX 202  
VAN BUREN TOWNSHIP MI 48112

82 83 038 01 0003 301  
PRUNEAU SR, THOMAS & CAROLYN  
45264 ROBSON ROAD  
VAN BUREN TOWNSHIP MI 48111

82 83 038 99 0057 701  
DDA OF THE CHARTER TWP OF VAN BUREN  
46425 TYLER RD  
VAN BUREN TOWNSHIP MI 48111

82 83 038 99 0057 702  
DILAURA, FERNALDO & ALICE TRUST  
8245 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 038 99 0058 000  
HOPKINS, FREESE  
8281 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 01 0030 000  
BELL, RHONDA MARIE  
45271 ROBSON ROAD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 01 0031 000  
SIERAK, SLAVIK  
8451 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 01 0032 000  
NEAL, NICOLE ELIZABETH  
8471 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 01 0033 001  
DUNCAN, LISA  
12959 NAUTICA DRIVE  
VAN BUREN TOWNSHIP MI 48111

82 83 039 01 0033 002  
FESTA, JEREMY & MACAYLA  
8511 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 01 0035 000  
GUENTHER, DALE  
43275 ALVA DR  
VAN BUREN TOWNSHIP MI 48111

82 83 039 01 0036 000  
CARNAHAN, KENNETH & SHIRLEY  
8541 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 99 0005 000  
KOSKI, JEREMY & BENSON, AMBER  
8431 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 99 0006 701  
STORY, JACK T.  
8559 BELLEVILLE RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 99 0006 702  
DDA OF THE CHARTER TWP OF VAN BUREN  
46425 TYLER RD  
VAN BUREN TOWNSHIP MI 48111

82 83 039 99 0007 701  
BC BELLEVILLE MANOR PROPERTY LLC  
32255 NORTHWESTERN HIGHWAY, STE 201  
FARMINGTON HILLS MI 48334

82 83 039 99 0007 702  
DDA OF THE CHARTER TWP OF VAN BUREN  
46425 TYLER RD  
VAN BUREN TOWNSHIP MI 48111

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM  
August 26, 2020  
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 7:31 p.m.

**ROLL CALL:**

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

**Excused:** Budd.

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

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

**Applicant(s) in Attendance:** Beth Ernat of Clover Development and Brad Gilbert of Gilbert Homes.

**Audience:** Nine (9).

**APPROVAL OF AGENDA:**

Motion Boynton, Kelley second to approve the agenda of August 26, 2020 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** Budd.

**Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Boynton, Kelley second to approve the regular meeting minutes of August 12, 2020 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** Budd.

**Motion Carried.**

**PUBLIC HEARING:**

**ITEM #1: 19-040 – CLOVER DEVELOPMENT – PUBLIC HEARING FOR PROPOSED SENIOR HOUSING FACILITY.**

**TITLE: THE APPLICANT, CLOVER COMMUNITIES OF VAN BUREN LLC, IS REQUESTING SPECIAL LAND USE APPROVAL FOR THE CONSTRUCTION OF A PROPOSED SENIOR HOUSING FACILITY WITH 125 INDEPENDENT SENIOR HOUSING UNITS.**



**LOCATION:** THE PROPERTY IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD, BETWEEN TYLER ROAD AND ECORSE ROAD AND IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS) DISTRICT. THE PARCEL IS +/- 17.7 ACRES IN AREA INCLUDING +/- 15.8 ACRE DEVELOPMENT SITE AND A +/- 1.9 ACRE OUT PARCEL.

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

**Roll Call:**

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

**Nays:** None.

**Absent:** Budd.

**Motion Carried.**

Director Power informed Commissioners and the audience that the applicant, Clover Development, has agreed to postpone the consideration for special land use and the preliminary site plan request in order to give additional time for staff review. Director Power recommended the public hearing should be opened but not closed and should be adjourned to a future date as early as the regular meeting on September 9, 2020 at which time the Planning commission may re-open the public hearing and act on the special land use and preliminary site plan requests.

Beth Ernat of Clover Development was available to answer any questions and looks forward to returning in two (2) weeks with updated plans. Clover Development has already received phone calls from residents looking for apartments.

**Motion Kelley, Boynton second to adjourn the public hearing to the September 9, 2020 Planning Commission meeting.**

**Roll Call:**

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

**Nays:** None.

**Absent:** Budd.

**Motion Carried.**

**NEW BUSINESS:**

**ITEM #1: 20-019 – GILBERT HOMES COUNTRY WALK – SITE PLAN AMENDMENT.**

**TITLE:** THE APPLICANT, GILBERT HOMES, IS REQUESTING AN AMENDMENT TO THE APPROVED COUNTRY WALK SITE PLAN FOR REVISED SINGLE-FAMILY ARCHITECTURAL ELEVATIONS.

**LOCATION:** THE UNFINISHED COUNTRY WALK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF THE MARTINSVILLE ROAD AND NORTH OF SAVAGE ROAD.

Brad Gilbert of Gilbert homes gave the presentation. Mr. Gilbert displayed a PowerPoint presentation of three new home elevations for the Country Walk and Arlene Arbors subdivisions.

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM  
September 9, 2020  
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 7:31 p.m.

**ROLL CALL:**

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

**Excused:** None.

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

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

**Applicant(s) in Attendance:** Beth Ernat of Clover Development and Allen Dresselhouse of Ashley Crossroads Distribution Center South LLC.

**Audience:** Nine (9).

**APPROVAL OF AGENDA:**

Motion Boynton, Jahr second to approve the agenda of September 9, 2020 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Boynton, Kelley second to approve the regular meeting minutes of August 26, 2020 as presented.

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**PUBLIC HEARING:**

**ITEM #1:** 19-040 – CLOVER DEVELOPMENT – PUBLIC HEARING FOR PROPOSED SENIOR HOUSING FACILITY.

**TITLE:** 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 IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD, BETWEEN TYLER ROAD AND ECORSE ROAD AND IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS) DISTRICT. THE PARCEL IS +/- 17.7 ACRES IN AREA INCLUDING +/- 15.8 ACRE DEVELOPMENT SITE AND A +/- 1.9 ACRE OUT PARCEL.

**Motion Boynton, Atchinson second to open the public hearing.**

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

No comments from the audience.

**Motion Budd, Franzoi second to close the public hearing.**

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**OLD BUSINESS:**

**ITEM #1:** 19-040 – CLOVER COMMUNITIES SPECIAL LAND USE REVIEW.

**TITLE:** 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 ([M 83-036-99-0002-702), IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN TYLER AND ROBSON ROADS AND IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS) DISTRICT. THE PARCEL IS +/- 17.7 ACRES IN AREA INCLUDING A +/- 1.9 ACRE OUT PARCEL.

Beth Ernat of Clover Communities gave the presentation providing a PowerPoint display. Clover Communities is requesting special land use approval to construct a 128 unit independent living senior housing facility for ages 55 and older. The BZA approved a variance for the accessory garage structure to exceed the allowable coverage and there will be 40 garages with individual bays. The facility will have 122 parking spaces, bicycle racks, sidewalk connections on Belleville Road and common open space area. The applicant is in the process of updating the unit sizes on the site plan, which will increase the building footprint by 44 feet. The exterior will be brick, concrete fiber siding and board and batten. Ms. Ernat displayed the building elevations, color samples of the red brown brick and flat shutters with raised panels in brown and an aerial view of the location. The name of the facility is Belleville Garden Senior Apartments.

Vidya Krishnan of McKenna Associates inquired if it is 44 square feet or 44 feet that will be added to the building. Ms. Ernat stated that the building will need to be enlarged by 44 linear feet and that she is currently working with the architect on the change. Vidya Krishnan of McKenna Associates informed the applicant that changing the actual building footprint changes the whole review, State law requires it to be very accurate.

Director Power informed that in the zoning ordinance there is an 850 square foot minimum for the units. Some modifications will need to be made to meet this requirement based on the applicant's comments. The Planning Commission's options are to see if there is a creative solution for the applicant to keep the same building footprint and if not, to address special land use at a later date with revised plans to see what the revised building footprint is.

Director Best inquired where the 44 linear foot change will be. Ms. Ernat stated it would not be a 44 foot line, it could be 8 feet north, 18 feet south, etc. Some of the units can be made smaller to make up the difference, however some units are already smaller than what is required by the ordinance. The building calculations will need to be double checked and resubmitted.

Vidya Krishnan informed the Commission that preliminary site plan cannot be granted when moving exterior walls and changing the building footprint. The architect will need to revise the plans for resubmittal and the staff will need to re-notice the public hearing.

Commissioners agreed to table the discussion and postpone action on both special land use and preliminary site plan approval to allow the applicant to make adjustments to the site plan.

**Motion Boynton, Atchinson second to postpone any action or discussion of the Clover Communities special land use and preliminary site plan requests to allow the applicant to make adjustments to the site plan.**

**Roll Call:**

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

**Nays:** None.

**Absent:** None.

**Motion Carried.**

**ITEM #2: 19-040 – CLOVER COMMUNITIES PRELIMINARY SITE PLAN REVIEW.**

**TITLE: 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 ([M 83-036-99-0002-702), IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN TYLER AND ROBSON ROADS AND IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS) DISTRICT. THE PARCEL IS +/- 17.7 ACRES IN AREA INCLUDING A +/- 1.9 ACRE OUT PARCEL.**

No additional comments from the applicant.

**Motion Boynton, Atchinson second to postpone any action or discussion of the Clover Communities special land use and preliminary site plan requests to allow the applicant to make adjustments to the site plan.**

**Roll Call:**

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

**Nays: None.**

**Absent: None.**

**Motion Carried.**

**ITEM #3: RM, MUTIPLE DWELLING RESIDENTIAL DISTRICT.**

**TITLE: PROPOSED AMENDMENTS THAT WOULD ALLOW SINGLE-FAMILY DETACHED DWELLINGS AT A DENSITY OF 6-7 UNITS PER ACRE AS A PERMITTED USE BY RIGHT IN THE RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT AND WOULD CONTEMPLATE DIMENSIONAL REQUIREMENTS FOR THESE DETACHED SINGLE-FAMILY DWELLINGS. THE AMENDMENTS WILL BE TO SECTION 3.107(B) AND 3.107(E) – RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT – PERMITTED USES AND DIMENSION REGULATIONS.**

Vidya Krishnan of McKenna Associates gave the presentation. The proposed amendments are to include detached single family dwellings in the RM District, in which there will be two definitions: **RM Single Family Edge Dwelling:** An RM single family building containing not more than one (1) dwelling unit designed for residential use of one (1) family only, located along a property line abutting a major thoroughfare or property zoned AG, R-1A, R-2A, R-1B or R-1 and provided the requirements of Section 5.114 are met.

**RM Single Family Interior Dwelling:** An RM single family building containing not more than one (1) dwelling unit designed for residential use of one (1) family only, located on the interior of a parcel developed for single family use, abutting an interior street in a development or abutting a property zoned RM-1 or RM-2 and provided the requirements of Section 5.114 are met.

The Edge dwelling lots have a minimum lot area of 7,200 square feet, while the Interior dwelling lots have a minimum lot area of 6,300 square feet. The look of the larger lots on the edges and smaller lots in the interior creates a community look for the neighborhood. The smaller interior lots will have rear yard access through alleyways and garages can be attached or detached. The ordinance amendment corrects a lot of existing non-conformities.

Director Power informed the Commission and the audience that all concerns brought up in previous meetings have been addressed and the public hearing is set for September 23, 2020.

Commissioners commended Vidya Krishnan on an excellent presentation, they like the concept of the less dense edge lots and higher density interior lots. Commissioners would like to see the Lakeshore District (BLA and BLB) added to the edge dwelling definition, expressed concern with the interior dwelling side yard setbacks being too tight and asked for clarification on footnotes Z and AA. Footnote Z requires any vehicular access to the accessory structure to be from the rear via an alleyway for interior dwellings. Footnote AA indicates that accessory structures may be attached or detached for interior dwellings.

CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS  
TUESDAY, FEBRUARY 9, 2021  
MINUTES

structure is perceived, then there would be no need for the applicant to return to the BZA for a variance.

Moved and seconded by Board members Martin and Herman to postpone the variance request and send NEAPCO Drivelines to the Planning Commission for consideration of a solution over 1) total lot coverage, 2) how lot coverage is defined, or 3) how a structure is defined.

**Roll Call Vote:** (6) AYES – Grissett, Martin, Haase, Herman, Larocque, Atchinson  
(1) NAYS – Sellers

**Motion Carried**

**3. Case Number: 21-005 – Clover Communities Van Buren LLC**

**Location/Parcel #:** 8470 Belleville Rd./Parcel ID# 83 036 99 0002 702, zoned C-2 – Extensive Highway Business District

**Request:** Interpretations by the Board of Zoning Appeals (BZA) of the definition of “Usable Floor Area” as described in the following Section of the Charter Township of Van Buren Zoning Ordinance:

- Section 5.143 Senior Housing
- (D) Required Minimum Usable Floor Area in Square Feet Per Dwelling Unit
  - (1) Independent Living Units: Efficiency/studio and one-bedroom dwelling units: 650 feet; Two-bedroom dwelling units: 850 square feet.

**Interpretations for which appeals are sought:**

- **Balconies** are not intended to be credited toward usable floor areas of dwelling units for purposes of meeting minimum usable floor area requirements.
- **Communal living spaces** are not intended to be credited toward usable floor areas of dwelling units for purposes of meeting minimum usable floor area requirements.

Moved and seconded by Board members Haase and Herman to open the Public Hearing.

**Roll Call Vote:** (7) AYES – Sellers, Grissett, Martin, Haase, Herman, Larocque, Atchinson  
(0) NAYS

**Motion Carried**

**Staff/Consultant Comments:**

Director Power explained in this case, the BZA is requested to hear and decide appeals for the interpretation of the provisions of the Zoning Ordinance per Section 12.403(B). In particular, this applicant seeks the interpretation pertaining to the minimum Usable Floor Area (UFA) in square feet per dwelling unit in independent senior housing developments, specifically regarding how balconies and communal living areas apply toward this requirement. A single one-bedroom dwelling unit in a senior housing development requires a 650 sq. ft. and two-bedroom dwelling unit requires 850 sq. ft. Staff’s original interpretation of the Ordinance, balcony space and communal living space (game room, coffee area, seating areas, etc.) cannot be credited towards the UFA within a building. Tonight’s request

CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS  
TUESDAY, FEBRUARY 9, 2021  
MINUTES

is not to seek a variance to this standard but to seek a reinterpretation of how this standard is applied, which would consider allowing balconies and/or communal living space. For example, the BZA will consider whether or not each dwelling unit will consist of 850 sq. ft. or there must be 850 sq. ft. UFA accounted for in the overall building for the number units that exist in the building.

Vidya Krishnan explained the proposed Clover Senior Housing Development is a 3-story, 45,860 sq. ft. building with 125 living units. The sizes of the units vary from 682 sq. ft. (one-bedroom) to 776-810 sq. ft. (two-bedroom). The Ordinance currently requires a minimum of 850 sq. ft. for a two-bedroom unit, making the proposed units 74-40 sq. ft. smaller in size than required. The applicant contends that the UFA should include the individual balconies provided for each unit and the community area (i.e., common use spaces within the building). However, language in Section 4.103. Footnotes to the schedule of regulations, subsection (b) is very clear on the exclusion of balcony square footage in the overall dwelling unit's UFA. With regards to common-space areas (areas with amenities for residents only), there is some merit to include these areas as part of a unit's UFA when considering senior housing (only). This could be addressed through a zoning amendment. An interpretation by the BZA would allow the Planning Commission to proceed with formally changing the Zoning Ordinance to help make this interpretation concrete for future any developments. After this interpretation and clarification, the applicant will have to return to the Planning Commission for site plan and special land use approval.

Ms. Krisnan explained that since this case is not a variance request, we will not use the standards of practical difficulties of unnecessary hardships; however, interpreting the ordinance is within the police power of the BZA. It is further recommended per McKenna letter dated January 27, 2021, the BZA take the following actions:

- Uphold the ordinance language for usable floor area to exclude balconies from being considered as usable floor area.
- Agree to an interpretation to include common-space/community space/amenities within the building as usable floor area for senior housing only.
- Request the Planning Commission to amend the senior housing ordinance to add such clarification.

These recommended actions are based on the following findings of fact:

- 1) The ordinance definition is clear that balconies, terraces and similar 'outdoor' unheated spaces cannot be considered as part of the usable floor area for living purposes.
- 2) The Township ordinance for senior housing unit sizes is moderate and requires unit sizes in a middle range of other communities with a similar ordinance.
- 3) Seniors tend to use amenities and common-space areas and facilities provided within the building.
- 4) The proposed interpretation appeal is related to the valid exercise of police power.
- 5) The interpretation is not likely to impair light and air to adjacent property or increase the congestion in the public streets.
- 6) The interpretation is not likely to increase the hazard of fire or flood or endanger the public safety.
- 7) The interpretation is not likely to diminish or impair established property values within the surrounding areas.

CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS  
TUESDAY, FEBRUARY 9, 2021  
MINUTES

- 8) The interpretation is not likely to impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Township.
- 9) The interpretation is not likely to alter the essential character of the neighborhood.

Clover Communities Representatives: Beth Ernat (Development Director), Matt Roland, and Jared Kime

In brief, Ms. Ernat presented a PowerPoint presentation. Some highlights are as follows:

- Has approximately 6,500 active adults age-restricted independent living units in over 50 communities throughout the northeast and Midwest.
- Designed for self-sufficiency and offer affordable rates.
- Included in the lease are the communal areas (community room, outdoor patio, library, community lounge w/ fireplace and study, fitness center, coffee room w/ seating, family room and resident seating areas throughout the building) available only to the residents of the building, making them part of their home environment.
- On-site beauty salons / barbers are not included as part of the communal living space because they are not used by everyone and are paid-per-service amenities.
- Individual storage units are also available as a paid-per-service or an add-on.
- Clover Communities recognizes/concedes that the balconies should not be included in the overall UFA calculations.
- They also acknowledged that the utilities areas and sanitary facilities are excluded from the UFA calculations.
- Will not include a commercial kitchen but a microwave and refrigerator will be available.
- Including the communal areas in the UFA, the revised average square footage per apartment was presented in a chart.

Mr. Kime added that the main point they are trying to convey relating to the ordinance's definition, it is the "square footage per unit"; not "square footage in the unit". The common spaces are large usable spaces that take up much of the building's footprint for the residents' use making it a communal environment. They are well designed with higher end finishes to make them welcoming and comforting to be part of their communal living vs. singular living.

Director Power summarized that the applicant is not including: salon/barber shop, individual storage units, hallways, elevators, trash rooms, bathrooms, mechanical rooms, stairs, mail rooms in what is deemed UFA. Excluding these areas, the applicant is looking at the entire enclosure of this building and there will be some UFAs boxed into discreet dwelling units and additional UFA available through communal rooms (i.e., coffee area, etc.). BZA is being asked whether or not this is a valid interpretation of UFA per unit as required for senior housing as opposed to the initial interpretation that the only UFA is each discreet dwelling unit.

**Board Discussion:**



CHARTER TOWNSHIP OF VAN BUREN  
BOARD OF ZONING APPEALS  
TUESDAY, FEBRUARY 9, 2021  
MINUTES

With reference to Clover's chart, Board members asked for clarification if each floor had their own common areas figured into their UFA per unit or is all the common areas shared among the three floors.

Ms. Ernat clarified that the computations for the common areas are calculated by floor; not as a whole unit.

Will be residents be allowed to use all the common areas on any of the floors? Yes. The calculations were broken down by floor because each floor contained a different number of units; however, the residents are free to visit all common areas.

Will all the residents be offered a separate storage room in the building? Yes. Storage is an add-on service and is available to all residents if they want it. In this building, approximately 75% would be able to sign-up for the storage. In other Clover properties, on average, 50% of the residents utilize this service. Enclosed garages are also available as an add-on and excluded from the unit size calculations.

Being that there were no public comments, moved and seconded by Board members Atchinson and Haase to close the Public Hearing.

**Roll Call Vote:** (7) AYES – Sellers, Grissett, Martin, Haase, Herman, Larocque, Atchinson  
(0) NAYS

**Motion Carried**

Moved and seconded by Board members Grissett and Herman to uphold the ordinance language for usable floor area to exclude balconies from being considered as usable floor area.

**Roll Call Vote:** (7) AYES – Sellers, Grissett, Martin, Haase, Herman, Larocque, Atchinson  
(0) NAYS

**Motion Carried**

Moved and seconded by Board members Atchinson and Sellers to agree with the interpretation put forth by the Vidya Krishnan's, Principal Planner - McKenna Associates, letter dated January 27, 2021, to include common-space/community space/amenities within the building as part of usable floor area for senior living only and request Planning Commission to amend the senior housing ordinance to add such clarification.

**Roll Call Vote:** (7) AYES – Sellers, Grissett, Martin, Haase, Herman, Larocque, Atchinson  
(0) NAYS

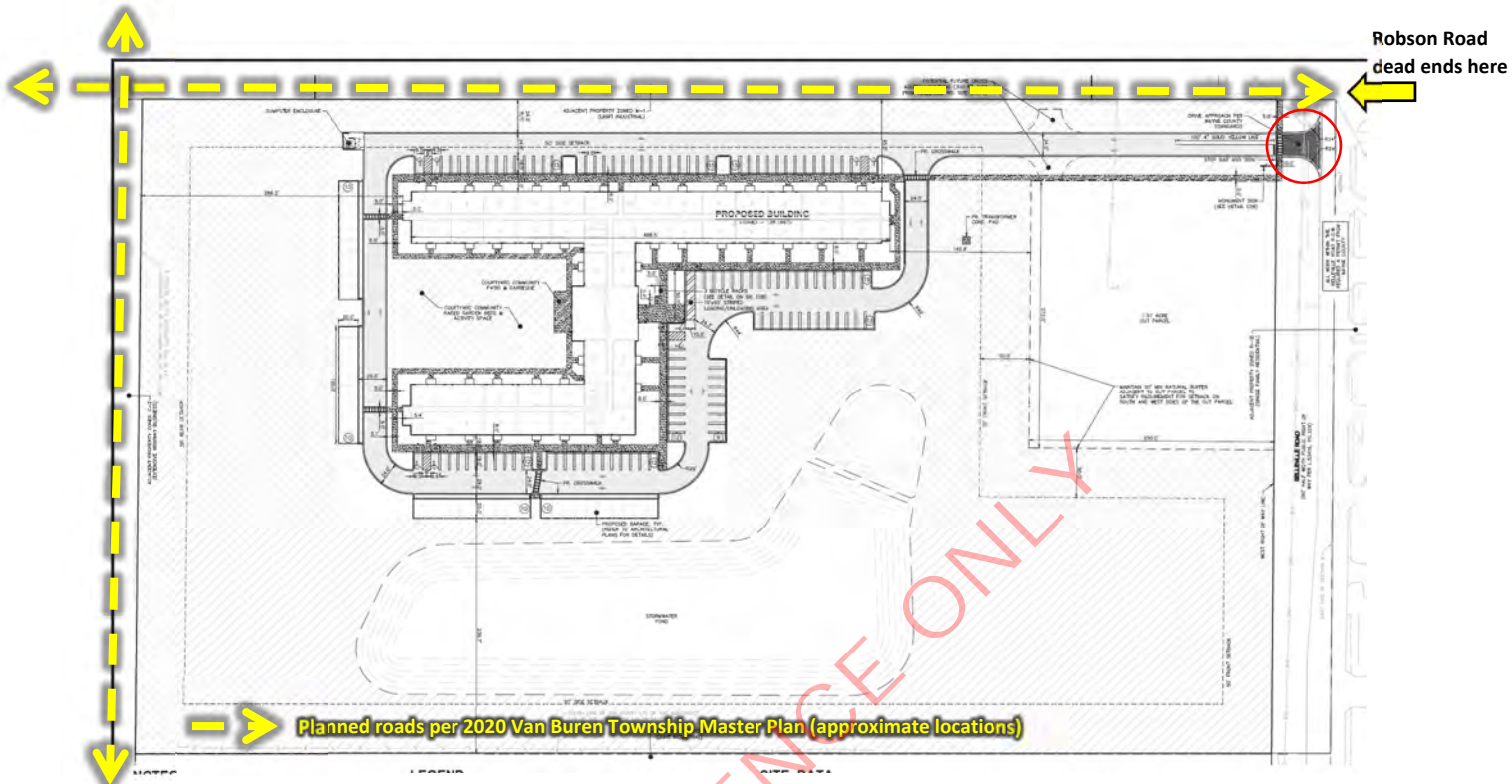
**Motion Carried**

Director Best stated that the next step will be Director Power and Principal Planner Krishnan will put together findings of facts including the Motions that were approved tonight as well as the recommended interpretations for usable floor area and common areas to be added to independent senior living. Once assembled, they will then make a recommendation for the Planning Commission for this suggested change. This will allow Planning Commission to move forward on this interpretation and help get this project going.

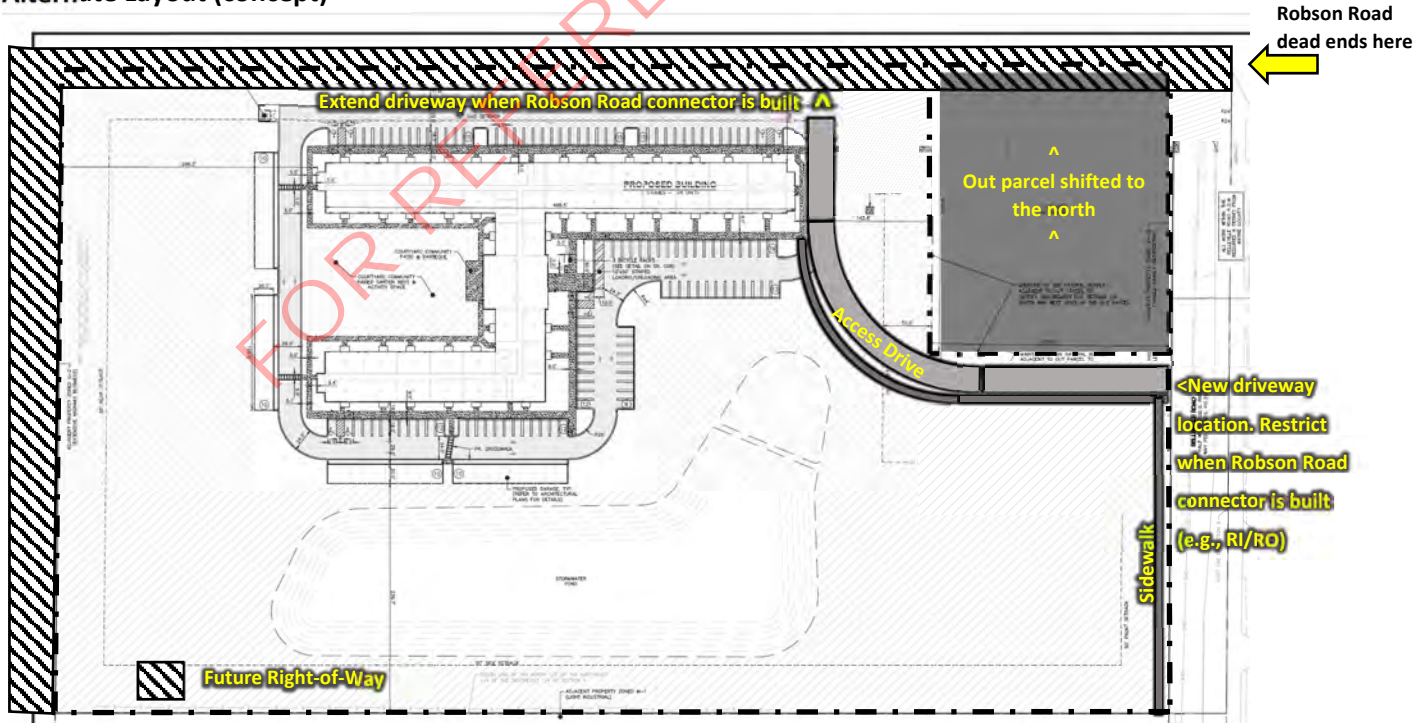
**DRAFT concept – for discussion**

Van Buren Township Planning and Economic Development Department, 2/19/2021

**Current Proposed Layout**



**Alternate Layout (concept)**



- Allows for future cohesion with master plan and allows future Robson Road ROW extension
- No changes to building or stormwater facility location
- Reduces left turn lockup with Robson Road
- Adheres to common driveway spacing standards by shifting driveway +/- 300' to the south of the Robson intersection
- Improves lot split viability (exchanges two-prong frontage with two discrete frontages for two parcels)



Case number \_\_\_\_\_  
Dated submitted \_\_\_\_\_

## Board of Zoning Appeals Application

### APPLICANT INFORMATION

**Applicant** Midwestern Consulting, Rob Wagner **Phone** 734-995-0200 Ext. 274  
**Property Owner (if different than applicant)** South Yost, LLC **Phone** 734-748-6829  
**Address** 44145 Yost Road **Fax** \_\_\_\_\_  
**City, State** Belleville, MI **Zip** 48111 **E-Mail Address** kramirez@eqhco.com

### SITE INFORMATION

**Property Location:** On the South Side of Yost Road; Between Sheldon Road and End of Road. **Size of Lot** Width 311 Depth 210 Acreage 1.50  
**Date Property Acquired and the Type of Ownership** \_\_\_\_\_  
**State all deed, subdivision improvement and property restrictions in effect at this time, together with dates of expiration:**  
\_\_\_\_\_

### VARIANCE REQUEST

**Variance to Zoning Ordinance Section (s)** 3.115 E  
**Explanation of the Practical Difficulty of the Property as defined in Section 19.07** Existing building in non-compliant. The building addition is to adjoin existing building and also provide state mandated structure over existing concrete loading dock structure that is also within side and rear setback.  
**Explanation of request for Administrative Review Interpretation** Request approval of variance based on existing site non-compliance and state mandated structure construction.

### REQUIRED INFORMATION

Photographs of the building and/or structures on site  
Sketch plan or plot plan showing the dimensions of the lot and the existing and proposed setbacks

### OWNER'S AFFIDAVIT

Nicolas Ferrantino  
Print Property Owners Name

[Signature] 1/20/21  
Signature of Property Owner Date

STATE OF MICHIGAN  
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this 20th day of January, 200 2021  
Laura M. Raulier Notary Public, Wayne County, Michigan

My Commission expires 2-6, 200 2025  
Laura M. Raulier



## MEMO

---

TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: SPR 20-026 / BZA 21-010 – 44145 Yost Road Waste Transfer Station – Dimensional (setback) variances – preliminary review  
DATE: March 19, 2021

---

The Van Buren Township Board of Zoning Appeals (BZA) will be requested to consider the following variance request related to 44145 Yost Road (tax parcel ID 83 009 99 0004 001), which is zoned M-1 – Light Industrial, at their upcoming meeting to be held on April 13, 2021:

Case # 21-010- A request by applicant Rob Wagner of Midwest Consulting on behalf of owner South Yost, LLC, for two (2) variances from the side yard setback and rear yard setback requirements of Section 4.102 (Schedule of Regulations) of the Van Buren Township Zoning Ordinance. The Zoning Ordinance requirements and requested variances are clarified below:

- Required: The side yard setback shall be a minimum of 40' and the rear yard setback shall be a minimum of 40'.
- Proposed: 7.89' side yard setback and 0' rear yard setback.

This unique request is being made by the applicant to provide shelter over an outdoor waste transfer area as required as part of the issuance of a license by the State of Michigan Department of Environment, Great Lakes and Energy (EGLE). The proposed shelter will be 5,400 square feet in area. 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 application.

As with other pending site plan review applications that require one or more variances, the Planning Commission is invited to provide commentary on this proposal prior to its consideration by the BZA. Included in this packet for the Planning Commission's consideration is a 4-page set of preliminary site plan drawings dated February 15, 2021. I invite the Planning Commission to share their comments at the meeting on March 24, 2021 and I look forward to this review.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Power'.

Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC: Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning Consultant – McKenna Associates  
Matthew Best, M.S. - Public Services Director, Van Buren Charter Township  
Robert C. Wagner – Midwestern Consulting, Inc.  
Kevin Ramirez – South Yost, LLC



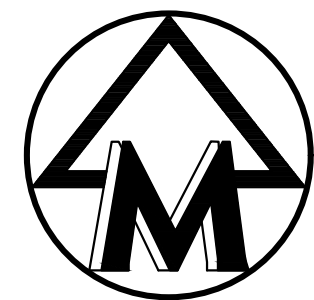
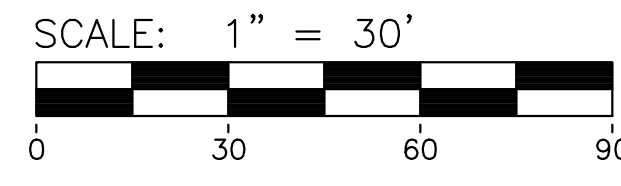
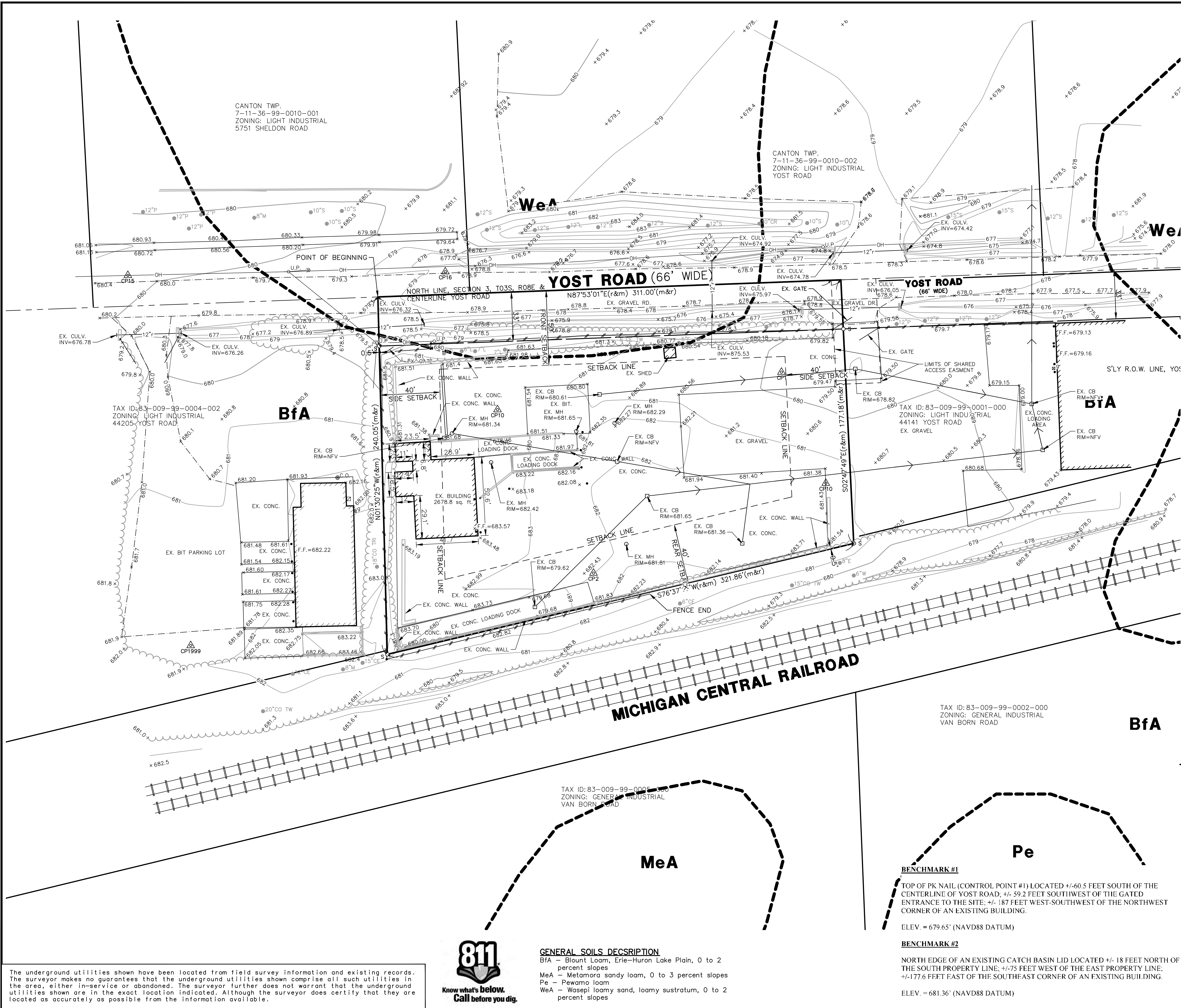
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P.E. #



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### NOTES

ADD NOTES AS NECESSARY

### LEGEND

- 838 EXIST. CONTOUR
- x836.2 EXIST. SPOT ELEVATION
- o- U.P. EXIST. UTILITY POLE
- o- CP EXIST. GUY POLE
- guy wire EXIST. GUY WIRE
- OH ELEC. TRANSFORMER
- OH EXIST. OVERHEAD UTILITY LINE
- \* EXIST. LIGHT POLE
- t- EXIST. TELEPHONE LINE
- e- EXIST. ELECTRIC LINE
- g- EXIST. GAS LINE
- g- EXIST. GAS VALVE
- f.o.- EXIST. FIBER OPTIC LINE
- w- EXIST. WATER MAIN
- w- EXIST. HYDRANT
- x- EXIST. GATE VALVE IN BOX
- x- EXIST. GATE VALVE IN WELL
- x- EXIST. CURB STOP & BOX
- o- EXIST. BLOW-OFF
- o- EXIST. POST INDICATOR VALVE
- o- EXIST. STORM SEWER
- o- EXIST. CATCH BASIN OR INLET
- o- EXIST. BEEHIVE INLET
- o- END SECTION
- o- CULVERT
- o- EXIST. SANITARY SEWER
- o- EXIST. CLEANOUT
- o- C/L OF DITCH
- >- DRAINAGE DIRECTION
- >- SIGN
- >- MAILBOX
- >- TELEPHONE RISER
- >- CABLE TELEVISION RISER
- >- ELECTRIC METER
- >- WATER METER
- >- GAS METER
- >- GAS LINE MARKER
- >- POST
- >- EXIST. BOLLARD
- >- WELL
- >- FENCE
- >- GUARDRAIL
- >- SINGLE TREE
- >- TREE OR BRUSH LIMIT
- >- SECTION CORNER
- >- SET IRON PIPE
- >- FOUND IRON PIPE
- >- SET MONUMENT
- >- FOUND MONUMENT
- >- SET P.K.
- >- FOUND P.K.
- >- SET IRON ROD
- >- FOUND IRON ROD
- >- CONTROL PT.
- >- CENTERLINE
- >- PROPERTY LINE
- >- EXIST. FLAG POLE
- >- EXIST. GAS FILLER CAP

### LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 3, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN

That part of the West 1/2 of the Northeast 1/4 of Section 3, Town 3 South, Range 8 East described as:

Beginning at a point on the North line of said Section, distant North 89 degrees 54 minutes 30 seconds East 1031.52 feet from the North 1/4 corner of said Section; running thence North 89 degrees 54 minutes 30 seconds East 311.00 feet; thence South 00 degrees 46 minutes 20 seconds East 177.18 feet to the North line of Michigan Central Railroad Right of Way; thence South 78 degrees 38 minutes 40 seconds West 321.86 feet; thence North 00 degrees 31 minutes 04 seconds East 240.05 feet to the point of beginning.

The above described parcel being more particularly described as:

Commencing at the North 1/4 corner of Section 3, Town 3 South, Range 8 East, Van Buren Township, Wayne County, Michigan; thence S 89°55'08" E 472.93 feet along the North line of said Section 3; thence continuing along said North line N 89°44'30" E 558.59 feet to the POINT OF BEGINNING;

thence continuing along said North line N 89°54'30" E 311.00 feet; thence S 00°46'20" E 177.18 feet to the North line of the Michigan Central Railroad Right of Way; thence along said Right of Way, S 78°38'40" W 321.86 feet; thence N 00°31'04" E 240.05 feet to the POINT OF BEGINNING. Being a part of the Northeast 1/4 of Section 3, Town 3 South, Range 8 East, Van Buren Township, Wayne County, Michigan and containing 1.50 acres of land, more or less. Subject to the rights of the public over the north 33 feet thereof as occupied by Yost Road (66 feet wide). Subject to any other easements or restrictions of record, if any.

### GENERAL SOILS DESCRIPTION

- BfA - Blount Loam, Erie-Huron Lake Plain, 0 to 2 percent slopes
- MeA - Metamora sandy loam, 0 to 3 percent slopes
- Pe - Pewamo loam
- WeA - Wasepi loamy sand, loamy sustratum, 0 to 2 percent slopes



The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

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**CLIENT**  
VBTS LLC  
44145 YOST ROAD  
VAN BUREN TOWNSHIP, MI 48111  
KEVIN RAMIREZ  
734-748-1456

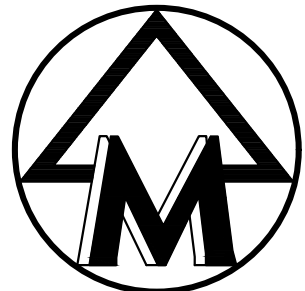
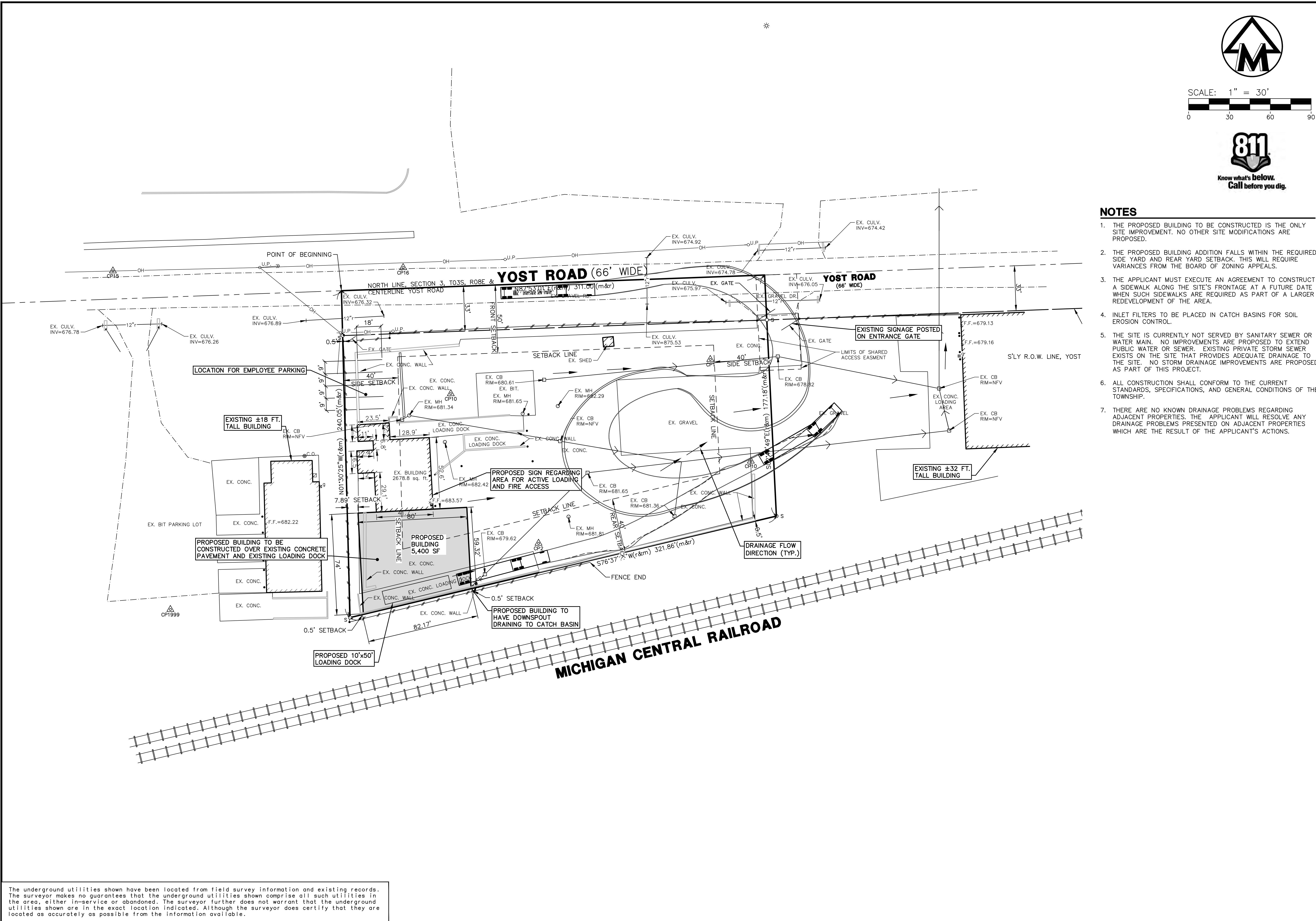
**VAN BUREN TRANSFER STATION**  
VAN BUREN TRANSFER STATION BUILDING ADDITION  
EXISTING SITE CONDITIONS AND SURVEY PLAN

**2**

JOB No.	18274
DATE	10/27/20
REV. DATE	02/15/21
PER TOWNSHIP REVIEW	
CAO	ENG. JCA
PM	RCW
TECH	7/02/2021



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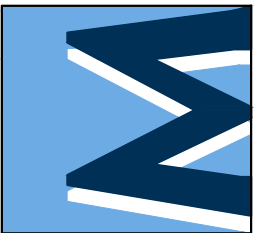
SCALE: 1" = 30'  
0 30 60 90



### NOTES

1. THE PROPOSED BUILDING TO BE CONSTRUCTED IS THE ONLY SITE IMPROVEMENT. NO OTHER SITE MODIFICATIONS ARE PROPOSED.
2. THE PROPOSED BUILDING ADDITION FALLS WITHIN THE REQUIRED SIDE YARD AND REAR YARD SETBACK. THIS WILL REQUIRE VARIANCES FROM THE BOARD OF ZONING APPEALS.
3. THE APPLICANT MUST EXECUTE AN AGREEMENT TO CONSTRUCT A SIDEWALK ALONG THE SITE'S FRONTAGE AT A FUTURE DATE WHEN SUCH SIDEWALKS ARE REQUIRED AS PART OF A LARGER REDEVELOPMENT OF THE AREA.
4. INLET FILTERS TO BE PLACED IN CATCH BASINS FOR SOIL EROSION CONTROL.
5. THE SITE IS CURRENTLY NOT SERVED BY SANITARY SEWER OR WATER MAIN. NO IMPROVEMENTS ARE PROPOSED TO EXTEND PUBLIC WATER OR SEWER. EXISTING PRIVATE STORM SEWER EXISTS ON THE SITE THAT PROVIDES ADEQUATE DRAINAGE TO THE SITE. NO STORM DRAINAGE IMPROVEMENTS ARE PROPOSED AS PART OF THIS PROJECT.
6. ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT STANDARDS, SPECIFICATIONS, AND GENERAL CONDITIONS OF THE TOWNSHIP.
7. THERE ARE NO KNOWN DRAINAGE PROBLEMS REGARDING ADJACENT PROPERTIES. THE APPLICANT WILL RESOLVE ANY DRAINAGE PROBLEMS PRESENTED ON ADJACENT PROPERTIES WHICH ARE THE RESULT OF THE APPLICANT'S ACTIONS.

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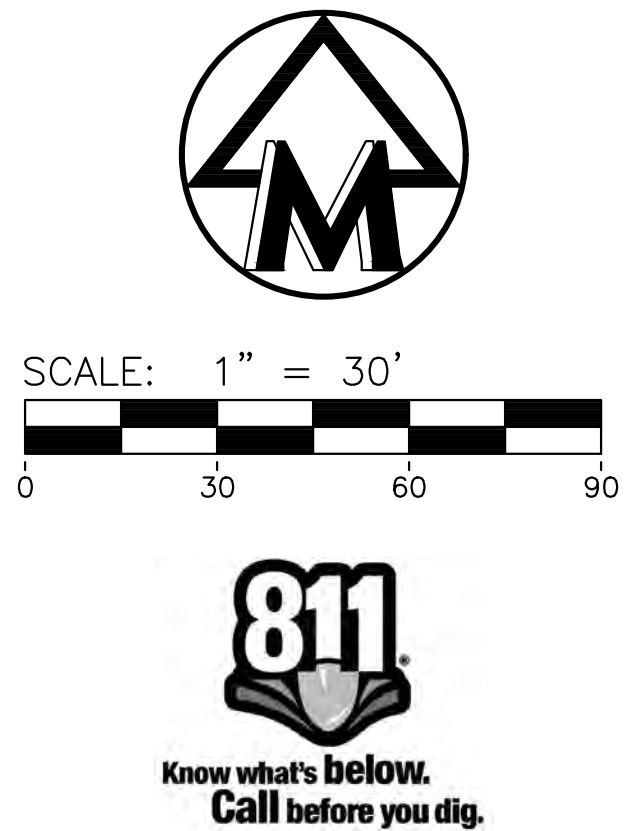
**VAN BUREN TRANSFER STATION**  
VAN BUREN TRANSFER STATION BUILDING ADDITION  
PROPOSED SITE PLAN

**3**

JOB No. <b>18274</b>	DATE: 10/27/20	SHEET 3 OF 4
	REV. DATE: 02/15/21	CADD: JCA
PER TOWNSHIP REVIEW		ENG: JCA
		PM: RCW
		TECH: /18274SP1

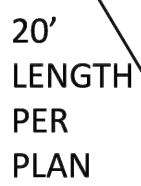
The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.





1. EXISTING TREES IDENTIFIED ON SITE TO BE USED TOWARD LANDSCAPE REQUIREMENTS:
  - 6" LOCUST
  - 6" LOCUST
  - 7" LOCUST
  - 7" LOCUST
  - 6" CEDAR
  - 5" LOCUST
  - 8" LOCUST
2. EXISTING UNDERSTORY TREES TO BE USED TO SATISFY ORNAMENTAL TREE REQUIREMENT (NOT LOCATED):
  - MULBERRY
  - SUMAC
3. EXISTING VEGETATION WITHIN HEDGE R.O.W. TO BE USED TO SATISFY SHRUB REQUIREMENT (NOT LOCATED):
  - CHOKE CHERRY
  - CORNUS SPP.
  - VIBURNUM

		Required	Proposed
<b>ROW</b>			
	Yost Road frontage = 281'	1 Deciduous tree per 40 lf= 7 trees 1 Ornamental tree per 100 lf= 3 trees 8 shrubs per 40 lf= 56 shrubs	7 Existing trees identified on site 3+ existing ornamental trees Existing hedge row in lieu of proposed shrubs See landscape plan for locations
<b>PARKING LOT</b>			
		Landscaping, berm or masonry wall or combination of within 10' of parking lot pavement adjacent to sidewalks, ROW or streets.	Combination of existing dense vegetation and 7' tall existing concrete block wall See photograph this sheet
<b>INTERIOR PARKING LOT</b>			
		Landscaped islands equal to 5% of area of paved parking, loading, driveways and aisles = 190 sf 1 tree per 300sf of area = 1 tree	220 sf provided in raised planting bed with 3 Fine Line Buckthorn which requires a <b>landscape waiver/modification from 360 sf min. size island to 220 sf and 3 upright tree like shrubs in lieu of 1 tree due to existing surface conditions and configuration of parking area.</b>
<b>LOADING AREA</b>			
		All loading areas (including, but not limited to, truck docks, overhead doors, or trailer staging areas) not screened by an intervening building shall be screened from a perpendicular view from any public street rights-of-way or adjacent residential zoning district for the entire length except for necessary access.	Existing vegetation along the property frontage is thick enough to screen the loading areas from perpendicular views along Yost Road.
<b>GREENBELT BUFFER</b>			
		A ten (10) foot wide buffer, with one (1) tree per thirty (30) linear feet is required to the north and west. A twenty (20) foot wide buffer, with one (1) tree per twenty (20) linear feet (minimum of 50% evergreen trees) is required along the south lot line. A six (6) foot high masonry wall or opaque fence may be installed in lieu of the required trees.	North - 10' buffer and existing vegetative buffer West - 7.89' buffer, existing 7' concrete block wall and existing vegetative buffer. <b>Waiver/modification required for 7.89' which is less than the 20' required buffer due to location of existing building</b> South - Existing 7' concrete block wall
<b>TREE REMOVAL</b>			
			No tree removal proposed
<b>PLANT LIST</b>			
3 RF	Rhamnus frangula	Fine Line Buckthorn	3-4' hgt
			B&B



NOTE:  
PLANTER SHALL BE LINED WITH GEO-TEXTILE FABRIC AND FILLED TO 3" BELOW TOP WITH PLANTING MIX. AFTER PLANTING PROVIDE 3" OF SHREDDED CEDAR MULCH COVERING. WATER PLANTS REGULARLY.

## RAISED PLANTING BED

NOT TO SCALE



## EXISTING BLOCK WALL



# PLANNING & ZONING APPLICATION

Case number 20-035

Date Submitted 11/10/2020

## APPLICANT INFORMATION

Applicant KW Land Development Phone 313-218-3301  
Address 13150 Rawsonville Rd. Fax \_\_\_\_\_  
City, State Belleville Mi 48111 Zip 48111  
E-mail zander@kngl.com Cell Phone Number \_\_\_\_\_  
Property Owner Wilkin Farm Properties Phone 517-605-1478  
(if different than applicant)  
Address 8700 Braun Rd Fax \_\_\_\_\_  
City, State Saline Mi Zip 48176  
Billing Contact \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City, State \_\_\_\_\_ Zip \_\_\_\_\_

## SITE/PROJECT INFORMATION

Name of Project Farm Ponds for crop irrigation  
Parcel Id No. V125-83- Project Address \_\_\_\_\_

### Attach Legal Description of Property

Property Location: On the East Side of Sumpter Road; Between Hull Road  
and Bemis Road. Size of Lot Width \_\_\_\_\_ Depth \_\_\_\_\_

Acreage of Site \_\_\_\_\_ Total Acres of Site to Review 280 Current Zoning of Site Ag/Residential  
Project Description: \_\_\_\_\_

Is a re-zoning of this parcel being requested? NO YES (if yes complete next line) NO  
Current Zoning of Site \_\_\_\_\_ Requested Zoning \_\_\_\_\_

## SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? YES (if yes complete next line) NO  
Section of Zoning Ordinance for which you are applying \_\_\_\_\_  
Is there an official Woodland within parcel? \_\_\_\_\_ Woodland acreage \_\_\_\_\_  
List total number of regulated trees outside the Woodland area? \_\_\_\_\_ Total number of trees \_\_\_\_\_  
Detailed description for cutting trees \_\_\_\_\_

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

## OWNER'S AFFIDAVIT

Dennis C Wilkin

Print Property Owners Name

[Signature]  
Signature of Property Owner

Date

STATE OF MICHIGAN  
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Notary Public, \_\_\_\_\_ County, Michigan My Commission expires \_\_\_\_\_, 20\_\_\_\_.

Rev 1/12/06



## MEMO

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TO: Van Buren Township Planning Commission

FROM: Dan Power– Director of Planning and Economic Development

RE: VBT Case 20-035 – Irrigation Pond Review – 44605 Hull Road (and Vicinity)

DATE: March 17, 2021

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### Planning Commissioners:

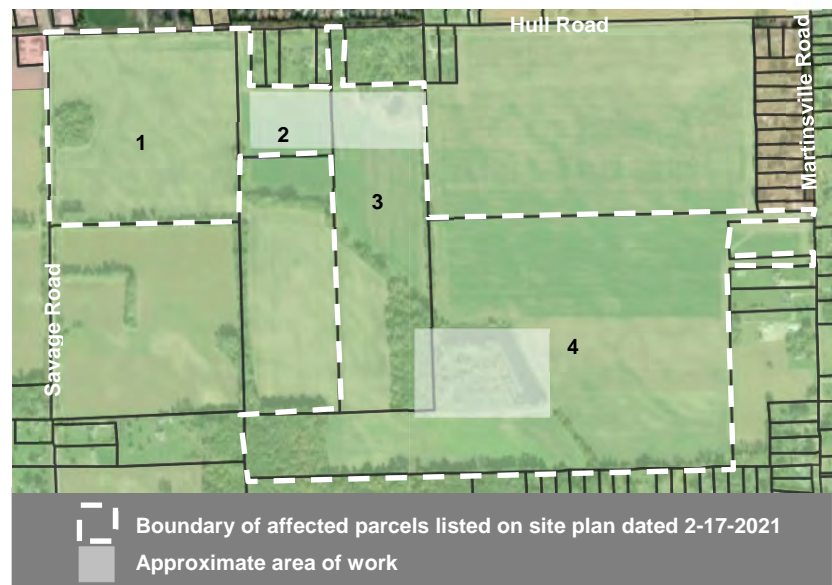
KW Land Development, representing owner Wilkin Farm Properties, LLC, has applied seeking an excavation permit for activities proposed on four parcels near the southeast corner of Hull Road and Sumpter Road:

1. Parcel 83-134-99-0003-701
2. 44605 Hull Road / 83-134-99-0001-000
3. 44975 Hull Road / 83-134-99-0002-705
4. Parcel 83-133-99-0003-701

The applicant proposes to dig two (2) 5-acre ponds for irrigating crops and relocating excavated materials off site.

Some irrigation activities are authorized under Michigan's Right-to-Farm Act (PA 93 of 1981). Certain local ordinances which address requirements for irrigation ponds and excavation activities also regulate this proposed use. [Article IV of Chapter 42 of the Van Buren Township Code of Ordinances](#) requires the Planning Commission to review applications for the construction of irrigation ponds that exceed 100 square feet. As they relate to this request, the requirements of Article IV of Chapter 42 specify certain required setbacks, safety signage requirements, and topographic and design information that is necessary to ensure the ponds do not have negative impacts on surface or groundwaters of the subject sites or the downstream drainage network. The applicant has submitted plans dated February 17, 2021 which include some of the required information.

The project will also involve the removal of approximately 192,800 cubic yards of excavated material, some or all of which will be removed from the project site. The removal of excavated materials requires a separate permit from the Township Board of Trustees under Article III of Chapter 42 of the Van Buren Township Code of Ordinances. The proposed ponds will also require a soil erosion permit to be issued by the Wayne County Department of Public Services



(WCDPS) or a verification that such a permit is not required.

Staff have shared review comments based on the plans dated February 17, 2021, and have requested additional information regarding site plan informational details and engineering details relating to the design of the ponds and their discharge conveyance systems. While these comments are addressed, the Planning Commission is invited to preliminarily review and ask questions about the project at their meeting on March 24, 2021. Following this meeting, any required notification can be sent out to neighboring property owners, and the final decisions on the excavation and irrigation pond permits will be made by the Board of Trustees and Planning Commission, respectively.

Thank you for your preliminary consideration of this project.

A handwritten signature in black ink, appearing to read "Dan Power".

Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC:            Todd Waller and Kenny Farmer – Applicants and property owner representatives  
                Dennis Wilkin – property owner  
                Paul Kammer – Van Buren Township Engineer, Fishbeck  
                Matthew Best, M.S. - Public Services Director, Van Buren Charter Township



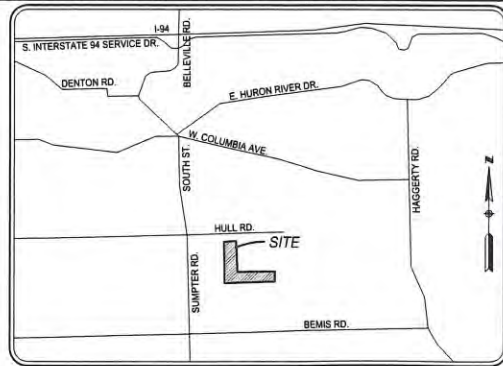
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FEB 22 2021

Initial: \_\_\_\_\_

# LEGEND

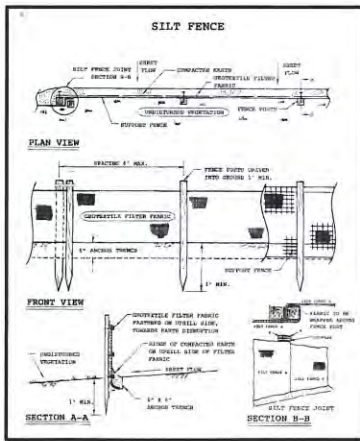
- MANHOLE
- CATCH BASIN
- SEWER CLEAN OUT
- GAS METER
- GAS SHUT OFF VALVE
- VALVE BOX
- GATE VALVE & WELL
- WATER SHUT OFF VALVE
- FIRE HYDRANT
- SPRINKLER VALVE BOX
- LAWN SPRINKLER HEAD
- HAND HOLE
- ELECTRIC RISER OR METER
- TELEPHONE RISER
- CABLE TV RISER
- AIR CONDITION UNIT
- UTILITY POLE
- UTILITY POLE W/ TRANSFORMER
- UTILITY POLE W/ LAMP EXTENSION
- ARROW INDICATES DIRECTION OF FLOW
- LIGHT POLE
- LIGHT POLE WITH LAMP EXTENSION
- TRAFFIC SIGNAL
- POLE WITH TRAFFIC SIGNAL (OVER ROAD)
- GLY WIRE
- GLY POLE
- GROUND LEVEL (DECORATIVE LIGHTING)
- FLAG POLE
- PHONE OR PHONE BOOTH
- METAL OR CONC. POST
- MAILBOX
- SIGN
- WATER FOUNTAIN
- PARKING METER
- BILLBOARD OR LARGE SIGN
- BASKETBALL HOOP
- BOULDER
- STATUE OR SCULPTURE
- BENCH
- STUMP
- DOWNSPOUT INTO STORM DRAIN
- DOWNSPOUT TO GROUND
- CONIFEROUS TREE
- DECIDUOUS TREE
- DECIDUOUS SHRUB
- CONIFEROUS SHRUB
- SECTION CORNER
- TRAVERSE POINT
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LOCATION MAP  
NOT TO SCALE

## GENERAL NOTES

- 50 FEET FROM ANY PRINCIPAL STRUCTURES.
- 50 FEET FROM TELEPHONE, ELECTRICAL, OR ANY UTILITY OF ANY RECORD EASEMENT.
- WILL NOT BE WITHIN 75 FEET OF SEPTIC FIELD.
- SETBACK REQUIREMENTS ARE ON PLAN.
- SOIL WILL NOT BE REMOVED EXCEPT IN ACCORDANCE WITH ARTICLE III OF CHAPTER 42 OR VAN BUREN TOWNSHIP CODES. (SEE SEC. 42-218)
- SOIL WILL NOT BE EXCAVATED IN A SUCH MANNER THAT RUNOFF, OVERFLOW, SPILLAGE OR SEEPAGE WILL ENDOSE ON PROPERTY OWNER BY ANOTHER PERSON PER CH 42-216 OF VAN BUREN TOWNSHIP CODE.
- SLOPES WILL NOT EXCEED A SLOPE OF ONE (1) VERTICAL FOOT PER FOUR (4) HORIZONTAL FEET.
- PROPOSED WARNING SIGNS AND LIFE SAFETY DEVICES WILL BE PROVIDED IN COMPLIANCE WITH SEC. 42-217 OF VAN BUREN TOWNSHIP.
- PROPOSED CONTOUR ELEVATIONS DEPICTED WILL REMAIN LEVEL 10-12 FEET BELOW EXISTING GRADE SO AS TO ACT AS AN IRRIGATION POND OFF AGRICULTURAL PURPOSES.
- RELIEF IS BEING SOUGHT FOR THE FOLLOWING REQUIREMENTS FOR EXCAVATION UNDER ARTICLE III OF CHAPTER 42 OF THE TOWNSHIP CODE:  
SECTION 42-182 (2) THE PROPOSED POND WILL BE USED FOR FARMIRRIGATION PURPOSES AND WATER, SNOW OR WILL BE STANDING OR ACCUMULATE IN THE EXCAVATED AREA.  
SECTION 42-182 (3) EXCAVATIONS ARE PROPOSED TO BE 10-12 FOOT IN DEPTH REQUIRING FENCING PERIMETER FENCING IS NOT PROPOSED AND RELIEF IS REQUESTED.  
SECTION 42-182 (4) FARM PONDS ARE TO BE PERMANENT IN NATURE AND FILLING WITHIN 340 DAYS IS NOT PLANNED. THEREFORE, RELIEF IS REQUESTED.
- PENDING TOWNSHIP APPROVAL, (DUE TO THE ANTICIPATED DISRUPTION AREA) FOR THE FARM PONDS CONSTRUCTION. WE EXPECT THAT A SOIL EROSION APPLICATION/PERMIT MAY BE REQUIRED FROM WAYNE COUNTY.
- THE PROPOSED IRRIGATION POND TO BE DUG ON NORTH SIDE OF THE NORTH PROPERTY IN QUESTION WILL BE DISCHARGE INTO EXISTING ADJACENT SMALLER POND AS TO THE SECOND PROPOSED IRRIGATION POND. IT WILL NOT BE DISCHARGE TO BRADSHAW DRAIN, BUT RATHER PUMPED INTO/DISCHARGE INTO FIRST PROPOSED IRRIGATION POND TO BE DUG.



## SURVEYOR'S COMMENTS

- THIS TOPOGRAPHICAL MAP IS BASED UPON A FIELD SURVEY PERFORMED BY SPALDING DEDECKER DURING THE WEEK OF OCTOBER 5.
- THE PROPERTY LINES/RIGHT-OF-WAY LINES SHOWN ON THIS TOPOGRAPHICAL SURVEY ARE INTENDED TO BE AN APPROXIMATE GRAPHICAL REPRESENTATION BASED UPON A COMBINATION OF A PROVIDED ALTA SURVEY, FOUND FIELD MONUMENTATION AND OCCUPATION. A COMPLETE PROPERTY LINE ANALYSIS HAS NOT BEEN PERFORMED AND PROPERTY COVENANTS HAVE NOT BEEN SET IN THE FIELD PER THE AGREED SCOPE OF SERVICES.
- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE SEARCH AND THEREFORE THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RIGHT-OF-WAY TAKINGS AND RESTRICTIVE COVENANTS THAT COULD ENCUMBER THIS PARCEL OF LAND.
- THE BEARING BASE AND COORDINATES OF THIS DRAWING ARE BASED UPON THE LEGAL DESCRIPTIONS AND THE ALTA SURVEY PROVIDED TO US. THE VERTICAL DATUM OF THIS SURVEY IS BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988. CONTROL WAS ESTABLISHED BY GPS OBSERVATION USING THE AVAILABLE MOUNTAIN CONTINUOUSLY OPERATION STATIONS (CORS).
- THE PROPOSED POND LOCATION AND DIMENSION DEPICTED WERE PROVIDED BY THE CLIENT AS PROPOSED INTENT AND NOT TO EXCEED 5 ACRES. THE PROPOSED SILT FENCE DEPICTED REFLECTS THE CLIENT'S INTENT TO PREVENT SOIL EROSION.

HULL RD.

NORTH SECTION LINE  
S88°08'19"W 2699.29' (M)

NORTHEAST CORNER  
OF SECTION 34  
L.C.R.C. L. 28471, P. 684  
FOUND IRON

## NOTES

FREEBOARD ELEV. = 674.25  
TOP OF WATER ELEV. = 670.26  
LOWEST TOP OF BANK ELEV. = 674.20  
PROPOSED QUANTITY: 97,600 Cu Yd. (APPROX.)  
PROPOSED BOTTOM ELEV. = 659.20  
TOTAL AREA: 5.00 AC.

PARCEL III  
TAX PARCEL No.  
83-133-99-0002-001

## NOTES

FREEBOARD ELEV. = 670.85  
TOP OF WATER ELEV. = 667.55  
LOWEST TOP OF BANK ELEV. = 670.85  
PROPOSED QUANTITY: 95,200 Cu Yd. (APPROX.)  
PROPOSED BOTTOM ELEV. = 655.85  
TOTAL AREA: 5.00 AC.

SUMPTER RD.

WEST 1/4 CORNER  
OF SECTION 34  
L.C.R.C. L. 27800, P. 064  
FOUND STEEL BAR IN MON BOX

CENTER CORNER  
OF SECTION 34  
L.C.R.C. L. 54733, P. 382  
FOUND DISK

SOUTH 1/4 CORNER  
OF SECTION 34  
L.C.R.C. L. 54076, P. 1497  
FOUND IRON PIN IN MON BOX

BEMIS RD.

HAGGERTY RD.

EAST SECTION LINE  
N07°49'09"W 2663.53' (M)

P.O.B.

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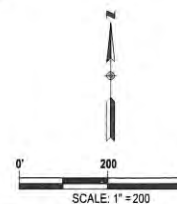
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www.sda-eng.com  
(800) 598-1600



## CLIENT:

KW LAND DEVELOPMENT  
50966 MARTZ RD  
BELLEVILLE, MI 48111



PRIOR TO CONSTRUCTION, ALL LOCATIONS AND DEPTHS OF EXISTING UTILITIES (IN CONFLICT WITH PROPOSED IMPROVEMENTS) SHALL BE VERIFIED IN THE FIELD. CALL MISS DIG 3 WORKING DAYS PRIOR TO CONSTRUCTION.

## UTILITY NOTE

UTILITY INFORMATION ON THIS DRAWING MAY BE FROM INFORMATION DISCLOSED TO THIS FIRM BY THE VARIOUS UTILITY COMPANIES, CITY/COUNTY AGENCIES AND OTHER VARIOUS SOURCES. UNDERGROUND UTILITIES WHICH ARE ON PRIVATE PROPERTY ARE USUALLY NOT DELINEATED UPON A UTILITY COMPANY'S PUBLISHED PLANS. THEIR LOCATION, IF SHOWN UPON THIS SURVEY, ARE APPROXIMATED FROM FOUND PAINT MARKS/STAKES, ETC. AS LOCATED BY THIS FIRM FROM SOURCES WHICH ARE UNKNOWN. NO GUARANTEE IS GIVEN AS TO THE COMPLETENESS OR ACCURACY THEREOF.

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## POND SURVEY PROPOSED PLAN

VAN BUREN TOWNSHIP, MI

TOPOGRAPHICAL SURVEY

SECTION 34

TOWN 03 SOUTH RANGE 08 EAST

VAN BUREN TOWNSHIP

WAYNE COUNTY, MICHIGAN

NO.	DATE	REVISION
1	10-16-2020	REVISED POND DIMENSIONS
2	02-17-2021	PER VAN BUREN TWP. LTR 12-17-20

## VERIFY SCALES

BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON THIS SHEET,  
ADJUST SCALES ACCORDINGLY

DRAWER	DATE
M. VAPHAADIS	10-12-2020
CHECKED	DATE
E. ARQUETTE	10-12-2020
FIELD LEADER	DATE
S. MAYER	10-12-2020
PROJECT MANAGER	DATE
E. ARQUETTE	10-12-2020
JOB NO.	DRAWING NO.
SM20171	SM20171PRP
SCALE	SHEET NO.
1" = 200'	2 OF 2



Thomas J. Savel  
Professional Engineer  
State of Michigan  
License No. 32555