

CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, September 28th, 2022 – 5:30 PM
Van Buren Township Hall
46425 Tyler Road

Per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022, the following Zoom link is provided to enable remote participation in a meeting of the public body by the general public:

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/86837728903>

Or One tap mobile :

US: +13126266799,,86837728903# or +16469313860,,86837728903#

Or Telephone:

Dial: US: +1 312 626 6799

Webinar ID: 868 3772 8903

See the Van Buren Charter Township website for additional information regarding how to participate in a Zoom public meeting.

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES: Approval of minutes from the regular meeting of September 14th, 2022.

CORRESPONDENCE:

PUBLIC HEARING:

ITEM # 1 **Case 22-043: EHM PROPERTIES REZONING PETITION FOR 1166 SUMPTER ROAD**

TITLE: A request by applicants William Ellis and Jim Mitte on behalf of owner EHM Properties to rezone the following property as described below:

1166 Sumpter Road (parcel ID number V-125-83-112-02-0029-005). 0.26 acres.
To be rezoned from C – Local Business District to SRMU – Sumpter Road Mixed Use District.

LOCATION: The parcel is located on the west side of Sumpter Road between Chaney Street and Montague Street.

ACTION ITEMS: A. Open Public Hearing
B. Public Comment
C. Close Public Hearing

OLD BUSINESS:

NEW BUSINESS:

ITEM # 1 Case 22-043: EHM PROPERTIES REZONING PETITION FOR 1166 SUMPTER ROAD

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1166 Sumpter Road (parcel ID number V-125-83-112-02-0029-005). 0.26 acres.
To be rezoned from C – Local Business District to SRMU – Sumpter Road Mixed Use District.

LOCATION: The parcel is located on the west side of Sumpter Road between Chaney Street and Montague Street.

ACTION ITEMS: A. Presentation by the Township staff and consultants.
B. Presentation by the applicant.
C. Public comment.
D. Planning Commission discussion.
E. Planning Commission considers recommendation on rezoning to the Township Board of Trustees.

ITEM # 2 EXTENSION REQUEST: CASE 21-019 – PRELIMINARY SITE PLAN REQUEST FOR BURGER KING RESTAURANT REDEVELOPMENT AND DRIVE THRU LANE ADDITION

TITLE: A request by Inter Plan, LLC, on behalf of owner Brauvn Net Investments, LLC for an extension of a preliminary site plan to construct a secondary drive-thru lane along with landscaping and architectural improvements associated with the remodel of a Burger King restaurant. Approval was granted on October 13, 2021.

LOCATION: 11550 Belleville Road, tax parcel 83-081-99-0004-002. On the west side of Belleville Road between South Interstate 94 Service Drive and Venetian Avenue. The site is zoned C-2 – Extensive Highway Business District

ACTION ITEMS A. Presentation by Township staff.
B. Planning Commission discussion.
C. Planning Commission considers granting extension of preliminary site plan approval.

GENERAL DISCUSSION AND UPDATES

ITEM # 1 Staff will provide an update on development and on various Zoning Ordinance text amendment efforts.

ADJOURNMENT:

CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
September 14, 2022
MINUTES - DRAFT

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

ROLL CALL:

Present: Jahr, Cullin, Barr, Grant, Budd and Kelley.

Excused: Atchinson.

Staff: Director Power and Secretary Harman.

Planning Representatives: None.

Applicant(s) in Attendance: None.

Audience: One (1) and One (1) remote viewer.

APPROVAL OF AGENDA:

Motion Jahr, Cullin second to approve the agenda of September 14, 2022 as presented. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Budd, Jahr second to approve the regular meeting minutes of August 24, 2022 as presented. **Motion Carried.**

NEW BUSINESS:

ITEM #1: ZONING ORDINANCE DISCUSSION: SIDE ENTRY GARAGE AND BUILDING SEPARATION REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS.

TITLE: THE PLANNING COMMISSION IS REQUESTED TO DISCUSS ZONING REQUIREMENTS FOR MINIMUM PERCENTAGE OF SIDE ENTRY GARAGES AND BUILDING SEPARATION IN RESIDENTIAL DEVELOPMENTS.

Director Power gave the presentation. The Planning Commission at their last two (2) meetings had a lot of discussion on building separation standards and side entry garages. Director Power felt it was a good idea to go back and revisit the purpose of the Zoning Ordinance discussion. Director Power displayed a PowerPoint presentation that presented the drivers of the discussion and study including the following: development and demographic trends, the 2020 Master Plan, specific development projects, specific ordinance considerations, specific ordinance changes, decision points and the next steps.

Commissioners had the following questions and comments:

- Commissioner inquired if the modifications to Section 6.207 Design are for PRD's only and the developer would need to submit a full plan? Director Power confirmed, yes any existing PRD or any plot of land that could be a PRD in the future and a full plan would need to be submitted.
- The idea is to give the Planning Commission the most amount of leeway possible to allow them to present a plan and to decide whether or not it would fit that area in context and the developer would need to show the standards? Director Power informed that to make

an exception to the rule, they would need to meet the criteria. Commissioner likes the idea of giving developers more options, but has trouble with lower than 20 feet of separation. Concerned with trying to fit it in, in multiple locations. Director Power informed that with respect to existing PRD's that are not fully built out yet, there is no case where an existing approved PRD is adding lots. This ordinance if there was ever a change in the models allows the applicant flexibility on size of the units, but there is no request for additional units. The discussion is to remove the 20 feet as a standard to allow for flexibility.

- The intent is that the density won't change but open space may increase? Director Power confirmed, yes there are no proposed changes to the gross density or requirements of the PRD, with units being more clustered, it may add more open space elsewhere.
- In Section 6.203 modification is it possible to add the setback modification as something that can be applied for? Director Power informed there is a specific clause in 6.207 (b)(3) in the exiting ordinance that says, notwithstanding other grounds for flexibility, it essentially rules out that you can consider flexibility for the building separation.
- The goals for doing this are attainable housing, senior housing and smaller sizing options. Commissioner is not convinced that the 10 foot separation is something that we want and inquired if we are aware of any development opportunities that we've missed because of this? Director Power informed no we have not, but we may miss in the future and we do have one application in review. Commissioner inquired if we know the size of the houses? Director Power informed that the houses are 38-40 foot homes which are not exceptionally large or small, he can reach out to the developer to see if some conceptual plans can be shared for this discussion. On that project specifically the plans called for attached multifamily commercial, unique to that project site.
- If we have a density situation requirement, by decreasing the lot, what advantage does this give the developer when they're going to use the same amount of land to put into a park or community type application in the PRD? Director Power informed that is the density bonus that you get by having a smaller lot or reduced setback, it triggers other requirements for open space, perimeter buffer and other aspects within the PRD. Commissioner inquired what advantage it gives the developer. Director Power informed that is a good question for individual developers.
- If reducing the separation space between, we are almost creating a city type situation. People want the rural feel that requires spacing between the homes.
- Seniors don't want 2-story homes, Pulte builds 2-story, 2,000 square foot homes and that's not what the older population is looking for.
- Commissioner has no problem giving developers leniency. Drove through Cherry Hill Village, homes looked packed together, they all look the same other than the color.
- Commissioner would like to see consistency after the board shifts (every 4 years). Likes the tools and options. The separation really causes problems with trying to maintain the overall feel of what we are trying to do. Would like it if there was a way to create a little bit of flexibility, but not on everything.
- Commissioner inquired where do we go from here with the 20 foot separation, what is the next step? Director Power informed that the Planning Commission can have staff do more research and/or wait until the full Commission is available to move forward.

- Commissioner inquired if we do anything what happens to Victoria Estates? Director Power informed that the project already has a consent judgment allowing 5 feet to the lot line and 10 foot separation between buildings.
- Commissioner inquired if we are able to get a sketch from the developer that is coming in and also advised that Commissioner Atchinson would like to have discussion on this item as well. There are not a lot of areas where these are going in, this would give us a quick look at what it might look like.
- What is the minimum acreage for a PRD? Director Power informed the minimum acreage for a PRD is forty (40) acres.
- Have to worry about the health, welfare and safety, there is a wisdom to the 20 foot separation, concerned about leaving it. The general gist of the Planning Commission it seems, is that the 10 foot separation is too low and a lot of justification is needed to see that distance as acceptable. Undecided on the separation, can see both sides.
- Would be nice to have the flexibility to make the decision on separation. Leave it at 20 feet, but provide for special circumstances, create exceptions. Proximity, maybe one side, not both. Might make sense to reduce for some developments.
- Director Power inquired if there were specific exclusions, limits provided so there is not a row of homes 10 feet apart, is that maybe something the Planning Commission is open to? Commissioners are open to further discussion and working with developers.
- In the garage section, there is a substantially different requirement. Maybe a clause or waiver to allow a few of the units to have less separation.
- Commissioner is concerned that if you have a developer wanting only 5 feet of separation, they are not building ranch homes. The purpose of developing these changes is to provide affordable housing, housing to the aging population and keeping the rural character.
- Director Power informed that more specific recommendations may lead to more discussion. Specific circumstances could be added and he could bring a developer to a meeting for an example. Commissioners agreed they don't need a developer to come to a meeting, however they would like to see the design images of what developers are looking at requesting.
- Commissioner inquired about the rear facing garage door with alley access, possibly for a series of homes. Director Power informed that the ordinance does say 30% to the side or rear, it is harder to develop to the rear. The flexibility would let you break from the side or the rear.
- Commissioner asked to see the pictures of the homes with the garages. The side entry garage door when stacked, you will see just the garage door when driving down the road. Look at making sure they are not all the way down the street. Fellow Commissioner informed that the current language on the 30% side entry garage, with this change, only counts if it is contrasting with neighboring properties. Commissioners like this change, it allows the developers options to make it less cookie cutter.
- Commissioners agreed that they would like to keep both items together and bring them back for further discussion. Specifically working on the building separation requirements.

Member of the audience inquired if the Commission is working on this ordinance because the project Scott Jones presented needs tighter density? Director Power informed, no this discussion does not directly affect that project. Commissioner inquired if that property was zoned RM,

Director Power informed that it was not. That rezoning application hasn't come forward for the project.

No comments from remote viewers.

GENERAL DISCUSSION:

Director Power acknowledged and congratulated Vidya Krishnan's son and family who were awarded the Ted Lindsay Courage Award. It's an award for families that exhibit exceptional courage in the face of autism.

Director Power informed the next Planning Commission meeting will be held on September 28th.

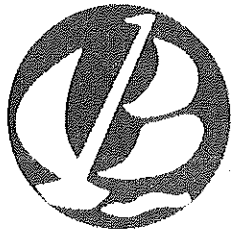
Director Power reminded Commissioners there are two upcoming training courses. Commissioners are to send Director Power an email of which courses they are interested in.

ADJOURNMENT:

Motion Barr, Cullin second to adjourn the meeting at 6:45 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



VAN BUREN

CHARTER TOWNSHIP

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

PLANNING & ZONING APPLICATION

CASE INFORMATION

CASE NUMBER:	DATE SUBMITTED:
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APPLICANT INFORMATION

NAME: EHM Properties William Ellis, Jim Mitte	PHONE:
ADDRESS: 1166 Sumpter Rd	CELL PHONE: 734-320-6962
CITY, STATE & ZIP Van Buren Township, MI 48111	FAX:
EMAIL: bellis@innovativecomputers.net	

PROPERTY OWNER INFORMATION (If different than the applicant)

NAME:	PHONE:
ADDRESS:	CELL PHONE:
CITY, STATE & ZIP	FAX:
EMAIL:	

BILLING CONTACT

NAME: All info same as Applicant Info	PHONE:
ADDRESS:	CELL PHONE:
CITY, STATE & ZIP	FAX:
EMAIL:	

SITE/PROJECT INFORMATION

NAME OF PROJECT: Sumpter Road Rezone 1166			
PARCEL ID NO: V125-83- 83 112 02 0029 005		PROJECT ADDRESS: 1166 Sumpter Road	
*APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the <u>West</u> Side of <u>Sumpter Rd</u> Road; Between <u>Cheney</u> Road and <u>Montague Ave</u> Road.			
SIZE OF LOT WIDTH: 80	SIZE OF LOT DEPTH: 148	ACREAGE OF SITE: 0.26	TOTAL ACRES OF SITE TO REVIEW: 0.26
CURRENT ZONING: Commercial/Industrial	IS A REZONING OF THIS PARCEL BEING REQUESTED? <u>Y</u> N		REQUESTED ZONING: Sumpter Road Mixed Use
PROJECT DESCRIPTION: Proposal to rezone the subject parcel from C – Local Business District to SRMU – Sumpter Road Mixed Use District			

SPECIAL PERMIT INFORMATION

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N	
IF YES, SECTION OF ZONING ORDINANCE FOR WHICH YOU ARE APPLYING FOR SPECIAL APPROVAL:	
IS THERE AN OFFICIAL WOODLAND WITHIN THE PARCEL? Y / N	IF YES, WOODLAND ACREAGE:
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 THE TOWNSHIP'S ZONING ORDINANCE 6-2-92, AS AMENDED.	

OWNER'S AFFIDAVIT

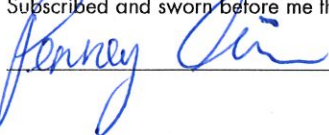
EHM Properties LLC William E Ellis

PRINT PROPERTY OWNER'S NAME


SIGNATURE OF PROPERTY OWNER8-31-2022
DATESTATE 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 31 day of August 2022

 Notary Public, _____ County, Michigan My Commission expires _____, 20____.**PENNEY AIKEN**
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF INGHAM
My Commission Expires December 7, 2022
Acting in the County of Wayne



MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power– Director of Planning and Economic Development
RE: Case 22-043 – EHM Properties, LLC Rezoning Request / 1166 Sumpter Road
DATE: September 15, 2022

The Planning Commission will consider a request by applicants William Ellis and Jim Mitte on behalf of owner EHM Properties to rezone the property located at 1166 Sumpter Road (parcel ID number V-125-83-112-02-0029-005). The property is 0.27 acres in area. The request is for the property to be rezoned from C – Local Business District to SRMU – Sumpter Road Mixed Use District.

File Number: 22-043

Site Address: 1166 Sumpter Road

Parcel Number: 83 112 02 0029 005

Parcel Size: 11,840 square feet (0.27 acres).

Location: West side of Sumpter Road between Chaney Avenue and Montague Avenue.

Applicant: William Ellis and Jim Mitte

Property Owners: EHM Properties

Request: Applicants are requesting to rezone their property from C (Local Commercial) to SRMU (Sumpter Road Mixed Use District)

Zoning and Existing Use: Current property is zoned C (Local Commercial)

Adjacent Zoning and Existing Uses:

North: C (Local Commercial),

East: C (Local Commercial),

South: C (Local Commercial),

West: R-1B (Single Family Residential)

Other: Public hearing notices were published in the Belleville Independent on September 8, 2022 and notices were sent to all property within 300' of the subject property on September 7, 2022 in accordance with the Michigan Zoning Enabling Act.

Images of the property are shown below:



Image courtesy of Google Earth, September 2022



Image courtesy of Google Street View, July 2021

The subject site contains a 922 square foot building that was constructed in 1930. The parcel's zoning has been consistent for over 48 years, based on a record of a published zoning map dated March 1, 1974 showing the parcel as being zoned C – Local Commercial at that time. The property is currently classified as Commercial – Improved.

The property had been used as a single-family dwelling in the past, which was a lawful nonconforming use. However, the building was converted for use as a small insurance office in the mid-2000's, as evidenced by permit records from 2004, until its vacancy some time prior to 2019. The current owner purchased the property with the hope of improving it for use as a single-family dwelling again. Due to the property's status becoming a conforming commercial use, the property could no longer revert back to a single-family residential use without first being rezoned.

Planning and zoning law provides that government has a legitimate interest in maintaining compatibility of surrounding areas, protecting and preserving natural resources, and ensuring adequate infrastructure such as roads, water supply and sanitary sewage disposal. Adoption of a Master Plan and imposition of zoning restrictions to accomplish those interests, as well as to avoid overcrowding and preserve and protect open space and area aesthetics are consistent with the Michigan Planning Enabling Act (PA 33 of 2008) and Michigan Zoning Enabling Act (PA 110 of 2006). A comprehensive update to the Van Buren Township Master Plan was adopted in 2020. The Master Plan was amended in 2022 with a sub area plan for the area surrounding Sumpter Road, in a Plan titled the 2022 Van Buren Township Sumpter Road Corridor Plan. The Sumpter Road Corridor Plan was adopted by the Township Board of Trustees on September 6, 2022.

My analysis of the current request is included below and on the following pages.

Standards of Review for Rezoning:

Article 12, Chapter 5 of the Zoning Ordinance includes the procedures and standards for reviewing Zoning Ordinance amendment applications. Section 12.504 of the Zoning Ordinance includes specific standards for review for the Planning Commission and Township Board of Trustees to

consider prior to taking action on an amendment application. These standards are as follows:

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

The adopted 2022 Sumpter Road Corridor Plan designates the subject parcel as a “Sumpter Road Mixed Use” future land use. This Plan identifies the subject lot specifically as a “Shallow Frontage” lot which is regulated specifically by a regulating plan in the Zoning Ordinance for the SRMU zoning district. Within this regulating plan, single family houses are a permitted building type that can be established on shallow frontage lots that have access to a residential street.

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

Section 1.102 of the Van Buren Township Zoning Ordinance (*Purpose and Intent*) includes imposing regulations and restrictions governing the location and construction of structures and buildings to be used for business, industry, residence, social purposes, and other specified purposes. Based on that intent, the Zoning Ordinance includes provisions for zoning districts, setbacks, building height, land use, parking and loading, access management, landscaping and screening, and environmental performance. Section 3.121 of the Zoning Ordinance, the Sumpter Road Mixed Use District is consistent with the intent of the Zoning Ordinance by enabling a mix of land uses which are made compatible with their surroundings by adhering to specific building architectures, setbacks, and design features.

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

Single family residential and related accessory uses on the subject parcel is not anticipated to generate significant traffic on Sumpter Road and would likely reduce traffic in relation to the use of the site for a commercial business. The site’s previous access driveway onto Sumpter Road has been closed and there is now direct access only onto Chaney Avenue, a residential street.

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

The subject property is currently served by both public water and public sanitary sewage disposal, and there are no constraints on the water and sewer systems we are aware of that would prevent service to the subject sites.

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

The requested rezoning does not change the Zoning Ordinance but rather brings the Township further into compliance with the adopted 2022 Sumpter Road Corridor Plan. The requested

rezoning does not correct an error in the Zoning Ordinance.

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

Exclusionary zoning is a prohibition of a land use when there is a demonstrated need for the use in the community. The subject request is not an amendment that will result in exclusionary zoning.

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

The site's physical, geological, hydrological, and other environmental features currently support and are anticipated to continue to support and be compatible with the permitted uses in the proposed zoning district.

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

The property owner intends for the property to be used residentially as a dwelling in the near future. This use will be compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values. In the event that the current or future owner seeks to use the building differently, the Sumpter Road Mixed Use zoning district regulations enable a variety of uses to be pursued, subject to the site plan requirements of Article 12, Chapter 2 of the Van Buren Township Zoning Ordinance.

If the building retains its current architecture as a single-family house-style building, non-industrial uses as listed in Section 3.121(B)-(C) of the Zoning Ordinance would be permitted by right or by special land use. Certain uses will be subject to site plan review by the Planning Commission and special land uses will be subject to special land use approval by the Planning Commission and the Township Board of Trustees. If a plan is presented to demolish the building and rebuild or to make alterations to the building so as to change it to a different building type, uses as listed in Section 3.121(B)-(C) of the Zoning Ordinance would be permitted by right or by special land use, subject to special land use approval by the Planning Commission and the Township Board of Trustees, would be permitted, depending on the building type that is pursued in Section 3.121(G). The SRMU District encourages the application of setbacks, landscaping standards, and architectural treatments that enforce compatibility between adjacent land uses.

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

The parcel is located in close proximity to parcels that are either zoned residentially or zoned for the lowest intensity of commercial use. The boundaries of the proposed rezoning follow property boundary lines. Existing structures will be permitted to remain in place. The dwelling structure is currently nonconforming with regard to its front yard setback, as the C – Local Commercial zoning district requires a minimum 75-foot front yard setback. The proposed SRMU zoning requires a 30-foot front yard setback for a single-family house building. The requested rezoning will significantly reduce an existing setback nonconformity.

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

The future land use map (2022) designates the property as Sumpter Road Mixed Use, so the requested zoning district is the most appropriate from the Township’s perspective.

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

Rezoning is more appropriate than amending the list of permitted or special land uses in the C district. Amending the C district, which is intended to permit retail businesses and service uses, to allow for residential uses would not be appropriate.

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

While the requested rezoning will be the first SRMU rezoning in the Township, it will be consistent with the Master Plan and the future land use that is designated for parcels all along the Sumpter Road Corridor.

Recommendation:

Staff recommends that the Planning Commission recommend approval of the request to rezone Parcel # V-125-83-112-02-0029-005, 1166 Sumpter Road, from C (Local Commercial) to SRMU (Sumpter Road Mixed Use District) based upon the following reasons:

1. **Section 12.504(A).** The proposed rezoning is consistent with the goals, policies, and objectives of the Master Plan and its subsequent amendments. The proposed SRMU zoning designation is consistent with the residential designation envisioned in the Master Plan for the parcels and abutting properties.
2. **Section 12.504(B).** The proposed rezoning is consistent with the intent to the Zoning Ordinance and the existing development pattern of the area.
3. **Section 12.504 (C).** The existing and proposed use of the parcel is not likely to generate any additional traffic and the streets the parcel has frontage on are capable of handling any traffic generated from the site.

4. **Section 12.504 (D).** The parcel is currently served by Township services and utilities, and we are not aware of any constraints in the ability of to continue to serve the parcel.
5. **Section 12.504(E).** The requested rezoning does not change the Zoning Ordinance but brings the Township further into compliance with the future land use map (2022).
6. **Section 12.504 (F).** The proposed rezoning is not causing any exclusionary zoning.
7. **Section 12.504 (G).** The proposed rezoning is not affected by any known environmental constraints on the property at this time.
8. **Section 12.504 (H).** The property's uses will be compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.
9. **Section 12.054(I).** If rezoned, the parcels can be rebuilt upon in compliance with ordinance standards.
10. **Section 12.054(J).** Given the possible options, we believe the SRMU designation is the most appropriate.
11. **Section 12.504 (K).** Amending the existing C district to allow for single family residential uses would be inappropriate.
12. **Section 12.054(L).** The proposed SRMU zoning of the site will be compatible with the uses currently existing around it, and not create an isolated or incompatible zone.

Therefore, I recommend that the Planning Commission recommend approval of the requested amendment to the Zoning Ordinance to rezone the subject parcel from C to SRMU designation, to the Township Board of Trustees.

Thank you for allowing me to comment on this request.

Thank you,

A handwritten signature in cursive script, appearing to read "Dan Power".

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

August 23, 2022

To Whom it May Concern,

I am requesting that the parcel at the corner of Sumpter Road and Chaney (1166 Sumpter Rd parcel 83 112 02 0029 005) be rezoned from C-Local Business District to SRMU – Sumpter Road Mixed Use District. This reclassification would align with the intent of the Township's Master Plan and the Zoning Ordinance. The would visibly be considered as a residential house. The location of the site supports the designation of a mixed use district, and would be easily served by the existing utilities and services of the Township. In addition, there will be no increase in traffic due to the rezoning of this parcel. The rezoning is supported by the nearby neighbors who have welcomed the refurbishing of the property. I am respectfully requesting that this proposal to rezone this area to mixed use be approved to better support the needs of the community for affordable housing options.

Sincerely,

William Ellis

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

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **September 28, 2022 at 5:30 p.m.** The meeting will be held in person at Van Buren Township Hall, located at **46425 Tyler Road, Van Buren Township, MI 48111**, in the Board Room. **Members of the public may additionally participate in the meeting electronically** per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following request:

- 1. Case 22-043:** A request by applicants William Ellis and Jim Mitte on behalf of owner EHM Properties to rezone the following property as described below:

1166 Sumpter Road (parcel ID number V-125-83-112-02-0029-005). 0.26 acres. To be rezoned from C – Local Business District to SRMU – Sumpter Road Mixed Use District.

Members of the public may access the agenda materials via the Township website – www.vanburen-mi.org by **September 26, 2022**. On the meeting website, members of the public will also gain access to **means of participating in the electronic meeting. On the agenda for the meeting**, a unique Zoom weblink and dial-in phone number with a meeting ID for meeting videoconference or teleconference access will be provided. 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). 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). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments or questions about the meeting via e-mail to dpower@vanburen-mi.org.

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: August 31, 2022
Published: September 8, 2022

Mailed September 7, 2022

June 15, 2022

Dan Power, AICP
Director of Planning and Economic Development
Department of Public Services
Charter Township of Van Buren
46425 Tyler Road,
Belleville, MI 48111

Reference: Burger King Remodel
P&Z Number: VBT-21-019
Permit Number: PB21-0757
Interplan Number: 2021.0819
Site Address: 11550 Belleville Road, Belleville, MI 48111

PLANNING COMMISSION APPROVAL & BUILDING PERMIT EXTENSION REQUEST

Dear Mr. Power:

Please accept this letter to request an extension of Permit # VBT-21-019 & PB21-0757 for a single period of one (1) year. The request for an extension of Permit # VBT-21-019 & PB21-0757 is due to:

- Cost escalations due to supply and labor shortage.
- Experiencing pricing escalations in the neighborhood of 40% as compared to the pre-COVID era.
- Supply is very unstable as GCs are unable to hold pricing for more than 7 days.
- Unable to procure kitchen equipment and other remodel enhancements to the General Contractor as part of the overall remodel scope of work.
- Operational issues with closing sites for an extended remodel with the industry-wide restaurant labor shortage.

Sincerely,

Louise Craver, Architect

Attachments

ec: U. Branstetter, Interplan LLC
J. Sorkin, Carrols Restaurant Group, Inc.
IP File



MEMO

TO: Van Buren Township Planning Commission

FROM: Dan Power– Director of Planning and Economic Development

RE: **Project Update.** Planning Case 19-038: Camping World Partial Demolition and Site Redevelopment – Amended Preliminary and Final Site Plan

DATE: September 23, 2022

You may recall that action regarding a proposed amended site plan (“West Wing Plan”) for the Camping World site redevelopment project located at 43646 North Interstate 94 Service Drive (tax parcel number 83 060 01 0001 001) was postponed at the regular meeting on May 11th, 2022. The proposed amended site plan dated April 29th, 2022 showed the construction of an addition to the west end of the Camping World RV sales and repair building. The proposed site plan amendment was tabled by the Planning Commission, with tabling conditions that included obtaining additional information regarding the various proposed automotive repair processes.

Prior to review of the West Wing Plan, the project previously involved the demolition of the east wing of the building at this site and converting this area for RV sales, with no further building additions proposed (“Original Plan”). Final site plan approval was obtained from the Planning Commission on December 9th, 2020 and construction began on the project in January 2021. The east wing of the building was demolished in September 2021. Several design adjustments were considered by Camping World but were never formally approved.

On September 8th, 2022, Camping World informed staff that they would revert back to the Original Plan, and would be in contact with staff once they obtain pricing and timing from contractors. Staff is seeking to obtain a clarifying letter from Camping World withdrawing their West Wing Plan from consideration, which the Planning Commission can then use to formally move to withdraw consideration of that Plan. Minor changes are proposed to the Original Plan, and I will coordinate with the necessary staff, consultants and code officials to review these changes to keep the project moving forward. If the applicant formally proposes any additional significant changes to the site plan or building, staff will review these changes and bring any necessary submittals forward to the Planning Commission at the appropriate time.

If there are additional questions about this project, please do not hesitate to contact me.

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



MEMO

TO:	Van Buren Township Planning Commission
FROM:	Dan Power– Director of Planning and Economic Development
RE:	Various Zoning Ordinance Topics and Potential Amendments.
DATE:	September 23, 2022

The intention of this memo is to recognize and provide an update regarding the many efforts of the Planning Commission in 2022 regarding consideration of potential zoning ordinance text amendments:

Adoption Stage

- **Sumpter Road Mixed Use (SRMU), Sumpter Road Overlay District (SROD) and related Zoning Ordinance Amendments.** Adopted by the Board of Trustees, second reading: September 20, 2022. Anticipated adoption date: October 6, 2022.
- **Gasoline Filling / Service Station Zoning Ordinance Amendments.** Adopted by the Board of Trustees, second reading: September 20, 2022. Anticipated adoption date: October 6, 2022.

Active Development Stage

- **Side entry garages in residential developments and minimum building separations in Planned Residential Developments (PRDs).** Last discussion held by the Planning Commission on September 14, 2022. Staff will return with representative project images and additional revisions for consideration as directed by the Planning Commission.
- **Consideration of smaller minimum floor areas for AG – Agricultural Estates and potentially other residential zoning districts.** Last discussion held by the Planning Commission February 9, 2022. Staff will return with findings on the impact of reduced floor areas in the AG zoning district on the Township's tax base.
- **Electric vehicle charging stations.** Last discussion was held by the Planning Commission on June 8, 2022. Staff was advised to separate this topic from consideration of gasoline filling / service station amendments, and continue to research it.

While the above topics are considered to be the most active topics today, the Planning Commission has also engaged with other important topics in recent years. Additional Zoning Ordinance amendment research initiatives guided by the Planning Commission in recent years include exploring options for seasonal or agricultural tourism uses, considering increased flexibility for outdoor retail and dining uses, and refining the Township's general ordinance regarding ponds for ornamental and irrigation uses. The agricultural tourism ordinance research should be completed carefully but in the relatively near term, because of its potential impact on the review and processing of farm-related seasonal uses in the Township.

Additionally, individuals may propose their own Zoning Ordinance text amendments. As with amendments to the Zoning Map (re-zonings), individuals may apply separately for the Planning Commission's consideration of amendments to the Zoning Ordinance text. Staff may bring forward individual proposed Zoning Ordinance text amendments if and when appropriate.

There is no planned discussion of Zoning Ordinance text amendments on the September 28th, 2022 meeting agenda, but we anticipate continuing to review the "active" topics in the near future.

The Planning Commission should be commended for all of their efforts on important Zoning Ordinance research and amendment development items over the past several years. If there are additional questions about this project, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Power", with a stylized, cursive script.

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