

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
January 11, 2023
MINUTES**

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

ROLL CALL:

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

Excused: Atchinson.

Staff: Director Power, Director Akers and Secretary Harman.

Planning Representatives: Vidya Krishnan, McKenna Associates.

Applicant(s) in Attendance: Case 22-0533 Crossroads Distribution Center North, LLC: Dennis Schultz, Ashley Capital. Case 22-048 Nicole's Little Friends – Group Daycare Home: Homeowners, Nicole Burke and Robert Burke. Case 22-059 Belleville Yacht Club: Owner, Scott Jones.

Audience: Twenty-Seven (27) and Seven (7) remote viewers.

APPROVAL OF AGENDA:

Motion Budd, Jahr second to approve the agenda of January 11, 2023 as presented. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Jahr, Cullin second to approve the regular meeting minutes of December 14, 2022 as presented. **Motion Carried.**

PUBLIC HEARING:

ITEM #1: 22-053 – CROSSROADS DISTRIBUTION CENTER NORTH, LLC - REZONING.

TITLE: A REQUEST BY CROSSROADS DISTRIBUTION CENTER NORTH, LLC ON BEHALF OF OWNER FRANKEL-HODLEHS (STUART FRANKEL DEVELOPMENT COMPANY), TO REZONE THE PARCEL DESCRIBED AS PARCEL ID #83-006-99-0004-000, FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO M-1 (LIGHT INDUSTRIAL DISTRICT).

THE SITE IS PARCEL ID #83-006-99-0004-000, WHICH IS LOCATED ON THE WEST SIDE OF HAGGERTY ROAD ON THE SOUTH SIDE OF VAN BORN ROAD.

Director Power provided information to the audience of the overall format of the agenda and informed that the public hearings are an opportunity for members of the public and neighboring property owners to speak.

Motion Budd, Cullin second to open the public hearing. Motion Carried.

Director Power gave a brief description of the rezoning request. The applicant is requesting to rezone a 16-acre parcel from R-1B (single family residential district) to M-1 (light industrial district). The rezoning is consistent with the future land use map.

No comments from the audience or remote viewers.

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

ITEM #2: 22-048 – NICOLE’S LITTLE FRIENDS – GROUP DAY CARE HOME – SPECIAL LAND USE REVIEW.

TITLE: A REQUEST BY NICOLE AND ROBERT BURKE TO BEGIN A DAY CARE, GROUP HOME USE AS DEFINED PER SECTION 2.102(A)(60)(B) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE. THE PARCEL IS ZONED R-1B (SINGLE FAMILY RESIDENTIAL). DAY CARE, GROUP HOME IS A SPECIAL LAND USE IN THE R-1B (SINGLE FAMILY RESIDENTIAL) DISTRICT, AND THE PROPOSED SPECIAL LAND USE REQUIRES A PUBLIC HEARING. THIS HEARING IS BEING HELD IN ACCORDANCE WITH ARTICLE 12, CHAPTER 3 (SPECIAL LAND USE REVIEW) OF THE ZONING ORDINANCE.

THE PROJECT IS PROPOSED TO BE LOCATED AT 45921 CHATSWORTH DRIVE (PARCEL ID #83-061-01-0231-000).

Motion Cullin, Grant second to open the public hearing. Motion Carried.

Director Power gave a brief overview. The applicant is applying to the State of Michigan to operate a licensed Day Care Group Home for 12-14 children. Section 2.102 (A)(60)(b) of the Van Buren Township Zoning Ordinance allows for a private home to provide care and supervision to more than (6) but not more than (12) minor children for periods of less than twenty-four (24) hours a day. A recent change in State Law, will allow Day Care Group Homes to have additional capacity, up to two additional children. All group day care homes are required to be registered with or licensed by the State of Michigan Department of Licensing and Regulatory Affairs (LARA) or successor agency.

No comments from the audience or remote viewers.

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

ITEM #3: 22-059 – BELLEVILLE YACHT CLUB – MARINA SPECIAL APPROVAL.

TITLE: A REQUEST BY THE BELLEVILLE YACHT CLUB FOR SITE PLAN REVIEW AND SPECIAL APPROVAL TO CONSTRUCT A MARINA AS DEFINED UNDER SECTION 3.120(B)(15) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE, INCLUDING TWO (2) DOCK STRUCTURES, EACH CONTAINING A SINGLE DOCK STEM WITH UP TO FIVE (5) CONNECTING DOCKS. THE SITE IS ZONED BELLEVILLE LAKE SHORELINE DISTRICT B – NON-SINGLE FAMILY RESIDENTIAL (BLB) AND THE ADJACENT UPLAND PARCEL IS ZONED R-1C – SINGLE FAMILY RESIDENTIAL. MARINAS ARE A USE THAT REQUIRE SPECIAL APPROVAL IN THE BLB DISTRICT, AND THE USE REQUIRES A PUBLIC HEARING. THIS HEARING IS BEING HELD IN ACCORDANCE WITH SECTION 3.120(F)(3) (BELLEVILLE LAKE SHORELINE DISTRICTS – BELLEVILLE SHORELINE DISTRICT APPROVAL PROCESS) OF THE ZONING ORDINANCE.

THE PROJECT IS PROPOSED TO BE LOCATED IN TOWNSHIP LAKE PROPERTY ADJACENT TO 831 EAST HURON RIVER DRIVE (PARCEL ID #83-088-99-0005-000),

ON THE NORTH SIDE OF EAST HURON RIVER DRIVE BETWEEN LOZA LANE AND EVELYN COURT.

Motion Budd, Cullin second to open the public hearing. Motion Carried.

Director Power provided a brief overview. The applicant is requesting special approval and site plan approval for a marina use with two (2) dock structures with four (4) connecting docks each. The request is to rebuild permanent dockage at the Belleville Yacht Club (BYC). The Board of Zoning Appeals met on 1-10-23 to discuss a variance for the length of the two (2) dock structures proposed at 120 feet.

Chair Kelley informed that he is a BYC member. When the Commission reaches the New Business Items, he will address whether he needs to be recused from the discussion.

Residents and remote viewers had the following questions and comments:

- Resident inquired if the results of the Board of Zoning Appeals (BZA) meeting approved the 120 feet dock length? Director Power informed that action was postponed. Resident appreciates what the BYC does for the community and the school district. What the site plan does not show the proximity to the DNR Boat Launch, concerned with increasing the dock size.
- Resident displayed arial photos of the lake and proposed dock area. The BYC and its representatives have shown this board and lake owners that rules and the ordinance don't apply to them. A few examples are the current dock violation remain a hazard to boaters and the "tiki bar" structure put in at the water's edge a few years ago that wasn't permitted when it went up. The variance they are asking for would narrow the waterways to approximately 520 feet of no wake travel, when factoring in and allowing the 40-foot dock allowance on the north shore, 120-foot dock allowance on the south shore and 100 feet of no wake for each. The original plan years ago was rumored to be around 140 feet with no wake buoys. Having no wake buoys pushes the no wake zone out another 100 feet from the buoy, which is DNR approvable to residents understanding. Resident had conversation with a member of the Sheriff's Department Marine Unit and made mention of the safety measures requested by the zoning department at the BZA meeting to come back with options to make this a safe area. The suggestion was that the DNR makes that choice and their decision would be no wake buoys. Resident spoke with Jeremy Richardson of EGLE, they are fully aware of the BYC's intent to permit a marina, there is no such permit in Michigan it is the same type of permit that a homeowner or resident would apply for, they don't care about the footage going out and are waiting on the Township to decide. Resident displayed pictures of the BYC's docks at approximately 50 feet and during construction in 2021 to approximately 80 feet, they were not at 80 feet to begin with. Resident is opposed to the applicants request and commented that any BYC member on the Commission should recuse themselves.
- Resident feels its unsafe and very narrow with the no wake zone. A lot of boaters and jet skiers don't pay attention in that area.
- Resident commented that if a marina goes in, the State regulates and she has safety concerns. A new kayak launch was just put in at French Landing Dam, the dock extension

puts kayakers further out into the lake and the rowing team as well. The State is going to regulate, why did the Township submit a revised site plan prior to them sending a revised plan to the State? Do we do this for homeowners? Why is the Township going forward prior to the site plan going to the State?

- Resident stays off of the lake on the weekend, due to traffic on the lake, the area next to the DNR boat launch is a circus with boats lined up and down getting on and off of the lake. Concerned with adding the extended docks right next to the launch, it will pinch the lake in. How many boats are going to go in to that dock area? People want a spot to put their boat on the lake, Sandy's Marina is maxed out. Is the BYC going to charge people? What if some other person wants to start putting docks out, is this going to set a precedence? Safety is the major concern and the resident appreciates what the BYC does for the community.
- Remote viewer felt that anyone seated on the Planning Commission that is a member of the BYC should recuse themselves for the discussion. Resident loves being on the water, the boat traffic is already busy and Tuesday nights are crazy with the fishing tournament. The yacht club does not serve the public, it serves members only to utilize a public resource. The plan is not well thought out, there are a lot of safety concerns, they should look into acquiring more land.
- Director Power informed that he did share correspondence at the BZA meeting, which will be on record in the BZA meeting minutes.

No further comments from the audience and remote viewers.

Motion Cullin, Budd second to close the public hearing. Motion Carried.

NEW BUSINESS:

ITEM #1: 22-053 – CROSSROADS DISTRIBUTION CENTER NORTH, LLC – REZONING.

TITLE: A REQUEST BY CROSSROADS DISTRIBUTION CENTER NORTH, LLC ON BEHALF OF OWNER FRANKEL-HODLEHS (STUART FRANKEL DEVELOPMENT COMPANY), TO REZONE THE PARCEL DESCRIBED AS PARCEL ID #83-006-99-0004-000, FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO M-1 (LIGHT INDUSTRIAL DISTRICT).

THE SITE IS PARCEL ID #83-006-99-0004-000, WHICH IS LOCATED ON THE WEST SIDE OF HAGGERTY ROAD ON THE SOUTH SIDE OF VAN BORN ROAD.

Director Power displayed an image of the location. The property owner recently acquired the property, which is master planned industrially. Director Power deferred to the Principal Planner, Vidya Krishnan for presentation of her review.

Vidya Krishnan of McKenna Associates presented her review letter dated 12-16-22. At this time, the application to rezone the subject sites from R-1B to M-1 meets the following standards of Section 12.504(A) through (L) of the Zoning Ordinance:

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 M-1 zoning designation is consistent with the light industrial designation envisioned in the Master Plan for the site and surrounding properties.
2. Section 12.504(B). The proposed rezoning is consistent with the intent of the zoning ordinance and the existing pattern of the area.
3. Section 12.504(C). The subject parcels have frontage onto Van Born, designated as an urban minor arterial. Improvements abutting roadways to handle additional traffic will be considered at the time of site plan review and approval of the parcels to the east.
4. Section 12.504(D). We are not aware of any constraints in the ability of public services to serve this site.
5. Section 12.504(E). Van Buren Township has experienced a high demand for additional industrial development and expansions of existing industrial land uses.
6. Section 12.504(F). The proposed rezoning is not causing any exclusionary zoning.
7. Section 12.504(G). The subject site has existing wetlands and it is the applicant's intent to preserve the parcel as is and place a conservation easement on some (if not all) portions of the parcel.
8. Section 12.504(H). The uses permitted by right and special land use in the proposed M-1 zoning district are likely to be more consistent than developing it under the current R-1B zoning designation.
9. Section 12.504(I). If rezoned, the site will be required to be developed in conformance to required standards for the M-1 district. However, the applicant has no plans at this time to build on the parcel.
10. Section 12.504(J). Given the possible options, we believe the M-1 designation is the most appropriate for the subject sites considering its present location.
11. Section 12.504(K). Amending the existing R-1B district to allow for industrial uses would be inappropriate.
12. Section 12.504(L). The proposed M-1 zoning of the subject parcels will be compatible with the zoning currently existing around it. Compliance with any zoning ordinance standards requiring greenbelts, buffering and landscaping will be reviewed if and when the parcels to the east, also owned by the applicant, are developed.

McKenna Associates recommends that the Planning Commission recommend approval of the requested amendment to the Zoning Map to rezone the subject parcel from R-1B to M-1 designation, to the Township Board of Trustees.

Dennis Schultz of Ashley Capital was present to answer any questions.

Commissioners had the following questions and comments:

- If the property is zoned M-1, what is the setback requirement if they were to build? Vidya Krishnan informed the challenge would come from the type of building, if there was a truck dock it would be 350 feet and without a truck dock the greenbelt requirement from R-1B would be 60 feet wide. Dennis Schultz informed that the whole property is going to be placed under a conservation easement.
- Is there a plan to combine the property with a larger parcel. Dennis Schultz informed that he was unsure as they are not building on it. Director Power informed that the long

narrow parcels to the east have all been combined. This site would be more of an effective buffer to the residential area.

- Commissioner inquired if the zoning map is up to date. Director Power informed that the future land use map is up to date.
- Commissioner inquired how many R-1B are there to the east of the property along Van Born Road. Vidya Krishnan informed that there are a couple of non-conforming single-family dwellings along Haggerty and Van Born. Ashley Capital owns the two (2) homes north of the church.
- Is the property immediately to the east owned by Ashley Capital? Yes.
- In the McKenna letter it mentions the applicant intends to place a conservation easement. Commissioner prefers that it say "will" place a conservation easement. Dennis Schultz confirmed that would be no problem.

No comments from the audience or remote viewers.

Motion Jahr, Cullin second to recommend the Township Board of Trustees, approve the request by Crossroads Distribution Center North, LLC on behalf of owner Frankel-Nodlehs (Stuart Frankel Development Company), to rezone the parcel described as parcel ID #83-006-99-0004-000, from R-1B (single family residential) district to M-1 (light industrial) district, based on the analysis and subject to the conditions in the McKenna Associates review letter dated 12-16-22 and noting the applicant has intent to place the conservation easement.

Roll Call:

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

Nays: None.

Excused: Atchinson.

Motion Carried. (Letter Attached)

ITEM #2: 22-048 – NICOLE’S LITTLE FRIENDS – GROUP DAY CARE HOME – SPECIAL LAND USE.

TITLE: A REQUEST BY NICOLE AND ROBERT BURKE TO BEGIN A DAY CARE, GROUP HOME USE AS DEFINED PER SECTION 2.102(A)(60)(B) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE. THE PARCEL IS ZONED R-1B (SINGLE FAMILY RESIDENTIAL). DAY CARE, GROUP HOME IS A SPECIAL LAND USE IN THE R-1B (SINGLE FAMILY RESIDENTIAL) DISTRICT, AND THE PROPOSED SPECIAL LAND USE REQUIRES A PUBLIC HEARING.

THE PROJECT IS PROPOSED TO BE LOCATED AT 45921 CHATSWORTH DRIVE (PARCEL ID #83-061-01-0231-000).

Director Power gave the presentation. The Group Day Care Home use is specifically outlined in the Michigan Zoning and Enabling Act with specific conditions that municipalities should consider. The State law identifies that day care uses in a limited capacity are allowed to be permitted in residential zoning districts. A Group Day Care Home can have 7 to 12 children and new State law changes will allow for up to 14 children. The application is a prerequisite to State

licensing requirements. The applicant does not have a fully engineered site plan. Director Power displayed an overview of the site and the site plan submitted by the applicant and presented his review letter dated 1-6-23. Director Power recommends that the Planning Commission conditionally recommend approval of the requested special approval for the group day care home use and conditionally approve the submitted preliminary and final site plan, subject to the following conditions:

- Fencing to be required around a perimeter area of open space in the rear of the site for safety purposes.
- Proposed fence materials shall be submitted for review by the Planning Director prior to Township approval.
- A complete building addition, or an attached or detached accessory building, must meet all requirements of Article 7, Chapter 2 of the Zoning Ordinance (Accessory Structures and Uses).
- Plans and building elevations must be submitted for review by the Planning Director prior to issuance of any permits.
- Recommend the Planning Commission consider a modification of the minimum required number of parking spaces under Sec. 9.101(J) of the Van Buren Township Zoning Ordinance to accept the basic 7-space parking layout as submitted by the applicant.
- The applicant shall hard surface any parking area with concrete or asphalt.

Applicants, Nicole and Robert Burke, were present to answer any questions.

Commissioners had the following questions and comments:

- The garage is sinking, has it been taken down? No, Robert Burke plans to have the garage rebuilt before they open.
- No plans have been submitted for the garage? Robert Burke will submit a plan for the garage and has someone coming out to look at the fence.
- How many children are at the location now. Nicole Burke has six (6) children now, the maximum allowed until she submits for licensing.
- Concerned with parking, good with request as long as no more children are added until the property is fixed up. However, there is still a lot more information that needs to be provided.
- Director Power asked the applicants if there is phasing for repairs. Robert Burke informed that the garage will be the first item taken care of and the accessory building and addition will be taken care of at the same time.
- Commissioner inquired how many children above the current 6 is the applicant going to increase? Nicole Burke informed that she spoke to Director Power about having ten (10) until the building is complete. She has to send documents to LARA once approved by the Planning Commission, then they will come out to review the site.
- The applicant is limited to 6 children right now? Yes, until LARA comes out to review the site. Commissioner inquired that if LARA allows the applicant to have 10 children, will they still build out or is the accessory building optional?
- Commissioner inquired what is an Amish shed and is the intention to have electric, plumbing and heat? Robert Burke informed yes, the shed is prebuilt, looks like a normal shed and sits on a slab. The shed is required to be attached to the home and have an

entrance and exit. Commissioner inquired if a permit was needed. Director Power confirmed a permit is needed.

- Commissioner inquired what is LARA? The Michigan Department of Licensing and Regulatory Affairs.
- The request by the applicant is designated as two separate items, special approval and site plan approval, what does the applicant need to get started with LARA? Director Power informed that the Planning Commission can make separate recommendations or bring them back at a later date. Commissioner identified that there are a lot of deficiencies.
- Commissioner inquired when the applicant plans to start deconstruction and construction? Robert Burke informed that it will depend on the response from LARA. He will start the demo of the garage and plans on doing most of the work himself.
- Looking at what's on the site plan right now, would like to make a recommendation to address the deficiencies, add notations and bring back to the Planning Commission. Good first submittal, some revisions are needed, then look at preliminary and final site plan review. The Planning Commission is a recommending body for special land uses, the Township Board will also look at the request with a critical eye, have more detail added to the plan. Nicole Burke inquired about fencing. Planning staff can help the applicants address the fencing requirements. Commissioner recommends the applicant submit a set of modified plans.
- Commissioner inquired about temporary fence requirements. Director Power informed that the ordinance is clear as to the height of fencing but does not speak to temporary fencing.
- Commissioner inquired if the applicants are willing to go back, make revisions and bring them back to the Planning Commission. The applicants agreed they are willing to make the revisions.

No further comments from the audience or remote viewers.

Motion Jahr, Cullin second to postpone special land use approval until such a time the applicant is able to update the site plan for additional review.

Roll Call:

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

Nays: None.

Excused: Atchinson.

Motion Carried.

ITEM #3: 22-048 – NICOLE'S LITTLE FRIENDS – GROUP DAY CARE HOME – PRELIMINARY AND FINAL SITE PLAN REVIEW.

TITLE: A REQUEST BY NICOLE AND ROBERT BURKE TO BEGIN A DAY CARE, GROUP HOME USE AS DEFINED PER SECTION 2.102(A)(60)(B) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE. THE PARCEL IS ZONED R-1B (SINGLE FAMILY RESIDENTIAL). DAY CARE, GROUP HOME IS A SPECIAL LAND USE IN THE R-1B

(SINGLE FAMILY RESIDENTIAL) DISTRICT, AND THE PROPOSED SPECIAL LAND USE REQUIRES A PUBLIC HEARING.

THE PROJECT IS PROPOSED TO BE LOCATED AT 45921 CHATSWORTH DRIVE (PARCEL ID #83-061-01-0231-000).

Director Power's presentation was provided under New Business Item #2 and there were no additional comments.

No further comments from the Commission, audience or remote viewers.

Motion Jahr, Grant second to postpone preliminary and final site plan until such time as the applicant is able to provide more detail on the site plan for additional review.

Roll Call:

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

Nays: None.

Excused: Atchinson.

Motion Carried.

ITEM #4: 22-059 – BELLEVILLE YACHT CLUB – MARINA SPECIAL APPROVAL.

TITLE: A REQUEST BY THE BELLEVILLE YACHT CLUB FOR SITE PLAN REVIEW AND SPECIAL APPROVAL TO CONSTRUCT A MARINA AS DEFINED UNDER SECTION 3.120(B)(15) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE, INCLUDING TWO (2) DOCK STRUCTURES, EACH CONTAINING A SINGLE DOCK STEM WITH UP TO FIVE (5) CONNECTING DOCKS. THE SITE IS ZONED BELLEVILLE LAKE SHORELINE DISTRICT B – NON-SINGLE FAMILY RESIDENTIAL (BLB) AND THE ADJACENT UPLAND PARCEL IS ZONED R-1C – SINGLE FAMILY RESIDENTIAL. MARINAS ARE A USE THAT REQUIRE SPECIAL APPROVAL IN THE BLB DISTRICT, AND THE USE REQUIRES A PUBLIC HEARING.

THE PROJECT IS PROPOSED TO BE LOCATED IN TOWNSHIP LAKE PROPERTY ADJACENT TO 831 EAST HURON RIVER DRIVE (PARCEL ID #83-088-99-0005-000), ON THE NORTH SIDE OF EAST HURON RIVER DRIVE BETWEEN LOZA LANE AND EVELYN COURT.

Commissioner Kelley believed he has a conflict of interest, being a BYC member and asked to be recused from the discussion.

Motion Budd, Barr second to recuse Commissioner Kelley. Motion Carried.

Director Power informed that he will provide review comments for special approval and site plan review in his presentation. The project involves construction of two (2) dock structures, each containing a single dock stem with four (4) connecting docks located in Belleville Lake property adjacent to a private upland parcel located at 831 E. Huron River Drive, Belleville Yacht Club (BYC). The project is proposed to replace two (2) floating dock structures. Director Power presented his

review letter dated 1-6-23. The items included in the review letter are minor in nature and can be addressed with final site plan adjustments as the project proceeds through engineering and final site plan review and through the creation of "Issued for Construction" drawings. Director Power recommends conditional approval of the plan dated 1-6-23, subject to the following conditions:

- The water depth at the farthest point of projection must therefore be provided.
- A completed application for review by EGLE, and if required, by FERC, must be provided prior to full Township lakeshore authorization being granted and the construction is subject to any necessary approvals from EGLE and FERC.
- A description of the proposed use including the nature of the proposed use and other general information describing the use must be provided.
- The site shall not be used for fueling.
- Special approval must be obtained from the Township Board of Trustees.
- Special exception to Section 3.120(D)(5) must be obtained from the Van Buren Township Board of Zoning Appeals (BZA).
- The use of the land must otherwise comply with Article VI of Chapter 42 (Environment) of the Van Buren Township Code of Ordinances (Belleville Lake and Township-Owned Property).
- Staff finds the extension across roughly 81.8% of the lake frontage to be acceptable and the Planning Commission will have to find the same as part of any approval.

Owner/Applicant, Scott Jones informed that the use is a parking lot for boats to allow members to come and go by boat. Yacht Club of America members can also use the docks. The club does not rent docks out, but does allow members of the club that do not live on the lake to drop in their boat and keep it there over a weekend. BYC hosts major events 5-6 times a year such as the Polar Plunge for the Special Olympics, youth boater permit classes, 4th of July Fireworks, Dive Dogs diving classes at the club and Winterfest. New programs are being added to the club with swim classes and sailing programs. The BYC is working to bring the American Power Boat Association back to Belleville Lake and will coordinate with the Township and City of Belleville. The materials for the docks currently are 2 x 6 treated lumber and they intend to remain consistent. EGLE has bounced back and forth weather womanized is an acceptable use over water. Have applied for an EGLE permit, joint use permit, one application form is used for the whole permitting process and it falls under the marina classification. It's called a marine and mooring facility permit. The proposed docks are for the parking of 22 boats, 16 inner and 3 parallel on each side. The two (2) 120-foot docks will have 4-foot piers leaves 60 feet in the middle for the navigation of boats, have 50 feet down the center to bring a boat in. The first two spaces will be 28 feet each, 24 feet allows for two 8-foot boats tied up, with 6 feet of space between them. Boats will be parked on both sides of the pier and the seawall is existing with no proposed changes. The dock serves as access to the upland lot, where the Tiki Bar is located which is angled to not disturb the neighbors and there are no changes to the upland lot. Mr. Jones thanked the Commissioner for their consideration.

Commissioners had the following questions and comments:

- How many boats will the docks accommodate and when there is peak traffic will they double stack? Scott Jones informed there will be no stacking and 22 boats can be docked.

- When the docks are full will you turn people away? Mr. Jones confirmed yes, often people will consolidate to one boat if parking is not available.
- Similar to development on main roads, is there a marine safety impact study? Director Power informed that he is not aware of any, the applicant will have to meet all of EGLES requirements.
- Commissioner inquired if the applicant was using an engineer for the project and if there is a way that can be done. Mr. Jones is using King's Engineering for the project.
- Commissioner commented the applicant is tripling the distance. Mr. Jones commented they had 86-foot noncompliant docks that were taken out.
- Commissioner commented it was at 80-feet nonconforming, was part removed? Mr. Jones commented that the outer legs had been removed, had 30-60 days to remove them.
- Are the docks conforming or non-conforming currently? Director Power informed that they are non-conforming.
- Is the existing non-conforming rolled into the request? Director Power informed that this is a new request. Commissioner inquired what happens if this doesn't go through? Mr. Jones informed there are two (2) T's of floating docks.
- What do you have to prevent boats from parking perpendicularly? Mr. Jones informed that the area is really rough with the boat launch, it would be very difficult to tie a boat up there. Commissioner inquired who is enforcing? Mr. Jones informed that the BYC has a Dock Master in the club.
- Other yacht clubs can come in? Mr. Jones informed that 501(c)(7) social or recreational club organizations can go to other social clubs, they have to call first to accommodate. Commissioner inquired what happens if they come in to stay for the weekend? The club is fully staffed and would not allow it.
- In regard to the 120-foot docks, what's to stop Johnny's, Haywards, Doane's Landing and others from coming and asking to put a marina in? Director Power informed that there is a special set of criteria for the BZA that has to be met, it is not precedent setting, each has to meet at their own merit. Other factors were looked at in the BZA review, the limited frontage. The request is based on a specific service that is provided.
- Concerned that what if the City of Belleville had an agreement, they used to have 60 feet. Director Power informed that a district request would be the purview of the BZA.
- Commission agrees that he thinks we'll see an increase in requests.
- Commissioner is concerned with safety, what is the impact of traffic and safety. Commissioner would prefer to have an expert explain that it does or does not have safety impacts. Director Power informed that there is a layout aspect/volume aspect and asked if the concern is about the volume? The concern is about it all, traffic, pulling people on tubes in the area.
- Commissioner inquired if Director Power knows of any studies in his capacity? Director Power will look into and asked the applicant to describe the circulation of traffic. Mr. Jones informed that it is 898 feet across, 120 feet out, the boat traffic runs in a counter clockwise circulation. The dock to the left is within the first 64 feet, not in the path of traffic and he is not aware of a study.
- Commissioner inquired if the applicant is working with an engineer and if there is any way to ask them to have a graph with boating distances. Mr. Jones is working with King Engineering and can ask King Engineering for a graph to show the distance.

- Commissioner commented that this is definitely a different process, the Planning Commission usually would see before the BZA and the BZA gave no direction on how they feel. Would like to ask to table until we have direction from the BZA and have all questions answered.
- Commissioner commented that the BZA is very concerned with safety due to the length of the dock.
- Commissioner referenced an earlier public comment, that the use didn't serve the public as a whole. Commissioners understanding is that the membership was limited to men only? Mr. Jones informed no, that's not true. Commissioner inquired if women can become members of the Belleville Yacht club? Mr. Jones confirmed yes. Commissioner inquired when was that started. The club was founded in 2009 and they acquired the Moose Lodge in 2012. Commissioner inquired when were women allowed to become members? The by-laws have never excluded women. Commissioner asked if a woman could join today and become a full member. Mr. Jones confirmed, they could. They would have to meet the criteria for membership.
- Commissioner who is an acting BZA representative informed that the BZA has significant concern about safety about the 120-foot dock length and there was a lot of public comment. The Planning Commission has not had the benefit of reviewing the comments and correspondence as the BZA postponed their decision. It is in the applicant's and BZA's best interest to have all information available. The BZA felt that the site plan as presented was lacking for special approval and site plan review. Have not heard specific requests or comments on the site plan, would Commissioners like to make any comments on the site plan? The usage and depth need to be on there. The special exception was not given by the BZA, need to work on what the BZA will approve.
- Commissioner inquired if we approve the special approval are we saying ok to the 120-foot dock? The site plan wasn't sufficient, need to see more on the site plan.
- Commissioner inquired if the Planning Commission is ok with the 81.8% frontage? As long as it is not infringing on other properties. The west side is a boat launch and the east side is residential.
- Commissioner prefers to wait until we have more guidance from the BZA.
- Commissioner suggested including boats on the site plan and the addition of water depth and depth contour would be beneficial. The percentage of frontage excluded needs to be called out, show safety devices such as life jackets, lights, ladders and address. Have all items included on the next site plan.
- Commissioners commented that it would be helpful to have a plan graph to show boating zones and traffic patterns and a radius plan.
- Commissioner inquired regarding the previous public comment why is there not a site plan going to the state before coming to the Planning Commission? Director Power informed that in the typical process, the Township will make their review first. EGLE has been cc'd on the reports so they know where the Township is in the process and Director Akers has asked questions of EGLE.

Members of the audience and remote viewers had the following questions and comments:

- Resident read a letter from the State. The BYC has submitted an application, not a revised plan. The property owner had submitted it in the aftermath. If it had been done properly,

we would not be here today. Resident is tired of political favoritism. The permit was not issued, EGLE recommended a revised site plan, to date the have not received a revised site plan. Based on preliminary review, the docks appear to be limited if boats are docked. Resident asked Mr. Richardson of EGLE if this was usual, he said no, it is highly unusual. Director Power informed that the email letter is in the Commissioners packets.

- Residents big concern is the lake is really busy on summer weekends, who is going to enforce the traffic concern. Traffic has to cross in front of the boat launch, would like to see some input from law enforcement.
- Resident agrees that most of the issues around safety are valid. Thinks they should plan first and issue variances later. The traffic issue at the boat launch, on Saturdays there are in excess of 20 boats waiting to access the ramp. Another concern is marketing the traffic through the channel itself, it is significantly narrow, there are no buoys to the west end of the boat launch site and there is no sequestered or secluded area. Resident feels that these are all things that should be considered. Once you grant the variance, this will affect traffic patterns at the launch site, determine the traffic pattern first. Resident is not so concerned about setting a precedence as much as safety. The other examples exist in coves of the lake, they wouldn't greatly impede the traffic on the lake. Resident would like to see the planning done first and the variance later.
- Resident commented the 762 feet to the opposite side of the shoreline, 100 feet no wake, minus the 120 feet equaling 542 feet is not acceptable. A lake traffic study is needed, not making a decision in the winter.
- Resident commented the BYC is asking for a variance of a variance.

No further comments from the audience or remote viewers.

Motion Cullin, Budd second to postpone 22-059 BYC Marina special approval to a future time.

Roll Call:

Yeas: Barr, Grant, Budd, Cullin and Jahr.

Nays: None.

Excused: Atchinson.

Recused: Kelley.

Motion Carried.

ITEM #5: 22-059 – BELLEVILLE YACHT CLUB – MARINA PRELIMINARY AND FINAL SITE PLAN REVIEW.

TITLE: A REQUEST BY THE BELLEVILLE YACHT CLUB FOR SITE PLAN REVIEW AND SPECIAL APPROVAL TO CONSTRUCT A MARINA AS DEFINED UNDER SECTION 3.120(B)(15) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE, INCLUDING TWO (2) DOCK STRUCTURES, EACH CONTAINING A SINGLE DOCK STEM WITH UP TO FIVE (5) CONNECTING DOCKS. THE SITE IS ZONED BELLEVILLE LAKE SHORELINE DISTRICT B – NON-SINGLE FAMILY RESIDENTIAL (BLB) AND THE ADJACENT UPLAND PARCEL IS ZONED R-1C – SINGLE FAMILY RESIDENTIAL. MARINAS ARE A USE

THAT REQUIRE SPECIAL APPROVAL IN THE BLB DISTRICT, AND THE USE REQUIRES A PUBLIC HEARING.

THE PROJECT IS PROPOSED TO BE LOCATED IN TOWNSHIP LAKE PROPERTY ADJACENT TO 831 EAST HURON RIVER DRIVE (PARCEL ID #83-088-99-0005-000), ON THE NORTH SIDE OF EAST HURON RIVER DRIVE BETWEEN LOZA LANE AND EVELYN COURT.

Director Power's presentation was provided under New Business Item #4 and there are no additional presentations.

Commissioners discussed actions moving forward. The BZA is looking for a more detailed site plan, they postponed pending site plan and safety concerns. Commissioners would like to hear what the BZA says and not have preliminary and final site plan reviews together, they can review before it goes back to the BZA. Commissioners would like to review the BZA minutes.

No comments from the audience or remote viewers.

Motion Cullin, Grant second to postpone 22-059 BYC Marina preliminary site plan for further review as per the comments that were reflected to the BYC, prior to a site plan going to the BZA.

Roll Call:

Yeas: Budd, Grant, Barr, Cullin and Jahr.

Nays: None.

Excused: Atchinson.

Recused: Kelley.

Motion Carried.

Motion Jahr, Budd second to adjourn the meeting for a 5-minute break. Motion Carried.

ITEM #6: 2022 PLANNING COMMISSION ANNUAL REPORT.

Director Power presented the draft 2022 Planning Commission Annual Report dated 1-6-23. The report includes updates on the Planning Commission's progress in implementing the Township-wide 2020 Van Buren Township Master Plan, Engagement Activities and Economic Development Plan (future), as well as an overall listing of the Planning Commissions activities. The Planning Commissions activities include: 17 public hearings, 8 preliminary site plan approvals, 4 final sit plan approvals, 3 combined preliminary and final site plan approvals, 7 special land use approvals, 1 site plan amendment, 4 temporary land use approvals, 4 rezoning recommendations to the Township Board including 1 recommendation for conditional rezoning, 3 zoning text amendments and 2 tree removal permits.

Motion Jahr, Barr second to recommend the 2022 Planning Commission annual report as written for acceptance to the Township Board of Trustees.

Roll Call:

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

Nays: None.

Excused: Atchinson.

Motion Carried. (Report Attached)

GENERAL DISCUSSION:

Director Power informed he does anticipate there will be a meeting on January 25, 2023 and he will make training opportunities readily available to Commissioners.

Commissioner inquired what surveying is being done for at the northeast corner of Van Born and Sheldon Roads. Director Power informed that the surveying is being done as part of a preapplication phase.

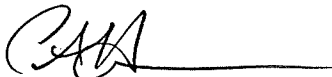
Commissioner would like to look into a By-Law provision to possibly shift the election of officers to the end of the last meeting in December.

Commissioner has noticed that a lot of boards are doing the pledge of allegiance at the beginning of their meetings, inquired if the Planning Commission like to do the same. Commissioners agreed they are ok with the pledge of allegiance at the beginning of meetings.

ADJOURNMENT:

Motion Budd, Cullin second to adjourn the meeting at 9:04 p.m. Motion Carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'CH' followed by a horizontal line.

Christina Harman
Recording Secretary

Zoom Comments received at 1/11/2023 Planning Commission Meeting

Jeffrey Riggs 06:06 PM

1. Per the VBT Planning Commission Meeting Packet, the drawing shows "762' to opposite shoreline". Per the attached pic, I did the math. 762' to opposite shoreline, minus 100' no wake zone, minus 100' the no wake zone on the north shoreline, minus 40' max for boat lifts/docks on the north shoreline = only 522' FOR ALL BOATS TRAVEL ABOVE NO-WAKE SPEEDS. Not acceptable, this needs review this summer to see the impact to all lake users, not just the BYC.
2. A lake traffic study is needed for this. Making this decision in the middle of winter without reviewing the current conditions and traffic on this section of the lake isn't proper due-diligence. To evaluate a request to go triple the distance currently allowed into the narrow channel of a public lake that could have serious future implications due to "setting a precedent", we need further information. This decision should not be taken lightly.
3. The BYC drawings were only submitted to VBT on December 21st, published Dec 22nd, only two working days

Anonymous Attendee 06:30 PM

Would it be possible to adjust the zoom camer angle? Currently we can not see the presentation screen, and see more ceiling than the meeting.

Anonymous Attendee 07:12 PM

Thank you for the youtube tip and camer adjustment.

Anonymous Attendee 08:24 PM

I would like to remind the commision members that the BYC is asking for a variance of a variance when they discuss how far they plan on going out with the docks. And the fact that this organization has already started the constructing the docks untill they got caught without permission. They continually use the logic of ask forgiveness and not permission, Similar to the "TIKI Hut" Fiasco!

Anonymous Attendee 08:41 PM

I would also like to remind the members that it was not to long ago that a variance was granted that went all the way to the michigan supreme court and cost taxpayers millions of dollars. This variance request reminds me of that fiasco on the garage height on harmonly lane.

Anonymous Attendee 08:45 PM

If a variance is ultimatly approved. Can there be a discussion of a penalty payment for starting constuction without permission, that could provide community benifit



MCKENNA

December 16, 2022

Planning Commission
Van Buren Charter Township
46425 Tyler Road
Van Buren Township, MI 48111

**Subject: VBT-22-053-RZ Crossroads Distribution Center North, LLC/ Rezoning Review;
Application Dated September 26, 2022.**

Dear Commissioners:

We have reviewed an application from Dennis Schultz on behalf of Crossroads Distribution Center North LLC, owners of Building 6 within the Crossroads North Industrial Development located at Parcel V125-83-006-99-0004-00042060, which lies on the south side of Van Born Road, between Morton Taylor and Haggerty Roads. The applicant proposes to rezone the parcel from its current zoning classification of R-1B, Single-Family Residential to M-1, Light Industrial. This parcel is approximately 16.18 acres.

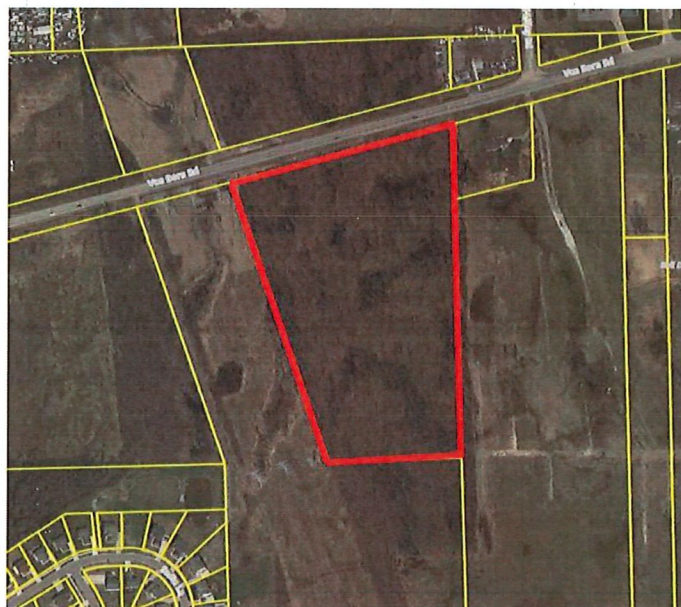
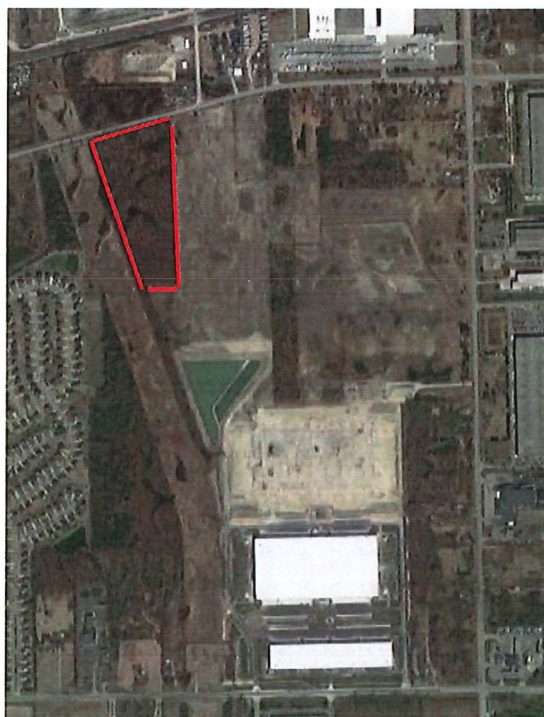


Figure 1 and 2: Site Location (google Maps)

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



The Master Plan was originally adopted in 1989 and amended in 1999 (Single Family Residential Plan), 2000 (Ecorse-Haggerty Corridor Plan), 2001 (Grace Lake Area Plan), 2007 (South Side Master Plan), 2010 (Belleville Road District Plan). In 2020, the Master Plan received a complete revision, coordinating the previous plans.

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, avoid overcrowding, preserve open space, and protect the aesthetics of an area of land are consistent with the Michigan Planning Enabling Act (P.A. 33 of 2008) and Michigan Zoning Enabling Act (P.A. 110 of 2006). Our comments on and analysis of this request follow.

EXISTING CONDITIONS

The current land use, future land use, and existing zoning classifications of the site and surrounding parcels are summarized in the table below:

	Existing Land Use	Current Zoning	Future Land Use
Subject Site	Vacant/Undeveloped	R-1B, Single-Family Residential	Light Industrial
North	Vacant/Undeveloped	M-1, Light Industrial	Light Industrial
South	Undeveloped / Utility Easement	R-1B, Single-Family Residential*	Single-Family Residential
East	Vacant/Undeveloped	MT, Industrial Transportation / R-1B	Light Industrial
West	Utility Easement	R-1B, Single-Family Residential	Single-Family Residential

*The narrow triangular piece below the subject site, abutting the ITC corridor.

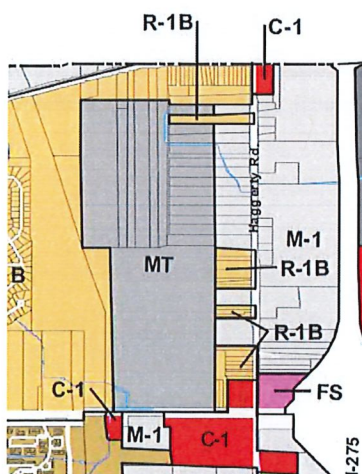


Figure 3: Zoning Map



REZONING STANDARDS

Article 12, Chapter 5 of the Zoning Ordinance includes the procedures and standards for reviewing Zoning Ordinance amendment applications. Section 12.504(A) through (L) includes specific standards of review for the Planning Commission and Township Board of Trustees to consider prior to taking action on an amendment application. These standards and our comments follow.

(1) *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 Michigan Zoning Enabling Act requires a zoning ordinance to be based upon the Master Plan, which was adopted in 2020 and incorporates previous iterations of the plan and its subplans, including its amendments in 1999 (Single Family Residential Plan), 2000 (Ecorse-Haggerty Corridor Plan), 2001 (Grace Lake Area Plan), 2007 (South Side Master Plan), and 2010 (Belleville Road District Plan).

The applicant proposes to rezone the parcel to preserve existing wetland and woodland to act as a buffer for industrial uses to the south and east. Per the Master Plan the Light Industrial designation is *"intended for industrial uses which do not impact neighboring properties, and do not produce large amounts of noise, smoke, glare, waste, or other adverse off-site environmental effects. These areas should serve as a transition between non-industrial and heavy industrial areas. The uses most appropriate in this district include warehousing, research and development, industrial flex space, associated office uses, and quasi-retail sales."* The change of the existing residential zone to an industrial zone, even if left as woodland and wetland, is a step towards accomplishing the Township's Master Plan objectives and providing adequate transition between heavier industrial uses/trucking and residential uses.

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

The Purpose and intent of Section 1.102 of the Zoning Ordinance 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. To that end, there are provisions for zoning districts, setbacks, building height, land use, parking and loading, access management, landscaping and screening, and environmental performance.

It is intended that the M-1 zoning district shall act as a transition between heavy industrial uses and non-industrial uses. There is an ITC corridor to the west, zoned residential, that cannot be built upon. The addition of the subject parcel as a transition area to be left undisturbed, gives the applicant the benefit of setbacks from an industrial zoned parcel rather than a residentially zoned parcel, at such time when the parcels to the east are developed.

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

The applicant does not plan to develop this particular parcel. The other parcels owned by the applicant to the east of this site, all have frontage onto Van Born Road and in the future are likely to connect the south north to south from Van Born to Ecorse Road. The applicant's proposal to rezone the parcels is not an approval of any use of the site. At such time when a site plan is submitted for development of the remaining portion of the applicants parcels north of Crossroads North distribution center facility, additional traffic impact studies will be required for Van Born Road with related improvements.

(4) *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 proposed use of the site does not involve the construction of any building. While we are not aware of any constraints on the water and sewer systems that would prevent service to the subject site, we will defer to the Van Buren Township Department of Public Services.



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

We are not aware of any errors in the Zoning Ordinance or Zoning Map, so a rezoning cannot be granted on the grounds that there is an error to correct. Over the last few years, Van Buren Township has experienced a high demand for new industrial development and expansions of existing industrial land uses. There is a definite market trend showing the demand for more industrial uses. The Township's Master Plan specifically designates the subject site as an area for industrial uses. As previously noted, the subject site is likely to remain an undeveloped parcel in the future too with the applicant's intent to place a conservation easement on it, to protect existing woodlands and wetlands.

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

In general, exclusionary zoning is a prohibition of a land use when there is a demonstrated need for the use in the community. Although zoned R-1B, the subject site is essentially unbuildable due to the presences of significant regulated wetlands on it. Rezoning of the parcel provides the applicant with the benefit of measuring setbacks for future buildings from the ITC corridor boundary rather than the edge of the unbuildable subject site.

(7) *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.*

As previously noted, majority of the site is a heavily wooded and occupied by regulated wetlands. It is our understanding that working with the Environment, Great Lakes and Energy (EGLE) of Michigan, the applicant intends to place a conservation easement on the subject site. There are no plans to build on the subject site at this time.

(8) *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 permitted uses and special land uses of the M-1 zoning district are listed in the following table:

PERMITTED USES	SPECIAL LAND USES
<ul style="list-style-type: none">• Wholesale Sales• Warehousing (excluding Distribution Centers)• Manufacturing and Processing (Light)• Laboratories, Minor• Laboratories, Major• Retail Dry Cleaning Plants and Laundries• Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations and including storage yards, when necessary to serve the immediate vicinity.• High Tech, Data Processing, and Computer Centers• Accessory Outdoor Industrial Storage• Accessory structures and uses customarily incidental to the above permitted uses• Indoor Recreation	<ul style="list-style-type: none">• Automobile Wash Establishment, Automatic• Drive-In Theaters• Private Clubs• Recreational Vehicle Storage Yards• Regulated Uses (Tattoo establishments, pawnshops, pool and billiard halls, and massage parlors)• Outdoor Storage of Building or Contracting Equipment and Supplies• Instructional Services, Outdoor• Truck Repair and Maintenance Facility, Minor• Accessory Caretaker Dwelling



The M-1 District is intended to be located so that uses will be developed without creating negative impacts on adjacent uses from characteristics and conditions such as heavy truck traffic, excessive noise, glare, air pollution, wastewater pollution or emissions, which are commonly found in a traditional industrial district. With the likelihood that this parcel will not be developed and be preserved in its natural state, there are no concerns to address regarding potential negative impacts.

- (9) 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 Purpose and intent of Section 1.102 of the Zoning Ordinance 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. To that end, there are provisions for zoning districts, setbacks, building height, land use, parking and loading, access management, landscaping and screening, and environmental performance.

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

Based on the location of the parcel abutting recently rezoning M-1 parcels to the east in conformance with the Master Plan, the proposed M-1 zoning would be most appropriate to create a contiguous zoning district. The subject site does not require site plan approval as no new construction is proposed.

- (11) 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 of the land will provide consistency with the Master plan and create a clear delineation between the industrially zoned and use parcels and the residential parcels on the west side of the ITC corridor. Adding of an industrial use to the R-1B (Single Family Residential) district would not be appropriate. Therefore, rezoning the land to M-1 is more appropriate than amending the list of permitted or special land uses in the current R-1B zoning district.

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

Rezoning will create a continuous industrially zoned area, and will not create an isolated or incompatible zone.

RECOMMENDATION

At this time, the application to rezone the subject sites from R-1B to M-1 meets the following standards of Section 12.504(A) through (L) of the Zoning Ordinances:

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 M-1 zoning designation is consistent with the light industrial designation envisioned in the Master Plan for the site and surrounding properties.
2. Section 12.504(B). The proposed rezoning is consistent with the intent of the zoning ordinance and the existing development pattern of the area.



3. Section 12.504 (C). The subject parcels have frontage onto Van Born, designated as an urban minor arterial. Improvements to abutting roadways to handle additional traffic will be considered at the time of site plan review and approval of the parcels to the east.
4. Section 12.504 (D). We are not aware of any constraints in the ability of public services to serve this site.
5. Section 12.504(E). Van Buren Township has experienced a high demand for additional industrial development and expansions of existing industrial land uses.
6. Section 12.504 (F). The proposed rezoning is not causing any exclusionary zoning.
7. Section 12.504 (G). The subject site has existing wetlands, and it is the applicant's intent to preserve the parcel as is and place a conservation easement on some (if not all) portions of the parcel.
8. Section 12.504 (H). The uses permitted by right and special land use in the proposed M-1 zoning district is likely to be more consistent than developing it under the current R-1B zoning designation.
9. Section 12.054(I). If rezoned, the site will be required to be developed in conformance to required standards for the M-1 district. However, the applicant has no plans at this time to build on the parcel.
10. Section 12.054(J). Given the possible options, we believe the M-1 designation is the most appropriate for the subject sites considering its present location.
11. Section 12.504 (K). Amending the existing R-1B district to allow for industrial uses would be inappropriate.
12. Section 12.054(L). The proposed M-1 zoning of the subject parcels will be compatible with the zoning currently existing around it. Compliance with any zoning ordinance standards requiring greenbelts, buffering and landscaping will be reviewed if and when the parcels to the east, also owned by the applicant, are developed.

Therefore, we recommend that the Planning Commission recommend approval of the requested amendment to the Zoning Map to rezone the subject parcel from R-1B to M-1 designation as listed, to the Township Board of Trustees

Respectfully
McKENNA

Vidya Krishnan
Senior Principal Planner

Gage Belko
Assistant Planner

Cc: Dan Power, Director of Planning and Economic Development



VAN BUREN

CHARTER TOWNSHIP

Kevin McNamara | Supervisor • Sharry A. Budd | Treasurer • Leon Wright | Clerk
Reggie Miller | Trustee • Kevin Martin | Trustee • Sherry Frazier | Trustee • Donald Boynton Jr. | Trustee

January 6, 2023

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

Subject: DRAFT Planning Commission Annual Report for 2022

In accordance with P.A. 33 of 2008, as amended, MCL 125.3801 et seq, Michigan Planning Enabling Act, please find the attached annual report regarding the Planning Commission activities for 2021. Following acceptance by the Planning Commission, the report will be forwarded to the Van Buren Township Board of Trustees. The report includes updates on the Planning Commission's progress in implementing the Township-wide 2020 Van Buren Township Master Plan, Engagement Activities, and Economic Development Plan (future), as well as an overall listing of the Planning Commission's activities. The report is summarized as follows:

Engagement Activities

- **Public Hearings:** The Planning Commission held seventeen (17) public hearings.

Overall listing of the Planning Commission's Activities

- **Preliminary Site Plan Approvals:** The Planning Commission granted eight (8) preliminary site plan approvals.
- **Final Site Plan Approvals:** The Planning Commission granted four (4) final site plan approvals.
- **Combined Preliminary / Final Site Plan Approvals:** The Planning Commission granted three (3) combined preliminary / final site plan approvals.
- **Special Land Use:** The Planning Commission recommended seven (7) special land use approvals to the Township Board.
- **Site Plan Amendments:** The Planning Commission granted one (1) site plan amendment.
- **Temporary Land Use Approvals:** The Planning Commission granted four (4) temporary land use permits.
- **Rezoning Recommendations:** The Planning Commission made four (4) rezoning recommendation to the Township Board, including one (1) recommendation for conditional rezoning.
- **Zoning Text Amendment Recommendations:** The Planning Commission made three (3) zoning ordinance text amendment recommendations to the Township Board. These included the development



VAN BUREN

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of a comprehensive set of zoning ordinance amendments reflective of the master plan efforts from the 2022 Sumpter Road Corridor Plan, including the adoption of the Sumpter Road Mixed Use (SRMU) District and Sumpter Road Overlay District (SROD).

- **Tree Removal Permits:** The Planning Commission granted two (2) tree removal permits.
- **Other Activities and Approvals:**
 - The Planning Commission recommended adoption of the Van Buren Township 2022-2026 Parks and Recreation Master Plan to the Township Board of Trustees
 - The Planning Commission granted two (2) extensions to previous preliminary or final site plan reviews.
 - The Planning Commission preliminarily reviewed two (2) requests for items that will require review by the Township Board of Zoning Appeals (BZA).
 - The Planning Commission received comments from staff regarding minor renovation, building re-occupancy, or administratively reviewed Willow Run Airport development projects.

Implementing the 2020 Van Buren Township Master Plan. The following actions are direct and recommended strategies or objectives from the 2020 Van Buren Township Master Plan which were partially or fully achieved this year:

- The Planning Commission held several public meetings regarding the Sumpter Road Corridor Plan, an area-specific amendment to the 2020 Van Buren Township Master Plan, and adopted the 2022 Sumpter Road Corridor Plan.
- *Encourage the development of new housing in “missing middle” formats and/or layouts that are currently absent or in short supply, by creating zoning districts and design standards as necessary in the appropriate areas of the Township.*
- *Provisions should be made for small-scale industry with minimal externalities and a public-facing component, otherwise known as artisanal or craft industry, to develop in the Township in Mixed Use areas. Examples include small breweries that serve the public, bakeries with a retail component, and small-scale apparel production.*
- *Develop criteria for retrofitting existing single-use commercial, office, and industrial areas with new uses and building formats, so that they may continue to economically function in the event that demand shifts away from these areas.*
- *Encourage the preservation of large and significant open spaces through voluntary dedications, development approval extractions, and establishing special funding sources for acquisition, and seeking grants for acquisition.*
- *Apply the relevant land use objectives previously stated with respect to Residential, Commercial, Office, and Industrial uses on the southern and extreme eastern sides of the Township.*
- *The established Urban Services Boundary for public water and sanitary sewer shall remain in place.*
- *Develop a strategy to enhance local road connectivity, and complete critical road improvements and connections consistent with the Circulation Plan, to reduce traffic congestion and duplicate trips in key areas of the Township.*



VAN BUREN

CHARTER TOWNSHIP

Kevin McNamara | Supervisor • Sharry A. Budd | Treasurer • Leon Wright | Clerk
Reggie Miller | Trustee • Kevin Martin | Trustee • Sherry Frazier | Trustee • Donald Boynton Jr. | Trustee

- *Continue to provide the necessary recreation services to the expanding population of the Township. Maintain existing partnerships, and foster new partnerships, with community organizations to develop, improve, and offer a comprehensive range of recreation programs.*
- *Maximize use of existing park sites by expanding facilities and amenities available to residents to further increase quality of life for residents, and further encourage others to visit and reside in the Township.*
- *Continue the processes for development of the Van Buren Township Community Center, development of parklands in the Town Center Mixed Use district, and enhancement of Van Buren Township Park and Beach.*

Strategies or objectives that are listed as “ongoing” in the 2020 Master Plan are not listed in this report but should be implemented as part of recommendations and actions by the Planning Commission related to Zoning Ordinance development and development review.

Significant Activities:

Significant construction progress has been made at several major project sites which were approved by the Planning Commission in the past several years, including completion of two of the three buildings in the 1.6 million square foot Ashley Crossroads North logistics and manufacturing park near Ecorse and Haggerty Road, construction in new phases of the Victoria Estates / Townsend Park and Cobblestone Creek subdivisions, and completion of redevelopment of a 53-acre data center site at 9000 Haggerty Road. Several other projects including the 128-unit Clover Communities senior apartments at 8470 Belleville Road, the Kenworth Truck Sales facility at 44660 North Interstate 94 Service Drive, and the Community Center expansion at 46425 Tyler Road, have broken ground. The Planning Commission also completed a future land use plan for the Sumpter Road Corridor, which will provide future direction for zoning and design standards along Sumpter Road and on adjacent lands, along with an affiliated update to the Van Buren Township Zoning Ordinance to provide standards and regulations for the Sumpter Road Mixed Use (SRMU) zoning district and Sumpter Road Overlay District (SROD).

For additional reference, the Planning Commission may also refer to an interactive map showing the locations of development projects in various stages of review or construction:

Interactive VBT Development Map