CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION AGENDA Wednesday, June 14th, 2023 – 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: <u>https://us06web.zoom.us/j/83930638961</u> Or One tap mobile : +13052241968,,83930638961# US Or Telephone: Dial: +1 305 224 1968 US Webinar ID: 839 3063 8961 International numbers available: <u>https://us06web.zoom.us/u/kPeUrm0eh</u>

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES: Approval of minutes from the regular meeting of May 24, 2023

CORRESPONDENCE / ANNOUNCEMENTS:

PUBLIC HEARING:

ITEM # 1:	Case 23-023. Donyeal Sizemore – Group Day Care Home – Special Land Use Review
TITLE:	A request by Donyeal Sizemore to change an existing Day Care, Family Home to 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-1A – Single Family Residential. Day Care, Group Home is a Special Land Use in the R-1A (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.
LOCATION:	The project is proposed to be located at 42127 Salem Court (parcel ID number 83 101 04 0071 000).
ACTION ITEMS:	A. Open public hearing.B. Public comment.

C. Close public hearing.

ITEM # 2:	Case 22-058: Cameron Smyth –16355 Haggerty Road – Rezoning Request
TITLE:	A request by owner Cameron Smyth to rezone 16355 Haggerty Road (described as Parcel ID# V-125-83-142-99-0001-000), from R-1B – Single Family Residential District to AG – Agricultural and Estates.
LOCATION:	The parcel is located on the east side of Haggerty Road between Riggs Road and Savage Road.
ACTION ITEMS:	A. Open Public Hearing B. Public Comment C. Close Public Hearing
ITEM # 3	Case 23-021: Robert Sloan Van Born Road Property – Rezoning Request
TITLE:	A request by Mark Drane on behalf of owner Robert Sloan to rezone the parcel described as Parcel ID # V-125-83-009-99-0002-000 from M-1 – Light Industrial to M-2 – General Industrial. The parcel is 24.48 acres in area.
LOCATION:	The parcel is located on the north side of Van Born Road east of Sheldon Road.
ACTION ITEMS:	A. Open Public Hearing B. Public Comment C. Close Public Hearing
ITEM # 4:	Zoning Ordinance Text Amendments – Detached Single Family Residential Dwelling Height Regulations
TITLE:	Proposed amendments that will modify the maximum allowable height for detached single family dwellings to allow all detached single-family dwellings to be 2.5 stories in height or 35 feet in height. The amendments will include updates to Sections 3.106 (R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts), 3.107 (RM, Multiple Dwelling Residential District), 3.109 (AG, Agricultural and Estate District), and 4.102 (Schedule of Regulations).
ACTION ITEMS:	A. Open public hearing.B. Public comment.C. Close public hearing.
OLD BUSINESS:	
ITEM # 1:	Case 22-059. Belleville Yacht Club – Marina Special Approval Recommendation
TITLE:	A request by 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 with lengths of 85.3', each containing a single dock stem with three (3) 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. A public hearing regarding this use was held in accordance with Section 3.120(F)(3) (Belleville Lake Shoreline Districts - Belleville Lake Shoreline District Approval Process) of the Zoning Ordinance on January 11, 2023.

LOCATION: The project is proposed to be located in Township Lake Property adjacent to 831 East Huron River Drive (parcel ID number 83 088 99 0005 000), on the north side of East Huron River Drive between Loza Lane and Evelyn Court.

ACTION ITEMS: A. Presentation by the Township staff.

- B. Presentation by the applicant.
- C. Planning Commission discussion.
- D. Public Comment.
- E. Planning Commission considers recommendation for special approval to Township Board of Trustees.

ITEM # 2: Case 22-059. Belleville Yacht Club – Marina Site Plan

- TITLE: A request by 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 with lengths of 85.3', each containing a single dock stem with three (3) 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.
- LOCATION: The project is proposed to be located in Township Lake Property adjacent to 831 East Huron River Drive (parcel ID number 83 088 99 0005 000), on the north side of East Huron River Drive between Loza Lane and Evelyn Court.

ACTION ITEMS: A. Presentation by the Township staff.

- B. Presentation by the applicant.
- C. Planning Commission discussion.
- D. Public Comment.
- E. Planning Commission considers site plan approval.

NEW BUSINESS:

ITEM # 1: Case 23-023. Donyeal Sizemore – Group Day Care Home – Special Land Use Review

- TITLE:A request by Donyeal Sizemore to change an existing Day Care, Family Home to 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-1A Single Family
Residential. Day Care, Group Home is a Special Land Use in the R-1A (Single Family
Residential) District, which requires a recommendation for special land use
approval and preliminary and final site plan approval.
- LOCATION: The project is proposed to be located at 42127 Salem Court (parcel ID number 83 101 04 0071 000).

ACTION ITEMS:	 A. Presentation by the Township staff. B. Presentation by the applicant. C. Planning Commission discussion. D. Public Comment. E. Planning Commission considers recommendation for special land use approval to Township Board of Trustees.
ITEM # 2:	Case 23-023. Donyeal Sizemore – Group Day Care Home – Preliminary and Final Site Plan Review
TITLE:	A request by Donyeal Sizemore to change an existing Day Care, Family Home to a Day Care, Group Home use as defined in Section 2.102(A)(60)(b) of the Van Buren Township Zoning Ordinance. The parcel is zoned R-1A – Single Family Residential. Day Care, Group Home is a Special Land Use in the R-1A (Single Family Residential) District, which requires a recommendation for special land use approval and preliminary and final site plan approval.
LOCATION:	The project is proposed to be located at 42127 Salem Court (parcel ID number 83 101 04 0071 000). The property is located on Salem Court between Camden Road and Milton Drive.
ACTION ITEMS:	 A. Presentation by the Township staff. B. Presentation by the applicant. C. Planning Commission discussion. D. Public Comment. E. Planning Commission considers preliminary and final site plan approval.
ITEM # 3	Case 23-021: Robert Sloan Van Born Road Property – Rezoning Request
TITLE:	A request by Mark Drane on behalf of owner Robert Sloan to rezone the parcel described as Parcel ID # V-125-83-009-99-0002-000 from M-1 – Light Industrial to M-2 – General Industrial. The parcel is 24.48 acres in area.
LOCATION:	The parcel is located on the north side of Van Born Road east of Sheldon Road.
ACTION ITEMS:	 A. Presentation by the Township staff and consultant. 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 # 4:	Case 23-026: Subaru Research and Development, Inc. – Landscaping Modification
TITLE:	Applicant Subaru Research and Development, Inc. seeks a modification from Sec. 10.105(c) of the Van Buren Township Zoning Ordinance to allow approximately 1.1 acres of the original landscaping plan for the Subaru Research and Development project (Case 18-021), located at 50255 Michigan Avenue (tax

parcel ID 83 998 01 9802 027) to be converted from turf grass to native plantings that will use little or no irrigation. The Planning Commission may grant modifications to a landscaping plan under Section 10.106 of the Van Buren Township Zoning Ordinance.

- ACTION ITEMS: A. Presentation by the Township staff.
 - B. Presentation by the applicant.
 - C. Planning Commission discussion.
 - D. Planning Commission moves to allow the requested modification to the Landscaping Plan

GENERAL DISCUSSION AND UPDATES

ADJOURNMENT:

CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION May 24, 2023 MINUTES - DRAFT

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

ROLL CALL:

Present: Grant, Pahle, Jahr and Cullin.

Excused: Atchinson and Budd.

Staff: Director Power and Secretary Harman.

Planning Representatives: Vidya Krishnan, McKenna Associates and Mike Leppek, Fishbeck Associates.

Applicant(s) in Attendance: Case 22-052 – Ashley Capital/Our Next Energy (ONE): Shazad Butt, Matt Lempke and Dave Anderson.

Audience: Ten (10).

APPROVAL OF AGENDA:

Motion Jahr, Grant second to approve the agenda of May 24, 2023 as presented. Motion Carried.

APPROVAL OF MINUTES:

Motion Pahle, Jahr second to approve the regular meeting minutes of May 10, 2023 as presented. **Motion Carried.**

NEW BUSINESS:

- ITEM #1: CASE 22-052 ASHLEY CROSSROADS NORTH SITE PLAN AMENDMENT / OUR NEXT ENERGY (ONE) PRELIMINARY AND FINAL SITE PLAN.
- TITLE: THE APPLICANT, KIRCO MANIX CONSTRUCTION, LLC ON BEHALF OF OWNER CROSSROADS DISTRIBUTION CENTER NORTH 6, LLC SEEKS APPROVAL OF AN AMENDMENT TO THE PRELIMINARY AND FINAL SITE PLAN FOR THE FIRST PHASE OF CONSTRUCTION OF A 36,800 SQ. FT. TWO-STORY OFFICE FACILITY, A 29,240 SQ. FT. MANUFACTURING SPACE AND 11,830 SQ. FT. SHIPPING AND RECEIVING AREA WITHIN AN EXISTING 659,546 SQ. FT. BUILDING ALONG WITH RELATED ACCESSORY OUTDOOR INDUSTRIAL STORAGE, LANDSCAPING AND ACCESS ALTERATIONS ON THE EAST END OF THIS BUILDING.

42060 ECORSE ROAD (PARCEL ID NUMBER 83-008-99-0002-706). THIS SITE IS A 46.15-ACRE PARCEL WEST OF HAGGERTY ROAD ON THE NORTH SIDE OF ECORSE ROAD. THE PROPERTY'S ZONING IS M-2, GENERAL INDUSTRIAL (WITH CONDITIONS).

Director Power gave a brief presentation providing an overview of the review process and detailing where the site is located. The site is zoned M-2 with conditions, the rezoning laid the foundation for a more traditional type of manufacturing. The 46.15-acre site is part of a larger site with a significantly larger development consisting of three (3) buildings constructed between 2017-2019, which were built to provide flexible space. This is the third of the three (3) buildings

PC Minutes 5-24-23 Page **2** of **6**

of Ashley Crossroads North Phase 1. The request is for Phase 1 of Our Next Energy (ONE) which is a prototype section. Director Power deferred to Vidya Krishnan of McKenna Associates for her presentation.

Vidya Krishnan of McKenna Associates presented her staff review letter dated 5-17-23. The applicant has been working with the Township for the past several months to get issues pertaining to the site design, engineering, fire access and other issues addressed. Since the building is already constructed, site improvements are in place in accordance with the originally approved plan and changes are limited to a small portion of the site associated with this phase only. McKenna Associates recommends the Planning Commission grant preliminary and final site plan approval for Prototype Phase 1 for ONE to locate its manufacturing facility at 42060 Ecorse Road, subject to the following conditions:

- 1. Submission of a complete traffic study with submission of plans for any future phases.
- 2. Fire Marshal approval of circulation around equipment area on the east side of the building.
- 3. Installation of a sidewalk along the frontage of all new handicap spaces.
- 4. Clarification regarding location of EV Charging poles.
- 5. Planning Commission approval of an 8' enclosure wall height and installation of an EIFS or limestone cap on top of the mechanical equipment enclosure wall or approval of a variance from the Board of Zoning Appeals (BZA) for a 14' wall height.
- 6. Installation of downward directed and shielded fixtures in the mechanical equipment enclosure area.
- 7. Approval of proposed utility plans by the Township Engineer and Wayne County (if needed).

Additionally, Mrs. Krishnan recommended that the EV parking space located immediately north of the handicapped accessible space be converted to a handicapped accessible EV charging space. The approval is strictly limited to the site area occupied by Prototype Phase 1 only. All other changes shown on the larger plan are conceptual at this time and will be reviewed in detail when a plan is submitted for future phases.

Michael Leppek of Fishbeck Associates presented his review letter dated 5-18-23. Fishbeck recommends the Planning Commission grant the Ashley Capital North – Our Next Energy (ONE) Building 6 preliminary site plan and final site plan approval contingent to all items in the review letter to be answered or addressed in an Issued for Construction plan set, submitted to the Township Engineer for review. The applicant must receive written approval of acceptance prior to moving forward to the preconstruction portion of the process.

Director Power presented the Fire Department review letter dated 5-16-23 summarizing the previous conditions in the report, which have been met.

Shazad Butt the COO of Our Next Energy (ONE) gave a presentation. ONE has developed technology to enable EV adoption, based on safe chemistry and vertical manufacturing in North America with the use of materials that are not limited by supply chain factors. The first factory in Van Buren Township is ONE's first step at enabling the company to be fully vertical in the

PC Minutes 5-24-23 Page **3** of **6**

manufacturing of lithium iron batteries in North America. ONE is the only independent battery manufacturer producing LFP. Mr. Butt believes the company is in a great position and is opportunistic to be a leader in changing the paradigm of energy in North America in Van Buren Township. The plant is a gigafactory and will be developed in phases. Phase one is office space and has a prototype manufacturing capability enabling to build cells for development purposes including cell development, process development and customer development and will also be used for the training of employees. This will be the first small scale set of manufacturing equipment that employees will be trained upon and they will eventually transfer on to the commercial production side of the facility. It is very critical and important for ONE as a step, to have the prototype phase in place and to be able to build cells in that phase by the end of this year. Mr. Butt was available to answer any questions.

Commissioners had the following questions and comments:

- Commissioner commented this is just phase 1, what is the timeline for the entire project? Shazad Butt informed that phase 1 is this year, ONE has already ordered the first 2 gigawatt lines, the course of the project is between now and 2026.
- Commissioner commented the applicant mentioned the use for EV, are there other uses for these batteries? Yes, over the course of the last year have developed a grid scale energy storage hub for leveraging the battery pack that building for the automotive industry as a modular building block a grid scale energy storage system.
- Commissioner inquired what does LFP mean? Shazad Butt informed LFP stands for Lithium Iron Phosphate.
- Commissioner commented on the height of the wall, understands the Planning Commission can grant an exception up to 8 feet and nothing higher. The applicant would have to go before the Board of Zoning Appeals (BZA) to try to get something higher, the standards for granting that are pretty high. Is the wall an aesthetic choice or is there a strong shielding component? Mr. Butt informed it is aesthetic, the applicant wants to meet the needs and requirements of the Township and will do whatever is required.
- Commissioner commented if the Planning Commissioner was to grant the 8 feet, we would see some process piping? Yes, the process piping, trestles and tops of the tanks would be visible but not beyond the landscaping screen wall.
- Commissioner commented that his understanding is the wall is on the east side of the property and this is a prototype facility, is the plan that whatever is built on the east side will be replicated on the north side or is the north side going to have a significantly higher wall. Vidya Krishnan informed that is one reason why the project was split into phases, the north side tanks are going to be significantly larger in size and in volume which will require significantly more design effort from ONE. Commissioner inquired if the east side equipment enclosure, being near the office, will have green landscaping around it? Vidya Krishan informed when the applicant illuminated the parking spaces on the east side, they created an equipment enclosure. The applicant was informed that 6 feet are allowed for the wall and the Planning Commission can go up to 8 feet, however the applicant came in with a request for 14 feet. The Planning Commission can choose to stay with the 8 feet with tiered landscaping and evergreens. There will be a row of 11 parking spaces that will be illuminated and the landscape island will be planted in a staggered row. The reason

for not putting the landscape island immediately adjacent to the equipment wall, was the Fire Department needed to have room for circulation.

- Commissioner likes process piping and thinks the 8-foot wall would be fine and is ok with granting the 8-foot wall.
- Commissioner inquired how tall does the applicant expect the equipment on the north side to be? The applicant is still exploring options with the tanks including both vertical and horizontal design. They could be approximately 30-feet.
- Commissioner commented he appreciates that the applicant gives consideration to the aesthetics. Most mechanicals in the area are screened and Commissioner is supportive of going up to 14-feet, feels the BZA could approve. Vidya commented the closest singlefamily dwelling is at least 500 feet away and Haggerty Road is a minimum 600-650 feet away, from the line of sight it will be very small. There are trees immediately abutting the tank, Ashley Capital was required to put in screening.
- Commissioner inquired why is the solvent required to be in a containment area? The applicant informed you don't want to get it into your water supply and there are EPA requirements.
- Commissioner inquired if the 110% catch all is like a pan under a water heater? Yes.
- Commissioner commented that Haggerty Road is in a major state of disrepair and inquired if Director Power knew a timeline for the road project? Director Power commented that Wayne County has received bids, which are currently being reviewed, he hopes the project will start this year.
- Commissioner inquired if the Commission could recommend the applicant go before the BZA and still have the 8-feet approved? Yes, if the Planning Commission approves the 8 feet.
- Commissioner commented with regard to the EV and ADA spaces, we don't currently have any language in place requiring EV in ADA spaces. Can the Commissioner make the recommendation while its not currently a requirement? Vidya Krishnan, confirmed yes and the applicant confirmed ONE has no problem with making a handicapped space with EV access.
- Commissioner inquired if the applicant is ok with the conditions presented by the Planning Commission.
- Director Power informed that the applicant provided a link to resources that explain the differences in their technology of LFP versus NCM: one.ai/safety.

No comments from the audience or remote viewers.

Motion Jahr, Pahle second to grant Ashley Crossroads Distribution North 6 LLC amended preliminary and final site plan approval as amended for the first phase of construction of a battery manufacturing facility protype phase 1 the improvements will include construction of a 36,800 square foot two-story office facility, a 29,240 square foot manufacturing space and 11,830 square foot shipping and receiving area within an existing 659,546 square foot building along with related accessory outdoor industrial storage, landscaping and access alterations on the east end of the building, located at 42060 Ecorse Road, based on the analysis and subject to the conditions in the McKenna Associates review letter dated 5-17-23, Fishbeck Associates review letter dated 5-18-23, Fire Department review letter dated 5-16-23 and the letter from

PC Minutes 5-24-23 Page **5** of **6**

staff dated 5-18-23, noting specifically the concerns with the wall and recommendation #5 of the McKenna review letter, the Planning Commission approves the 8-foot high screening wall and if the applicant cannot obtain a variance for 14 feet, the 8-foot high wall is acceptable and also including an EV parking space located immediately north of the handicapped accessible spaces be converted to a handicapped accessible EV charging space.

<u>Roll Call</u>: Yeas: Grant, Pahl, Jahr and Cullin. Nays: None. Excused: Atchinson and Budd. Motion Carried. (Letters Attached)

ITEM #2: DISCUSSION – ZONING ORDINANCE AMENDMENT TO ACCOMMODATE MODIFICATIONS TO GROUP DAY CARE HOME STANDARDS.

STAFF WILL REQUEST THE PLANNING COMMISSION TO PROVIDE DIRECTION REGARDING CERTAIN STANDARDS WITHIN SECTION 5.111 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE (DEVELOPMENT STANDARDS FOR SPECIFIC USES – DAY CARE OR CHILD CARE, GROUP HOME) TO ADDRESS RECENT STATE OF MICHIGAN POLICY CHANGES REGARDING CHILD CARE.

Director Power gave the presentation. There is an urgent need for childcare providers in the State of Michigan. The State of Michigan has recently promoted efforts to increase child care capacity in communities. Family day cares which accommodate up to 6 children are being encouraged to become group day care homes which can accommodate 7-12 children. The "group child care home" designation requires special land use approval and an associated site plan which is reviewed by the Planning Commission and as well there is a procedural requirement of a public hearing. Reflective of the rules included in the Michigan Zoning Enabling Act (MZEA) (PA 110 of 2006), section 5.111 of the Van Buren Township Zoning Ordinance, the ordinance also requires group day care homes to meet certain dimensional requirements, including a minimum separation distance of 1,500 feet from other group child care providers. Director power would like to have more research to see if there is any flexibility in the separation requirement.

Director Power is asking for permission to have further conversation with the Planning Consultant and then to bring back more information to the Commission.

Commissioners agreed to have staff move forward with the conversation and to bring back more information at a future meeting.

GENERAL DISCUSSION:

Director Power informed the next Planning Commission meeting will be on 6-14-23. The meeting will have a full agenda with a few public hearing items, including a special land use review, two (2) rezonings, and potentially the revisiting of a special land use review and site plan review for a

PC Minutes 5-24-23 Page **6** of **6**

marina use. Commissioner inquired if one of the public hearings is for the Zoning Ordinance text amendment for building height. Director Power confirmed, yes.

Commissioner inquired if Director Power has any information on events coming forward. Director Power informed there is a workshop and open house on June 8th at 5:00 p.m. The Redevelopment Ready Communities (RCC) Workshop put on by Planning Consultant Vidya Krishnan will also have a joint training session afterwards for the Board of Trustees and Planning Commission. Commissioner inquired if the training session counts towards the Commissioners necessary training requirements. Director Power confirmed, yes.

Commissioner commented that he has seen progress at the Kenworth facility and Meijer and they are looking good. Commissioner inquired about the Hampton facility at the corner of Tyler and Morton Taylor Roads, is there an extra building? Director Power informed, yes, the extra building is a leasing trailer and it is temporary.

Commissioner commented that he has seen things starting at the Mobil gas station and the Metro Party store now has a machine located at the site.

ADJOURNMENT:

Motion Jahr, Grant second to adjourn the meeting at 6:53 p.m. Motion Carried.

Respectfully submitted,

Christina Harman Recording Secretary



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:	22-059	DATE SUBMITTED:

APPLICANT INFORMATION

NAME: Scott Jones	PHONE: 313.215.3013	
ADDRESS: 11696 Juniper Drive	CELL PHONE: 313.215.3013	
CITY, STATE & ZIP Van Buren Township, MI 48111	FAX:	
EMAIL: sjones@autokiniton.com		

PROPERTY OWNER INFORMATION (If different than the applicant)

NAME: Belleville Yacht Club	PHONE: 313.215.3013	
ADDRESS: 831 East Huron River Drive	CELL PHONE:	
CITY, STATE & ZIP Van Buren Township, MI 48111	FAX:	
EMAIL:		· · · · · · · · · · · · · · · · · · ·

BILLING CONTACT

NAME: Scott Jones	PHONE: 313.215.3013	
ADDRESS: 11696 Juniper Drive	CELL PHONE:	
CITY, STATE & ZIP Van Buren Township, MI 48111	FAX:	
EMAIL: sjones@autokiniton.com	· · · ·	

SITE/PROJECT INFORMATION

NAME OF PROJECT: BYC Docks				
PARCEL ID NO: V125-83-		PROJECT ADDRESS:		
*APPLICANT MUST ATTACH LEGAL	DESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the North Side of Huron River Read; Between Martinsville Road and Edgemont Road.				
SIZE OF LOT WIDTH:	SIZE OF LOT DEPTH:	ACREAGE OF SITE:	TOTAL ACRES OF SITE TO REVIEW:	
CURRENT ZONING:	IS A REZONING OF THIS PARCEL BEING REQUESTED? Y / N REQUESTED ZONING:			
PROJECT DESCRIPTION: Construct a mariana as defined under Section 3.12(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.				

SPECIAL PERMIT INFORMATION

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N	
IF YES, SECTION OF ZONING ORDINANCE FOR WHICH YOU ARE A	PPLYING 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 ZON	ING ORDINANCE 6-2-92, AS AMENDED.
OWNER'S AFFIDAVIT	
Scott Jones	
RINT PROPERTY OWNER'S NAME	

SIGNATURE OF PROPERTY OWNER

12.21.2022

DATE

LYNDSY RUTH TANKERSLEY Notary Public, State of Michigan County of Wayne

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

Subscribed and sworn before me	this_21day of_December	20 <u>22</u> .	
Side Ruth Ta	The Cleptary Public, Waynes	County, Michigan	My Commission expires 02/22,20_26_
00			
\mathbf{V}	\bigcirc		



MEMO

TO:	Van Buren Township Planning Commission
FROM:	Dan Power – Director of Planning and Economic Development
RE:	Review of Planning Case #22-059 – Belleville Yacht Club Marina Site Plan and Special Approval (Staff Report # 4)
DATE:	June 7, 2023

Project Summary and Background

Belleville Yacht Club has applied 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. The applicant has submitted a **revised** site plan dated May 26, 2023 (referred to herein as "revised site plan") which includes two (2) dock structures, each containing a single dock stem with three (3) connecting docks. Upon completion, the project is proposed to replace two (2) floating dock structures. The project is proposed to be located in Belleville Lake Property (referred to herein as "Township Lake Property") adjacent to a private upland parcel located at 831 East Huron River Drive (parcel ID number 83 088 99 0005 000), which is zoned R-1C – Single Family Residential. Because of the upland parcel's institutional or nonresidential use, the site is zoned Belleville Lake Shoreline District B - Non-Single Family Residential (BLB).

The proposed use will be considered a "marina" as defined in Section 3.120(B)(15) of the Van Buren Township Zoning Ordinance. The review process for the proposed new docks and marina use will require completion of a site plan review in accordance with the requirements of Section 3.120. Marinas are a use that require special approval in the BLB district.

Dock Length: Planning Commission Direction and BZA Decision

The original proposed length of the dock structures being considered with this application was 120' each. Section 3.120(D)(5) of the Van Buren Township Zoning Ordinance states that no dock or any other structure or appurtenance shall extend more than 40 feet into the Lake, measured perpendicularly from the shoreline, unless greater length is necessary to reach water with a depth of three feet, and then no further than necessary to reach such depth. Relief from Sec. 3.120(D)(5) was therefore sought with an application to the Board of Zoning Appeals (BZA) pursuant to Sec. 3.120(F)(7). Based on application being made for the requested marina with an exception for the proposed dock length in December 2022, public hearings with the BZA and Planning Commission were scheduled. A public hearing was held with the BZA on January 10, 2023 to consider the special exception request. The BZA postponed their decision on this request to allow additional review and commentary on the request and its associated marina site plan to inform the BZA's decision. A public hearing was held by the Planning Commission to consider the marina special approval and site plan requests on January 11, 2023. At this meeting, the Planning Commission's decision was postponed in order for additional information to be provided on a revised site plan and / or supplemental data, and for action to be taken by the BZA at a future meeting prior to a

final decision on the site plan by the Planning Commission. Discussion and analysis during and following the BZA and Planning Commission reviews on January 10th and January 11th culminated in comments from members in the public, the BZA and the Planning Commission regarding the scope of the site's boating use, the impacts of the proposed docks on lake navigability, safety, and aesthetics, and the uniqueness of the property's or use's attributes or constraints relative to the land use request. A revised 2-page site plan submittal from Hardy Civil Design Services, LLC was submitted to the Township, revision-dated 1/20/2023. This plan set again showed dock at a length of 120'. Based on this plan submittal, the Planning Commission reviewed and provided preliminary commentary on the requested exception to allow docks which exceed a length of 40 feet at their regular meeting on February 8, 2023. Based on the feedback received at that meeting, the applicant decided not to pursue the exception from the BZA with a dock length of 120'.

The revised site plan shows the construction of two (2) multi-dock structures which have a proposed length of **85.3'** each, a 28.9% reduction in length. The revised site plan now also shows the dock structures being separated by a reduced distance of 42.6', a 29% reduction. This 85.3' length still required consideration by the BZA under Section 3.120(F)(7) as mentioned above.

Over the course of two (2) meetings held on March 14th and May 9th, 2023, the BZA met and discussed this request based on the analysis provided in staff reports and based on additional information received throughout the public input process. The BZA was requested to make findings on the following five (5) criteria in determining whether to approve the requested special exception for excessive dock length, per Section 3.120(F)(7) of the Van Buren Township Zoning Ordinance:

- Enforcement of the provision(s) requested for special exception would unnecessarily prevent the reasonable use of the land or boats involved without resulting benefit to the public health, safety and welfare of persons or property;
- (ii) The special exception would not unduly prevent the realization of the purposes of this Ordinance;
- (iii) The special exception would not cause substantial harm or detriment to adjacent or nearby lands or boats or the public interest or safety, nor be contrary to the intent or purposes of this Ordinance;
- (iv) Unusual circumstances or conditions are involved; and
- (v) The special exception is consistent with the goa of providing reasonable, equitable access to all abutting lake owners.

On May 9th, the BZA voted 4-3 in favor of granting the requested exception to allow the length of the two dock structures to be 85.3'. The draft meeting minutes from this meeting are attached to this packet. <u>Conditions of approval from the granted exception shall become conditions of approval for the requested special approval use and site plan.</u>

Special Approval and Site Plan Review Analysis

Over the past several months as this project has been reviewed, the applicant has been requested to present specific detailed design information to demonstrate compliance with the Van Buren Township Zoning Ordinance and the criteria required for approval under Section 3.120 of the Zoning Ordinance. In its analysis of these criteria, the Planning Commission should consider these

submittals, and an analysis of these submittals as provided regarding the revised site plan, on the "**Description of Submittals**" listing at the end of this report.

Application Requirements

Certain specific application submittals are required uses in the Belleville Lake Shoreline Districts. The following relevant submittals required under Section 3.120(F)(2) of the Van Buren Township Zoning Ordinance have been reviewed:

- ✓ A completed application form, including a description of the proposed improvements and modifications and description of any other required permits.
- ✓ A site plan dated May 26, 2023 that shows the boundaries of the abutting upland lot, the location of the proposed installation and the location of the shoreline, and location of any existing structures within 50 feet of the proposed installation was provided.
- ✓ A copy of any existing survey from the abutting upland lot and photographs of the existing conditions: An existing survey has previously been provided. Photographs of the site have also been taken by staff.
- Plans, elevations and sections, with dimensions, showing the height, length, width, distance to the lot lines and configuration of the proposed installation.
- Materials and aesthetics must also be considered. The dock surface will be 2" x 6" treated lumber wood decking. This material **is subject to Planning Commission review.**
- ✓ Additional dock length beyond the 40-foot length that is typically required under Section 3.120(D)(15) has been requested. Because additional dock length has been requested, the water depth at the farthest point of projection has been provided.
- A description of the existing shoreline features and uses has been provided on the submitted site plan.
- ✓ The site plan indicates that there will be no shoreline erosion control or shoreline stabilization (seawalls, bulkheads and similar) proposed as part of the project must be provided.
- The applicant has indicated they have made application to EGLE. <u>A completed</u> <u>application for review by EGLE, and if required, by FERC, must be provided</u> <u>prior to full Township lakeshore authorization being granted.</u>

Additionally, per Section 3.120(F)(3)(b), certain uses in the BLB district, including marinas, are subject to site plan approval by the Planning Commission. For purposes of the Belleville Lake Shoreline Districts, the information required for a site plan shall contain all information required by this Zoning Ordinance, Section 12.203. The scope of applicability of Section 12.203 is guided in part by the fact that the use will only occur in the Township Lake Property and is not subject to certain stormwater management, utility, landscaping / buffering, architectural, or other requirements typically considered for land-based development. Relevant requirements of Section 12.203 have been provided. An adequate site plan has been provided which includes basic formatting, property lines, zoning information, applicant and design professional contact information, and adjoining property and building information. Existing and proposed topography have been provided.

Special Approval Criteria.

Per Section, Section 3.120(C)(2)(c), the marina use is subject to special approval by the Township Board. All such uses shall be subject to the standards, criteria, procedures and requirements of Article 12, Chapter 3 of the Zoning Ordinance. I will summarize my findings regarding the Standards for Granting Special Approval under Section 12.306 of the Zoning Ordinance, below. No special approval shall be recommended for approval by the Planning Commission or granted by the Township Board unless the special use:

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

Factors for consideration:

- Due to the proposed use, are there
 - Benefits or impediments to socially and economically desirable use of the site;
 - Benefits or impediments to socially and economically desirable use of the land adjacent to the site; or
 - Benefits or impediments to socially and economically desirable land use Townshipwide?
- Due to the proposed use, are these benefits or impediments increased in relation to the current existing use of the site?

Analysis: The proposed use maintains the existing marina use at the subject site, and formalizes that use by creating permanent docking structures in place of floating docks. The proposed use will have an equivalent or roughly equivalent number of boats as the existing use, as will be discussed in greater depth under criterion 12.306(d), below. As the proposed use formalizes a marina use that has been established, the Planning Commission should consider whether the site's usage as a marina benefits, maintains, or impedes the long-term social and economic use of the property.

b) Is necessary for the public convenience at that location. Factors for consideration:

- Does the proposed use provide a distinct service or activity for public convenience that would not be fulfilled if it were not situated at this location?
- Does the proposed use maintain, enhance, or diminish a distinct service or activity that currently exists at this location?

Analysis: The subject site is used as a private club whose activities are connected to boating. The use provides a distinct educational and recreational amenity to its members which is distinct from that of other marinas or multi docking facilities in the Township. While the use is not necessary for the public convenience at large, it is a use that has occupied this site for years with a strong land use presence and a unique and well utilized purpose within the community. The proposed improvements to the site would maintain or enhance this presence at the site and make it more permanent.

c) Is compatible with adjacent uses of land. Factors for consideration:

- Does the proposed use minimize off-site impacts including noise, light, or obstructions to navigation?
- Does the proposed use maintain, enhance, or diminish current navigational patterns around the site and adjacent sites relative to existing conditions?
- Does the proposed use maintain, improve or worsen off-site noise and light impacts relative to existing conditions?

Analysis: The site will maintain 21' side setbacks on both sides, which is an improvement from the current configuration of docks which had between 0 and 6 feet of setback to their side lake lot lines. Navigation alongside the subject site to and from adjacent sites is therefore improved. The Planning Commission should also consider the ability to maneuver in the lake beyond the furthest extent of the docks. Per the proposed "Overall Site Schematic" drawing on Sheet 2 of the revised plans, the proper counterclockwise (west-to-east) path of travel on the side of the lake nearest to the proposed docks, will not be significantly disrupted by the docks' length or position in the lake. EGLE will additionally review the application for consistency with the requirements of Part 301 of the NREPA, to ensure that the marina extends from riparian property of the applicant, that the marina does not unreasonably interfere with navigation, and that the marina is located and designed to be operated consistently with the correlative rights of other riparian properties, including the rights of adjacent riparian properties.

 d) Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

Factors for consideration:

- Does the proposed use minimize off-site impacts as discussed above?
- Does the proposed use more broadly maintain current conditions with respect to public health, safety and welfare, or improve or worsen these conditions? In comparison with the existing use of the site, does the proposed use maintain, improve or worsen these conditions?

Analysis: Broadly, the use will be for the mooring and launching of boats, and will not involve fueling, repair, or more intensive marina activities associated with conventional marinas. EGLE will further review the marina permit application and apply their standards of approval to the project. The proposed use of the site will accommodate sixteen (16) formal spaces for watercraft. The existing (2020) dock configuration, as shown on Sheet 2 and the "Certificate of Survey", also roughly accommodated sixteen (16) watercraft, though with a less formal configuration of cleats and spaces.

- e) Can be adequately served by public services and facilities without diminishing or adversely effecting public services and facilities to existing land uses in the area. The site is adequately served by public services and facilities.
- f) Will not cause injury to other property in the neighborhood in which it is to be located.

Factors for consideration:

- Does the proposed use cause injury to other property in the neighborhood?
- Relative to the existing use, will the proposed use cause additional injury to other property in the neighborhood?

Analysis: The proposed marina use replaces floating docks with permanent dock structures and otherwise maintains an established multi-boat docking use that is affiliated with the BYC private club.

g) Will consider the natural environment and help conserve natural resources and energy.

Factors for consideration:

- Does the proposed use minimize environmental degradation and assist with the conservation of natural resources and energy?
- Relative to the existing use of the site, does the proposed use minimize environmental degradation and assist with the conservation of natural resources and energy?

Analysis: Relative to the existing use, according to the drawings presented, the proposed use will not increase the boat capacity at the site. The applicant agrees not to use the site for fueling, diminishing some of the long-term environmental concerns that could come with fueling. <u>The site will not be used for fueling</u>. The applicant has indicated that a fueling station is not, and will not be, proposed.

Belleville Lake Shoreline District Approval Process – Review Criteria (General):

Per Section 3.120(F)(4) of the Van Buren Township Zoning Ordinance, the Planning Commission must also find that the review criteria for uses in the Belleville Lake Shoreline District can be met. My analysis of these criteria is listed below:

- (a) The application must demonstrate compliance with all of the requirements of Section 3.120(D) of the Zoning Ordinance (Belleville Lake Shoreline Districts – Development Standards), and all other applicable requirements of this Zoning Ordinance, subject to the notes and conditions in my analysis in my "Development Standards" discussion below.
- (b) The structure(s) shall not unreasonably interfere with the adjacent property owners' or public's use and enjoyment of the waters of Belleville Lake. Based on the analysis within the special approval criteria noted above, the Planning Commission may find that the proposed use is so designed as to protect the neighboring property owners from negative off-site impacts and maintain the public's use and enjoyment of the waters of Belleville Lake.
- (c) The structure(s) will not create a risk to the health, safety and welfare of persons who use Belleville Lake for recreational purposes, and will not interfere with safe navigation on the Lake. As a recommended condition of approval, the applicant must provide specifications for reflective tape or other safety markings meant to enhance visibility of and navigability around the proposed docks.
- (d) The structure(s) must be constructed of materials which will not impair the water quality, water flow or water levels of Belleville Lake. This will be evaluated in the EGLE permitting process.
- (e) To the extent feasible, the structures(s) shall protect and enhance the scenic, recreational and environmental quality of Belleville Lake. As previously stated, the proposed use will not increase boating traffic on Belleville Lake relative to existing uses. With regard to the scenic quality of Belleville Lake, the structures shall be designed such that they will not create a negative visual impact for the general public. The applicant has previously shared, and staff has documented, images of the existing westernmost dock structure that will be identical to the proposed westernmost dock structure. As a recommended condition of approval, the

applicant is requested to provide images and/or an elevation drawing to further illustrate how the dock structures will appear from a side profile view on the lake.

- (f) Marinas and non-commercial multi-docking facilities shall be separated from one another to avoid overcrowding and excessive boat traffic on the Lake. Van Buren Township has a relatively low quantity of existing marinas and multi-docking facilities, and with the addition of the Belleville Yacht Club's marina will maintain a reasonable number of such facilities in comparison with other lake communities in the region. When the marina is built, it will be roughly 1.4 miles from Sandy's Marina, the nearest marina. The Planning Commission should also consider whether this location is unique in its physical layout and position on Belleville Lake, and whether this unique position reduces the likelihood that such uses will be replicated in other locations. The site is unique relative to other potential BLB-zoned (or potential BLB-zoned) sites in the Township. The majority of property along Belleville Lake is zoned and planned for single family residential uses. The majority of these properties are constructed as single-family dwellings. Little land exists that would be feasible for development or redevelopment as commercial, institutional or public properties with marinas. Other properties that exist today in the BLB District, with nonresidential zoning or land use, are also limited and unlikely to accommodate marina uses. The Township's adopted 2021 Future Land Use Map is attached to this packet for your reference.
- (g) Consideration shall be given to maintaining consistency with the upland zoning and land use. In this case, the marina use will maintain consistency with the upland land use which is a nonprofit / private club with an emphasis on boating activities.
- (h) Uses approved shall be consistent with the primary goal of permitting reasonable use by Lake residents and land owners. The approved uses at this marina will be consistent with the primary goal of permitting reasonable use by Lake residents and land owners, as previously noted.

Belleville Lake Shoreline District Development Regulations

Various development regulations are applicable to this project, and they are articulated below as requirements or comments: The applicant has included the following required notes on their site plan dated May 26, 2023:

- ✓ No boat lifts, cradles or hoists will be constructed.
- ✓ No buildings or covered structures will be constructed on the water or on Township Lake property.
- ✓ All uses and structures shall comply with the standards and requirements of Section 3.120(D), except for any stated exceptions being pursued per Sec. 3.120(F)(7).
- ✓ There will be no private ramps or launches intended to provide access to the Lake for multiple non-abutting or back lots of a subdivision, site condominium, multiple family development or other non-frontage use.
- ✓ No signs will be built other than those approved by the Township and necessary for public safety.
- ✓ All watercraft, docks, boats, watercraft storage facilities including boat cradles, shore stations and boat lifts and other structures and facilities permitted in this BLB District are limited solely for the non-commercial use and quiet enjoyment of the abutting frontage lot owners, lessees, renters, and their invited guests. No such facilities as listed above shall be rented, leased or

allowed to be used by any other persons unless approved by the Township in conjunction with a marina. For purposes of this section, persons shall mean an individual, partnership, corporation, association and any other entity to which the law provides or imposes rights and responsibilities. For purposes of this section, commercial use shall mean the rental, lease or allowed use of docks, boat cradles, shore stations and boat lifts by persons who are not abutting frontage owners, lessees, or renters, excluding those facilities that are open to the public and operated by the Township, City or State of Michigan.

- ✓ Any facilities installed hereunder are subject to the terms of the FERC license.
- ✓ No dock will be placed or maintained in a location where it can present a hazard to navigation, or create a risk that boats will run aground while attempting to moor.
- No person will install or maintain a dock except on shoreline or bottomlands abutting a frontage in which they have an ownership interest.
- ✓ All docks will be positioned perpendicular to the shore, and in a manner that does not unreasonably encroach on the use and enjoyment of the Lake by neighboring lots.
- ✓ Dry docks and dry land storage of watercraft will not occur at the site.
- ✓ No boat or portion thereof will be launched, stored, moored or docked within five feet of the side lot lines of an abutting upland lot as extended into the water.
- ✓ All docks will be kept in good repair.
- ✓ The marina will comply with all applicable construction standards and permit requirements of EGLE.
- ✓ All docks, hoists and similar structures installed shall be under common ownership and of a common design so as to create a unified appearance at the site. Note that hoists and similar structures will not be permitted.
- \checkmark There will be no fueling station at the marina.
- ✓ Relief was granted from Section 3.120(D)(5), which states that no dock or any other structure or appurtenance shall extend more than 40 feet into the Lake, measured perpendicularly from the shoreline, unless greater length is necessary to reach water with a depth of three feet, and then no further than necessary to reach such depth. The following note has been added to the site plan: A special exception to modify the maximum allowable dock length of the dock structures from 40 feet to 85.3' per the authority under Section 3.120(F)(7) of the Van Buren Township Zoning Ordinance was granted by the Van Buren Township Board of Zoning Appeals (BZA) on May 9th, 2023.

Per Section 3.120(D)(6) of the Zoning Ordinance, In the BLB District, docks, For marinas, public uses, or abutting commercial sites, the Township may authorize docks, other permitted structures and watercraft to extend across up to 100% of the Lake Frontage, as deemed appropriate and subject to special approval. The docks will occupy 90.6 feet (68.6%) of the property's 132 feet of frontage. In staff's opinion, this coverage is acceptable, considering the relatively narrow lake frontage enjoyed by the parcel and considering that it will be a reduction from the previously existing dock coverage. Staff finds the extension across roughly 68.6% of the lake frontage to be acceptable, and the Planning Commission will have to find the same as part of any approval.

Recommendation and Next Steps

Based on the information that has been submitted with the 5/26/23 revised site plan, and any additional provided as part of their discussion on this case at a regular meeting, the Planning Commission is invited to vote on the requests for (1) a recommendation on the special approval use to the Board of Trustees and (2) on site plan approval for the proposed marina. Reviews by the Township Board of Trustees, EGLE and FERC will also occur. This review sequence is outlined below:

- Planning Commission preliminary review and commentary on special exception request. Completed, 2/8/23
- ✓ BZA action on requested special exception under Sec. 3.120(F)(7). Approved, 5/9/23
- Planning Commission action on special approval use recommendation to the Board of Trustees and action on site plan.
- Board of Trustees action on special approval use
- > Agency review and approvals from EGLE and FERC.
- ➢ Final Township authorization.

Based on the information provided with the plans dated 5/26/2023 and other submittals, the Planning Commission *may* vote to recommend special approval to the Board of Trustees and *may* vote to approve the proposed use if the following are found to be true by the Planning Commission:

- The submitted site plan meets the development regulatiosn for Belleville Lake Shoreline Districts uses under Section 3.120(D) of the Van Buren Township Zoning Ordinance
- The submitted site plan meets the approval criteria of Section 3.120(F)(4) of the Van Buren Township Zoning Ordinance
- The submitted site plan meets the special land use approval criteria of Section 12.306 of the Van Buren Township Zoning Ordinance

If the Planning Commission recommends approval of the proposed special approval use and approves the proposed site plan, I recommend that they do so based on the following conditions of approval being addressed:

- As a recommended condition of approval, the applicant must provide specifications for reflective tape or other safety markings meant to enhance visibility of and navigability around the proposed docks.
- <u>A completed application for review by EGLE, and if required, by FERC, must be provided</u> prior to full Township lakeshore authorization being granted, and the construction is subject to any necessary approvals from EGLE and FERC.
- <u>All voluntary conditions of use as provided on the submitted site plan, including that the site</u> shall not be used for fueling, shall be a binding condition of special approval.
- Special approval must be obtained from the Township Board of Trustees.
- All conditions of the special exception granted by the BZA on May 9th, 2023 shall be met.

- <u>The use of the land must otherwise comply with Article VI. of Chapter 42 (Environment) of</u> <u>the Van Buren Township Code of Ordinances (Belleville Lake and Township-Owned</u> <u>Property).</u>
- <u>The Planning Commission must agree that the proposed extension across roughly 68.6% of</u> <u>the lake frontage is acceptable.</u>
- <u>The dock surface material must be acceptable to the Planning Commission or, if deferred to</u> <u>staff judgement, to staff.</u>
- As a recommended condition of approval, the applicant is requested to provide images and/or an elevation drawing to further illustrate how the dock structures will appear from a side profile view on the lake.

Thank you for allowing me to assist with this review.

Sincerely,

Roam

Dan Power Director of Planning and Economic Development, Van Buren Charter Township

CC: Ron Akers, AICP – Municipal Services Director, Van Buren Charter Township Vidya Krishnan – Senior Principal Planner, McKenna Associates

DESCRIPTION OF SUBMITTALS

- 1. Provision of a site plan map showing the lakeshore contour, the slow no wake contour that is allowed without exception, and a contour showing how far the slow-no-wake zone is proposed to be moved into the lake based on the proposed design. The map should be drawn at a radius around the subject site that is large enough to include the same contours on the other side of the lake at the closest point on the opposite shore (about an 800' radius around the subject parcel). This was provided in the "overall site schematic" on page 1 and on the broad view site plan on page 2 of the revised site plan. Sheet 2 shows the connection of the slow-no-wake zone around the subject site to its neighboring sites and presents a picture of the navigability around this zone.
- 2. Indication of the number of buoys included in the project and that no change to number or placement will be made after approval without permission from the township. No buoys have been proposed.
- 3. The applicant's dock design should carry a civil engineering stamp, and our township engineer, or another qualified civil engineering consultant, should review it. If no such civil engineering standards exist for this type of commercial dock, then a letter from our Township Engineer confirming that no specific engineering standards apply should be included in the report. A Civil Engineer's stamp was provided with the revised site plan.
- 4. Indication of docking spaces using the standard boat sizes as listed in <u>MCL 324.80124</u>, which defines different fee schedules for boats based on size, and a definition of 'length of the vessel'. For example "two spaces for Motorboats 21 feet or over but less than 28 feet in length, four spaces for Motorboats 16 feet or over but less than 21 feet in length" etc. Note 5 under the revised site plan's use statement states that there will be (16) docking spaces for vessels of up to 28' in length.
- 5. The maximum number of consecutive overnight stays at the docks in the marina for a single boat must be noted on the plan. If the applicant intends to make an exception for a service boat, tender, water taxi, or 'club boat' to be docked there seasonally, that should also be called out on the plan. The use statement includes a statement that "Members and guest will not be allowed to park overnight unless pre-approved by Belleville Yacht Club manager. If approved, no boat shall remain at docks for more than 3 nights."
- Hours of operation must be noted. The use statement indicates that dock hours will mirror club hours of Monday and Tuesday – closed, Wednesday, Thursday, and Friday – 4 pm to 10 pm, Saturday – 11 am to 1 am, Sunday – 11 am to 10 pm.
- 7. If access to the short-term docked boats is allowed outside of normal club operating hours, then the plan must indicate how access to waste handling facilities will be provided to those boaters. This should include location of dumpsters and trash cans, bathroom access, and how the waste from the boat's head (marine toilet) will be handled. The use statement notes that, "Outdoor bathrooms and waste dumpster are available 24 hours a day to all members".

- 8. There should be a "no sanitary pump out allowed" notation along with the "no fueling" one. The use statement states that "Belleville Yacht Club will have no pump-out service and shall not allow removal of sanitary waste on premises".
- 9. If lighting is *proposed*, then the hours that the lights will be on must be noted in the plan, and should be chosen to correspond with the hours of operation of the marina and the DNR ramp next door. If safety lighting is proposed, a better solution would be for path lighting installed along the edge of the dock, and the position should be shown on the plan. Note 3 under the Site Plan Notes section of the revised site plan states that, "Lighting will be provided to illuminate the docks from dusk until dawn, every day." The applicant was advised to consider discarding previously proposed ornamental lighting that stands above the dock and replacing it with inlaid solar-powered lights such as the type that were recently proposed for use in the French Landing Park boardwalk replacement project. The recommended lighting type was used in the revised site plan and is shown on sheet 2.
- 10. A drawing of the current, existing site situation should be shown, so that the reviewers have a clear idea of what the new plan intends to change. A drawing comparing the previously existing dock layout to the current proposed dock layout has been provided in a drawing titled "certificate of survey", included with this packet. The existing 2020 conditions included two (2) dock stems, each containing four (4) docks has been provided (typical dimensions of 4' x 20'). The setback is shown as 6' on the east/side lake lot line and appears to be narrower on the west/side lot line.
- 11. (Suggestion): It would help the reviewers to understand the request for exception if a conforming plan (less than or equal to 40' and equal the maximum frontage extent) showing the number of possible spaces was provided. **Not provided in the revised site plan.**
- 12. A description of the proposed use including the nature of the proposed use and other general information describing the use must be provided. A full use statement has been added to the revised site plan, copied below: Use Statement:
 - The Marina will be used for the transient docking of members and guest of the Belleville Yacht Club.
 - Members and guest will not be allowed to park overnight unless pre-approved by Belleville Yacht Club Manager. If approved, no boat shall remain at docks for more than 3 nights.
 - No maintenance or fueling shall be allowed at the docks. The Belleville Yacht Club will have no pump-out service and shall not allow removal of sanitary waste on premises.
 - Dock Hours will mirror club hours of: Monday and Tuesday closed, Wednesday, Thursday, Friday 4pm To 10pm, Saturday 11 to 1am, Sunday 11am to 10pm. Outdoor bathrooms and waste dumpster are available 24 hours a day to all members.
 - There shall be (16) docking spaces for vessels of up to 28' in length.
- 13. The dock surface material is subject to Planning Commission review. Verify that the materials meet any applicable requirements of EGLE. Please provide detailed descriptions and bring material samples if possible. The revised site plan contains notes indicating that the dock will be constructed using 2"X6" treated lumber wood decking. The applicant

has indicated that wolmanized lumber will be used, and that he will bring material samples to the next Planning Commission meeting.

- 14. Provide Clarity on layout and number of 'boat parking spaces' to be added to the site plan. The applicant was instructed to_have his Civil Engineer add lines indicating the extents of 'boat parking spaces' extending from the docks. From the information you have provided, there would be two (2) 8.5' lines extending east-west off the exterior of each dock structure and six (6) 28' lines extending east-west off the interior of each structure. The applicant was also advised to add an 'aisle' dimension between the furthest extents of the boat parking spaces in the interior area between the two multi-dock structures. The applicant was also advised to remove or relocate some cleats on the exterior / parallel parking orientation of the outsides of the docks so as to clarify there will only be space for two boats. **The requested clarity on watercraft parking spaces, cleats, and aisle dimensions was added to the site plan. The revised site plan also contains templates showing the dimensions of a typical 28' long boat, placed within the dock parking spaces in select locations. The plan also now shows cleat spaces.**
- 15. Dimensions shall be provided from the exterior limits of any exterior mooring spaces to the adjacent lake lot line, to demonstrate that no boat or portion thereof will be launched, stored, moored or docked within five feet of the side lot lines of an abutting upland lot as extended into the water. The revised site plan shows side setbacks of 21' for each of the dock structures and a 12.5' setback from the outer edge of side mooring spaces to the side lake lot lines. The site plan shows cleat marks for up to two (2) exterior mooring spaces alongside each dock structure, for a total of four (4) exterior mooring spaces in addition to twelve (12) interior spaces. A typical boat width of 8.5' and a typical setback to the lake lot line of 12.5' for broadside mooring spaces is shown. Any proposed exterior mooring spaces are subject to EGLE approval.
- 16. Safety features including the locations of life preservers, exit ladders, lighting, and reflective markings shall be shown in plan view. The revised site plan includes a proposed post with a life ring along the site's seawall near the easternmost dock.
- 17. A photometric drawing should be provided to demonstrate that the lighting will meet Section 8.106 of the Van Buren Township Zoning Ordinance, including that the light trespass will not exceed 0.5-foot candles at adjacent property lines. **The revised site plan does not include a photometric drawing.**
- 18. Bathymetric / depth contours shall be provided to demonstrate the bottom of the lake bed measured at the sea wall and measured at the farthest point of projection. The dock/lake bed cross section drawing included with sheet 1 of the revised site plan shows an approximate depth of 6' near the seawall and an approximate depth of 13'2" at the farthest point of projection. Bathymetric contours are not shown at these locations in the site plan.
- 19. Clarify that the depth you are showing on your site plan cross section is the water depth at the farthest point of projection (or if it is not the furthest depth, please provide the section at the

farthest point of projection). The dock/lake bed cross section drawing shows an approximate depth of 6' near the seawall and an approximate depth of 13'2' at the farthest point of projection.

- 20. Show the location of the address marker on the lake side of <u>831 East Huron River Drive</u>. The revised site plan includes the location of the existing ladder along the site's seawall near the easternmost dock.
- 21. Show the exact distance dimensions from the dock's furthest extent to the opposite shoreline. The Overall Site Schematic plan on sheet 1 notes a distance of 898.55' from shore line to shore line.
- 22. Work with a design professional to demonstrate the no wake zones, wake zones, and navigable space extending out from the docks. The revised site plan displays no wake zones and navigable spaces extending out from the docks on sheets 1 and 2. The reduced dock length increases the open navigable area to 551' from 516.3'. Sheet 2 on the revised site plan shows a nearby open navigable area of 385'.
- 23. Additionally, the conditions in the staff reports that were previously provided per the BZA staff report from the Planning Director dated 1/9/2023 as revised and the Planning Commission packet from the Planning Director dated 1/10/2023 as revised:
 - The water depth at the farthest point of projection must be provided. This was provided in the revised site plan as noted.
 - 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. This will be required at a later date. EGLE's purview over this request involves approval of the proposed dock configuration based on guidelines from Part 301 (Act 451 of 1994). EGLE has stated to staff that their primarily concern is a proposed plan that meets the criteria in Part 301 and that does not result in possible impacts to adjacent riparian owners and publics ability to navigate the waters.
 - A description of the proposed use including the nature of the proposed use and other general information describing the use must be provided. This was provided in the revised site plan as noted.
 - The site shall not be used for fueling. Notes committing to no fueling or maintenance are included in the revised site plan.
 - Special approval must be obtained from the Township Board of Trustees. This is to be determined pending outcome of Planning Commission and BZA reviews.
 - Special exception to Section 3.120(D)(5) must be obtained from the Van Buren Township Board of Zoning Appeals (BZA). This approval was granted on May 9th, 2023, as noted.
 - 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). This is to be verified throughout review process.

- Staff finds the extension across greater than 60% of the lake frontage to be acceptable, and the Planning Commission will have to find the same as part of any approval. Note that the length of the dockage along the property's frontage has been reduced in the revised site plan to only 90.6 feet, or 68.6 percent of the property's frontage. The final acceptance of the length of dockage along the property's frontage is to be determined upon the Planning Commission's consideration of final site plan review.
- The dock surface material is subject to Planning Commission review. A material sample will be provided as previously noted.
- 24. Staff was also requested to provide insight regarding the development of the 40-foot maximum length requirement under the Van Buren Township Zoning Ordinance. It is staff's understanding that at one time, discussion was held regarding extending the required length from 40 feet to 80 feet for BLB-zoned sites. The consensus in the final, published version of the Belleville Lake Shoreline Districts Ordinance was a 40-foot maximum length.
- 25. Discussion was also held regarding the use of a lake traffic impact study. Additional dimensional details have been secured, as summarized previously in this report. These additional details demonstrate the proximity of the docks to nearby lakefront parcels, potential dock construction areas in nearby properties, and wake and no wake zones. While a lake traffic study is not currently available, these details provide a basis for measuring navigability around the Township Lake Property in relation to the docks' design. Navigability will also be closely studied as part of EGLE's review of the proposed docks.
- 26. The following note should be added to the site plan drawing that states the following:
 - A special exception to modify the maximum allowable dock length of the dock structures from 40 feet to 85.3' per the authority under Section 3.120(F)(7) of the Van Buren Township Zoning Ordinance was granted by the Van Buren Township Board of Zoning Appeals (BZA) on May 9th, 2023.
 - This note was added to site plan Sheet 1.
- 27. The applicant was requested to provide any available specifications or sample images for reflective markings along the sides of the dock markings. As of today's date, specifications for reflective markings were not provided.
- 28. Provide (1) images and/or a rendering showing what the docks will look like as you approach them from the lake and (2) an elevation drawing. At the time of writing this report, sample images were not provided, though sample images were presented to the BZA in person at their meeting on May 9th. A full elevation drawing has not yet been provided.

CHARTER TOWNSHIP OF VAN BUREN BOARD OF ZONING APPEALS AGENDA Tuesday, May 9, 2023 – 7:00 PM Van Buren Township Hall Board Room 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:

CALL TO ORDER

This meeting was called to order at 7:01PM by Chairperson John Herman

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: John Herman (Chair), Amos Grissett, John Haase, Kevin Martin, Jeff Jahr (Planning Commission Rep.), Charles Larocque, Aaron Sellers

Absent Excused: None

Staff: Dan Power (Director of Planning & Economic Development), Brittney Williams (Recording Secretary) **Others in attendance:** Brian Cullin (Planning Commission Alt.)

ACCEPTANCE OF AGENDA

Grissett motioned; Haase seconded to accept the agenda as presented. Motion Carried

APPROVAL OF MINUTES:

Jahr motioned; Grissett seconded to accept the minutes from April 11, 2023 as presented. Motion Carried

CORRESPONDENCE None

PUBLIC HEARING (new business items)

UNFINISHED BUSINESS

1. Case Number: 22-056 – Belleville Yacht Club

Location: Township Lake Property adjacent to 831 East Huron River Drive (Parcel ID# 83 088 99 0005 000), zoned Belleville Lake Shoreline District B – Non-Single Family Residential (BLB). *Adjacent property at 831 East Huron River Drive is zoned R-1C – Single Family Residential District.*

Request: A request for exception, modification, or appeal by Belleville Yacht Club to install two (2) dock structures each with a length not to exceed 85.3 feet, as revised from a previous request with proposed lengths not to exceed 120 feet, subject to approval by the State of Michigan, in contrast to the requirements of Section 3.120(D)(5) of the Van Buren Township Zoning Ordinance which limits the dock length to 40 feet into Belleville Lake, measured perpendicularly from the shoreline, unless greater length is necessary to reach water with a depth of three feet. The subject site is Township Lake Property adjacent to 831 East Huron River Drive (parcel ID number 83 088 99 0005 000), on the north side of East Huron River Drive between Loza Lane and Evelyn Court. The site is zoned Belleville Lake Shoreline District B – Non-Single Family Residential (BLB). The request will be reviewed by the BZA per the requirements of Section 3.120(F)(7) of the Van Buren Township Zoning Ordinance.

Director Power summarized his letter dated May 4, 2023. Director Power recommended for the BZA to consider granting the requested special exception, they will need to conclude that there are positive findings for all five (5) standards for special exceptions described above. I strongly recommend that each member of the BZA should use the motion template attached to this packet to assist in making their decision, and each member should make statements regarding their decision on the case based on the five (5) criteria under

Section 3.120(F)(7)(c). If findings in the positive are found for the five (5) criteria under Section 3.120(F)(7)(c), the special exception request may be granted. If the request is granted, it will be subject to the conditions listed below:

- <u>The proposed dock structures and marina are subject to site plan approval by the</u> <u>Township Planning Commission and special approval by the Township Board of</u> <u>Trustees.</u>
- <u>The proposed dock structures and marina are subject to any necessary review and</u> <u>approval of this application by EGLE and FERC.</u>
- <u>The use of the land must otherwise comply with Article VI. of Chapter 42</u> (Environment) of the Van Buren Township Code of Ordinances (Belleville Lake and <u>Township-Owned Property).</u>

Applicant Scott Jones from 11696 Juniper Drive representing Belleville Yacht Club shared photos of docks/lake distance (in Director Powers packet). Stated would have 551 ft of navigable water at current distance/requested special exception distance. With this approval the docks would go from 6ft off the lot lines to 21ft from the lot lines for EGLE approval. The current docks have been at this distance since fall of 2020 with no accidents.

Board Comments:

Herman: Difference between exception and variance, if approved will go to PC, Board, EGLE and FERC. With that being said this is not precedence setting, Planning Commission can approve the site plan. Would vote yes for this exception.

Sellers: Based on the criteria in front of us, this dock has been out at this many feet for 2.5 years with zero (0) issues. This water area is usually occupied by boats that are being launched so this wouldn't propose an issue with navigable area. I would vote to approve this exception.

Jahr: Opinion has not changed since the facts of the case have not changed. Having a 60ft dock does not deny use to the Yacht club. The purpose of the community standard is to limit distance of docking in to the water. Does not meet the special circumstance which believes is for lot size limits or shape of lot. Do not find the conditions were met so would vote no.

Grissett: Stuck on the word variance, however this is a special exception not a variance so this is not precedence setting. Vote would not be a yes.

Haase: At 120 feet this case was a hard no. Switching configurations to this request will be less hazardous. Exception and not a variance, per McKenna report: The ordinance does not define the term "exception".

 $\label{eq:c:Usersdower} C:\label{eq:Content.Outlook} Content. Outlook \call Microsoft \call Microsoft \call Microsoft \call \call$

However, exception is generally defined as a deviation from a rule. In order to grant such a deviation, the BZA must find that the standards (a) through (e) are met. Sub-section (d) further states "Granting a specific special exception does not set a precedent for consideration of future special exception requests, as each request is to be decided on a case by case basis." The statement essentially means that each and every case that appears before the BZA seeking an exception must meet the criteria (a) through (e) with the overarching goal of reaching an equitable conclusion and allocation of use of the Township Lake property for the purposes stated in Section 3.120(A) of the Ordinance. Therefore, if the BZA grants a deviation to one property on the shoreline, it does not necessarily mean other properties on the shoreline will also be granted the same deviation, unless they can demonstrate that they have the exact same conditions or circumstances. Vote continues to be a yes in favor of this special exception.

Martin: The Lake ordinance put together by residents on the lake, worked on very hard, and put in to effect for safety reasons. Docks do not meet the criteria so no, would not approve this.

Larocque: Agree that the 40ft dock length is to serve the purpose of the lake for everyone involved. All 5 findings are not in support of this special exception so would vote no.

Haase Motioned, Sellers seconded to: **Case 22-056**: I make a motion to **approve t**he request for exception, modification, or appeal by Belleville Yacht Club to install two (2) dock structures each with a length not to exceed 85.3 feet, subject to approval by the State of Michigan, in contrast to the requirements of Section 3.120(D)(5) of the Van Buren Township Zoning Ordinance which limits the dock length to 40 feet into Belleville Lake, measured perpendicularly from the shoreline, unless greater length is necessary to reach water with a depth of three feet. The subject site is Township Lake Property adjacent to 831 East Huron River Drive (parcel ID number 83 088 99 0005 000), on the north side of East Huron River Drive between Loza Lane and Evelyn Court. The site is zoned Belleville Lake Shoreline District B – Non-Single Family Residential (BLB).

i. Enforcement of the provision(s) requested for special exception **would** unnecessarily prevent the reasonable use of the land or boats involved without resulting benefit to the public health, safety and welfare of persons or property

ii. The special exception **would not** unduly prevent the realization of the purposes of this Ordinance

iii. The special exception **would not** cause substantial harm or detriment to adjacent or nearby lands or boats or the public interest or safety, nor be contrary to the intent or purposes of this Ordinance

iv. Unusual circumstances or conditions are involved

v. The special exception is consistent with the goal of providing reasonable,

equitable access to all abutting lake owners

ROLL CALL:

Yeas (4): Herman, Grissett, Haase, Sellers Nays (3): Martin, Jahr, Larocque

NEW BUSINESS None

ANNOUNCEMENTS, COMMENTS, AND OPEN DISCUSSION

Herman asked about Michigan State BZA online program, Director Power said he will send out an email.

ADJOURNMENT

Grissett motioned; Jahr seconded to adjourn the meeting at 7:59pm. Motion Carried

 $\label{eq:c:Usersdower} C: Usersdower AppData Local Microsoft Windows IN et Cache Content. Outlook Z39 EMCD9 BZA Minutes Draft_5-9-2023. docx$

CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on January 11, 2023 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. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following items:

Case 22-048: 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, at 45921 Chatsworth Drive (parcel ID number 83 061 01 0231 000). 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.

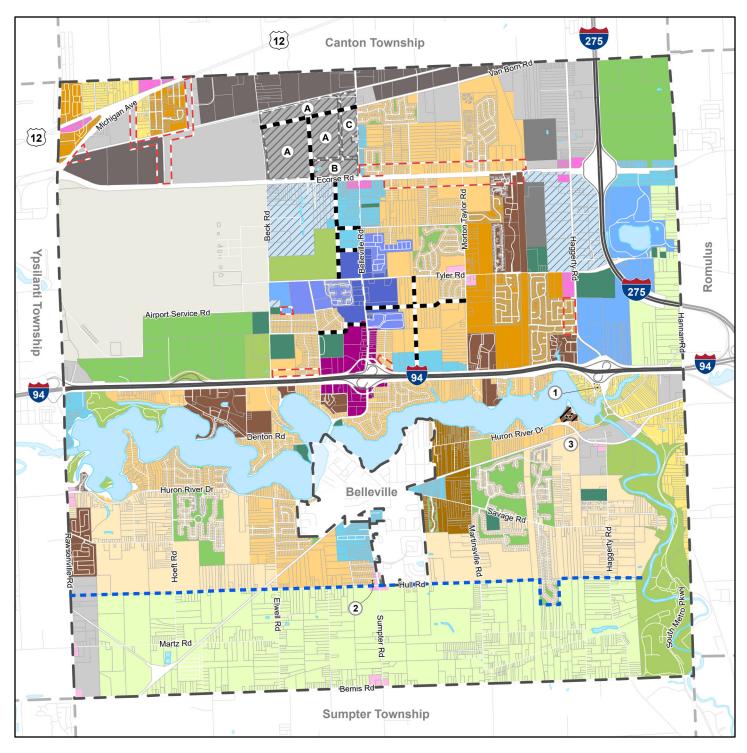
Case 22-053: A request by Crossroads Distribution Center North, LLC on behalf of owner Frankel-Nodlehs (Stuart Frankel Development Company), to rezone the parcel described as Parcel ID# 83 006 99 0004 000, from **R-1B – Single Family Residential District to M-1 – Light Industrial.** The parcel is located on the west side of Haggerty Road on the south side of Van Born Road.

Case 22-059: A request by 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 project is proposed to be located in Township Lake Property adjacent to 831 East Huron River Drive (parcel ID number 83 088 99 0005 000), on the north side of East Huron River Drive between Loza Lane and Evelyn Court. 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 Lake Shoreline District Approval Process) of the Zoning Ordinance.

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. 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 <u>dpower@vanburen-mi.org</u>. 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: December 20, 2022 Published: December 21, 2022

T:\Development\Planning\PROJECTS\Projects 2022\22-059 - 831 EHRD SLU - Site Plan App\Communication\1-11-23 PH Notice_Case22-048_Case 22-053_Case 22-059_VBT PC_CORRECTED.docx



Map 4: **Future Land Use**

Charter Township of Van Buren, Michigan

December 23, 2020

CERTIFICATION I, Leon Wright, Township Clerk, Van Buren Township, do hereby certify that this is a true copy of the Future Land Use Map adopted by the Township Board for Van Buren Township, Wayne County, Michigan on DATE, 2020.

Leon Wright, Clerk Van Buren Township, Wayne County, Michigan Date:



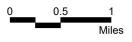
*See pp. 76-78 of the Van Buren Charter Township 2020 Master Plan for additional details. **Land uses should be

 Urban Services Boundary Residential Protection

(A) B) C See pp. 130-131 of the Belleville Road District Plan and Market Analysis. 123 See p. 6.15 of the South Side Master Plan.

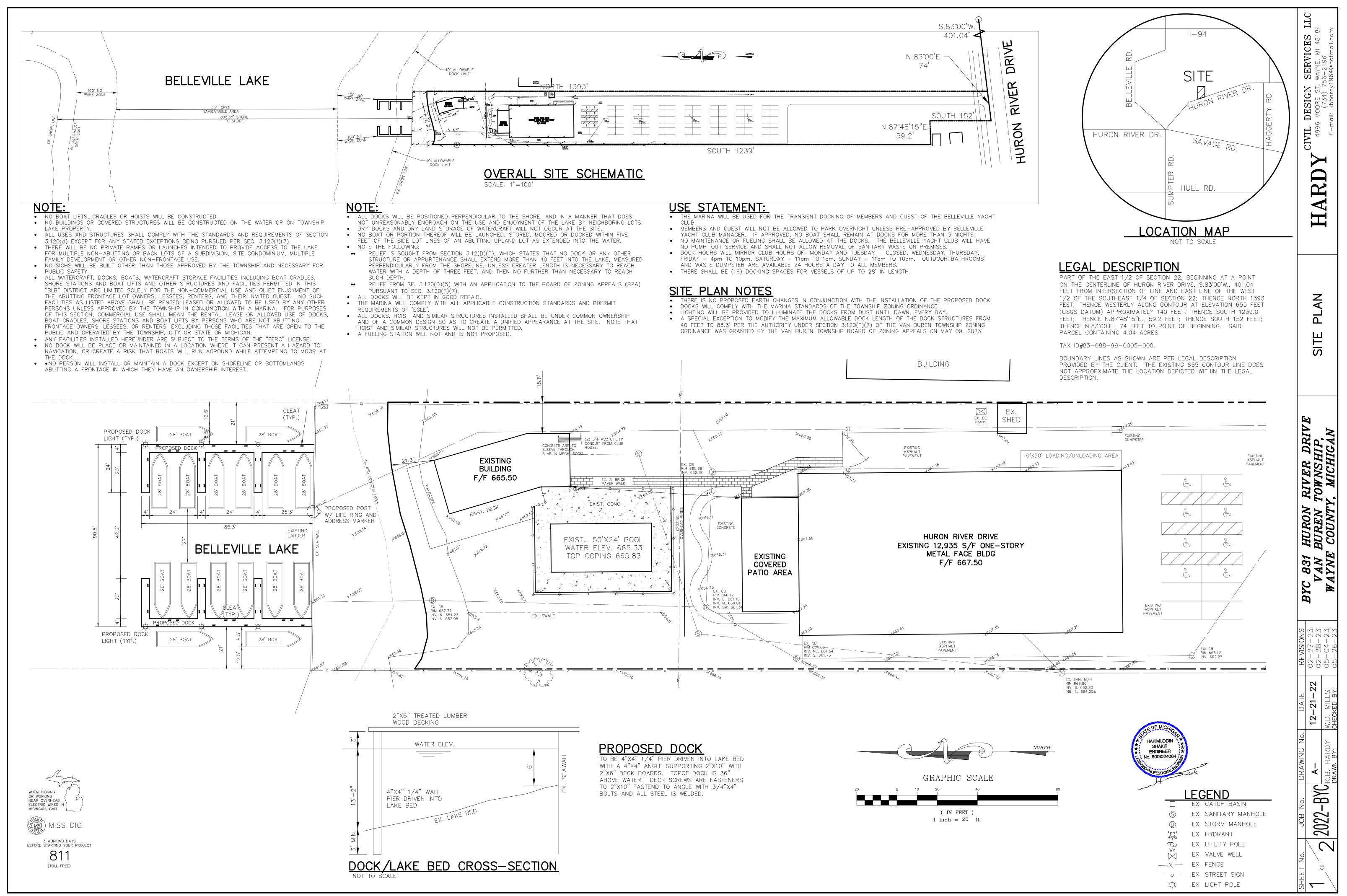
**Land uses should be limited for parcel 83-089-99-0010-702 to single family detached dwellings at a maximum density of 6-7 units per acre. Due to the adjacent land uses, multiple family housing is not suitable for this area.

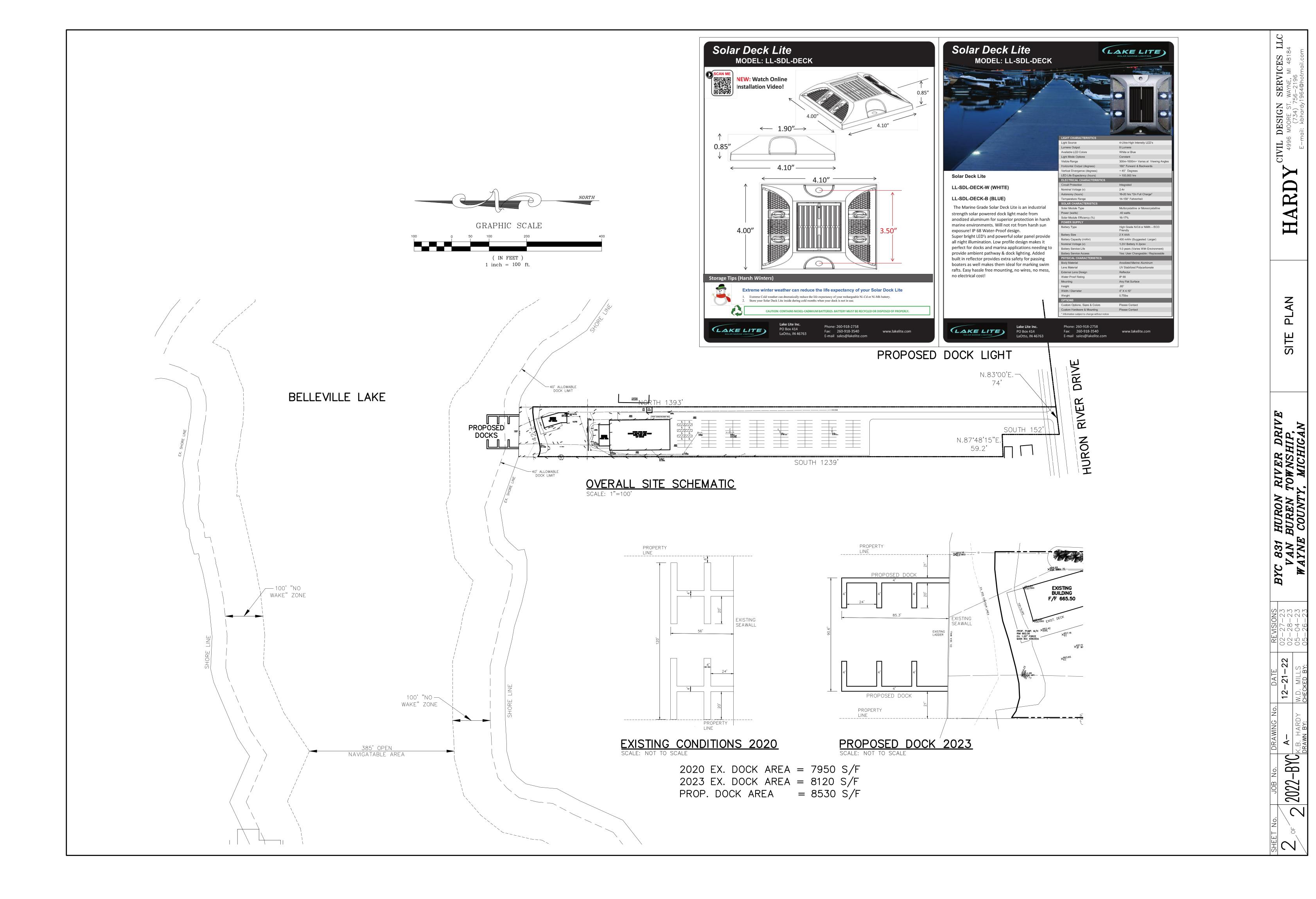




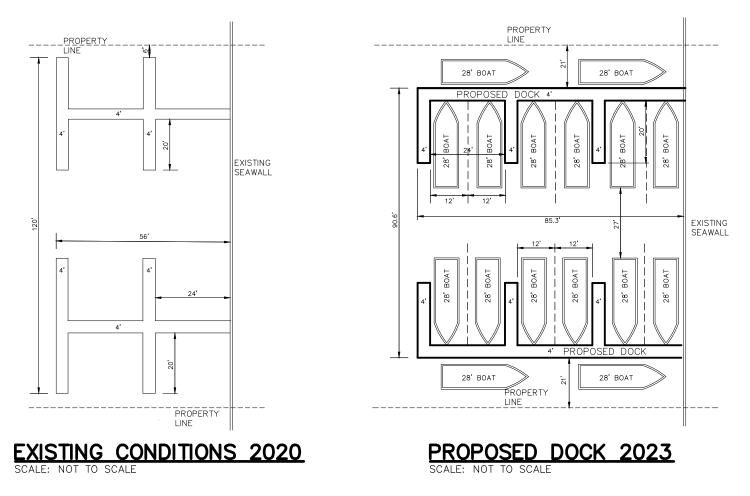
Basemap Source: Michigan Center for Geographic Information, v. 17a. Data: Van Buren Twp 2020. McKenna 2020.







CERTIFICATE of SURVEY



2020	EX.	DO	CK	AREA	=	7950	S/F
2023	EX.	DO	CK	AREA	=	8120	S/F
PROP.	DO	CK	AR	EA	=	8530	S/F



- 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 BELOCATED 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 themself.
- 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:

CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION February 8, 2023 MINUTES - DRAFT

Vice-Chairperson Jahr called the meeting to order at 5:30 p.m.

ROLL CALL:

Present: Cullin, Atchinson, Barr, Grant, Budd, Pahle and Jahr.

Excused: None.

Staff: Director Power (remote), Director Akers and Secretary Harman.

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

Applicant(s) in Attendance: Case 22-059 Belleville Yacht Club: Owner, Scott Jones. Case 21-040 DTE Morton Substation: Barbara Rykwalder, Matt Wolf and Karen Wittman. Case 22-012 Chahal Semi Truck Repair Facility: Steve Davenport, Joe Davenport and Lance Warden. Case 17-026 Metro Park Party Store Gas Station: Timothy Shammas and Andy Shina.

Audience: Forty-seven (47) and Two (2) remote viewers.

APPROVAL OF AGENDA:

Motion Budd, Barr second to approve the agenda of February 8, 2023 as amended, removing New Business Item #4, Extension Request: Case 20-012 – Final Site Plan Approval for Jiffy Lube Minor Vehicle Service. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Cullin, Budd second to approve the regular meeting minutes of January 11, 2023 as presented. **Motion Carried.**

ANNOUNCEMENT:

Vice-Chair Jahr introduced new Planning Commissioner Jackson Pahle and welcomed him to the Commission.

OLD BUSINESS:

- ITEM #1: 22-059 BELLEVILLE YACHT CLUB MARINA PRELIMINARY SITE PLAN REVIEW AND COMMENT.
- TITLE: BELLEVILLE YACHT CLUB REQUESTS 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 FOUR (4) CONNECTING DOCKS. THE SITE IS ZONED BELLEVILLE LAKE SHORELINE DISTRICT B – NON-SINGLE FAMILY RESIDENTIAL (BLB). MARINAS ARE A USE THAT REQUIRE SPECIAL APPROVAL IN THE BLB DISTRICT. THE PLANNING COMMISSION IS REQUESTED TO CONSIDER A REVISED PRELIMINARY SITE PLAN ASSOCIATED WITH A REQUEST FOR SITE PLAN AND SPECIAL APPROVAL FOR THE MARINA USE AND TO PROVIDE COMMENTS ON A SPECIAL EXCEPTION REQUEST OF THE BOARD OF ZONING APPEALS (BZA) FOR THE MARINA'S DOCK STRUCTURES TO EXTEND TO A LENGTH NOT TO EXCEED 120', CONTRARY TO SECTION 3.120(D)(5) OF THE ZONING ORDINANCE.

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

Director Akers gave the presentation. The Planning Commission was asked to provide review and comment on special approval and site plan review for the proposed construction of two (2) multi-dock structures that have a proposed length of 120 feet each. A public hearing was held by the BZA on 1-10-23 to consider the special approval request, the BZA postponed their decision on the request to allow for additional review and commentary on the request and its associated marina site plan. A public hearing was held by the Planning Commission to consider the marina special approval and site plan requests on 1-11-23, the Planning Commission's decision was postponed in order for additional information to be provided on a revised site plan along with supplemental data and for action to be taken by the BZA at a future meeting prior to a final decision on the site plan. The BZA will be making findings on the following five (5) criteria in determining whether to approve the requested special exception for excessive dock length, per Section 3.120(F)(7) of the Van Buren Township Zoning Ordinance:

- Enforcement of the provision(s) requested for special exception would unnecessarily prevent the reasonable use of the land or boats involved without resulting benefit to the public health, safety and welfare of person or property;
- (ii) The special exception would not unduly prevent the realization of the purposes of this Ordinance;
- (iii) The special exception would not cause substantial harm or detriment to adjacent or nearby lands or boats or the public interest or safety, nor be contrary to the intent or purpose of this Ordinance;
- (iv) Unusual circumstances or conditions are involved; and
- (v) The special exception is consistent with the goal of providing reasonable, equitable access to all abutting lake owners.

The special approval is different than a variance, it takes into consideration the Townships responsibilities with FERC and the responsibility to maintain the integrity of the French Landing Dam. To assist the Planning Commission with analysis and commentary, the applicant was provided direction in the form of an itemized list of twenty-five (25) specific items that are highlighted in the packet. The next steps for the Commission are to make comment on the preliminary site plan submittal and provide commentary for the BZA for their consideration. The comments will be recorded in the meeting minutes and provided to the BZA.

Commissioner Atchinson disclosed that she and her husband are members of the community and BYC members. Commissioner Atchinson asked for permission to retain herself and to be able to vote on this item.

Motion Cullin, Grant second, the Commission has no problem allowing Commissioner Atchinson to remain as a voting member. Motion Carried.

PC Minutes 2-8-23 Page **3** of **10**

Owner/Applicant, Scott Jones, gave a presentation. Mr. Jones was asked at the previous meeting to provide updates to the plans, which were submitted. A lot of the updates pertained to the 100 foot no wake zone around the property and proposed lighting at the docks, reflective tape and lighting has been added. Mr. Jones commented that the busiest days on the lake are the busiest days at the club. The lights are 48" tall, will illuminate downward onto the dock and should be noticeable from a distance. The added no wake lines take the navigable water down to 518 feet between the two 100 foot no wake zones. The narrowest point on the lake near the BYC is off of Potter Drive, which is down to 400 feet of navigable water, located roughly 700 feet to the west of the BYC. The BYC site is 118 feet wider with the docks and the no wake zones included. Mr. Jones considered everything discussed around safety, he believes they are not impeding the use of the lake, the docks are tucked in behind the narrowest point. Mr. Jones displayed the 100 foot no wake zones, space to navigate the waterway and proposed light fixtures. The DNR Boat Launch next door has proposed adding an extension to their docks with a jetty, the last proposal was a in 2008, however their budget has not allowed them to move forward. Mr. Jones does not know how far they plan to go out, he expects that it will be further than their docks. This will break up the wake in that area, making it safer by restricting the flow in the area. Mr. Jones did receive a question from the Township Board, asking if the BYC was a for profit organization or not. The BYC is a non-profit 501 (C)(7), if dissolved any proceeds would have to go to a like charity. Mr. Jones was available to answer any questions.

Commissioners had the following questions and comments:

- With regard to the 518 feet, how was it determined a safe distance for boating purposes? Mr. Jones informed that it will not be the narrowest point on the lake, there is only 400 feet of navigable water to the west and he has not been made aware of any concerns in that area. Mr. Jones had discussed ski ropes and lengths with the Township and how close boats can be to each other. The State of Michigan requires 150 feet behind or in front of a crossing boat. There is no specific language linking the lines for skiing or tubing, but from personal experience they are about 50-75 feet.
- Commissioner commented there are clearances from boat to boat. Boats above no wake speed needs to maintain a 100-foot distance from the shoreline and other boats that are traveling as well. Mr. Jones confirmed, yes.
- Commissioner inquired if the applicant could add the Michigan boating safety laws, to prove the point of safety. Mr. Jones agreed he could state the laws and show how small an 8 ½ foot wide boat is in a 500-foot area.
- Commissioner is not sure if it is safe or unsafe, believes it is the applicant's responsibility to show that it is safe. In the end, the Planning Commission and BZA would need to make their decision based on the evidence to show that it's safe. Mr. Jones agreed he can show some navigable waters. Commissioner thinks that if the applicant applies safe boating laws and requirements then he can prove if it's a safe plan.
- Commissioner needs a little more information than how much distance is needed between boats. Looking at an assumption in regard to safety, need to be more certain. Looking at Section 3.120, it talks about enforcement with provisions for special exemptions and there have been public comments about the dock going out into the lake which is a public resource and this is for a private club. The stated purpose involves lake access and boating education which would be limited by a small subset of the community. Last meeting, the Commissioner asked the question if women could be members of the

club, the Commissioners follow up question is, are there women that are voting members in the club? Mr. Jones informed yes, there are currently seven (7). The current bylaws state that there shall be no requirement for membership in the club that could serve to restrict any applicant based against race, color, sexual orientation, national origin or religion.

- Commissioner inquired, as far as the marina use, there is not really a change in the use? Mr. Jones informed, no. It won't be a marina operation in the manner of fueling or maintaining boats, it is only for dockage for members to use the facilities and leave.
- Commissioner has concern with the 120 feet, he has seen people that don't understand what they are supposed to do on the lake and has safety concerns. Commissioner knows that people do not observe the no wake zone. It is only two (2) football fields across the lake at that point, major concern for others using the lake. If more than one (1) boat or jet ski, are they going to be able to maintain enough distance apart. Commissioner likes the idea of the construction of the docks and the way that they look, however has concern for all that use the lake.
- Commissioner asked Mr. Jones if he has considered shorter dock lengths. Mr. Jones responded that to get the 16 boats, they need the 120 feet. Commissioner inquired if they need 16 boats? Mr. Jones commented they would have liked to have more.
- Commissioner commented that if the BZA approves the extension, that does not necessarily mean they will get their dock, this will still need to go to EGLE. Director Akers confirmed that is accurate. Commissioner commented that in addition to EGLE, there would be review by FERC. Director Akers informed, potentially, he will need to confirm.
- Commissioner inquired how the docks are able to be maintained as private? Director Akers informed that the docks are privately owned. Exclusive use in the ordinance transfers certain rights with responsibilities.

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

- Resident appreciates the BYC and thinks they bring property values up. Mr. Jones mentioned that there's virtually no traffic and that the width of the proposal is not the narrowest part. Even though it's not the narrowest part, where it is narrower, boats are not going in and out to park. Where this is going to be, there is traffic going in and out. Resident is concerned being only about 5-6 houses away, she sees all the traffic in the summer and doesn't boat on the weekends because its too busy. Resident thinks we need a traffic study to be able to get the data needed to make sure that it's going to be safe. Resident doesn't oppose anything that the BYC is doing, just wants it to be safe.
- Resident, lakefront owner and avid boater. Addressed a few items with safety, the area in question is one of the trickiest putting your boat in and out. Resident suggests that the extension will push those boaters out further into the lake where they belong. To get a traffic study, look a little further down the lake where it is narrower. Coming around the tip of Potter Drive allows the natural trajectory to continue the arch around the area. Traffic studies have been done. The DNR asked in 1998 and 2004 to extend their docks and add a jetty. The only thing stopping them is the funding. The traffic study is done and the DNR project is approved. There are several other areas on the lake that are much narrower.

- Resident disagrees with the previous speaker's comments. The 518 feet of water is not enough when pulling tubers. Often more than not, a boat pulling a tuber or a jet ski goes in between another obstacle, a huge safety issue. Resident inquired if we have contacted the Police to get their view? This is not a gated/private lake. Have to be extremely considerate of everyone's safety. The dock is an extended obstacle.
- Resident sat in the previous Planning Commission and BZA meetings, both requested and asked about traffic studies and safety concerns. The typical permit process asks the requestor to provide a site survey. This doesn't just affect the neighboring properties. Earlier resident mentioned a traffic study for the DNR launch, traffic studies change, think it needs to be done again. The request doesn't hold a candle to the original ask. Taking down to the narrowest point, is turning the lake back into a river. EGLE, the deciding factor is waiting for the Township, nowhere else has a dock length restriction. The letter in the Independent commented on the Lake Ordinance Committee. Perhaps reconvene the Lake Ordinance Committee, instead of trying to push this through. The amount of non-permitted docks is not unreasonable. The applicant reminded of what good they do for the community, but the dock length only benefits the club members. Resident stands opposed to the 120 feet, thinks it needs to be looked at further. Resident is opposed that anyone would vote that is a BYC member.
- The original dock held 24 boats, its down to 16 boats. Resident participated in the lakeshore ordinance discussion. The 40-foot limit seems excessive, would be more willing to support an 80-foot dock. Resident also agrees that people that are members of the BYC should not vote.
- 120 feet into the lake is absurd, a lake that the entire state of Michigan can use. Boaters don't pay attention to the rules. 80 feet is ridiculous. Resident is totally opposed.
- Remote viewer supports the BYC in the many things that they do for the community. A lot of people are against the docks, but support the BYC. It's one thing to ask for a variance on land, another thing to take over a lake that you don't own. If approved it sets a precedence for all sorts of other businesses. Resident sent Director Power a video of previously proposed docks at the Liberty Street address that were at 140 feet. The current docks were strategically planned, then the applicant got a stop work order, the applicant could have started then with this request and looked at this in the summer. The lake width in that area is 40 feet plus 100 feet equaling 140 feet, 280 feet for both sides combined, leaving a 590 navigable channel. Allowing them to go out 120 feet reduces 80 feet, almost a 15% reduction to the navigable channel for the private club. If the DNR builds a jetty and docks, then allow the club to build out the same length. Resident agrees that he absolutely disagrees with BYC members on the Commission voting. Resident inquired if there are any other members on the Commission.

Commissioner thanked the public for their comment. After looking at the ordinance, they need to conclude there is a positive finding for all 5 items that the BZA will be reviewing. Commissioner recommended that the BZA should not grant the variance. Additionally, we should not guess on safety. The township needs to look at and consider other buildouts. This is a shared resource.

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



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: 23-023 DATE SUBMITTED: 5/17/2023

APPLICANT INFORMATION

NAME: Donyeal Sizemore	PHONE:
ADDRESS: 42127 Salem CT.	CELL PHONE: (313)477.2275
Von Buren Township, MI 48111	FAX:
EMAIL: D. Sizeworker@gmail.com	

PROPERTY OWNER INFORMATION (If different than the applicant)

HAME: Kolney & Donyeal Sizemore	PHONE: (3131477,2275		
ADDRESS: July CT-	CELL PHONE: CELL PHONE:		
CITY, STATE & ZIP Von Buren Township, MI 48111	FAX:		
EMAIL: DPD POPO @aol.com - D. Sizenorker @ gmail.com			

BILLING CONTACT

NAME: Donyer Sizemore	PHONE: (313) 477. 2275
ADDRESS: 42127 Sulem CT	CELL PHONE: (313) 477.22.75
CITY STATE & ZIP	FAX:
Van Buren Township, MII 48111	×
D. Sizeworker Q. gmail. Com	

SITE/PROJECT INFORMATION

NAME OF PROJECT:				
PARCEL ID NO: V125-83-	04-0071-000	PROJECT ADDRESS: 42127 Salan C	T. Van Buren Tusp	ME 48111
*APPLICANT MUST ATTACH LEGAL D	ESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the	Side of	Road; Between	Road and	Road.
SIZE OF LOT WIDTH:	SIZE OF LOT DEPTH:	ACREAGE OF SITE:	TOTAL ACRES OF SITE TO	D REVIEW:
CURRENT ZONING: IS A REZONING OF THIS PARCEL BEING REQUESTED? Y / N REQUESTED ZONING:				
PROJECT DESCRIPTION: Looking to increase my childcare license from a Capacity of le to 12 Children, which work mare 34 license a Group Forming Childcare Center Operating from 6 and to 10pm. M. Sectorday.				
le to 12 Children ju Rich work? main 324 license a Group Forming Childrene Center				
operating them low	TO TOPM. M-Sect	marg.	0	

SPECIAL PERMIT INFORMATION		
DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N		
IF YES, SECTION OF ZONING ORDINANCE FOR WHICH YOU ARE AP	PLYING 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	TOTAL NUMBER OF TREES:	
AREA:	1	
DETAILED DESCRIPTION FOR CUTTING TREES:		
NA		
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 ZONI	NG ORDINANCE 6-2-92, AS AMIENDED.	
OWNER'S AFFIDAVIT Donyea Sizemore PRINT PROPERTY OWNER'S NAME		
SIGNATURE OF PROPERTY OWNER	5/17/2023 DATE	
STATE OF MICHIGAN COUNTY OF WAYNE		
date are in all respects true and correct.	tatements and answers herein contained and accompanied information and	
Subscribed and sworn before me this 17th day of May	2023	
Hanah Codriguez Notary Public, Wayne	County, Michigan My Commission expires 2022.	

HANNAH RODRIGUEZ NOTARY PUBLIC, STATE OF MI COUNTY OF WAYNE MY COMMISSION EXPIRES Fob 8, 2026 ACTING IN COUNTY OF WAY

A	MEMO	
VAN BUREN CHARTER TOWNSHIP	TO: FROM:	Van Buren Township Planning Commission Dan Power, AICP – Director of Planning and Economic Development
	RE:	Donyeal Sizemore Day Care Group Home – 42127 Salem Court
	DATE:	June 7, 2023

Applicant Donyeal Sizemore requests to change an existing Day Care, Family Home to 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-1A – Single Family Residential. Day Care, Group Home is a Special Land Use in the R-1A (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 42127 Salem Court (parcel ID number 83 101 04 0071 000). The site's current family day care home is licensed by the State of Michigan as Building of Learning Childcare Center.

Day Care, Group Home is defined as follows in the Van Buren Township Zoning Ordinance, per Section 2.102(A)(60)(b):

DAY CARE OR CHILD CARE, GROUP HOME: A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. All group day care homes shall be registered with or licensed by the Michigan Department of Licensing and Regulatory Affairs or successor agency.

Based on a recent change in State of Michigan policy, Day Care Group Homes will be allowed to have additional capacity (up to two additional children) after 29 months of operation.

The proposed use will occur at the residence of Rodney and Donyeal Sizemore. The current house floor area is 2,805 square feet, according to Assessor's office records. The house was constructed in 2004 and is part of the Country Walk Phase II Site Condominium / PRD development. Included with the submittal is a narrative letter from the applicant dated May 18, 2023, an illustrative site / plot plan from the applicant that shows the layout of parking spaces and retractable fencing on the property, the property's original plot plan. The packet also contains in image of a specified type of retractable fencing the owner proposes to have installed on the property during hours of operation.

Based on the submittals provided, I will review the submitted Group Day Care Home permit application and make recommendations to the Planning Commission below based on general site plan observations,

general special land use standards of **Section 12.306 (Standards for Granting Special Approval)**, below. No special approval shall be recommended for approval by the Planning Commission or granted by the Township Board unless the special use:

- a) Can promote the use of land in a socially and economically desirable manner for those persons who will use the proposed land use or activity; for those landowners and residents who are adjacent; and for the Township as a whole. The property is 0.277 acres in area (approximately 12,066 square feet), and is located at the end of a cul-de-sac road. See the base map for this property included at the end of this report. In this configuration, the property is relatively isolated and large, and experiences regular cross traffic with only the ten (10) neighboring properties on Salem Court. The property has an optimal layout and is in an optimal position for use as a day care operation which can be run in a socially and economically desirable manner.
- **b)** Is necessary for the public convenience at that location. The proposed use is an expansion of an existing day care use that is located in one of the Township's largest residential developments. The Country Walk site condominium in total has 536 planned detached single-family housing units, most of which are constructed. Day care capacity is a widespread need in Van Buren Township, and even at the State and national level. The expansion of this existing site will help to fulfill that need.
- c) Is compatible with adjacent uses of land. Due to the site's relative isolation and its adequate land area, the group day care home use should be compatible with the adjacent uses of land.
- d) Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected. This criterion will be met, subject to adherence to certain conditions I state below in this report. The site will also be inspected by the State of Michigan LARA for applicable standards related to child care.
- e) Can be adequately served by public services and facilities without diminishing or adversely effecting public services and facilities to existing land uses in the area. The site is adequately served by public services and facilities.
- f) Will not cause injury to other property in the neighborhood in which it is to be located. The uses in the site will adhere to required setbacks and the site is well situated with ample land available. I do not anticipate the group day care home use causing injury to other property in the neighborhood. From a brief tour of the site, staff was shown the facilities for day care education in the basement and on the main floor of the home, as well as the relatively large rear yard. If any additional approvals are required from the Country Walk II Homeowner's Association or Management Group for this expansion, their written approval must be filed prior to the expansion occurring. Written approval from the HOA must be provided regarding the proposed retractable fencing.
- g) Will consider the natural environment and help conserve natural resources and energy. The proposed group day care home use is anticipated to have a negligible impact on the natural environment and natural resources.

The use is also subject to specific requirements of Section 5.111 of the Van Buren Township Zoning Ordinance, described and evaluated below:

Section 5.111 Day Care or Child Care, Group Home

- A. Group day care homes shall not be located closer than one thousand five hundred (1,500) feet to any of the following:
 - (1) Another licensed group day care home.

- (2) Adult foster care, small group home or large group home as defined in this Ordinance and by the State of Michigan.
- (3) A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed by the State of Michigan.
- (4) A community correction center, residence home, halfway house or other similar facility which houses an inmate population under the jurisdiction of the Federal or State Department of Corrections.
- (5) Child care centers, subject to the requirements of Section 5.108.
- (6) Adult day care centers, subject to the requirements of Section 5.110.
- Staff has reviewed and verified that the proposed site is located greater than 1,500' from the listed uses. See the worksheet attached to this report for more information.
- B. It has appropriate fencing for the safety of the children in the group day care home as determined by the Planning Commission. The applicant's development has restrictions on permanent fencing in yards. The applicant has proposed to install a retractable fencing around the perimeter of the yard during hours of operation. <u>The applicant is recommended to provide additional graphic specifications and details for the proposed fencing, and the fencing shall be reviewed by the Planning Commission for adequate safety and aesthetic compatibility with the surrounding neighborhood.</u>
- C. It maintains the property consistent with the visible characteristics of the neighborhood. This criterion can be met. Apart from the above-mentioned fencing, the applicant proposes no changes to the site.
- D. It does not exceed sixteen (16) hours of operation during a twenty-four (24) hour period. The applicant has clarified that their hours will be 6:00 a.m. to 10:00 p.m., Monday Saturday.
- E. The group day care home operator shall provide off-street parking for his or her employees in accordance with Article 9, in the ratio of one (1) parking space for each employee. The Van Buren Township Zoning Ordinance requires the following off-street parking for child care uses per Section 9.102:
 - 1 space per employee (2 required)
 - 1 space per each bracket of 10 children cared for (3 required)
 - o (5) stacking spaces
 - Total: (4) parking spaces and (5) stacking spaces

However, the Township's Zoning Ordinance allows the Planning Commission to make modifications to parking space requirements under Sec. 9.101(J):

(J) Minimum Parking Required. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the schedule contained in Section 9.102 herein; however, the Planning Commission may modify the numerical requirements for off-street parking based on evidence that another standard would be more reasonable based of the level of current or future employment and/or level of current or future customer traffic. In determining whether to permit fewer parking spaces, the Planning Commission shall consult the most recent edition of the Parking Generation, published by the Institute of Traffic Engineers (ITE), or other

acceptable standard.

The applicant has clarified that currently only herself and one (1) additional employee from an offsite location are employed at the subject site (2 employees total). The applicant must clarify the number of employees in writing on the site plan. Per the Township Planning Consultant's analysis, ITE says that the average parking demand for a day care facility is: 3.3 spaces per 1,000-sf gross floor area (8 spaces required using this threshold), or 1.3 spaces per employee (2 spaces required), or .21 spaces per child (3 spaces maximum). The garage may be used for two (2) spaces. The area in front of the site's attached garage may accommodate two (2) vehicles side-by-side, per Zoning Ordinance requirements. The site's driveway is 25.73 feet in length, as measured from the front of the garage to the property line, and 16 feet in width. This can only accommodate two (2) parallel parking spaces, side by side, under Section 9.104 of the Van Buren Township Zoning Ordinance. The applicant's submitted site plan should be updated and resubmitted to show only two (2) vehicles and not four (4) vehicles on the driveway. Pending findings from the current ITE standards for day care parking requirements, I recommend that 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 four-space layout as has been submitted by the applicant. I also recommend that the applicant obtain a signed agreement from the nearest six (6) property owners on both sides of her site that agree to her patrons' parking in available on-street parking locations as necessary during peak drop-off and pickup times, to be provided prior to Board of Trustees special approval consideration. I encourage the applicant to hard surface their entire driveway, for long term maintenance purposes.

Additional site plan comments.

- If the applicant anticipates the generation of garbage beyond what would be consistent with residential land use, they may have to take additional measures for waste disposal and screening of waste.
- If the applicant proposes to have any signage, any signage must comply with Article 11 of the Van Buren Township Zoning Ordinance.

Recommendation.

Based on the findings of this report, I recommend that the Planning Commission <u>conditionally</u> recommend approval of the requested special approval group day care home use and <u>conditionally</u> <u>approve</u> the submitted preliminary and final site plan, subject to the conditions stated below:

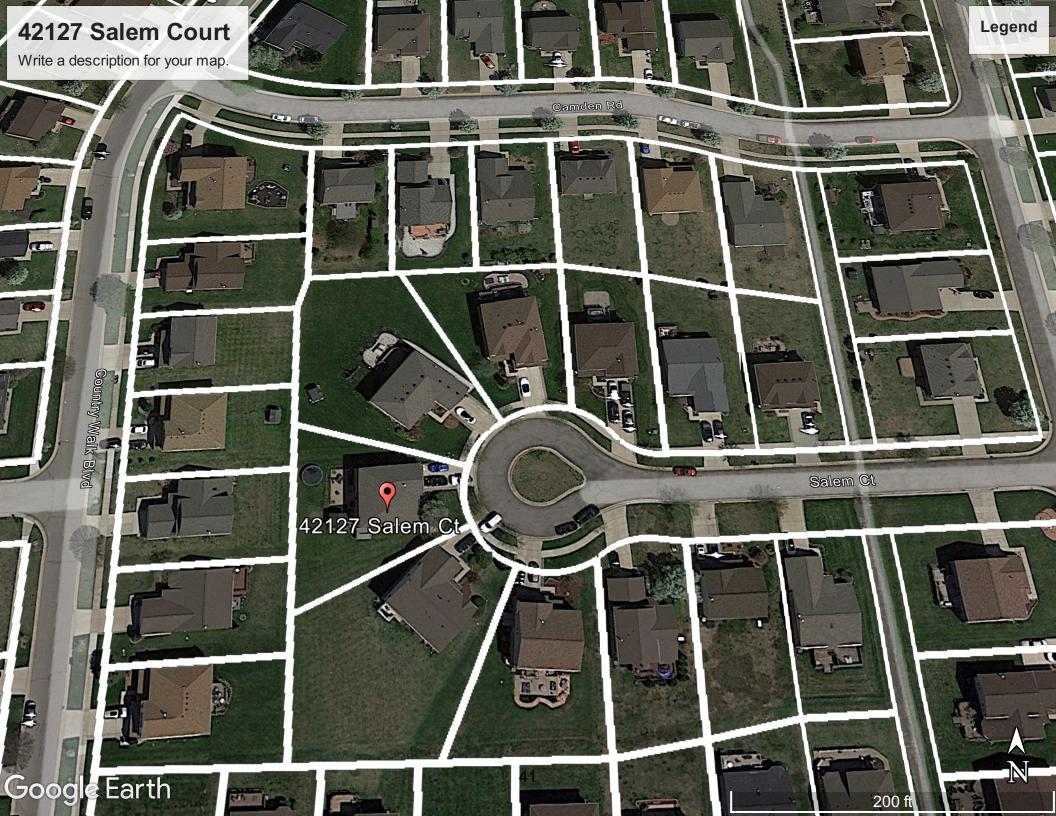
- The applicant must clarify the number of employees in writing on the site plan.
- If any additional approvals are required from the Country Walk II Homeowner's Association or Management Group for this expansion, their written approval must be filed prior to the expansion occurring.
- Written approval from the HOA must be provided regarding the proposed retractable fencing.
- The applicant's submitted site plan should be updated and resubmitted to show only two (2) vehicles and not four (4) vehicles on the driveway.

- <u>I recommend that the Planning Commission consider a modification of the minimum required</u> <u>number of parking spaces under Sec. 9.101(J) of the Van Buren Township Zoning Ordinance</u> <u>to accept the basic 4-space parking layout as has been submitted by the applicant.</u>
- <u>The applicant shall obtain a signed agreement from the nearest six (6) property owners on both</u> <u>sides of her site that agree to her patrons' parking in available on-street parking locations as</u> <u>necessary during peak drop-off and pickup times, to be provided prior to Board of Trustees</u> <u>special approval consideration.</u>

If these requests are granted, the project will be considered by the Van Buren Township Board of Trustees before final approval is granted by Township staff. The applicant then may continue the process of obtaining their "group" day care license from the State of Michigan. Please do not hesitate to reach out if you have further questions.

Sincerely,

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



Child Care Licensing Search

Department of Licensing and Regulatory Affairs

(/)

Navigation

- Sack to Search Results
- Q New Search (/)
- Diew Audit Reports

Statewide Detail for Licensed Child Care Centers and Homes

Facility Information

Facility Name: BUILDING OF LEARNING CHILDCARE CENTER

Facility Address: 42127 SALEM CT VAN BUREN TWP, MI 48111 Phone: (313) 477-2275

County: WAYNE

Facility Type: CHILD CARE FAMILY HOME (CAPACITY 1-6)

License Number: DF820413775

Facility Status: ACTIVE

License Status: ORIGINAL

Effective Date: 10/31/2022

Expiration Date:

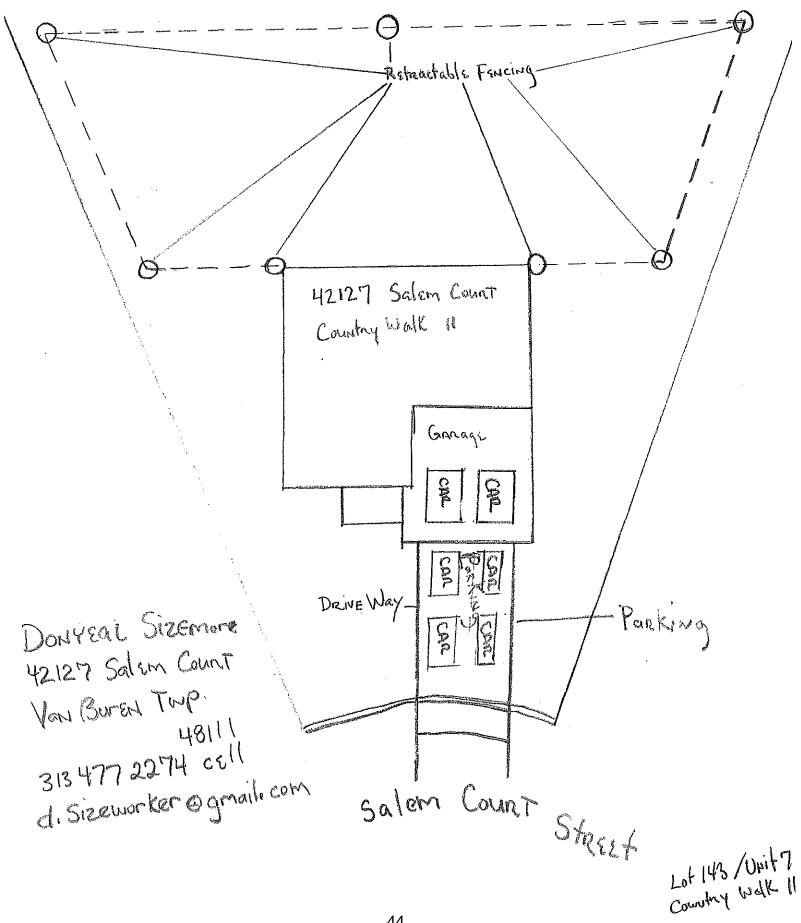


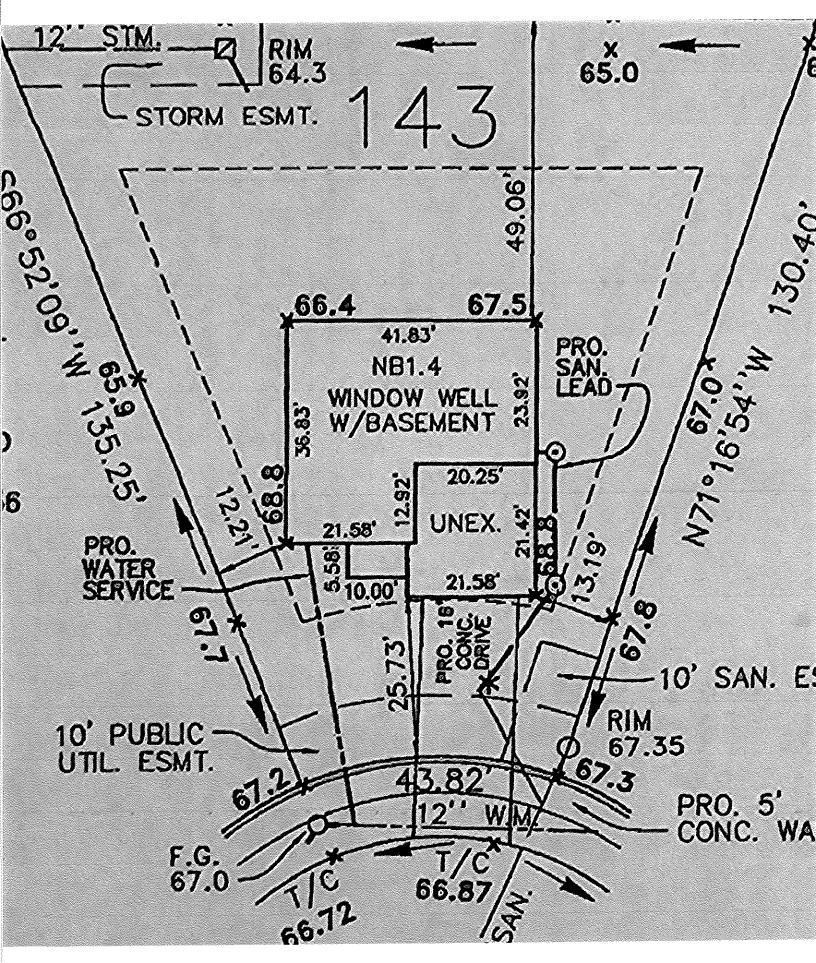
Proximity of 48111 Facilities Applicant Address: 42127 Salem Court, 48111

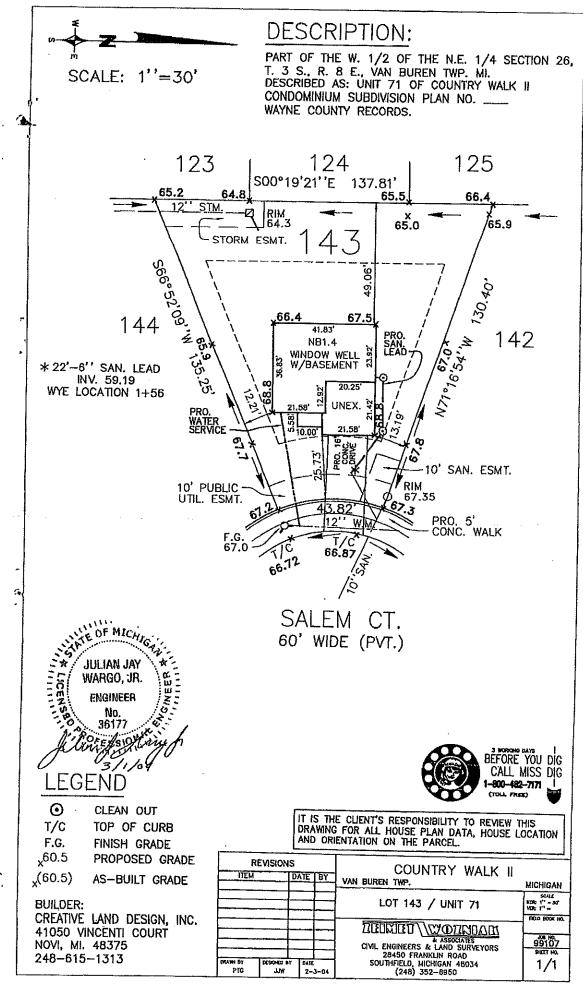
Facility	Address	Distance	GDC	AFC	ссс	REH HH ADC None found in 48111
Blooming Buddies	6191 Rawsonville	>1,500'	Х			
TYLER AFC HOME	42901 TYLERBELLEV	>1,500'		x (7-12)		
ELWELL POINT	17100 ELWELL RD	>1,500'		Х		
TYLER TWO	43063 TYLER ROAD	>1,500'		х		
GRACE AT ECORSE	44257 ECORSE RD	>1,500'		Х		
BELLEVILLE LAKE	46131 HULL RD	>1,500'		Х		
EDWARDS HOME II	7050 EDWARDS	>1,500'		х		
COTTAGE RESIDEN	175 HURON RIVER D	>1,500'		Х		
LENMOORE	14250 LENMOORE R	>1,500'		х		
BEMIS	48722 BEMIS	>1,500'		Х		
BELLEVILLE HOUSE	46131 HULL	>1,500'		х		
TYLER RESIDENTIAI	43001 TYLER RD.	>1,500'		Х		
RESILIENT ELWELL	17100 ELWELL RD	>1,500'		х		
LINDA VISTA	12890 LINDA VISTA C	>1,500'		Х		
COTTAGE RESIDEN	175 EAST HURON RI	>1,500'		х		
TYLER AFC HOME	42901 TYLER	>1,500'		x (7-12)		
TYLER RESIDENTIAI	43001 TYLER ROAD	>1,500'		Х		
WISE HOME	7309 ANNA DRIVE	>1,500'		Х		
BEMIS RIDGE	48722 BEMIS RD.	>1,500'		Х		
SUMPTER SENIOR L	23560 SUMPTER RD	>1,500'		Х		
RESILIENT - BELLEV	46131 HULL	>1,500'		Х		
ELWELL HOUSE	17100 ELWELL ROAD	>1,500'		Х		
TYLER TWO	43063 TYLER ROAD	>1,500'		Х		
CLEO'S HOUSE L.L.(10525 RAWSONVILLE	>1,500'		Х		
RESILIENT - BEMIS	48722 BEMIS RD	>1,500'		х		
BELAIR HOME	279 CHURCH	>1,500'		Х		
HIDDEN TREASURE	48880 WEAR RD	>1,500'		Х		
RENTON	17200 RENTON	>1,500'		х		
BELLEVILLE MANOR	9812 BARKLEY	>1,500'		Х		
HOMES SENIOR LIV	14250 LENMOORE R			Х		1
Becky and Jessica's F	970 Savage	>1,500'			Х	
Bethany Day Care	810 EHRD	>1,500'			Х	
Blessed Beginnings	9800 Haggerty	>1,500'			Х	1
Little Arrow	111 South Street	>1,500'			Х	
O2BA Kid	337 Industrial Park Dri				Х	
Open Arms	7865 Belleville	>1,500'			х]
Öwen Elementary	45201 Owen	>1,500'			х	1
Savage Elementary	42795 Savage	>1,500'			х	1
STARS	47295 Bemis	>1,500'			х	1
The Early Childhood (451 W Columbia	>1,500'			х	1
Tyler Elementary	42200 Tyler	>1,500'			х]

Key

GDC	Licensed group day care home.
AFC	Adult foster care, small group home or large group home as defined in this Ordinance and by the State of Michigan.
CCC	Child care centers
REH	A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed by the State of Michigan (none found)
нн	A community correction center, residence home, halfway house or other similar facility which houses an inmate population under the jurisdiction of the Federal or State Department of Corrections.
ADC	Adult day care centers.









May 18, 2023

To whom it may concern,

I have been a resident of Van Buren Township since 2004. I have been very active in the community surrounding healthy and safe living of children. I've provided lunches for children in the summer, whose families were struggling finacially. My home has always been the go-to home for the neighboring children.

Currently, I've opened a Family Home Childcare Center on October 31, 2022. This provides care for 6 children within my home setting. The hours of operation are from 6 a.m to 10 p.m. Monday -Saturday. My current children do not utilize my extended hours of operation at this time.

I'm seeking to now advance my standing to a Group Home Child Care Center. This would allow me to increase my number of children from 6 to 12. The hours of operation would stay the same.

I totally have the consent of my neighbors, in front and in back of my home along with the consent of my Home Owners Association. The parents do not arrive, nor pickup at the same time, so parking is not an issue. The yard is safe for children to have fun while learning outside.

There is currently a huge demand for childcare within the state of MIchigan. I'm hoping that all will be well with this process.

I'm looking forward to this endeavor with VBT and the state of Michigan.

Best regards, Donyeal Sizemore cared for in the end

R 400.1908 Capacity. Rule 8. (1) The licensee shall ensure that the actual number of unrelated children in care at any 1 time does the number of children for which the child care home is licensed, not more than 6 children for does the number of children for a group child care home. R 400.1908 Capacity. 400.1908 Capacity. Rule 8. (1) The licensee shall ensure that the actual the home is licensed, not more than 6 children for which the child care home is licensed, not more than 6 children for does how exceed the number of children for which the children for a group child care home. exceed the number of more than 12 children for a group child care home. child care home and not more than 12 children for a group child care home. (2) This rule is not subject to the variance specified in R 400.1963.

R 400.1909 Concurrent licensing. **R 400.1909 Concurrent licensing.** Rule 9. (1) A licensee who is concurrently licensed as a children's foster home provider shall so inform the parents of the children in care. parents of the children in care. (2) A licensee who provides care for both child care and foster care children shall not care for more than 12 children, including all of the following: children, including all of the following. (a) Children who are under 17 years of age and who are related to the licensee by blood, marriage, adoption, or legal guardianship. (b) The capacity of foster children identified on the foster care license. (c) All other children who are cared for on a part-time or full-time basis.

(3) A licensee shall notify the department when applying for a foster care license. (3) A licensee shall notify the department of the health and safety of child care if the health and safety of child care (4) The department has the right to refuse concurrent licensing for child care if the health and safety of child care children could be at risk.

History: 2005 AACS; 2020 MR 23, Eff. Dec. 13, 2019.

R 400.1910 Ratio of personnel to children. Rule 10. (1) The ratio of personnel to children present in the home at any 1 time must be not less than 1 member of the personnel to 6 children. The ratio must include all children in care who are not related to any personnel and any of the following children who are less than 6 years of age: (a) Children of the licensee.

8

History: 2005 AACS; 2009 AACS; 2020 MR 23, Eff. Dec. 13, 2019.

History: 2005 AACS; 2020 MR 23, Eff. Dec. 13, 2019.

(4) A licensee and child care staff members sha
(5) A licensee or child care staff members sha
(6) A licensee or child care staff member shall activities or are near collections or bodies of (4) 11 11-0---sale stall members she

History: 2005 AACS; 2020 MR 23

R 400.1912 Infant; child; resting; sleep Rule 12. (1) Infants, birth to 12 months ((2) Infants unable to roll from their stop placed on their backs when found in an (3) When infants can easily turn over they shall be initially placed on their 1 (4) If a child has a health issue or a s something other than a crib, porta-c documentation from the child's hea sleeping instructions and time fran anticipated end date.

(5) Personnel shall maintain supe signs of distress, except as provi (6) Video surveillance equipme

History: 2005 AACS:

R 400.1913 Discipline; chil Rule 13. (1) A licensee shall (2) Developmentally appro esteem, and cooperation n (3) Personnel shall not do (a) Hit, spank, shake, bit (b) Use any substance in (c) Restrict a child's ma (d) Inflict mental or er remarks. (e) Deprive a child o

(f) Confine a child in (g) Use time out for

10nger

Hello Donyeal,

Thank you again for attending the meeting last night and speaking with the Board.

The Board has approved the Group Day Care. If there is anyone that we need to talk to, let us know, or you can feel free to forward this email as authorization.

Please let me know if you need anything else. Have a wonderful day!

Respectfully,



Kim Harraf

Community Association Manager

Sentry Management Inc

120 West Grand River Road Suite 300

Howell, MI 48843

517-545-3900 Ext.

517-552-4476 (fax)

southeastmichigan.sentrymgt.com

CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on June 14, 2023 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. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following items:

<u>Case 23-023:</u> Donyeal Sizemore – Group Day Care Home – Special Land Use Review. A request by Donyeal Sizemore to change an existing Day Care, Family Home to a Day Care, Group Home as defined in Section 2.102(A)(60)(b) of the Van Buren Township Zoning Ordinance. The parcel is zoned R-1A – Single Family Residential. Day Care, Group Home is a Special Land Use in the R-1A (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 site is located at 42127 Salem Court (parcel ID # 83 101 04 0071 000), on Salem Court between Camden Road and Milton Drive.

<u>Case 22-058:</u> Cameron Smyth –16355 Haggerty Road – Rezoning Request. A request by owner Cameron Smyth to rezone 16355 Haggerty Road (described as Parcel ID# 83-142-99-0001-000), from R-1B – Single Family Residential District to AG – Agricultural and Estates. The parcel is located on the east side of Haggerty Road between Riggs Road and Savage Road.

<u>Case 23-021:</u> Robert Sloan Van Born Road – Rezoning Request. A request by Mark Drane on behalf of owner Robert Sloan to rezone the parcel described as Parcel ID # V-125-83-009-99-0002-000 from M-1 - Light Industrial to M-2 - General Industrial. The parcel is 24.48 acres in area. The parcel is located on the north side of Van Born Road east of Sheldon Road.

Zoning Ordinance Text Amendments – Detached Single Family Residential Dwelling Height Regulations. Proposed amendments that will modify the maximum allowable height for detached single family dwellings to allow all detached single-family dwellings to be 2.5 stories in height or 35 feet in height. The amendments will include updates to Sections 3.106 (R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts), 3.107 (RM, Multiple Dwelling Residential District), 3.109 (AG, Agricultural and Estate District), and 4.102 (Schedule of Regulations).

Materials for this meeting will be posted to <u>www.vanburen-mi.org</u>\Government\Agendas & Minutes\Planning Commission by no later than **June 12th**, **2023.** 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. A complete procedure for public comment by electronic means is provided on a guide which is accessible on the Van Buren Township website (<u>www.vanburen-mi.org</u>). 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 <u>dpower@vanburen-mi.org</u>. 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: May 22, 2023 Published: May 25, 2023

T:\Development\Planning\PROJECTS\Projects 2023\23-023 - 42127 Salem Court-Sizemore Day Care\Communication\6-14-23 PH Notice_Case22-058_Case 23-021_(Case 23-023)_Res Height Zord_VBT PC_.docx



DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT BY:

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: 12	115	2022
--------------	--------------------	-----	------

APPLICANT INFORMATION

NAME: CAMERCA SMYM	PHONE: 734-748-4953
ADDRESS: 16355 Hadderty Rd	CELL PHONE:
CITY, STATE & ZIPVAN BUSEN TWP, MI, 4811	FAX:
EMAIL: SMYTHSCAR GMAILCOM	

PROPERTY OWNER INFORMATION (If different than the applicant)

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

BILLING CONTACT

NAME: CUMPTON SMYTH	PHONE: 734-748-4953
ADDRESS: 16355 Haggesty Rd	CELL PHONE:
CITY, STATE & ZIP VAN BURCH TWD, UT, 48111	FAX:
EMAIL: Smythscalogmail com	_

SITE/PROJECT INFORMATION

NAME OF PROJECT:		
PARCEL ID NO: V125-83-	PROJECT ADDRESS:	
*APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY		
PROPERTY LOCATION: On the <u>EASH</u> Side of <u>HCLGCfCFU</u> Road; Between <u>RIGGS</u> Road and <u>SCULCCFL</u> Road.		
SIZE OF LOT WIDTH: ++ SIZE OF LOT DEPTH; ++ SSIL OF LOT DEPTH; ++ SSIL 14 South (1075.73), NOT+h (857.	(0, 52) TOTAL ACRES OF SITE TO REVIEW:	
CURRENT ZONING: IS A REZONING OF THIS PARCEL BEIL	NG REQUESTED? (2) N REQUESTED ZONING;	
PROJECT DESCRIPTION: REZONING PROPERty to MORE accurately represent		
usage of land (parcel 1 \$ z)		

DAALT INCODAAATION

SPECIAL PERMIT INFORMATION		
	01	
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 PRINT PROPERTY OWNER'S NAME SIGNATURE OF PROPERTY O

12 15 2022 DATE

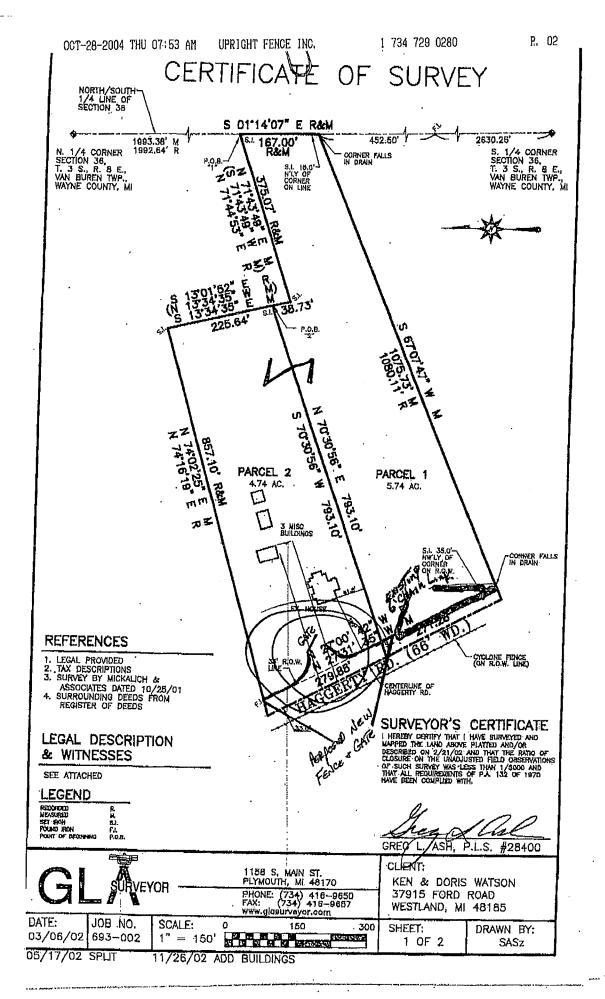
STATE OF MICHIGAN COUNTY OF WAYNE

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

Subscribed and sworn before me this_____day of_____20___.

_Notary Public,_____County, Michigan

My Commission expires_____, 20_____.



Dear Van Buren Township Planning Commission,

I am writing this letter to state my intent to rezone the property located at 16355 Haggerty Rd from single family residential to residential agricultural. Throughout this letter I will provide context to justify my request and provide insight as to why agricultural zoning better encapsulates the use case of my land.

I purchased this property In December 2021 and have been making it my home ever since. In the past year I have started many agricultural projects, including but not limited to starting a fruit tree orchard, starting a large vegetable garden, milling lumber from the available hardwoods, and tending to my flock of 30 chickens.

Over five acres of my property is grass that receives full sunlight. In the spring of 2022 I noticed that this large fertile part of the property is not being utilized to its full potential. I started 50 apple trees from cuttings, started 30 from seeds, and purchased 10 trees online. Many of these trees are still over wintering in the greenhouse I built for them in my basement. After the last hard frost of the year I will plant them along the fertile stretch of land that gets full sunlight throughout the spring, summer and fall. In the future I will sell the proceeds of these fruit bearing trees to local markets and consumers within my network.

The previous owners had horses which they kept in a large fenced in corral. At the moment I do not have livestock or horses so I turned this area into a large vegetable garden. The proceeds from last year's harvest went directly to feeding my family and I. The surplus of produce that could not be consumed, stored or preserved, went to help the people less fortunate in our community. Last year a great deal of produce went directly to the underserved communities outside of Detroit.

Many of the crops I grow need to be cross pollinated in order to produce fruit. For this reason, among others, I have a Honeybee colony that is currently roughly 8,000 strong. My bees benefit both commercial and residential farmers in the area as they travel multiple miles every day pollinating crops. Additionally, the honey the bees produce will be sold at farmers markets across Southeast Michigan during the fall.

Upon exploring the wooded areas on my property, I noticed that there are many hardwood trees around. I decided to make use of this resource by cutting them down and milling them into lumber on my sawmill. I have since sold over 1000 board feet of the lumber. The hardwoods include Black Walnut, Black Cherry, Red Oak, Spruce, Red Pine, and Sugar Maple. In addition to the resale value of the wood, I have used it around the property to build and repair parts of my outbuildings. A positive externality of harvesting the timber is that for every one tree I take down, I source and plant three trees to replace the one taken. This ensures the sustainability of timber as a resource. Lastly, I built a large chicken coop that currently houses 30 chickens. In the past year the chickens have increased the sustainability of our homestead by providing eggs as a food source, and manure as a fertilizer source for our large organic vegetable garden. Depending on the time of year, we can usually expect about one egg per chicken per day. This results in more eggs than we can consume. With the surplus of eggs, we typically sell them or donate them.

This past year through making these changes I have come to the conclusion that my land would be better suited as a residential agricultural zoned property. The activities performed on the property more accurately align with those of an agricultural background, and I would like the zoning of my land to reflect that. I have endless ideas of how to best use this land and I cannot wait to continue to use it to the best of my ability. Thank you for your time and consideration, I hope you find yourself in agreement with my proposal.

Sincerely,

Cameron Smyth 1-734-748-4953 smythsca@gmail.com

Property:

16355 Haggerty Rd Van Buren TWP, MI, 48111

Section 3.109 AG, Agricultural and Estate District

(A) STATEMENT OF PURPOSE

Areas in the Agricultural and Estates District are intended primarily to accommodate agricultural uses and residential development at a low density for residents who prefer exurban, estate living and are willing to assume the costs and effort of providing many of their own services and amenities. The standards in this district are intended to assure that the agricultural and residential uses are harmonious with each other. It is intended that developments in this district be designed to preserve significant natural features. Preservation of agriculture, open space, protection of flood prone areas, protection of wooded areas, and preservation of other natural features is encouraged.

(B) PERMITTED USES	(C) SPECIAL LAND USES
Single-family detached dwelling	 Kennels and Raising of Fur Bearing Animals
Single-family farm dwellings related to agricultural	• Day Care, Group Home
operations	 Mining, excavating, or other removal of sand, earth,
 Commercial agriculture buildings and greenhouses 	minerals, or other materials naturally found in the
 Commercial agriculture operations 	earth
 Keeping of Pets and Livestock 	 Agricultural Retail Sales
Truck gardening	Golf Courses
 Greenhouses and Nurseries 	 Outdoor Recreation, Golf Driving Ranges
 Public and private stables, and riding academies 	 Outdoor Recreation, Private Parks
 Veterinary/Animal Clinics and Hospitals 	Country Clubs
 Swimming pools, private 	 Outdoor Recreation, Gun Clubs
Cemeteries	 Religious institutions
 Temporary Produce Sales Building 	Child Care Centers
Family day care home	 Adult day care centers
 Adult foster care, family home 	 Planned Residential Developments
Home Occupations	 Public utility buildings, telephone exchange buildings,
Accessory structures and uses customarily incidental	electric transformer stations and substations and gas
to the above permitted uses	regulator stations but not including storage yards,
	when necessary to serve the immediate vicinity.
	Wireless Communication Facilities

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to <u>Section 3.104</u> (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in <u>Section 3.104</u> (including footnotes), then <u>Section 3.104</u> shall prevail. Refer to <u>Article 2</u> for definitions of uses and refer to <u>Article 5</u> for development standards for specific uses.

(D) DIMENSION REGULATIONS			
Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	43,560	Front Yard	50
Min. Lot Width (ft.)	150	Side Yard (one)	10
Min. Lot Depth (ft.)	<u>(C)</u>	Side Yard (total of 2)	25
Max. Lot Coverage (%)	15	Rear Yard	35
Min. Floor Area/Unit (ft.)	2,000 <u>(B)</u>		
Max. Building Height (ft.)	30		
Max. Building Height (stories)	2		
Footnotes: Refer to Section 4.102 whe	rever a footnote is refe	renced in parentheses after one of the	e desian reaulations.

Charter Township of Van Buren Zoning Ordinance

CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on June 14, 2023 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. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following items:

<u>Case 23-021:</u> Donyeal Sizemore – Group Day Care Home – Special Land Use Review. A request by Donyeal Sizemore to change an existing Day Care, Family Home to a Day Care, Group Home as defined in Section 2.102(A)(60)(b) of the Van Buren Township Zoning Ordinance. The parcel is zoned R-1A – Single Family Residential. Day Care, Group Home is a Special Land Use in the R-1A (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 site is located at 42127 Salem Court (parcel ID # 83 101 04 0071 000), on Salem Court between Camden Road and Milton Drive.

<u>Case 22-058:</u> Cameron Smyth –16355 Haggerty Road – Rezoning Request. A request by owner Cameron Smyth to rezone 16355 Haggerty Road (described as Parcel ID# 83-142-99-0001-000), from R-1B – Single Family Residential District to AG – Agricultural and Estates. The parcel is located on the east side of Haggerty Road between Riggs Road and Savage Road.

<u>Case 23-021:</u> Robert Sloan Van Born Road – Rezoning Request. A request by Mark Drane on behalf of owner Robert Sloan to rezone the parcel described as Parcel ID # V-125-83-009-99-0002-000 from M-1 – Light Industrial to M-2 – General Industrial. The parcel is 24.48 acres in area. The parcel is located on the north side of Van Born Road east of Sheldon Road.

Zoning Ordinance Text Amendments – Detached Single Family Residential Dwelling Height Regulations. Proposed amendments that will modify the maximum allowable height for detached single family dwellings to allow all detached single-family dwellings to be 2.5 stories in height or 35 feet in height. The amendments will include updates to Sections 3.106 (R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts), 3.107 (RM, Multiple Dwelling Residential District), 3.109 (AG, Agricultural and Estate District), and 4.102 (Schedule of Regulations).

Materials for this meeting will be posted to <u>www.vanburen-mi.org</u>\Government\Agendas & Minutes\Planning Commission by no later than **June 12th**, **2023.** 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. A complete procedure for public comment by electronic means is provided on a guide which is accessible on the Van Buren Township website (<u>www.vanburen-mi.org</u>). 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 <u>dpower@vanburen-mi.org</u>. 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: May 22, 2023 Published: May 25, 2023

T:\Development\Planning\PROJECTS\Projects 2022\22-058 - 16355 Haggerty Rezoning\Communication\Notice\6-14-23 PH Notice_(Case22-058)_Case 23-021_Case 23-023_Res Height Zord_VBT PC_.docx



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: 23-021 DATE SUBMITTED: April 24, 2023

APPLICANT INFORMATION

NAME: Mark Drane	PHONE: 248-540-7700
ADDRESS: 20700 Civic Center Drive - Suite 170	CELL PHONE: 248-797-6681
CITY, STATE & ZIP Southfield Michigan 4026 48076	FAX: N/A
EMAIL:	

PROPERTY OWNER INFORMATION (If different than the applicant)

NAME: Robert Sloan	PHONE: N/A	
ADDRESS: 411 South Old Woodward	CELL PHONE: 248-310-3773	
CITY, STATE & ZIP Birmingham Michigan 48009	FAX: N/A	
EMAIL: ROBERT5342@AOL.COM		

BILLING CONTACT

NAME: Robert Sloan	PHONE: N/A	
ADDRESS: 411 South Old Woodward	CEU PHONE: 248-310-3773	
CITY, STATE & ZIP Birmingham Michigan 48009	FAX: N/A	
EMAIL: ROBERT5342@AOL.COM		

SITE/PROJECT INFORMATION

NAME OF PROJECT: Sloan Property Rezoning			
PARCEL ID NO: V125-83- 009-99-0002-000		PROJECT ADDRESS: 44000 Van Born Road	
* APPLICANT MUST ATTACH LEGAL D	ESCRIPTION OF PROPERTY		and the second
PROPERTY LOCATION: On the <u>North</u> Side of <u>Van Born</u> Road; Between <u>Sheldon</u> Road and <u>Morton Taylor</u> Road.			
SIZE OF LOT WIDTH: 1,3645.0'	SIZE OF LOT DEPTH: 780.0'	ACREAGE OF SITE: 24.48	TOTAL ACRES OF SITE TO REVIEW: 24.48
CURRENT ZONING: M-1	IS A REZONING OF THIS PARCEL BEING REQUESTED? Y / N YES REQUESTED ZONING: M-2		
PROJECT DESCRIPTION:			
Rezoning request from M-1 to M-2			

SPECIAL PERMIT INFORMATION

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N NO		
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

Robert Sloan

PRINT PROPERTY OWNER'S NAME

SIGNATURE OF PROPERTY OWNER

STATE OF MICHIGAN COUNTY OF WAYNE

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

Subscribed and sworn before me this 20th day of <u>April</u> 202? <u>KRISTEN RONDEAU</u> Notary Public, <u>Dakland</u> County, Michigan My Commission expires <u>414</u>, 20<u>28</u>. <u>KRISTEN RONDEAU</u> Notary Public, State of Michigan County of Oakland My Commission Expires Apr. 04, 2028 Acting in the County of <u>Uakland</u>

OB

MCKENNA



June 7, 2023

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

Subject: VBT-23-021: Sloan Property Rezoning / Rezoning Review Application Dated April 24, 2023

Dear Commissioners:

We have reviewed an application from Mark Drane on behalf of Robert Sloan, owner of Parcel V125-83-009-99-0002-000, which is located on the north side of Van Born Road, just south of Canton Township, between Sheldon Road and Morton Taylor Road. The applicant proposes to rezone the parcel from its current zoning classification of M-1, Light Industrial to M-2, General Industrial. The parcel is approximately 24.4 acres.



Figure 1: Site Location (Google Maps)

HEADQUARTERS

235 East Main Street Suite 105 Northville, Michigan 48167 O 248.596.0920 F 248.596.0930 MCKA.COM



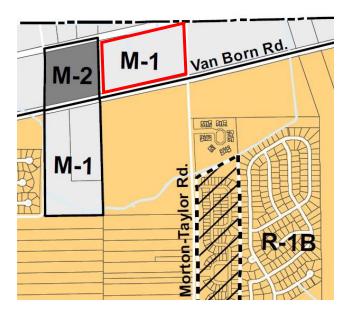
The Master Plan was originally adopted in 1989 and amended in 1999 (Single Family Residential Plan), 2000 (Ecorse-Haggerty Corridor Plan), 2001 (Grace Lake Area Plan), 2007 (South Side Master Plan), 2010 (Belleville Road District Plan). In 2020, the Master Plan received a complete revision, coordinating 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). <u>Our comments on and analysis of this request follow.</u>

EXISTING CONDITIONS

	Existing Land Use	Current Zoning	Future Land Use		
Subject Site	Vacant/Undeveloped	M-1, Light Industrial	Heavy Industrial		
North*	Rail Line, Light Industrial / Manufacturing	M-1, Light Industrial	Heavy Industrial		
South	Vacant/Undeveloped	R-1B, Single-Family Residential	Light Industrial		
East	Vacant/Undeveloped	M-1, Light Industrial	Heavy Industrial		
West	Vacant – Industrial Development Under Site Plan Review	M-2, General Industrial	Heavy Industrial		

*Primarily Canton Twp. Land to the north



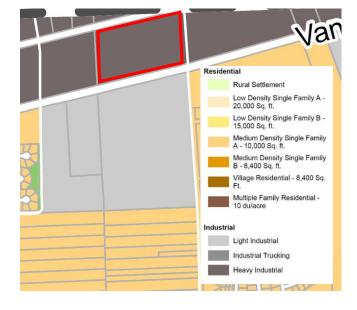
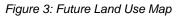


Figure 2: Zoning Map





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.

(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 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).

Per the Master Plan, the future land use for this parcel is Heavy Industrial, which is intended "for industrial uses of a higher intensity, for areas that take advantage of railroad and major thoroughfare access, and are generally buffered by light industrial uses. The uses most appropriate in this district are sites where raw and semi-finished materials are fabricated, manufactured, and warehoused."

The site is adjacent to the railroad and buffered by other industrial uses. Rezoning of this parcel from Light Industrial to General Industrial, a more intensive zone, is thus supported by the Master Plan, and is in line with recent development trends in this area of the Township.

(B) 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.

Per the Zoning Ordinance, the intent of the M-2 zoning district is *"to provide suitable locations for manufacturing, assembling and fabricating uses, including large-scale or specialized industrial operations requiring good access by road and/or railroad and public and utility services."* There is currently no conceptual development plan for the site as of this writing; any future proposals will be reviewed against the intent and purpose and permitted uses suitable to the rezoned parcel.

(C) 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 have a development plan at this time; therefore, the volume of traffic generated by a future use on the site cannot be quantified at this time. Future traffic impact analysis will be required, and additional improvements required as necessary, as part of the site plan review process for any new development. The applicant's proposal to rezone the parcels is not an approval of any use of the site.

(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 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.

(E) 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 heavier industrial uses.

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

In general, exclusionary zoning is a prohibition of a particular land use when there is a demonstrated need for the use in the community. Rezoning of the parcel would not prohibit any type of land use that may have occurred on the site otherwise.

(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 does not contain any regulated wetlands but does contain vegetation throughout and wetland soils along its edges. The Yost Drain runs across the northern edge of the parcel and then cuts through the parcel at about one third of its width. The drain continues across Van Born and into the southern parcels. Future development proposals will need to account for this drain in close cooperation with Wayne County. The applicant letter dated 4/18/2023 states that "permitted uses are compatible with the sites physical, geological, hydrological and environmental features".

(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.

PERMITTED USES	SPECIAL LAND USES
 All Permitted Uses in the M-1, Light Industrial District Manufacturing and Processing (Heavy) Truck and Railroad Terminals Accessory structures and uses customarily incidental to the above permitted uses 	 Outdoor storage of Building or Contracting Equipment and Supplies Drive-In Theaters Mining, excavating, or other removal of sand, earth, minerals, or other materials naturally found in the earth Air Freight Forwarders Junk Yards Recreational Vehicle Storage Yards Truck Repair and Maintenance Facility, Minor Truck Repair and Maintenance Facility, Major Accessory Caretaker Dwelling Regulated Uses (Sexually Oriented Businesses)

The permitted uses and special land uses of the M-2 zoning district are listed in the following table:



The M-2 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. While there are some residential developments in the area, none are adjacent to the site in question. Potential negative impacts related to future development will be discussed and mitigated during site plan review.

(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 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.

(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.

Based on the Master Plan and the site's location to another M-2 parcel, the proposed M-2 rezoning of the subject site would be most appropriate to form a contiguous zoning district that aligns more closely with the future land uses planned for this area north of Van Born.

(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 of the land will provide consistency with the Master Plan and create a clear delineation between the more intensive industrial land uses planned for the north side of Van Born and the less intensive industrial and residential uses that are planned for or already exist south of Van Born. Therefore, rezoning the land to M-2 is more appropriate than amending the list of permitted or special land uses in the current M-1 zoning district.

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

Rezoning will help create a continuous heavy-industrial zoned area and will not create an isolated or incompatible zone.

RECOMMENDATION

At this time, the application to rezone the subject site from M-1 to M-2 meets the 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-2 zoning designation is consistent with the heavy 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 parcel has 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 expansion 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 wetland soils and a County drain. The applicant is responsible for mitigation of any adverse impacts of any future development and coordinate with Wayne County; these items will be further investigated during the site plan review process.
- 8. Section 12.504 (H). The uses permitted by right and special land use in the proposed M-2 zoning district are not likely to be significantly more or less consistent than developing it under the current M-1 zoning.
- 9. Section 12.054(I). If rezoned, the site will be required to be developed in conformance to required standards for the M-2 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-2 designation is the most appropriate for the subject sites considering its present location.
- 11. Section 12.504 (K). Amending the existing M-1 district to allow for heavy industrial uses would be inappropriate.
- 12. Section 12.054(L). The proposed M-2 zoning of the subject parcels will be compatible with the zoning abutting its west side. 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.

64

Therefore, we recommend that the Planning Commission recommend to the Township Board of Trustees, approval of the requested amendment to the Zoning Map to rezone the subject parcel from M-1 to M-2 designation. The recommendation for approval is in no way a guarantee of the buildability of the parcel.

Respectfully McKENNA

Vidya Krishnan Senior Principal Planner

Gage Belko, AICP Associate Planner

CC: Dan Power, AICP, Director of Planning and Economic Development

CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on June 14, 2023 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. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following items:

<u>Case 23-023:</u> Donyeal Sizemore – Group Day Care Home – Special Land Use Review. A request by Donyeal Sizemore to change an existing Day Care, Family Home to a Day Care, Group Home as defined in Section 2.102(A)(60)(b) of the Van Buren Township Zoning Ordinance. The parcel is zoned R-1A – Single Family Residential. Day Care, Group Home is a Special Land Use in the R-1A (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 site is located at 42127 Salem Court (parcel ID # 83 101 04 0071 000), on Salem Court between Camden Road and Milton Drive.

<u>Case 22-058:</u> Cameron Smyth –16355 Haggerty Road – Rezoning Request. A request by owner Cameron Smyth to rezone 16355 Haggerty Road (described as Parcel ID# 83-142-99-0001-000), from R-1B – Single Family Residential District to AG – Agricultural and Estates. The parcel is located on the east side of Haggerty Road between Riggs Road and Savage Road.

<u>Case 23-021:</u> Robert Sloan Van Born Road – Rezoning Request. A request by Mark Drane on behalf of owner Robert Sloan to rezone the parcel described as Parcel ID # V-125-83-009-99-0002-000 from M-1 – Light Industrial to M-2 – General Industrial. The parcel is 24.48 acres in area. The parcel is located on the north side of Van Born Road east of Sheldon Road.

Zoning Ordinance Text Amendments – Detached Single Family Residential Dwelling Height Regulations. Proposed amendments that will modify the maximum allowable height for detached single family dwellings to allow all detached single-family dwellings to be 2.5 stories in height or 35 feet in height. The amendments will include updates to Sections 3.106 (R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts), 3.107 (RM, Multiple Dwelling Residential District), 3.109 (AG, Agricultural and Estate District), and 4.102 (Schedule of Regulations).

Materials for this meeting will be posted to <u>www.vanburen-mi.org</u>\Government\Agendas & Minutes\Planning Commission by no later than **June 12th**, **2023.** 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. A complete procedure for public comment by electronic means is provided on a guide which is accessible on the Van Buren Township website (<u>www.vanburen-mi.org</u>). 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 <u>dpower@vanburen-mi.org</u>. 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: May 22, 2023 Published: May 25, 2023

T:\Development\Planning\PROJECTS\Projects 2023\23-021 - 24-acre rezoning\Communication\6-14-23 PH Notice_Case22-058_(Case 23-021)_Case 23-023_Res Height Zord_VBT PC_.docx

MCKENNA



Memorandum

Planning Commission
Vidya Krishnan, Senior Principal Planner
Gage Belko, Associate Planner
Single-Family Detached Building Height Standards
May 1, 2023

SUMMARY

- Amendment to Section 3.106 R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts
- Amendment to Section 5.107 RM, Multiple Dwelling Residential District
- Amendment to Section 3.109 AG, Agricultural and Estate District
- Amendment to Section 4.102 Schedule of Regulations

Text derived from the Van Buren Township Zoning Ordinance is shown in black. Additions are shown in red, and omissions are shown in red, strikethrough italics.

PRECEDENT IMAGE

The following is a sketch of a 2.5-story home with a walkout basement. Basements are not considered a story provided at least one half of its floor-ceiling height is below the average finished grade. We have provided images of some 2.5 story dwellings as an addendum.



HEADQUARTERS

235 East Main Street Suite 105 Northville, Michigan 48167 O 248.596.0920 F 248.596.0930 MCKA.COM

Communities for real life.



PROPOSED CHANGES

Section 3.106 R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts

(D) Dimension Regulations

Lot Standards	R-1A	R-2A	R-1B	R-1C
Max. Building Height (ft.)	30 35	-30 35	-30 35	30 35
Max. Building Height (stories)	2 2.5	2 2.5	2 2.5	2 2.5

Section 3.107 RM, Multiple Dwelling Residential District

(E) Dimension Regulations

Lot and Dimensional Standards	Single-Family Detached in RM District		
Max. Building Height (ft.)	-30 35		
Max. Building Height (stories)	2 2.5		

Section 3.109 AG, Agricultural and Estate District

(E) Dimension Regulations

Lot Standards	
Max. Building Height (ft.)	-30 35
Max. Building Height (stories)	2 2.5

Section 4.102 Schedule of Regulations

Table 2. Schedule of Regulations

	Maximum Building Heigh			
Zoning District	Feet	Stories		
AG, Agricultural and Estates	-30 35	2 2.5		
R-1A, Single-Family Residential	-30 35	2 2.5		
R-1A, Single-Family Residential	-30 35	2 2.5		
R-1A, Single-Family Residential	-30 35	2 2.5		
R-1A, Single-Family Residential	-30 35	2 2.5		
RM Detached Single-Family Residential, Edge Dwelling	30 35	2 2.5 (Y)		
RM Detached Single-Family Residential, Interior Dwelling	30 35	<mark>2 2.5</mark> (Y), (Z), (AA)		

Should you have any questions, please do not hesitate to contact us. We will be present at the Planning Commission meeting to discuss the ordinance.

Attachment: 2.5 story dwelling images



Examples of 2.5 story tall single family dwellings with elevations





Source: America's Best House Plans



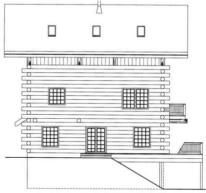
Source: America's Best House Plans



Source: America's Best House Plans

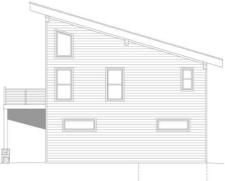




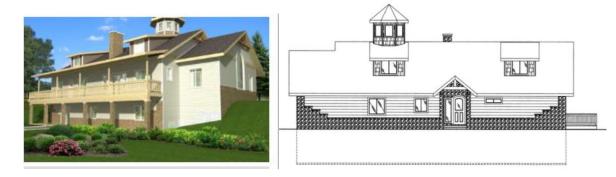


Source: America's Best House Plans





Source: America's Best House Plans



Source: America's Best House Plans







Source: Buy Home Designs



Source: The House Plan Company

MCKENNA



Memorandum

то:	Planning Commission
FROM:	Vidya Krishnan, Senior Principal Planner Gage Belko, AICP, Associate Planner
SUBJECT:	Single-Family, Detached Building Height Standards
DATE:	June 7, 2023

SUMMARY

- Amendment to Section 3.106 R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts
- Amendment to Section 5.107 RM, Multiple Dwelling Residential District
- Amendment to Section 3.109 AG, Agricultural and Estate District
- Amendment to Section 4.102 Schedule of Regulations

Text derived from the Van Buren Township Zoning Ordinance is shown in black. Additions are shown in red, and omissions are shown in red, strikethrough italics.

PRECEDENT IMAGE

The following is a sketch of a 2.5-story home with a walkout basement. Basements are not considered a story provided at least one half of its floor-ceiling height is below the average finished grade.



HEADQUARTERS

235 East Main Street Suite 105 Northville, Michigan 48167 O 248.596.0920 F 248.596.0930 MCKA.COM

Communities for real life.



PROPOSED CHANGES

SECTION 3.106 R-1A, R-2A, R-1B, AND R-1C, SINGLE FAMILY RESIDENTIAL DISTRICTS

(A) STATEMENT OF PURPOSE

The purpose of this Section is to provide districts for single-family dwellings and to prohibit business, commercial, industrial and any other use which would substantially interfere with development or continuation of single-family dwelling in these districts. This Section is further intended to discourage: (1) existing uses that would not be permitted as new uses under the provisions of this Ordinance; (2) uses which would generate traffic on minor or local streets in excess of normal traffic to serve residents thereon; and (3) uses which would require public services such as fire and police protection, water supply and sewerage, substantially in excess of requirements and costs if the district were developed solely for single-family dwellings.

(B) PERMITTED USES	(C) SPECIAL LAND USES
 Single-family detached dwellings Publicly-owned recreational facilities. Local governmental buildings and similar uses. School (Primary or Secondary) School (College or University, Public or Non-Profit) Private swimming pools Accessory building and uses Home occupations Adult foster care, family home Horses for personal non-commercial use Family day care home Accessory structures and uses customarily incidental to the above permitted uses 	 Child care centers Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations but not including storage yards, when necessary to serve the immediate vicinity. Country Club Golf courses Outdoor Recreation, Golf Driving Range Outdoor Recreation, Private Park Bed and breakfast operations A group day care Religious Institutions Adult day care centers Planned Residential Developments Wireless Communication Facilities

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to <u>Error! Reference</u> <u>source not found.</u> (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in <u>Error! Reference source not found.</u> (including footnotes), then <u>Error!</u> <u>Reference source not found.</u> shall prevail. Refer to <u>Error! Reference source not found.</u> for definitions of uses and refer to <u>Error!</u> <u>Reference source not found.</u> for definitions of uses and refer to <u>Error!</u> <u>Reference source not found.</u> for development standards for specific uses.

(D) DIMENSION REGULATIONS									
Lot Standards	R-1A	R-2A	R-1B	R-1C	Minimum Setbacks	R-1A	R-2A	R-1B	R-1C
Min. Lot Area (sq. ft.)	20,000	15,000	10,000	8,400	Front Yard	30	30	30	30
Min. Lot Width (ft.)	100	90	80	70	Side Yard (one)	10	10	10	10
Min. Lot Depth (ft.)		<u>Error!</u> <u>Referen</u> <u>ce</u> source	125	120	Side Yard (total of 2)	25	25	25	25



	<u>not</u> <u>found.</u>	<u>not</u> <u>found.</u>							
Max. Lot Coverage (%)	15	20	30	30	Rear Yard	35	35	35	35
Min. Floor Area/Unit (<mark>sq.</mark> ft).	,	1,800 <i>(B)</i>	1,500 <i>(B)</i>	1,500 <i>(B)</i>					
Max. Building Height (ft.)	30 35	30 35	30 35	30 35					
Max. Building Height (stories)	2 2.5	2 2.5	2 2.5	2 2.5					
Footnotes: Refer to <u>Error! Re</u> regulations.	eference so	ource not fo	und. wher	ever a foo	tnote is referenced in pa	arenthese	es after o	ne of the	e design

SECTION 3.107 RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT

(A) STATEMENT OF PURPOSE

The Multiple Dwelling Residential District is designed to permit an intensive residential use of land, including attached dwelling units on a single parcel. Multiple Dwelling areas shall be located near major thoroughfares for good accessibility and may be located between single-family residential areas and other non-residential uses. It is intended that various sizes of residential accommodations, of ownership and rental, shall be provided to meet the need of the community.

(B) PERMITTED USES	(C) SPECIAL LAND USES
 Dwelling, Single-Family Residential Attached Dwellings, Two-Family Swimming Pools, Private Clubhouse, Private Hospitals and nursing homes School (Primary or Secondary) School (College or University, Public or Non-Profit) Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations, but not including storage yards, when necessary to serve the immediate vicinity. Adult foster care, family home Family day care home. Accessory structures and uses customarily incidental to the above permitted uses 	 Dwelling, Multiple Family High Rise Adult foster care, small group Adult foster care, large group. Day Care, Group Home Apartment Houses Religious Institutions Child care center Adult day care center Wireless Communication Facilities

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to <u>Error! Reference</u> <u>source not found.</u> (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in <u>Error! Reference source not found.</u> (including footnotes), then <u>Error!</u> <u>Reference source not found.</u> shall prevail. Refer to <u>Error! Reference source not found.</u> for definitions of uses and refer to <u>Error!</u> <u>Reference source not found.</u> for definitions of uses and refer to <u>Error!</u> <u>Reference source not found.</u> for development standards for specific uses.



(D) REQUIRED CONDITIONS OF THE RM, MULTIPLE-FAMILY RESIDENTIAL DISTRICT

- Community garages are permitted, provided they serve the principal residential building, and they contain space for no more than two (2) passenger vehicles for each dwelling unit in the principal building on the lot.
- Maintenance and management buildings are permitted, provided they serve multiple dwellings.
- Accessory buildings and uses must be located on the same lot as the main use and shall not involving any business, profession, trade or occupation.

	(E) DIMENSION REGULATIONS								
Lot and Dimensional Standards	RM	Single-Family, Attached <u>Error!</u> <u>Reference source not</u> <u>found.</u>	Single-Family Detached in RM District	Apartments <u>Error!</u> <u>Reference source not</u> <u>found.</u>	Multi-Family High Rise <u>Error! Reference source</u> <u>not found.</u>				
Min. Lot Area (sq. ft.)	10 acres <u>Error!</u> <u>Refere</u> <u>nce</u> <u>source</u> <u>not</u> <u>found.</u>	4,200 (up to 1 bedroom) <u>Error! Reference source</u> <u>not found.</u> 5,000 (2 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 6,200 (3+ bedrooms) <u>Error! Reference source</u> <u>not found.</u>	Edge – 7,200 Interior – 6,300	2,800 (up to 1 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 3,500 (2 bedroom) <u>Error! Reference source</u> <u>not found.</u> 4,800 (3+ bedrooms) <u>Error! Reference source</u> <u>not found.</u>	<u>Error! Reference source</u> <u>not found.</u>				
Min. Lot Width (ft.)	400	<u>Error! Reference source</u> <u>not found.</u>	Edge 60'/Interior-45'	Error! Reference source not found.	Error! Reference source not found.				
Min. Lot Depth (ft.)		Error! Reference source not found.	<u>(C)</u>	Error! Reference source not found.	Error! Reference source not found.				
Max. Lot Coverage (%)	30		30		15				
Min. Floor Area/Unit (ft.)		500 (efficiency) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 700 (1 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u>	Edge – 1,250 (Y) Interior – 1,000 (Y), (Z), (AA)	500 (efficiency) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 700 (1 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u>	500 (efficiency) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 700 (1 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u>				
		900 (2 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 1,100 (3+ bedrooms) <u>Error! Reference source</u> <u>not found., Error!</u>		900 (2 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 1,100 (3+ bedrooms) <u>Error! Reference source</u> <u>not found., Error!</u>	900 (2 bedroom) <u>Error!</u> <u>Reference source not</u> <u>found.</u> 1,100 (3+ bedrooms) <u>Error! Reference source</u> <u>not found., Error!</u>				



		<u>Reference source not</u> <u>found.</u>		<u>Reference source not</u> <u>found.</u>	<u>Reference source not</u> <u>found.</u>
Max. Building Height (ft.)	30		30 35		150
Max. Bldg. Height (stories)			2 2.5		15
Min. Front Yard Setback		<u>Error! Reference source</u> <u>not found.</u>	<u>30</u>	<u>Error! Reference source</u> <u>not found.</u>	75 <u>Error! Reference source</u> <u>not found., Error!</u> <u>Reference source not</u> <u>found.</u>
Min. Side Yard (one) Setback		<u>Error! Reference source</u> <u>not found.</u>	<u>Edge 10'/Interior – 5'</u>	<u>Error! Reference source</u> <u>not found.</u>	50 <u>Error! Reference source</u> <u>not found., Error!</u> <u>Reference source not</u> <u>found.</u>
Min. Side Yard (total of 2) Setback	40 <u>Error!</u> <u>Refere</u> <u>nce</u> <u>source</u> <u>not</u> <u>found.</u>	<u>Error! Reference source</u> <u>not found.</u>	<u>Edge 20'/Interior – 15'</u>	<u>Error! Reference source</u> <u>not found.</u>	110 <u>Error! Reference</u> <u>source not found., Error!</u> <u>Reference source not</u> <u>found.</u>
Min. Rear Yard Setback	35	<u>Error! Reference source</u> <u>not found.</u>	<u>Edge 35'/Interior – 25'</u>	<u>Error! Reference source</u> <u>not found.</u>	50 <u>Error! Reference source</u> <u>not found., Error!</u> <u>Reference source not</u> <u>found.</u>
		notes: Refer to <u>Error! Refer</u> t one of the design regulation		erever a footnote is refere	enced in parentheses

Section 3.109 AG, Agricultural and Estate District

(A) STATEMENT OF PURPOSE

Areas in the Agricultural and Estates District are intended primarily to accommodate agricultural uses and residential development at a low density for residents who prefer exurban, estate living and are willing to assume the costs and effort of providing many of their own services and amenities. The standards in this district are intended to assure that the agricultural and residential uses are harmonious with each other. It is intended that developments in this district be designed to preserve significant natural features. Preservation of agriculture, open space, protection of flood prone areas, protection of wooded areas, and preservation of other natural features is encouraged.

(B) PERMITTED USES

(C) SPECIAL LAND USES



- Single-family detached dwelling
- Single-family farm dwellings related to agricultural operations
- Commercial agriculture buildings and greenhouses
- Commercial agriculture operations
- Keeping of Pets and Livestock
- Truck gardening
- Greenhouses and Nurseries
- Public and private stables, and riding academies
- Veterinary/Animal Clinics and Hospitals
- Swimming pools, private
- Cemeteries
- Temporary Produce Sales Building
- Family day care home
- Adult foster care, family home
- Home Occupations
- Accessory structures and uses customarily incidental to the above permitted uses

- Kennels and Raising of Fur Bearing Animals
- Day Care, Group Home
- Mining, excavating, or other removal of sand, earth, minerals, or other materials naturally found in the earth
- Agricultural Retail Sales
- Golf Courses
- Outdoor Recreation, Golf Driving Ranges
- Outdoor Recreation, Private Parks
- Country Clubs
- Outdoor Recreation, Gun Clubs
- Religious institutions
- Child Care Centers
- Adult day care centers
- Planned Residential Developments
- Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations but not including storage yards, when necessary to serve the immediate vicinity.
- Wireless Communication Facilities

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to <u>Error! Reference source not</u> <u>found.</u> (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in <u>Error! Reference source not found.</u> (including footnotes), then <u>Error! Reference source not found.</u> shall prevail. Refer to <u>Error! Reference source not found.</u> for definitions of uses and refer to <u>Error! Reference source not found.</u> for development standards for specific uses.

(D) DIMENSION REGULATIONS							
Lot Standards		Minimum Setbacks					
Min. Lot Area (sq. ft.)	43,560	Front Yard	50				
Min. Lot Width (ft.)	150	Side Yard (one)	10				
Min. Lot Depth (ft.)	Error! Reference source	Side Yard (total of 2)	25				
	<u>not found.</u>						
Max. Lot Coverage (%)	15	Rear Yard	35				
Min. Floor Area/Unit (ft.)	2,000 Error! Reference						
	source not found.						
Max. Building Height (ft.)	30 35						
Max. Building Height (stories)	2 2.5						

Footnotes: Refer to <u>Error! Reference source not found.</u> wherever a footnote is referenced in parentheses after one of the design regulations.

Section 4.102 Schedule of Regulations

Unless otherwise provided in this Ordinance, area, height and placement regulations under this Ordinance shall be in accordance with the Schedule of Regulations in <u>Table 1</u> and footnotes thereto, which schedule and footnotes hereby made a part of this <u>Error! Reference source not found.</u>.

Table 1. Schedule of Regulations

Schedule of Regulations



	Lot Area	a, Lot Covera Unit	ge, and D Standards		isiness	Minimum Yard Setbacks					Maximum Building Height	
Zoning District	Minimum Lot Area (sq. ft.)	Minimum Floor Area Per Dwelling Unit (sq. ft.)	Minimum Lot Width (ft.)	-	Maximu m Lot Coverag e (%)	Front (ft.)	Side (ft.)	Total of 2 Sides (ft.)	Rear (ft.)	Feet	Stories	
AG, Agricultural and Estates	43,560	2,000 <u>Error!</u> <u>Reference</u> <u>source not</u> <u>found.</u>	150	<u>Error!</u> <u>Reference</u> <u>source</u> not found.	15	50	10	25	35	30 35	2 2.5	
R-1A, Single-Family Residential	20,000	1,800 <mark>Error!</mark> Reference source not found.	100	<u>Error!</u> <u>Reference</u> <u>source</u> not found.	15	30	10	25	35	30 35	2 2.5	
R-2A, Single-Family Residential	15,000	1,800 <u>Error!</u> <u>Reference</u> source not found.	90	<u>Error!</u> <u>Reference</u> <u>source</u> not found.	20	30	10	25	35	30 35	2 2.5	
R-1B, Single-Family Residential	10,000	1,500 <u>Error!</u> <u>Reference</u> source not <u>found.</u>	80	125	30	30	10	25	35	30 35	2 2.5	
R-1C, Single-Family Residential	8,400	1,250 <u>Errorl</u> <u>Reference</u> source not <u>found.</u>	70	120	30	30	10	25	35	30 35	2 2.5	
RM, Multiple Family Residential	10 acres <u>Error!</u> Reference source not found.	See below	400		30	35	20 <u>Error!</u> <u>Reference</u> <u>source</u> not found.	40 <u>Error!</u> <u>Reference</u> <u>source</u> not found.	35	30 35	<mark>22.5</mark> (Y)	
RM Detached Single-Family Residential, Edge Dwelling	7,200	1,250	60'	(C)	30	30	10	20	35	30 35	<mark>2 2.5</mark> (Y), (Z), (AA)	
RM Detached Single-Family Residential, Interior Dwelling	6,300	1,000	45	(C)	30	30	5	15	25	30 35	2 2.5	
RM Attached Single-Family: Efficiency Units	4,200 <u>Error!</u>	500 <u>Error!</u> <u>Reference</u>	<u>Error!</u> Reference				<u>Error!</u> Reference			30	2.5	
One Bedroom Units <u>Error!</u> Reference source not found.	Reference source not	<u>source not</u> found.	<u>source</u> not found.	<u>source</u> not found.		<u>source</u> not found.	<u>source</u> not found.	<u>source</u> not found.	<u>e source</u> <u>not</u>	30 30	2.5 2.5	
Two Bedroom Units <u>Error!</u> <u>Reference source not found.</u> Three or More Bedroom Units <u>Error! Reference source not</u> found.	<u>found.</u> 4,200 <u>Error!</u> <u>Reference</u>	700 <u>Errorl</u> <u>Reference</u> <u>source not</u> <u>found.</u>	<u>Error!</u> <u>Reference</u> <u>source</u> not found.	<u>Error!</u> <u>Reference</u> <u>source</u> not found.		source	<u>Error!</u> <u>Reference</u> <u>source</u> not found.	source	<u>found.</u> <u>Error!</u> <u>Referenc</u> <u>e source</u>	30	2.5	



	source not found. 5,000 Error! Reference source not found. 6,200 Error! Reference source not found.	900 <u>Error!</u> <u>Reference</u> <u>source not</u> found. 1,100 <u>Error!</u> <u>Reference</u> <u>source not</u> <u>found.</u> <u>Error!</u> <u>Reference</u> <u>source not</u> <u>found.</u>	<u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u>	<u>Error!</u> <u>Reference</u> <u>source</u>		<u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u>	<u>Error!</u> <u>Reference</u> <u>source</u> <u>not found.</u> <u>Error!</u> <u>Reference</u> <u>source</u> not found.	<u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u>	<u>not</u> found. <u>Error!</u> <u>Referencc</u> <u>e source</u> <u>not</u> found. <u>Error!</u> <u>Referencc</u> <u>e source</u> <u>not</u> found.		
RM Apartments: Efficiency Units One Bedroom Units <u>Error!</u> <u>Reference source not found.</u> Two Bedroom Units <u>Error!</u> <u>Reference source not found.</u> Three or More Bedroom Units <u>Error! Reference source not</u> <u>found.</u>	2,800 <u>Errorl</u> <u>Reference</u> <u>source not</u> <u>found.</u> 2,800 <u>Errorl</u> <u>Reference</u> <u>source not</u> <u>found.</u> 3,500 <u>Errorl</u> <u>Reference</u> <u>source not</u> <u>found.</u> 4,800 <u>Errorl</u>	500 Error! Reference source not found. 700 Error! Reference source not found. 900 Error! Reference source not found. 1,100 Error! Reference source not found., Error! Reference	<u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u>	source not found. <u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> <u>source</u> <u>source</u>	 	<u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> <u>not found.</u> <u>Error!</u> <u>Reference</u> <u>source</u>	Error! Reference source not found. Error! Reference source not found. Error! Reference source not found. Error! Reference source not found.	source not found. <u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u>	<u>e source</u> <u>not</u> <u>found.</u> <u>Error!</u> <u>Referenc</u> <u>e source</u> <u>not</u> <u>found.</u> <u>Error!</u>	30 30 30 30	2.5 2.5 2.5 2.5
RM Multiple-Family High Rise: Efficiency Units One Bedroom Units Error! Reference source not found. Two Bedroom Units Error! Reference source not found. Three or More Bedroom Units Error! Error! Reference source not found. Three or More Bedroom Units Error! Found.	Error! Reference source not found. Error! Reference source not found. Error! Reference source not found. Error! Reference source not found. Error! Reference source not found.	<u>source not</u> <u>found.</u> 500 <u>Error!</u> <u>Reference</u> source not	<u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> <u>source</u>	<u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u> not found. <u>Error!</u> <u>Reference</u> <u>source</u>	15 15 15 15	Reference source <u>not</u> found.,Err <u>or!</u> Reference source not found. 75 <u>Error!</u> Reference <u>source</u> <u>not</u> found.,Err <u>or!</u>	<u>source</u> <u>not</u> found.,Err or! Reference <u>source</u> not found. 50 <u>Error!</u>	150 <u>Error!</u> <u>Reference</u> <u>source</u> <u>not</u> found.,Err <u>or!</u> <u>Reference</u> <u>source</u> <u>not</u> <u>found.,Err</u> <u>or!</u> <u>Reference</u> <u>source</u> <u>not</u> <u>found.,Err</u> <u>or!</u>	e source not found. 50 Error! Referenc e source not found.,E rror! Referenc e source not found. 50 Error! Referenc e source not found.	150 150 150	15 15 15 15



		1								
		<u>Reference</u>			source	source		<u>Referenc</u>		
		source not			not found.	not found.	not found.	<u>e source</u>		
		<u>found.</u>			75 Error	50 <u>Error!</u>	150	<u>not</u>		
					Reference	Reference		found.		
					source	source	Reference	50		
					not	not	source	Error!		
					found.,Err	found.,Err	not	Referenc		
					<u>or!</u>	<u>or!</u>	found.,Err	<u>e source</u>		
						Reference		<u>not</u>		
					source	source	<u>Reference</u>			
					not found.	not found.		rror!		
					75 Errorl	50 <u>Error!</u>	not found.			
						Reference	150	<u>e source</u> <u>not</u>		
					source	source	Error!	found.		
					not	not	Reference	<u>Jouna.</u>		
						found.,Err	source	50		
					or!	or!	not	Error!		
					Reference	Reference				
					<u>source</u>	<u>source</u>	<u>or!</u>	<u>e source</u>		
					not found.	not found.		<u>not</u>		
							source	<u>found.,E</u>		
							<u>not found.</u>	<u>rror!</u> Referenc		
								e source		
								not		
								found.		
								1		
RMH, Mobile Home Park	5,550	720	55	 50		25 <u>Error!</u>		35	30	2
						<u>Reference</u>				
					source	source		<u>Referenc</u>		
					not found.	<u>not found.</u>	not found.	<u>e source</u>		
								<u>not</u> found.		
								<u>Jouna.</u>		
C, Local Business				 	75 Error!	15 Error!	15 Error!	25	40	4
					Reference	Reference	Reference			
					<u>source</u>	<u>source</u>	<u>source</u>			
					not found.		not found.			
						<u>found.,Err</u>				
						<u>or!</u>				
						<u>Reference</u>				
						<u>source</u> not found.				
						not jounu.				
C-1, General Business				 	75 Error!	15 <u>Error!</u>	15 Error!	25	40	4
						Reference				
					<u>source</u>	<u>source</u>	<u>source</u>			
					not found.		not found.			
						<u>found.,Err</u>				
						<u>or!</u>				
						<u>Reference</u>				
						<u>source</u> not found.				
							1			
C-2, Extensive Highway				 	35 <u>Error!</u>	25 <u>Error!</u>	50	20	40	4
Business					Reference	Reference				
					<u>source</u>	source				
					<u>not found.</u>	not found.				



OT, Office Technology Efference soure source soure source source source source soure source	3 <u>Error!</u> <u>Refere</u> <u>not</u> found.
OT, Office Technology Errari Source source foundErr foun	Error! Refere <u>nce</u> source <u>not</u>
OT, Office Technology Reference Reference Reference Strong 30 45 Source source not	Error! Refere <u>nce</u> source <u>not</u>
M-1, Light Industrial 35 60 Error! 80 40 30 2 M-2, General Industrial 35 60 Error! 50 Error! 100 50 60 2	Error! Refere <u>nce</u> source <u>not</u>
M-1, Light Industrial3560 Errorl rol act50 Errorl rol act8040302M-2, General Industrial3560 Errorl rol act50 Errorl rol act1005040M-2, General Industrial3560 Errorl rol act50 Errorl rol act1005040M-2, General Industrial3560 Errorl rol act50 Errorl rol act1005040M-2, General Industrial3560 Errorl rol act50 Errorl rol act1005040M-2, General Industrial3560 Errorl rol act50 Errorl rol act1005040Error act <br< th=""><th><u>Refere</u> <u>nce</u> <u>source</u> <u>not</u></th></br<>	<u>Refere</u> <u>nce</u> <u>source</u> <u>not</u>
M-1, Light Industrial 35 50 Errort orl orl orl source not foundErr orl orl orl source not foundErr orl orl orl orl orl source not foundErr orl orl orl source source not found. 80 40 30 2 M-1, Light Industrial 35 50 Errort founderr orl orl source not founderr orl orl source source not found. 80 40 30 2 M-2, General Industrial 35 60 Errort foundorl found. 50 Errort found. 100 50 40 M-2, General Industrial 35 60 Errort foundorl found. 50 Errort found. 100 50 40 M-2, General Industrial 35 60 Errort foundorl found. 100 50 40	<u>nce</u> <u>source</u> <u>not</u>
M-1, Light Industrial3550 Error! foundErr ort not not not not not not not not not not not not not not not not not not not foundErr foundErr foundErr not not not not not not not not not not not not foundErr not not not not foundErr not not foundErr not not not not foundErr not not foundErr not not foundErr not not foundErr not not foundErr not not foundErr not not founderr not not found.so not e source e source not found.so found.so found.so found.M-1, Light Industrial3550 Error! foundnot found.804030 found.2 in <th><u>source</u> <u>not</u></th>	<u>source</u> <u>not</u>
M-1, Light Industrial3550Errort Found., Err ort not found. not found.8040302M-2, General Industrial3560Errort Reference source not found. not found.8040302M-2, General Industrial3560Errort Reference source source not found. not found.1005040M-2, General Industrial3560Errort source source not found.1005040Error Er	<u>not</u>
M-1, Light Industrial3560 Errort Reference source not found. not found.8040302M-2, General Industrial3560 Errort Reference source not found. not found.1005040M-2, General Industrial3560 Errort Reference source source not found. not found.1005040M-2, General Industrial3560 Errort Reference source not found.1005040Error Reference source not found3560 Errort Reference source not found.1005040Error Reference Reference source not found3560 Errort Reference source not found.5040Error Reference Source source not found3560 Errort Reference Reference Reference Reference Reference Source not found.5040	
M-1, Light Industrial 35 50 Errort found. not found. 80 40 30 2 M-2, General Industrial 35 60 Errort found. not found. 100 50 40 40 30 2 M-2, General Industrial 35 60 Errort source not found. 100 50 40 40 30 2 M-2, General Industrial 35 60 Errort source not found. 100 50 40	
M-1, Light Industrial 35 50 Error! Reference source not found. not found. 80 40 30 2 M-2, General Industrial 35 60 Error! Reference source source not found. 50 Error! Reference source source source not found. 100 50 40 30 2 M-2, General Industrial 35 60 Error! Reference source not found. 50 Error! Reference source source not found. 100 50 40 M-2, General Industrial 35 60 Error! Reference source not found. 50 Error! Reference source not found. 100 50 40 Reference source not found. 35 60 Error! Reference source not found. 100 50 40	
M-1, Light Industrial 35 50 Errort source not found. not found. 80 40 30 2 M-1, Light Industrial 35 50 Errort source not found. not found. 80 40 30 2 M-1, Light Industrial 35 50 Errort source not found. not found. 80 40 30 2 M-2, General Industrial 35 60 Errort source source not found. not found. 100 50 40 M-2, General Industrial 35 60 Errort source source not found. not found. 100 50 40 Error Errort source source not found. 35 60 Errort source source source source not found. not found. 100 50 40 Error Errort source sou	
M-1, Light Industrial 35 50 Error! 40 Error! 80 40 30 2 M-1, Light Industrial 35 50 Error! 40 Error! 80 40 30 2 M-1, Light Industrial 35 50 Error! 40 Error! 80 40 30 2 M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 Error 35 60 Error! 50 Error! 100 50 40 Error 35 60 Error! 50 Error! 100 50 40 Error 35 60 Error! 50 Error! 100 50 40 Error 35	
M-1, Light Industrial 35 50 Errort Reference source not found. not found. 80 40 30 2 M-1, Light Industrial 35 50 Errort Reference source not found. 40 Errort Reference source not found. 80 40 30 2 M-2, General Industrial 35 60 Errort Reference source not found. 50 Errort Reference source not found. 100 50 40 M-2, General Industrial 35 60 Errort Reference source not found. 100 50 40 Error Error Reference source 35 60 Errort Reference source not found. 100 50 40	
M-1, Light Industrial 35 50 Errort Reference source not found. 80 40 30 2 M-1, Light Industrial 35 50 Errort Reference source not found. 80 40 30 2 M-1, Light Industrial 35 50 Errort source not found. 80 40 30 2 M-2, General Industrial 35 60 Errort Reference source not found. 50 Errort d 100 50 40 M-2, General Industrial 35 60 Errort Reference source not found. 100 50 40 Error Error Error Error source not found. 35 60 Errort Reference source not found. 100 50 40	
M-1, Light Industrial 35 50 Error! Reference source not found. 80 40 30 2 M-1, Light Industrial 35 50 Error! Reference source not found. 40 Error! Reference source not found. 80 40 30 2 M-2, General Industrial 35 60 Error! Reference source not found. 50 40 60 M-2, General Industrial 35 60 Error! Reference source not found. 100 50 40 Kefe Reference source not found. 35 60 Error! Reference source not found. 100 50 40	
M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 Reference source not found. not found. M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 Reference source source not found. not found. Reference source source not found. Reference source s	
M-2, General Industrial3560 Error! Reference source Reference source Reference source Reference source not found.1005040M-2, General Industrial3560 Error! Reference source not found.1005040M-2, General Industrial3560 Error! Reference source not found.1005040Reference source not found3560 Error! Reference source source source not found.1005040Reference source source source source3560 Error! Reference source source source source source5040	2.5
M-2, General Industrial 35 60 Error! Reference Reference Source not found. 100 50 40 Error Error I not found. 35 60 Error! Reference Reference Source not found. 100 50 40 Error Error Error I not found. 35 60 Error! Reference Reference Source not found. 100 50 40 Error Error Error I not found. 35 60 Error! Reference Source Source not found. 100 50 40	Error!
M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 Reference source source not found. not found. 100 50 40 Reference source source source not found. 100 50 40 Reference source s	Refere
M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 Error I Reference Re	<u>nce</u> source
M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 Reference Reference	not
M-2, General Industrial 35 60 Error! 50 Error! 100 50 40 Reference Reference	found.
M-2, General Industrial 35 60 <u>Error!</u> 50 <u>Error!</u> 100 50 40 <u>Reference</u> <u>Reference</u> <u>Source</u> <u>1</u> <u>Reference</u> <u>Source</u> <u>1</u> <u>Reference</u> <u>Source</u> <u>1</u> <u>Reference</u> <u>50 Error</u> <u>1</u> <u>Reference</u> <u>50 Error</u> <u>50</u> <u>Error</u> <u>50</u> <u>50</u> <u>50</u> <u>50</u> <u>50</u> <u>50</u> <u>50</u> <u>50</u>	
M-2, General Industrial 35 60 <u>Error!</u> 50 <u>Error!</u> 100 50 40 <u>Reference</u> <u>source</u> <u>not found.</u> <u>not found.</u>	
M-2, General Industrial 35 60 <u>Error1</u> 50 <u>Error1</u> 100 50 40 <u>Reference</u> <u>source</u> <u>not found.</u> <u>not found.</u> <u>Reference</u> <u>source</u> <u>source</u> <u>not found.</u> <u>Reference</u> <u>source</u>	
Reference Reference Error Error source source 1 Reference not found.not found. Reference 1	
Reference Reference Error Error source source 1 Reference not found.not found. Reference 1	4
not found. not found. Refe	Error!
in the second	<u>Refere</u>
	<u>nce</u>
	source
	<u>not</u> found.
	<u>Jounu.</u>
foun	
MT, Industrial Transportation Error! 35 50 Error! 100 50 35	3
Reference Reference	5
source not source	
found. not found. not found.	
Error! <u>Reference</u> <u>source</u>	
<u>source</u> <u>source</u>	
not found.	

Should you have any questions, please do not hesitate to contact us. We will be present at the Planning Commission meeting to address any questions or concerns.

CHARTER TOWNSHIP OF VAN BUREN PLANNING COMMISSION NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on June 14, 2023 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. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following items:

<u>Case 23-023:</u> Donyeal Sizemore – Group Day Care Home – Special Land Use Review. A request by Donyeal Sizemore to change an existing Day Care, Family Home to a Day Care, Group Home as defined in Section 2.102(A)(60)(b) of the Van Buren Township Zoning Ordinance. The parcel is zoned R-1A – Single Family Residential. Day Care, Group Home is a Special Land Use in the R-1A (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 site is located at 42127 Salem Court (parcel ID # 83 101 04 0071 000), on Salem Court between Camden Road and Milton Drive.

<u>Case 22-058:</u> Cameron Smyth –16355 Haggerty Road – Rezoning Request. A request by owner Cameron Smyth to rezone 16355 Haggerty Road (described as Parcel ID# 83-142-99-0001-000), from R-1B – Single Family Residential District to AG – Agricultural and Estates. The parcel is located on the east side of Haggerty Road between Riggs Road and Savage Road.

<u>Case 23-021:</u> Robert Sloan Van Born Road – Rezoning Request. A request by Mark Drane on behalf of owner Robert Sloan to rezone the parcel described as Parcel ID # V-125-83-009-99-0002-000 from M-1 – Light Industrial to M-2 – General Industrial. The parcel is 24.48 acres in area. The parcel is located on the north side of Van Born Road east of Sheldon Road.

Zoning Ordinance Text Amendments – Detached Single Family Residential Dwelling Height Regulations. Proposed amendments that will modify the maximum allowable height for detached single family dwellings to allow all detached single-family dwellings to be 2.5 stories in height or 35 feet in height. The amendments will include updates to Sections 3.106 (R-1A, R-2A, R-1B, and R-1C, Single Family Residential Districts), 3.107 (RM, Multiple Dwelling Residential District), 3.109 (AG, Agricultural and Estate District), and 4.102 (Schedule of Regulations).

Materials for this meeting will be posted to <u>www.vanburen-mi.org</u>\Government\Agendas & Minutes\Planning Commission by no later than **June 12th**, **2023.** 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. A complete procedure for public comment by electronic means is provided on a guide which is accessible on the Van Buren Township website (<u>www.vanburen-mi.org</u>). 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 <u>dpower@vanburen-mi.org</u>. 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: May 22, 2023 Published: May 25, 2023

T:\Development\Zoning Ordinance\Zoning Amendments\Residential Height Clarification 2023\COMMUNICATION\6-14-23 PH Notice_Case22-058_Case 23-021_Case 23-023_(Res Height Zord_VBT PC_).docx



10						
TO:	Van Buren I	ownship Planr	ning Commi	ssion		
FROM:	Dan Power-	Director of Pl	anning and	Econo	omic Developme	ent
RE:				and	Development,	Inc.
	Landscaping	g Modification				
DATE:	June 8, 202	3				

Applicant Subaru Research and Development, Inc. seeks approval to implement changes to the approved landscaping plan from their Research and Development facility (Van Buren Township Planning Case # 18-021) to replace turf grass in approximately 50,049 square feet (1.15 acres) of the original approved landscaping plan in three identified areas near the front of the site. In these areas, the applicant seeks to install alternative landscaping with a plant mix that eliminates turf grass in favor of native grasses and perennial plants that assist with rainwater retention, addition

of native flowering plants which attract pollinators, and reduce the need for irrigation on the site. The subject site is located at 50255 Michigan Avenue (tax parcel ID 83 998 01 9802 027).

MEMO

For the Planning Commission's reference, with this report, I am including the approved landscaping plan from the original Subaru **Development** Research and Project, approved by the Van Buren Township Planning Commission in 2018. The Township's Zoning Ordinance allows for the proposed use of alternative gardens in place of approved lawn areas as a modification to



the approved landscaping plan. However, the Planning Commission must approve the request for a modification from the requirement that all landscaped areas are to be irrigated to accommodate these gardens (under Sec. 10.105(c) of the Zoning Ordinance), if they are not proposed to be irrigated. The Planning Commission may grant modifications to a landscaping plan under Section 10.106 of the Van Buren Township Zoning Ordinance. Based on the information the applicant has submitted, they request to phase out irrigation in the affected areas over time.

At this time, I have no objection to the Planning Commission conditionally approving the requested landscaping modifications on the following conditions:

A detailed landscaping plan must be provided by the applicant which demonstrates that any shrubs that will be removed as part of the new landscaping plan will be replaced with an equal to-or-greater than volume and size of shrubs under the new plan.

- <u>Two (2) years following initial installation, the site will be inspected by Township staff. If there are no maintenance concerns at two (2) years following installation, staff will administratively approve the continuation of the landscape plan. At the Planning Director's discretion, the landscape plan may be referred back to the Planning Commission for additional periodic review.</u>
- <u>Staff will hold any remaining landscaping bonds from the initial project construction until</u> the completion of this new planting installation.

I look forward to assisting with this review. Thank you for your consideration.

Sincerely,

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



Subaru Research and Development, Inc. 50255 Michigan Ave VanBuren Twp, MI 48111 734-623-0075

June 7, 2023

Attn: Van Buren Charter Township,

The goal of this proposed pollinator garden at 50255 Michigan Ave is to conserve water and reduce the amount of pesticides that we are applying to our property – in the most cost and environmentally effective manner, while also providing habitats for species that have lost them due to lawns, invasive species, etc.

Location: The large expanse of grass between our north parking lot and Michigan avenue comprises 64% of our irrigated acreage (2.3 acres out of 3.6 acres) and uses nearly 2000 gallons of water per irrigation cycle (or 4,000-6,000 gallons of water per week). As a reference, on the days we don't irrigate our lawn, we consume an average of 400 gallons per day of water within our facility. We will have to irrigate the area to establish the pollinator garden but in a few years it should be 100% self-sustaining. Our proposal/contract with PlantWise LLC also includes numerous annual services to weed out invasive species that appear and to get things going and looking good as soon as possible.

This pollinator garden/area is not something we want to hide in the back of our building where it can't be seen. This is something that our brand is proud of in other locations, and that we want to share and promote within the community - as a more environmentally sound use of land vs turf grass that requires watering and pesticides applied constantly. Other than the antiquated argument of traditional turf grass aesthetics (which we also constantly battle by picking up at least 1-2 large garbage bags of roadside trash from Michigan Avenue per week) – I can't think of reasons why this type of activity wouldn't be encouraged (and promoted) by the township. We hope (and ask) you to use us as an example for other businesses looking to be a part of positive change.

We understand that Van Buren Twp has even received funds from the National Fish and Wildlife Foundation to establish a similar project in Riggs Heritage Park last calendar year and MDOT has also started to replace grass along stretches of roadway to pollinator habitats:

https://www.michigan.gov/mdot/-/media/Project/Websites/MDOT/Programs/Highway-Programs/Roadside-Property-Management/Pollinator-Habitat/Pollinator-Habitat-Management-Program.pdf?fbclid=IwAR1dZ2uXc3OvTHwQfmaGeUXSwwG31YgP2QYf5SwTcGhiXJ3BBeNfQi-5B-c

Wayne County has a program too: https://www.waynecounty.com/departments/environmental/waterguality/native-plants.aspx

Watering and fertilizing grass is not a healthy activity – and along with this project, Subaru R&D is also pursuing adding renewable power sources like wind and solar to be a positive example on the community, meet our corporate earth stewardship goals and reduce our impact on the environment.

Ryan Plum Manager – Facilities and Engineering Support Subaru Research and Development, Inc January 16, 2023



Mike Gillum Rvan Plum Subaru Research and Development 50255 Michigan Ave Van Buren Twp, MI 48111

Dear Mike and Ryan:

Please accept this letter as a proposal to shift your current turf-dominated landscape to native plantings at the Subaru Research and Development facility in Van Buren Township. Our proposal is based on our discussions of which areas to focus on in an effort to reduce irrigation and turf management costs. "Area" designations are based on the irrigation map you supplied.

All plantings would be beautiful with a diversity of colors and textures, would be pollinator and wildlife-friendly, and once established would require no irrigation and relatively little annual maintenance. Specific elements of the proposal are as follows:

Area 1 (2.3-acres):

Planted trees would remain and would be integrated into a larger "prairie" landscape with a diversity of groundcover species. Herbaceous plants within the existing mulched islands would be removed and these mulched zones would be "absorbed" into the surrounding prairies.

Site prep

- Area would be sprayed off with a non-selective herbicide (mixed with a surfactant 0 and tracking dye) three times throughout the growing season by a high-pressure spray from a UTV or ATV
- 0 During the first visit, undesirable shrubs adjacent to the parking lot would be removed

Cost:

First treatment: \$750 (includes shrub removal and thinning mulch) Follow up treatments (2): \$450/each

Seeding

web plantwiserestoration.com

In late fall/early winter of 2023, native seed and cover crop will be sown. The following options of seed mixes each contain a diverse array of grass and wildflower species, with the first mix containing mostly grass seed (fewer wildflowers) and the second containing an even ratio.

Cost (mixes are wildflowers/grasses ratio): 20/80 mix: \$5,725 646 Barber Ave • Ann Arbor 50/50 mix: \$8,950 48103 • ph 734 665 7168 • e-mail info@plantwiserestoration.com Michigan



Supplemental Plug Planting

• We recommend a supplemental plug planting along the entryway (approximately 1500 sq ft) to provide immediate impact in this higher-visibility area (plugs will grow quickly and provide an immediate impact).

Cost:

Design and dense planting (plugs on 12" center): \$8,200

Maintenance (2024-26)

- In early summer, the newly seeded area would be mowed
- We would return two additional times throughout the growing season to spot-treat aggressive weeds

Cost: Mow: \$625 Seasonal herbicide visits (2): \$1,350/visit

Native seedings take several years to establish. It is imperative to maintain the site for the first several years after the seeding to ensure success. Once established, a prairie lives on year after year and the intrinsic natural beauty, ecological value, and maintenance cost savings make native prairies an excellent landscape option.

Area 2 (0.5-acres):

Planted trees and shrubs will remain and be integrated into a larger "prairie" landscape with a diversity of groundcover species. Herbaceous plants within the existing mulched islands will be removed and these mulched zones "absorbed" into the surrounding prairies.

Site prep

Area would be treated three times throughout the growing season with glyphosate herbicide (mixed with a surfactant and tracking dye) by a high-pressure spray from an amphibious vehicle or ATV

Cost:

First treatment: \$525 Follow up treatments (2): \$350/each

Seeding

In late fall/early winter of 2023, native seed and cover crop will be sown. The 0 following options of seed mixes each contain a diverse array of grass and wildflower species, with the first mix containing mostly grass seed (fewer wildflowers) and the second containing an even ratio.

Cost (mixes are wildflowers/grasses ratio): 20/80 mix: \$1,600 50/50 mix: \$2,350 b⁴⁶ Barber Ave • Ann Arbor • Michigan • 48103 • ph 734 665 7168 • e-mail info@plantwiserestoration.com



Supplemental Plug Planting

• As in Area 1, we recommend a plug planting along the entryway (approximately 1500 sq ft) to provide balance across from the sign and to provide immediate impact in this higher-visibility area (plugs will grow quickly and provide an immediate impact).

Cost:

Design and dense planting (plugs on 12" center): \$8,200

Maintenance (2024-26)

- In early summer of the first management season, the newly seeded area would be 0 mowed
- We would return two additional times throughout the growing season to treat weeds

Cost: Mow: \$250 Seasonal visits (2): \$425/visit

Area 3 (6,200 sq ft):

As with the other areas, planted trees would remain here. Evergreen shrubs would be removed and a greater diversity of native shrubs would be added to provide more interesting colors and texture to the area. Afterwards, the entire zone would be mulched and planted with a designed landscape that would be attractive to pollinators and humans alike. Species would be chosen to have four-season appeal and interest.

Site prep and design: \$3,600 Mulch: \$6,000 Shrubs: \$2,200 Plugs at 12" spacing: \$27,000 (to create a more immediate/dense planting) OR Plugs at 18" spacing: \$12,000 (to create a more economical alternative)

Area 3 Subset (825 sq ft):

Alternatively, we could implement a smaller planting covering 825 sq ft on either side of the main entry. For this, we would remove existing shrubs and other vegetation, and create a design incorporating both existing mulched beds and some small adjacent turf zones. After site prep, this targeted area would be planted either densely to promote an immediately beautiful planting, or slightly less dense to create a more economical, slightly more "open" appearance.

Site prep and design: \$2,500 Mulch: \$950 Shrubs: \$600 Plugs at 12" spacing: \$3,600 OR Plugs at 18" spacing: \$2,000



646 Barber Ave • Ann Arbor • Michigan • 48103 • ph 734 665 7168 • e-mail info@plantwiserestoration.com

If you have questions regarding this proposal feel free to contact me by phone or e-mail. We look forward to working with you both on this project.

Sincerely,

MM

David Mindell



