

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, June 28<sup>th</sup>, 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:

<https://us06web.zoom.us/j/83994471555>

+13126266799,,83994471555# US (Chicago)

Or Telephone: Dial: +1 312 626 6799 US (Chicago)

Webinar ID: 839 9447 1555

International numbers available: <https://us06web.zoom.us/j/83994471555>

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:** Approval of minutes from the regular meeting of June 14, 2023

**CORRESPONDENCE / ANNOUNCEMENTS:**

**PUBLIC HEARING:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**ITEM # 1:** 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. 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 #2: Chris Garner / SB – Invest L.P. (Brookwood) – Final Site Plan Review**

**TITLE:** A request by Chris Garner on behalf of owner SB – Invest L.P. to construct an independent multi-family residential senior housing development with 132 dwelling units with a combined gross floor area of approximately 154,110 square feet along with a clubhouse and other site improvements. The project is proposed to be titled “Brookwood”.

**LOCATION:** The project is proposed to be located on the north side of Tyler Road, between Morton Taylor and Haggerty Roads on a 44.4-acre site. The site has tax parcel ID # 83 043 99 0015 000 and is zoned RM – Multiple Dwelling Residential District.

**ACTION ITEMS:**

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

**ITEM # 3: 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. Presentation by the Township staff.
- B. Planning Commission discussion.
- C. Public Comment.
- D. Planning Commission considers recommendation on zoning ordinance text amendment to Van Buren Township Board of Trustees.

**GENERAL DISCUSSION AND UPDATES**

- Updates – Ordinance Committee discussions

**ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION MINUTES  
Wednesday, June 14<sup>th</sup>, 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:

<https://us06web.zoom.us/j/83930638961>

Or One tap mobile: +13052241968,,83930638961# US

Or Telephone: Dial: +1 305 224 1968 US

Webinar ID: 839 3063 8961

International numbers available: <https://us06web.zoom.us/j/83930638961>

**CALL TO ORDER:** Chairperson Cullin called to order at 5:35 p.m.

**Pledge of Allegiance**

**ROLL CALL:**

Medina Atchinson: Excused Absent

Sharry Budd: Present

Brian Cullin: Present

Bernard Grant: Present

Jeff Jahr: Present

Jackson Pahle: Present

**Staff:** Director Power and Secretary Manley

**Planning Representatives:** Vidya Krishnan, McKenna Associates

**Audience:** Nineteen (19)

**APPROVAL OF AGENDA:**

Motion made by: Commissioner Jahr

2<sup>nd</sup> by: Commissioner Budd

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

Comments: No Comments

Motion made by: Commissioner Jahr

2<sup>nd</sup> by: Commissioner Budd

**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:**

Motion made by Commissioner Budd to open the Public Hearing, seconded by Commissioner Jahr.

Mrs. Donyeal Sizemore went to address the board. Director Power advised she will have time for her presentation when the board addresses her specific case under New Business.

Cheryl Dooda at 13744 Milton Drive stated she is supportive of daycare, enjoys the daycare in the neighborhood. States Mrs. Sizemore takes very good care of the children and has a beautiful facility. Mark Powell also at 13744 Milton Drive feels that there is not much traffic and that it is a safe neighborhood for the daycare. Diane Hill at 42084 Salem Court, neighbor of Mrs. Sizemore past 15 years, speaks very highly of the entire Sizemore family. Hill states the daycare is part of the neighborhood community, children are safe and the Sizemore's do great work. Corey Gibson at 43160 E. Huron River Drive is concerned about an egress issue in the basement but is very happy to hear about the great things being done in the community regarding childcare support.

Mrs. Sizemore asked to address the egress concern by Mr. Gibson. Advised by Chairperson Cullin to address Mr. Gibson's concern during her presentation portion of meeting.

Director Power advised Zoom participants how to address comments over Zoom. No Comments for Case 23-023 over Zoom.

Tamika Williams at 42128 Salem Court feels it is very positive to have a daycare for the neighborhood and surround community. Direct neighbor of Mrs. Sizemore. Daughter of Sizemore spoke with strong support of mother.

Motion by Commissioner Budd, supported by Commissioner Jahr.

**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:**

Motion to upon public hearing by Commissioner Jahr, seconded by Commissioner Grant.

No Public Comments concerning rezoning request. No Comments on zoom.

Motion made by Commissioner Budd, seconded by Commissioner Jahr.

**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:**                      Motion made by Commissioner Jahr seconded by Commissioner Grant to open the public hearing.  
No Public comments regarding the zoning requests. No Comments on Zoom.  
Motion made by Commissioner Budd to close seconded by Commissioner Jahr.

**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:**                      Motion made by Commissioner Jahr seconded by Commissioner Budd.  
No public comments regarding the zoning requests. No Comments on Zoom.  
Motion made by Commissioner Budd to close seconded by Commissioner Jahr.

**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 85'4" (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

**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:**

Presentation by Director Power. Advised it falls under a Marina per our Ordinance but not a Conventional Marina due to not involving rental slips or fueling. Director Power summarized the findings of his report dated June 7, 2023. Director Power referred to 12.306 of the Ordinance for the Standards for Granting Special Approvals. Power summarized findings on the following standards and described factors the Planning Commission may use to evaluate whether these standards are met:

- 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.
- Is necessary for the public convenience at that location.
- Is compatible with adjacent uses of land.
- Is so designed, located and proposed to be operated that the public health, safety and welfare
- 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.
- Will not cause injury to other property in the neighborhood in which it is to be located.
- Will consider the natural environment and help conserve natural resources and energy.

Following a summary of his report Director Power stated that 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 regulations 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; and the submitted site plan meets the special land use approval criteria of Section 12.306 of the Van Buren Township Zoning Ordinance.

Power explained recommended conditions of approval if the Planning Commission recommends approval of the special use and approves the site plan:

- 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.
- 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.
- All voluntary conditions of use as provided on the submitted site plan, including that the site 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.
- 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).
- The Planning Commission must agree that the proposed extension across roughly 68.6% of the lake frontage is acceptable.
- The dock surface material must be acceptable to the Planning Commission or, if deferred to staff

- judgement, to staff.
- 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.

Director Power advised that if the Planning Commission recommends special approval to the Board of Trustees and approves the site plan on tonight's agenda, that both EGLE and FERC approvals would be required.

Director Power advised on comments made by Mr. Jeffery Riggs sent in beforehand.

Presentation by Mr. Scott Jones at 11696 Juniper Drive. Advised he is proposing the exact same construction as the existing dock. Provided pictures and brought in safety reflective material for docks. Also provided elevation pictures of existing docks.

Commissioner Grant questioned Director Power on history of docks and involvement of township. Questioned if an existing survey plan is completed, concerned with granting special approval without additional information. Mr. Jones responded plans show shoreline but not adjacent land. Commissioner Grant concerned on lack of expert opinion on traffic patterns of lake and how it pertains to the extended docks. Feels that there is not enough information at this time to make a decision on the health, safety and welfare of the public. Wants a site plan analysis of adjacent properties and an analysis of an expert on lake traffic and concerns. Director Power advised on 3 different correspondences from Mr. Riggs regarding the BYC docks.

Commissioner Jahr reviewing looking at special criteria. Advised Zoning Board of Appeals already determined the safety requirements of the docks; felt that it did not impede on safety, health, and welfare of the public. Commissioner Jahr feels like he can rely on the work done by that body that the lake is safe with this change due to the BZA approval. Highlighted that applicant has placed many constraints on the marina to limit environmental concerns. Feels that conditions are met for special use by applicant. Commissioner Grant clarified he is not fighting the BZA approval of increased length of docks but rather seeking an expert opinion on the safety of the extension. Feels at this point in time, it is subjective to make that opinion on safety without proper expertise.

#### Public Comments:

Mr. Jeffery Riggs at 29 Potter Drive – feels that a traffic study needs to be done on the lake. Discussed the peninsulas of the lake and provided a subjective opinion of a typical pattern of lake boaters. Has been monitoring the usage of BYC docks over the past month, feels he has only seen the marina half full and is concerned about giving up valuable lake coverage. States the club currently takes away 8% of navigable waterways. Provided photos of the docks over Memorial Day weekend. Asking for more research done due to value of the property. Feels that it sets a precedence for other business on the lake. Brought up issue of Denton Road closure creating higher traffic volume for the foreseeable future.

Mr. Steve Harsman at Merrill Court, member of BYC. Feels the extension ask is minimal especially considering the size of the club and its community outreach. Feels that club is asking for minimal slips. States footprint reinforces that it does not harm the health, safety, or wellness of the lake due to no issues since it's been constructed.

Mr. Corey Gibson at 43160 E Huron River Drive – feels that current length at 80 ft plus is unreasonable. Addressed FERC 75ft max. Concerned on contract with FERC that this could cause issue.

Mr. Chris Donley at 48356 W Huron River Drive addressed usage of docks and advised BYC has analyzed their docking capacity. Addressed Mr. Rigg's photos were taken when club was closed for the holidays. Submitted that the Safety studies are live safety studies as the club has had no issues with these docks for the time they have been in the water. States current footprint of that dock has had no safety issues.

Mrs. Kathleen Johnson at 48035 Bayshore – cannot support docks, states it is further out than it was and is not the same footprint. Believes there should be a study done, possibly by Van Buren Police that police the lake. Addressed concerns of Denton Road closure and increased traffic incidents. Concerned that it is not a no wake zone. Feels that approval of docks is elitist and not in favor of it at all.

Mr. Tony Vitale at 12249 Chrysler Drive – recent new member of BYC – feels that use of the land benefits the township by creating community involvement. Feels floating docks are not safe enough. Feels that a permanent dock structure creates more safety for the community and does not cause navigable harm. Advised that traffic study is the fact that the dock has been there and no harm or injuries have happened. Feels that we should follow the opinion of BZA.

One Zoom comment requested to show Applicant Jones' pictures. Director Power advised he would post them to the website for review.

Commissioner Grant had follow up comments to the publics comments. Reiterated the length of the dock is not under review since BZA has already approved the length but rather the safety for the people that use the lake. Wants clear and documented plans about the safety rather than subjective comments to be able to make a clear decision.

Commissioner Budd asked for clarification on current length of dock presently there. 2020 condition of floating docks was 60 ft; one has been removed and the other has been partially removed. Current permanent structured dock on the west side is 85.4ft. BZA has granted the west dock. East dock is 60 ft with poles driven to the 85.4ft approved length. The west dock was constructed without a permit review so is subject to a review, both structures are under review. Commissioner Jahr discussed FERC. Director Power advised the reference of 75ft does not pertain to the length of the dock. Director Power still recommends the board defers all to FERC's approval before moving forward with project as written in his report. Mrs. Krishnan commented that when you are reviewing a project for special land use, the site plan cannot proceed without special land use granted.

Motion Pahle, Jahr second following clarification stated below to recommend Belleville Yacht Club Marina special approval (case 22-059) to the Van Buren Township Board of Trustees. Jahr clarified that if the motion were to include marina special approval recommendation to the Township Board of Trustees for the Belleville Yacht Club's request for a site plan review and special approval to construct a marina as defined in Section 3.120(B)(15) including two dock structures with a length of 85.3 each containing a single dock stem with three connecting docks at 831 East Huron River Drive based on the analysis and subject to conditions of staff found in the letter of staff dated June 7, 2023 and the BZA approval of May 9, 2023 noting concerns from the Planning Commission that no buoys shall be permitted as called out on the site plan, that the concern with FERC shall be addressed by the Township Board before moving forward, noting that this Board did not consider the applicability of the FERC license, and with the condition as shown on the plan that no boat or part of boat shall extend past the 85.3 foot mark while docked and the number of boats shall be no more than 16, clarifying that this is subject to the conditions and analysis provided by staff and on the site plan documenting that there will be specific uses for the marina including no fueling, no pumping and other use restrictions as documented tonight, he would be in support.

#### **Roll Call:**

**Yeas: Budd, Cullin, Jahr, Pahle**  
**Nays: Grant**  
**Excused: Atchinson**  
**Motion Carried. (Letters Attached)**

**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:**

Director Power highlighted the site plan on the screen again and advised he had covered his presentation in the previous case of Marina Special Approval.

Mr. Scott Jones presented on reflective tape being utilized for docks and hard structures being utilized for reflected material. Presented photographs of existing dock. Mrs. Krishnan advised reflective tape is not considered signage but rather a safety feature. Commissioner Grant discussed sea wall with applicant Jones. Director Power brought up Zoom comment Ms. Angela Mears at 12007 Ryznar Drive commented on limitations of 40ft.

Commissioner Jahr feels that there are missing elements missing from the plan. Asked Director Power if he feels there are any additional elements currently missing from the plan. Director Power advised things presently could be reviewed administratively to provide sufficient detail. Feels there is enough room to gather information at an administrative level if the board decided to approve both preliminary and final at this point. Commissioner Grant holds the same opinion as previous that information is missing to be able to grant approval.

**Roll Call:**

**Yeas: Budd, Cullin, Jahr, Pahle**  
**Nays: Grant**  
**Excused: Atchinson**  
**Motion Carried. (Letters Attached)**

**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:

Director Power advised purpose of commission tonight is to solicit public comment and review for special land use and for commission to review site plan. Advised State of Michigan policy changes to promote expansion of childcare facilities due to capacity issues. Group Daycare homes are required to go through a special approval process by the Township before approval. Director Power advised on history of the home and requirements of current R1 Zoning. Discussed regular cross traffic with surrounding neighbors on this court. Director Power advised the site is an optimal layout for a daycare in this neighborhood. Noted that every daycare facility is subject to a rigorous site inspection done by the State of Michigan LARA. Director Power noted that prior to site approval, a written letter from the HOA must be obtained. Currently has a general approval letter from Century Management Group which is the HOA for this area. Director Power advised he does not show any detrimental impact on natural resources due to an approval.

Specific criteria 5.111 Zoning Ordinance requirements:

1. Another license for a daycare home.
2. Use has appropriate fencing for the children – Director Power encourages the board to discuss in detail the fencing issue. A retractable fence was suggested by Mrs. Sizemore. Unique situation as this location is in an HOA that does not allow for permanent fencing per their rules. Given constraints of HOA, a retractable fence is the current only viable option.
3. Property is consistent with the visible characteristics of the neighborhood. Director Power believes this can be met and maintained.
4. The use of the daycare does not exceed 16 hours of operations during a 24-hour period. Applicant has advised their hours will be 6am to 10pm Monday through Saturday which meets this requirement.
5. Group daycare home operator shall provide off street parking for his/her employees in accordance to the zoning ordinance in the ratio of 1 parking space per employee. Director Power asking for some relief from the Planning Commission in regards to that requirement. Applicants site plan shows space for up to 4 vehicles – 2 vehicles in driveway and 2 in garage.

Additionally, Director Power recommends conditional approval of final site plan subject to conditions in the report which include that the applicant must clarify the number of employees in writing on the site plan. The applicant clarified there will be a ratio that is guided by the state law. Second condition is if any approvals are required by HOA, they shall be provided in writing. Written approval must be required in writing regarding approval of the retractable fencing. Site plan needs to be updated to reflect only two parking spaces on driveway. Applicant shall obtain a signed agreement by 6 adjacent properties to agree to on street parking during peak hours. Director Power advised there are two separate cases for discussion tonight for Special Approval and Site Plan.

Presentation by the applicant Mrs. Donyeal Sizemore at 42127 Salem Court. Mrs. Sizemore presented paperwork the Board showcasing the retractable fencing and daycare facility along with a document from Governor Whitmer addressing the need to expand childcare centers by 2024. Mrs. Sizemore's facility was the Michigan Spotlight Center for the month of May. Resident of Van Buren Township 19 years and has been in the childcare field for 30 years with degrees in both early childhood and social work. Addressed the overwhelming need for childcare facilities across the nation but especially in the Van Buren Township

area. Requesting expansion to a 12 children care unit. Mrs. Sizemore presented a video showcasing how her facility is different than the traditional daycare facility and emphasized the support of her neighborhood. Mrs. Sizemore presented 6 letters from her neighbors on each side of her showcasing their support for the approval of a Group Day Care Home.

Ms. Diane Bell of 42084 Salem Court addressed the board to show her overwhelming support for the daycare. States strong family community feel in the cul-de-sac. States parking is not ideal but they all support each other and together they support Mrs. Sizemore and her daycare expansion goals.

Mrs. Sizemore stated the State of Michigan does not require her to have a fenced in yard for childcare facility. If Board requires the fencing, Mrs. Sizemore will place in the necessary locations.

Commissioner Budd commented on the retractable fence and the height of it and the support level of it. Questioned Director Power if fence is mandatory by our ordinance. Director Power stated fence is not mandatory per our ordinance. Mrs. Krishnan advised fence will serve more as a visible guide rather than a firm boundary structure. Commissioner Budd addressed the question from Mr. Corey Gibson regarding egress windows and if there were any in her basement. Sizemore explained it is a requirement of the state before she is given her license to have an escape window. She has two egress windows and escape stairs in her basement. Commissioner Grant commented that if the children have constant supervision, the retractable fence seems ineffective and to leave it up to Mrs. Sizemore if she needed it for safety purposes. Mrs. Krishnan commented that since children will never be left unattended, the retractable fence could be ineffective.

#### Public Comments

Mrs. Alma Hughes-Grubbs at 47755 Bentley Drive – highlighted how outstanding the Sizemore family is and the love and expertise they have for children. Feels that this is a great opportunity for our community rather than having her being drawn to other communities due to restrictions placed on her here.

Mr. Rodney Sizemore of 42127 Salem Court, husband to Mrs. Donyeal Sizemore, discussed importance of childcare facilities and the difficulties of finding quality homecare. Stressed they know the needs of the community and would only benefit Van Buren Township.

Commissioner Jahr moved to recommend the Township board approves the childhood daycare home. Commissioner Budd seconded.

#### **Roll Call:**

**Yeas: Budd, Cullin, Jahr, Pahle, and Grant**

**Nays: None**

**Excused: Atchinson**

**Motion Carried. (Letters Attached)**

#### **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:**

Director Power informed his presentation is complete having presented all information on previous case. Applicant Sizemore had nothing more to add to her presentation.  
No Public Comments

Commissioner Jahr moves to grant preliminary and Final Site plan approval for a group daycare home noting that there is an approval of parking standards as noted in staff letter and noting previous acceptance of fencing on the site plan. Seconded by Commissioner Grant.

**Roll Call:**

**Yeas: Budd, Cullin, Jahr, Pahle, and Grant**

**Nays: None**

**Excused: Atchinson**

**Motion Carried. (Letters Attached)**

**Chairperson Cullin called for a 5-minute recess. All in favor.**

**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:** Director Power diverted power to Principal Planner Mrs. Krishnan. Requesting to change from M1 Light Industrial to M2 General Industrial District. Currently vacant lot. Future land use plan shows that all parcels in all directions are zoned for light or heavy industrial use. The Zoning Ordinance has specific standards of which areas requesting rezoning are reviewed. Krishnan summarized these standards as such:

1. If the request for rezoning is consistent with the Master Plan goals and chapters. Per the master plan, future use for this parcel is Heavy Industrial. Currently located next to a parcel that was recently rezoned M2. At this time, it does comply with the Master Plan's intent is and the goals and objects for the surrounding area.
2. Is the proposal consistent with the basic intent and purpose of the zoning ordinance? Zoning Ordinance does have specific set back agreements and other site design requirements depending upon which district the parcel is located in. At this moment, the applicant is just requesting a rezoning and no site plan is in connection with it showing what type of use is going on to the parcel.
3. Is the capability of the street system to safely and efficiently accommodate the perspective traffic generated by the proposed use? Since we do not know the use, pending a formal site plan submittal, we do not know the level of traffic. However, since it is going to be a manufacturing or general industrial facility, it is likely that there will be significant truck traffic. A traffic impact study will be required. The use, at this time since there is no building, we are not aware of any pressing



need for utilities at this time. At future use, it will be reviewed by township engineer to determine needs of the site.

4. Is the rezoning request being proposed to correct an error in the zoning ordinance? There is no such problem at this time. The proposed rezoning is not going to result in exclusionary zoning.
5. Is it compatible with the site's physical, geological, and developmental features on the site? The site does not contain any regulated wetlands as we could see. Does contain vegetation and the Yost drain on a portion of the parcel. Any future development on the site will have to take into consideration the placement of the drain. Approval of the rezoning is not a factor in the approvability of the building of the parcel. Development on the parcel is based on its natural limitations and uses.

Mrs. Krishnan commented that the size of the parcel should meet the setback requirements of the township. This parcel is being rezoned because it is in compliance with the masterplan. Mrs. Krishnan advised it is recommended rezoning the M1 parcel to M2. Noted the recommendation is in no way approval for the buildability of the parcel.

Applicant Mark Drain 20700 Civic Center Drive Suite 170 representing Mr. Robert Sloan. Commissioner Grant questioned if a wetland survey had been completed. Krishnan advised that no it will be done at a later date when the applicant chooses too.

No Public Comment.

Commissioner Jahr moves to grant request to rezone the parcel (V-125-83-009-99-0002-000 located on north side of Van Born Road east of Sheldon Road from M1 to M2 Zoning making note that this recommendation is not an approval of the buildability of the parcel. Seconded by Commissioner Grant.

**Roll Call:**

**Yeas: Budd, Cullin, Jahr, Pahle, and Grant**

**Nays: None**

**Excused: Atchinson**

**Motion Carried. (Letters Attached)**

**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:**

Director Power addressed the existing aerial view of the Subaru plant. The Applicant has made clear that Subaru is invested in pursuing an alternative landscape design for the front section of the property citing significant savings in potential irrigation and the introduction of native planning species providing benefits for pollinator species. The Applicant has provided a letter dated June 07<sup>th</sup>, 2023 from Subaru and a letter

from PlantWise dated January 16<sup>th</sup>, 2023 that explains the proposed landscaping plan in detail. The applicant has also provided sample images of project designs in other locations to show the design aesthetic they would be seeking here. Section 10.01.05 C of Van Buren Township Zoning Ordinance requires that all landscape areas are irrigated. Applicant seeks a less water intensive design that would phase out some irrigation over time. Applicant is seeking approval of the Planning Commission.

Staff can support additional recommendation for approval by the Planning Commission on the following recommended conditions:

1. Detailed updated version of the landscaping project must be provided by the applicant in addition to the more schematic drawing provided. Requires updates from the original planning submission for the landscape design.
2. Recommended condition is that 2 years following the initial installation, an inspection will be done by the township staff. If there are no maintenance concerns following the 2 years after installation, the staff will administratively approve the landscaping plan. Per the Director's discretion, the landscaping plan may be deferred back to the Planning Commission for review.
3. The staff will hold any remaining landscaping bonds from the initial project installation until the new planting installation.

Mr. Ryan Plum, Facility Manager at Subaru Research, located at 50255 Michigan Ave. Every year Subaru submits projects and plans to their corporate board to address how to become better stewards to the Earth. Subaru feels they have a corporate social responsibility. One target goal was to decrease water use and utilize fewer resources. Applicant assured there is high pressure internally that the project will look nice and be a benefit to the township.

Director Power updated Commissioners there is a small amount of the original landscaping bond left, roughly \$1000-2000 amount being held. Commissioner Grant questioned Mr. Plum on the level of completion on the current site. Mr. Plum updated that grass is established with a dozen or so trees and a number of shrubs. Subaru desires a landscape that is durable and thriving with native plants. Mr. Plum described the separately prescribed zones to combat weeds and utilize the best irrigation system. Additional goal is to inspire more companies to enact greener landscape initiatives and to focus on native plant diversity. Mrs. Krishnan brought up the success of the Canton Library and its inclusion of a pollinator garden. Mr. Plum emphasized that anything that is native and thriving and compatible will remain.

Commissioner Jahr moves to grant acceptance to landscape modification with the condition that within one year, the staff will bring the Commissioners a presentation to discuss the progress of the project. Commissioner Grant seconded.

**Roll Call:**

**Yeas: Budd, Cullin, Jahr, Pahle, and Grant**

**Nays: None**

**Excused: Atchinson**

**Motion Carried. (Letters Attached)**

**GENERAL DISCUSSION AND UPDATES**

Director Power announced that the next regularly scheduled meeting will be June 28<sup>th</sup> and potentially July 12<sup>th</sup>.

**ADJOURNMENT:**

**Motion Commissioner Jahr, Commissioner Grant second to adjourn the meeting at 9:08 p.m. Motion Carried.**

Respectfully Submitted,

Caroline Manley  
Recording Secretary



# VAN BUREN CHARTER TOWNSHIP

RECEIVED  
DEC 15 2022

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: 12/15/2022
--------------	----------------------------

### APPLICANT INFORMATION

NAME: Cameron Smyth	PHONE: 734-748-4953
ADDRESS: 16355 Haggerty Rd	CELL PHONE:
CITY, STATE & ZIP: Van Buren Twp, MI, 48111	FAX:
EMAIL: Smythsc@gmail.com	

### PROPERTY OWNER INFORMATION (If different than the applicant)

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

### BILLING CONTACT

NAME: Cameron Smyth	PHONE: 734-748-4953
ADDRESS: 16355 Haggerty Rd	CELL PHONE:
CITY, STATE & ZIP: Van Buren Twp, MI, 48111	FAX:
EMAIL: Smythsc@gmail.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 East Side of Haggerty Road; Between Riggs Road and Savage Road.			
SIZE OF LOT WIDTH: ft 551.14	SIZE OF LOT DEPTH: ft South (1075.73), North (857.6)	*ACREAGE OF SITE: 10.52	TOTAL ACRES OF SITE TO REVIEW: 10.52
CURRENT ZONING: Residential	IS A REZONING OF THIS PARCEL BEING REQUESTED? <input checked="" type="checkbox"/> YES	REQUESTED ZONING: Agricultural	
PROJECT DESCRIPTION: Rezoning property to more accurately represent usage of land (parcel 1 & 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

Cameron Smyth  
PRINT PROPERTY OWNER'S NAME

Cameron Smyth  
SIGNATURE OF PROPERTY OWNER

12/15/2022  
DATE

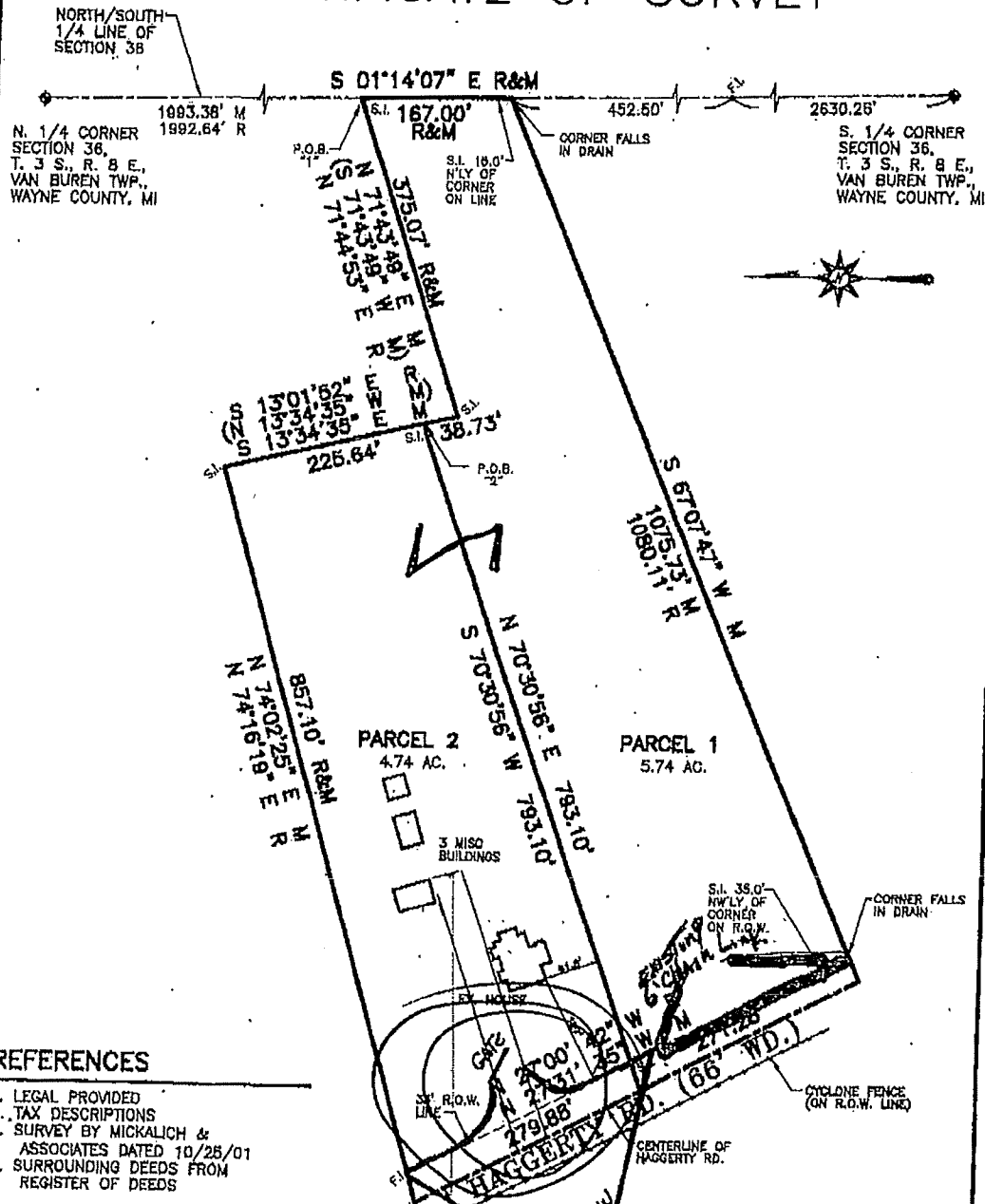
STATE OF MICHIGAN  
COUNTY OF WAYNE

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\_\_\_\_.

# CERTIFICATE OF SURVEY



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](mailto:smythsca@gmail.com)

Property:

16355 Haggerty Rd  
Van Buren TWP, MI, 48111





## MEMO

---

TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Case 22-058 – Cameron Smyth Rezoning Request / 16355 Haggerty Road  
DATE: June 7, 2023

---

The Planning Commission will consider 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 District.

**File Number:** 22-058

**Site Address:** 11635 Haggerty Road

**Parcel Number:** V-125-83-142-99-0001-000

**Parcel Size:** 10.100 acres

**Location:** East side of Haggerty Road between Riggs Road and Savage Road.

**Applicant:** Cameron Smyth

**Property Owners:** Cameron Smyth

**Request:** Applicant seeks to rezone their property from R-1B – Single Family Residential District to AG – Agricultural and Estates District

**Zoning and Existing Use:** Current property is zoned R-1B – Single Family Residential District

**Adjacent Zoning and Existing Uses:**

**North:** R-1B (Single Family Residential District)

**East:** AG (Agricultural and Estates District)

**South:** R-1B (Single Family Residential District)

**West:** R-1B (Single Family Residential)

**Other:** Public hearing notices were published in the Belleville Independent on May 24, 2023 and notices were sent to all property within 300' of the subject property on May 24, 2023 in accordance with the Michigan Zoning Enabling Act.

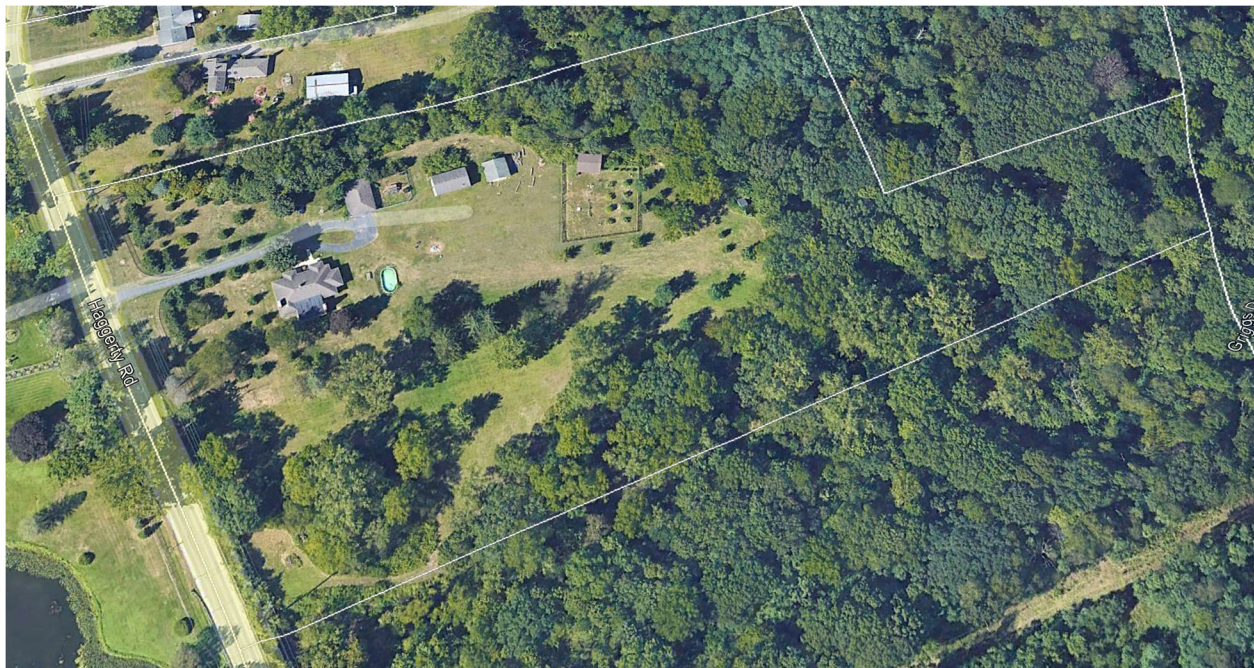


Image courtesy of Google Earth, June 2023

The subject site has a property classification of 401 – Residential Improved. The site contains a 2,371 square foot dwelling as well as several small accessory buildings. The parcel's zoning has been consistent for over 49 years, based on a record of a published zoning map dated December, 1973 showing the parcel as being zoned R-1B – Single Family Residential District at that time.

The owner / applicant has provided a narrative letter that describes a number of current and proposed agricultural uses for the property which include a fruit tree orchard, starting a large vegetable garden, milling lumber from the available hardwoods, and a flock of 30 chickens.

Planning and zoning law provides that government has a legitimate interest in maintaining compatibility of surrounding areas, protecting and preserving natural resources, and ensuring adequate infrastructure such as roads, water supply and sanitary sewage disposal. Adoption of a Master Plan and imposition of zoning restrictions to accomplish those interests, as well as to avoid overcrowding and preserve and protect open space and area aesthetics are consistent with the Michigan Planning Enabling Act (PA 33 of 2008) and Michigan Zoning Enabling Act (PA 110 of 2006).

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

### **Standards of Review for Rezoning:**

Article 12, Chapter 5 of the Zoning Ordinance includes the procedures and standards for reviewing Zoning Ordinance amendment applications. Section 12.504 of the Zoning Ordinance includes specific standards for review for the Planning Commission and Township Board of Trustees to consider prior to taking action on an amendment application. These standards are as follows:

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

A comprehensive update to the Van Buren Township Master Plan was adopted in 2020. Based on the adopted future land use map from the 2020 master plan, which was updated in 2022 following the adoption of the Sumpter Road Corridor Plan, the subject site is planned for "Rural Settlement" future land use, which correlates to AG – Agricultural and Estates District zoning under the Zoning Plan.

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

Section 1.102 of the Van Buren Township Zoning Ordinance (*Purpose and Intent*) includes imposing regulations and restrictions governing the location and construction of structures and buildings to be used for business, industry, residence, social purposes, and other specified purposes. Based on that intent, the Zoning Ordinance includes provisions for zoning districts, setbacks, building height, and land use. Section 3.109 of the Zoning Ordinance, the Agricultural and Estates District is consistent with the intent of the Zoning Ordinance by enabling a mix of land uses which are made compatible with their surroundings by adhering to specific building architectures, setbacks, and design features.

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

Single family residential and related accessory uses, as well as existing and proposed agricultural uses on the subject parcel is not anticipated to generate significant traffic on Haggerty Road and would likely reduce traffic in relation to a proposal that would involve dividing the parcel for development as two or more single family residences as permitted under the current zoning district.

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

The subject property is currently served by public water and is large enough to contain a septic waste disposal system. There are no constraints on the water system staff is aware of that would prevent service to the subject site.

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

The requested rezoning does not change the Zoning Ordinance but rather brings the Township further into compliance with the adopted 2020 Master Plan update and adopted Future Land Use Map. The requested rezoning does not correct an error in the Zoning Ordinance.

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

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

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

The subject site is uniquely situated adjacent to the Lower Huron Metropark and is partially encroached by the Griggs Drain. These and other physical, geological, hydrological, and other environmental features currently support and are anticipated to continue to support and be compatible with the permitted uses in the proposed zoning district. The lot is 10.1 acres in area and is therefore large enough to accommodate agricultural and residential uses despite these features which could otherwise constrain larger land uses.

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

The property owner intends to continue and expand upon the personal and commercial agricultural uses on the property, and its use as a single-family residence. These uses are consistent with permitted uses on nearby properties which are also zoned AG, including on the west side of Haggerty Road.

**(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 proposed rezoning will follow the property lines of the subject parcel. Because the parcel is over 10 acres in area with over 500 feet of frontage, there will be adequate land area to construct buildings and uses on the site that meet the required front (50'), side (combined 25'), and rear (35') setbacks. Any agricultural activities will be required to meet Generally Accepted Agricultural Management Practices (GAAMPs) and applicable local ordinances, including the Township's prohibition of marijuana facilities and establishments.

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

The adopted zoning map assigns the property as Rural Settlement future land use, which correlates to AG zoning in the zoning plan, so the requested zoning district is the most appropriate from the Township's perspective.

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

Rezoning is more appropriate than amending the list of permitted or special land uses in the R-1B zoning district. The applicant's narrative indicates that he would like to seek uses that are consistent with commercial agriculture buildings and greenhouses, commercial agriculture operations, keeping of pets and livestock, and greenhouse and nurseries. All of these uses are permitted uses by right under AG zoning and are not permitted under R-1B zoning (with some exceptions that apply to pre-existing farms under the State of Michigan Right-to-Farm Act). Amending the R-1B zoning district to allow these agricultural uses would not be appropriate.

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

While the requested rezoning will create an isolated AG-zoned parcel relative to the other parcels on the east side of Haggerty Road in the vicinity of the site, there are AG-zoned parcels both to the east and to the west. Additionally, it may be appropriate to consider AG zoning for many of the parcels in this vicinity. In a study of twelve (12) parcels in this stretch of road that are currently zoned R-1B, 9 of 12 parcels meet the minimum acreage (1) for AG zoning, 8 of 12 parcels meet the minimum required frontage for AG zoning, and 7 of 12 parcels meet both the minimum acreage and frontage requirements. All of these parcels are in a portion of the Township that has been designated the "Rural Settlement" future land use category. So, other parcels in the neighborhood that are currently zoned R-1B near this site could reasonably be rezoned to AG in the future.

#### **Recommendation:**

Staff recommends that the Planning Commission should recommend approval of the request to rezone Parcel # 83-142-99-0001-000, 11635 Haggerty Road, from R-1B – Single Family Residential District to AG – Agricultural and Estates District based upon the following reasons:

1. **Section 12.504(A).** The proposed rezoning is consistent with the goals, policies, and objectives of the Master Plan. The proposed AG zoning designation is consistent with the Rural Settlement designation envisioned in the Master Plan for the parcels and abutting properties.
2. **Section 12.504(B).** The proposed rezoning is consistent with the intent to the Zoning Ordinance and the existing development pattern of the area.
3. **Section 12.504 (C).** The existing and proposed use of the parcel is not likely to generate any additional traffic and the streets the parcel has frontage on are capable of handling any traffic generated from the site.
4. **Section 12.504 (D).** The parcel is currently served by Township services and utilities, and we are not aware of any constraints in the ability of to continue to serve the parcel.
5. **Section 12.504(E).** The requested rezoning does not change the Zoning Ordinance but brings the Township further into compliance with the adopted future land use map.
6. **Section 12.504 (F).** The proposed rezoning is not causing any exclusionary zoning.

7. **Section 12.504 (G).** The proposed rezoning is not negatively affected by any known environmental constraints on the property.
8. **Section 12.504 (H).** The property's uses will be compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.
9. **Section 12.054(I).** If rezoned, the parcel can accommodate construction in compliance with ordinance standards.
10. **Section 12.054(J).** Based on the direction of the adopted Future Land Use Map, and the correlation between the site's designated Rural Settlement Future Land Use and AG zoning, AG zoning is the most appropriate zoning for this site.
11. **Section 12.504 (K).** Amending the existing R-1B district to allow for agricultural uses would be inappropriate.
12. **Section 12.054(L).** The proposed AG zoning of the site will be compatible with the uses currently existing around it, and not create an isolated or incompatible zone.

Thank you for allowing me to comment on this request.

Thank you,

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

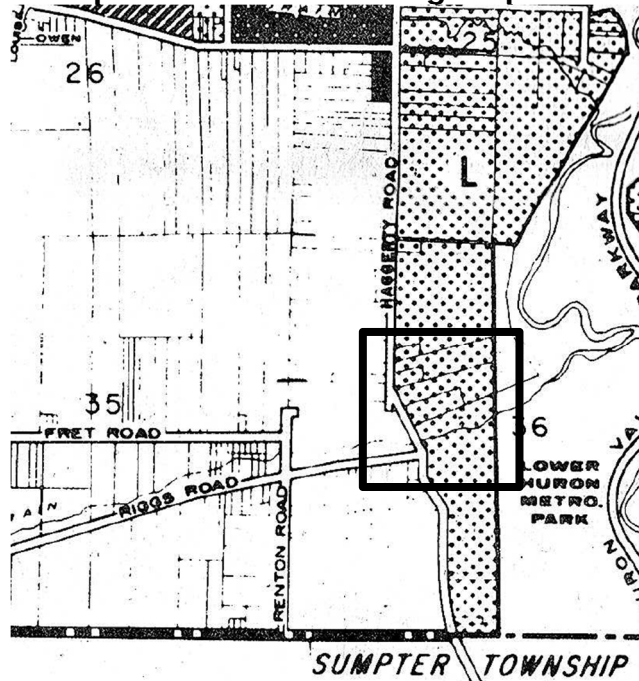
Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

CC: Vidya Krishnan, Senior Principal Planner – McKenna Associates / Van Buren Township  
Planning Consultant



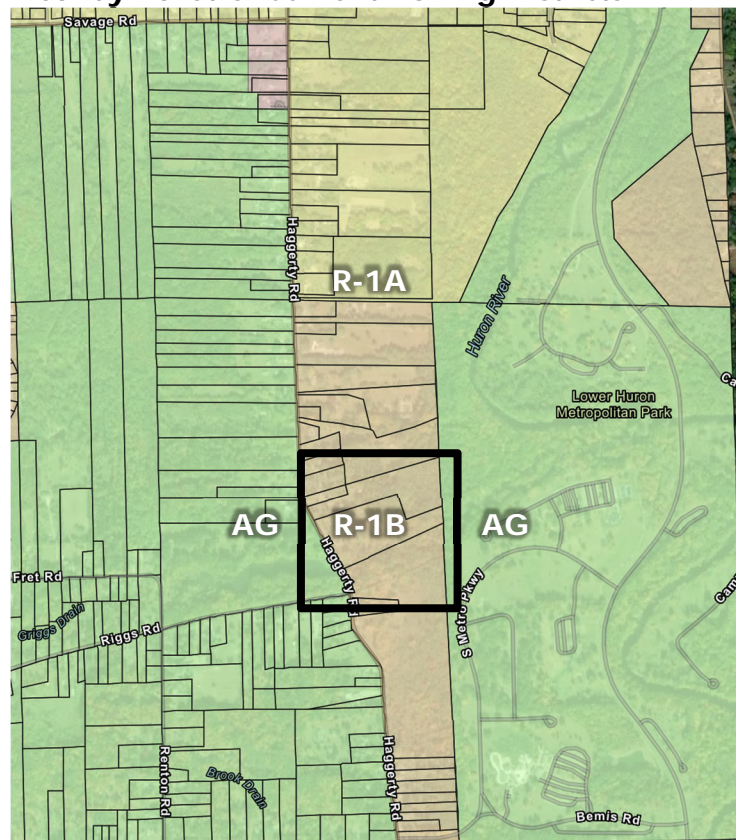
## Supplemental Information

### Excerpts - Dec. 1973 Zoning Map



	R-1A SINGLE FAMILY
	R-1B SINGLE FAMILY
	R-1C SINGLE FAMILY
	AG AGRICULTURAL

### Nearby Parcels: Current Zoning Districts



Study of Parcels on east side of Haggerty Road within 1,000' of subject site:

**Area and Frontage (red font indicates a deficiency under AG zoning)**

<u>Address and Parcel ID</u>	<u>Area (Acres)</u>	<u>Frontage (ft.)</u>
• 15785 Haggerty Road – Parcel 83 142 99 0003 708	6.78	20.0
• 15801 Haggerty Road – Parcel 83 142 99 0003 707	4.25	162.8
• 15877 Haggerty Road – Parcel 83 142 99 0003 706	0.49	86
• 15951 Haggerty Road – Parcel 83 142 99 0003 703	9.46	34.69
• 15955 Haggerty Road – Parcel 83 142 99 0003 705	0.74	205.9
• 16001 Haggerty Road – Parcel 83 142 99 0011 000	1.38	160
• 16011 Haggerty Road – Parcel 83 142 99 0003 002	1.3	145.78
• 16121 Haggerty Rd – Parcel 83 142 99 0005 000	1.85	200
• 16175 Haggerty Rd – Parcel 83 142 99 0004 004	0.95	100
• 16199 Haggerty Rd – Parcel 83 142 99 0004 003	8.92	~150
• 16355 Haggerty Rd – Parcel 83 142 99 0001 000	10.1	~550
• 16531 Haggerty Road – Parcel 83 142 99 0002 709	35.65	>1,400
• 16531 Haggerty Road – Parcel 83 143 99 0028 701	1.59	189.42



## Article 3: Zoning Districts and Permitted Uses

### Section 3.109 AG, Agricultural and Estate District

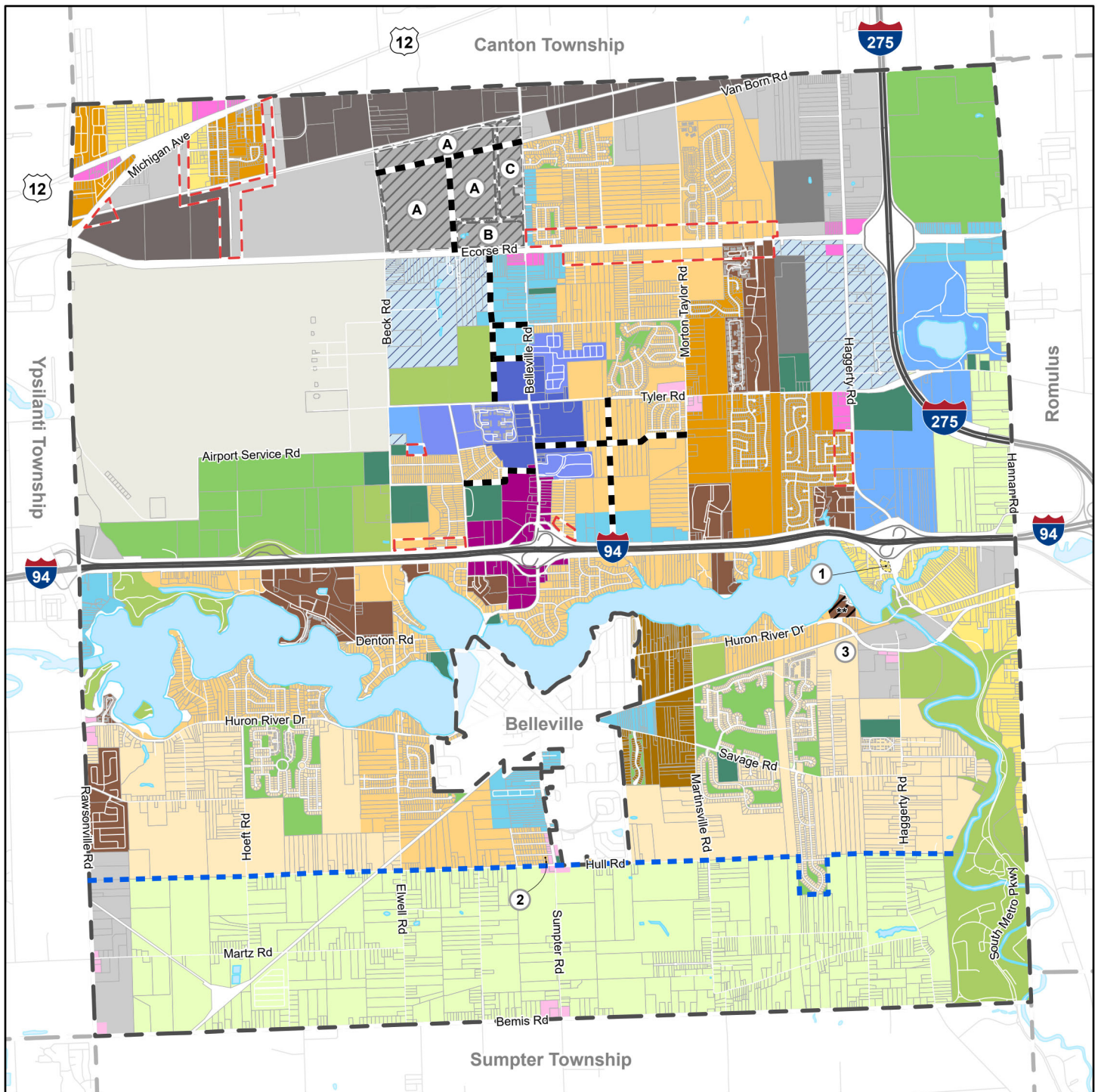
(A) STATEMENT OF PURPOSE
Areas in the Agricultural and Estates District are intended primarily to accommodate agricultural uses and residential development at a low density for residents who prefer exurban, estate living and are willing to assume the costs and effort of providing many of their own services 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
<ul style="list-style-type: none"><li>• Single-family detached dwelling</li><li>• Single-family farm dwellings related to agricultural operations</li><li>• Commercial agriculture buildings and greenhouses</li><li>• Commercial agriculture operations</li><li>• Keeping of Pets and Livestock</li><li>• Truck gardening</li><li>• Greenhouses and Nurseries</li><li>• Public and private stables, and riding academies</li><li>• Veterinary/Animal Clinics and Hospitals</li><li>• Swimming pools, private</li><li>• Cemeteries</li><li>• Temporary Produce Sales Building</li><li>• Family day care home</li><li>• Adult foster care, family home</li><li>• Home Occupations</li><li>• Accessory structures and uses customarily incidental to the above permitted uses</li></ul>	<ul style="list-style-type: none"><li>• Kennels and Raising of Fur Bearing Animals</li><li>• Day Care, Group Home</li><li>• Mining, excavating, or other removal of sand, earth, minerals, or other materials naturally found in the earth</li><li>• Agricultural Retail Sales</li><li>• Golf Courses</li><li>• Outdoor Recreation, Golf Driving Ranges</li><li>• Outdoor Recreation, Private Parks</li><li>• Country Clubs</li><li>• Outdoor Recreation, Gun Clubs</li><li>• Religious institutions</li><li>• Child Care Centers</li><li>• Adult day care centers</li><li>• Planned Residential Developments</li><li>• 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.</li><li>• Wireless Communication Facilities</li></ul>

*The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Section 3.104](#) (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 [Section 3.104](#) (including footnotes), then [Section 3.104](#) shall prevail. Refer to [Article 2](#) for definitions of uses and refer to [Article 5](#) 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.)	<a href="#">(C)</a>	Side Yard (total of 2)	25
Max. Lot Coverage (%)	15	Rear Yard	35
Min. Floor Area/Unit (ft.)	2,000 <a href="#">(B)</a>		
Max. Building Height (ft.)	30		
Max. Building Height (stories)	2		

*Footnotes: Refer to [Section 4.102](#) wherever a footnote is referenced in parentheses after one of the design regulations.*



## 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

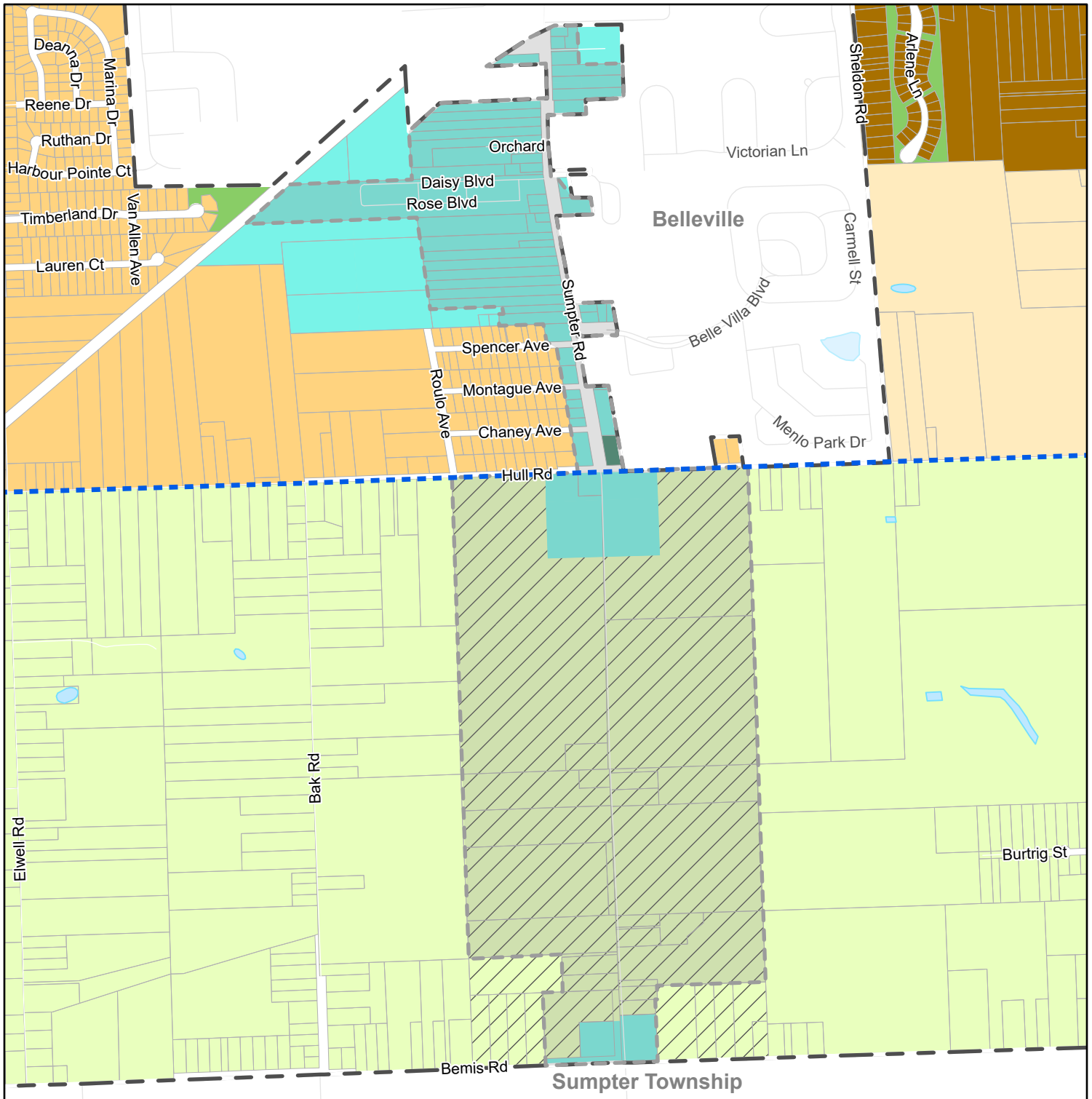
Date: \_\_\_\_\_



0 0.5 1  
Miles

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





# Sumpter Road Future Land Use Plan

Van Buren Township, Wayne County, MI

August 10, 2022 - DRAFT

## LEGEND

- Rural Settlement
- Low Density Single Family A - 20,000 Sq. ft.
- Medium Density Single Family A - 10,000 Sq. ft.
- Village Residential - 8,400 Sq. Ft.
- Sumpter Mixed Use
- Public / Semi-Public
- Parks / Open Space
- Private Open Space
- Lakes and Rivers
- Urban Services Boundary
- Township Boundary
- Sumpter Road Overlay District Boundary
- Rural Residential Pattern Area



0 400 800  
Feet

Basemap Source: Michigan Center for  
Geographic Information, v. 17a.  
Data Source: Van Buren Township 2021,  
McKenna 2021.





**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:

**Case 23-021: 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.

**Case 22-058: 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.

**Case 23-021: 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 [www.vanburen-mi.org](http://www.vanburen-mi.org)\Government\Agendas & Minutes\Planning Commission by no later than **June 12<sup>th</sup>, 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 ([www.vanburen-mi.org](http://www.vanburen-mi.org)). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments or questions about the meeting via e-mail to [dpower@vanburen-mi.org](mailto:dpower@vanburen-mi.org). To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend a meeting, and/or to obtain this notice in alternate formats, please contact the Clerk's Office at 734.699.8900, extension 9205.

Posted: May 22, 2023

Published: May 25, 2023



# VAN BUREN CHARTER TOWNSHIP

RECEIVED

JUL 27 2022

## DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111  
PHONE (734) 699-8913 FAX (734) 699-8958

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

## PLANNING & ZONING APPLICATION

### CASE INFORMATION

CASE NUMBER: 21-032	DATE SUBMITTED: July 27, 2022
---------------------	-------------------------------

### APPLICANT INFORMATION

NAME: Chris Garner	PHONE:
ADDRESS: 23944 Eureka Road, Suite 105	CELL PHONE: 734-507-5200
CITY, STATE & ZIP: Taylor, MI 48180	FAX:
EMAIL: chris@livepgm.com	

### PROPERTY OWNER INFORMATION (If different than the applicant)

NAME: SB-Invest L.P.	PHONE:
ADDRESS: 23944 Eureka	CELL PHONE: 734-507-5200
CITY, STATE & ZIP: Taylor, MI 48180	FAX:
EMAIL: chris@livepgm.com	

### BILLING CONTACT

NAME: Chris Garner	PHONE:
ADDRESS: 23944 Eureka Road, Suite 105	CELL PHONE:
CITY, STATE & ZIP: Taylor, MI 48180	FAX:
EMAIL: chris@livepgm.com	

### SITE/PROJECT INFORMATION

NAME OF PROJECT: Van Buren Township Multifamily Residential			
PARCEL ID NO: V125-83- 043-99-0015-000		PROJECT ADDRESS: 0.15 miles east of Tyler & Morton Taylor Road	
*APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the North Side of Tyler Road; Between Morton Taylor Road and Lancaster Road.			
SIZE OF LOT WIDTH: 728 feet	SIZE OF LOT DEPTH: 2,617 feet	ACREAGE OF SITE: 43.78	TOTAL ACRES OF SITE TO REVIEW: 43.78
CURRENT ZONING: RM	IS A REZONING OF THIS PARCEL BEING REQUESTED? Y / (N)		REQUESTED ZONING:
PROJECT DESCRIPTION: 132 unit Multifamily Development			

**SPECIAL PERMIT INFORMATION**

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? <u>Y</u> N	
IF YES, SECTION OF ZONING ORDINANCE FOR WHICH YOU ARE APPLYING FOR SPECIAL APPROVAL: Section 3.104 Permitted Uses by District and Section 3.107 RM, Multiple Dwelling Residential District	
IS THERE AN OFFICIAL WOODLAND WITHIN THE PARCEL? <u>Y</u> N	IF YES, WOODLAND ACREAGE: 14.5 acres
TOTAL NUMBER OF REGULATED TREES OUTSIDE THE WOODLAND AREA: 173 trees	TOTAL NUMBER OF TREES: 979 trees known and surveyed within project area. 2,000 total estimated trees across full property
DETAILED DESCRIPTION FOR CUTTING TREES: Predominantly high-quality hardwood trees in dense woodland; southeast corner includes lower-quality trees and more invasive scrub-shrub area. Trees to be retained will be identified through painting or flagging and tree protection fencing will be placed around the critical root zone for these 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**

Christopher Garner  
PRINT PROPERTY OWNER'S NAME

[Signature]  
SIGNATURE OF PROPERTY OWNER *Mayor Member*

7/25/22  
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 27<sup>th</sup> day of July, 2022.  
Jessica M. Zilka Notary Public, Wayne County, Michigan My Commission expires 10/30, 2027.  
*Jessica M. Zilka*

JESSICA M ZILKA  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires 10-30-2027  
Acting in the County of Wayne





## MEMO

---

TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Case 21-032 – Brookwood Multi-Family Senior Housing Development  
DATE: June 21, 2023

---

The Planning Commission will review the request by applicant by Chris Garner on behalf of owner SB – Invest L.P. to construct an independent multi-family residential senior housing development titled “Brookwood”, which will contain 132 dwelling units with a combined gross floor area of approximately 154,110 square feet. The proposed units will be configured as two-, four-, and six-unit singly-story buildings, and the project site will also have a clubhouse. The proposed site is located on the north side of Tyler Road, between Morton Taylor and Haggerty Roads on a 44.4-acre site with tax parcel ID # 83 043 99 0015 000. The site is zoned RM – Multiple Dwelling Residential District. Senior housing developments are a Special Land Use in the RM District, and the proposed Special Land Use requires a public hearing. A public hearing was held in accordance with Article 12, Chapter 3 (Special Land Use Review) of the Zoning Ordinance on November 9, 2022.

For the Planning Commission’s reference, this review packet contains a completed application form; reports from the Township’s Planning Consultant, Township Engineer and Fire Marshal / Deputy Fire Chief; minutes from the Planning Commission meetings held November 9<sup>th</sup> and December 14<sup>th</sup>, 2022 regarding this request; a combined civil and architectural plan set dated June 6<sup>th</sup>, 2023 (excerpts only included in hard copy); a map showing the proposed conservation easement to the State of Michigan, and a letter from Wade Trim dated June 21, 2023 with responses to remaining engineering concerns. As part of the project’s review, a (1) proposed pump station for sanitary / wastewater discharge from the site and a (2) variance from engineering standards to allow two of the site’s stormwater detention basins to have a permanent pool depth less than 4 feet required approval by the Van Buren Township Board of Trustees. The Board of Trustees approvals were granted on June 14, 2023. Excerpts from the packet submitted for the Board’s approval are included in this packet.

As part of the Board of Trustees’ approval of the requested engineering standard variance, they requested that the Planning Commission review items pertaining to mosquito control and security / fencing around the proposed stormwater detention ponds. Based on these items, I recommend that any final site plan approval shall include the following conditions:

- Per Section 8.107(D)(1) of the Van Buren Township Zoning Ordinance, decorative wrought iron black fencing shall be installed to restrict access around detention ponds, unless an alternative safety measure is proposed under section 8.107(D)(2) where ponds are not

readily accessible to populated areas, such as the construction of a 6-foot wide shelf constructed one (1) foot below the permanent water level. I recommend that the Planning Commission require fencing adjacent to Pond 4 near the front of the site. I also recommend that the Planning Commission may consider alternative safety measures for ponds 2 and 3 where ponds have limited public access. No action is recommended for ponds 1 and 5, as these ponds will have only a one (1) foot permanent pool depth.

- Per Section 8.107(E) of the Van Buren Township Zoning Ordinance, Stormwater basins designed to permanently hold water shall incorporate measures to limit mosquito growth, including but not limited to aerators and selective plantings. I recommend that the applicant shall provide aeration in ponds 2, 3 and 4 or an alternative to aeration including specific selective plantings and a sufficient maintenance plan so as to address concerns regarding mosquito control.

If final site plan approval is conditionally granted by the Planning Commission, the project will proceed through the Township's preconstruction process before individual building permits are issued. By this time, a final "issued for construction" plan set will be required and Wayne County final approvals must be obtained.

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

Sincerely,

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

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





**MCKENNA**

June 21, 2023

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

**Subject: VBT 21-032 Brookwood Senior Housing / Tyler Road; Site Plan Review #4 (Final);  
Revised Site Plans Dated May 9, 2023; Received June 6, 2023.**

Dear Commissioners:

The applicant, Chris Garner of Garner Property Management, has submitted a proposal to construct a senior housing development called Brookwood on a 44.23-acre site. The proposed four-phase condominium development will include 132 independent living units, in groupings of 2, 4, and 6-units. The site is located on the north side of Tyler Road, between Morton Taylor Road and Haggerty Roads.

The project received preliminary site plan approval from the Planning Commission on December 14, 2022 subject to conditions, and special land use approval from the Board of Trustees on January 17, 2023. We have reviewed the revised plan for compliance with the conditions of preliminary site plan approval and offer the following comments (items requiring changes or additional information are underlined):

## **COMMENTS**

- 1. Notation of detailed phasing timeline and clarification regarding self-sufficiency of each phase.** This condition has been met. Previously, the applicant had noted in the plans that the site would be developed in four phases, to be determined during the engineering design phase. As a condition of preliminary site plan approval, we required a detailed schedule of phased improvements and assurances that each phase could stand on its own from a public service and accessibility standpoint. Per the minutes of the December 9, 2022, Planning Commission meeting, the applicant stated that three phases were likely.  
  
The revised plans note on the cover sheet that roads and infrastructure will be built at one time and that the project will have a total construction timeline of 18 months, with 8-12 units built per month, to be leased as they come online. Given the provision of roads and other infrastructure at the onset of the project, we find this condition to be satisfied.
- 2. Planning Commission approval of the additional parking to be provided, to satisfy visitor parking needs.** This condition has been met. The approved preliminary plan proposed 114 parking spaces in excess of the ordinance requirements. However, the spaces were located inside garages with only 20 spaces spread out over the entire development on surface lots, to provide for visitor parking. At their December 9, 2022 meeting, the Planning Commission approved the additional parking with a recommendation to provide for a couple of additional handicap accessible spaces within the surface lot areas. The plan has been revised to comply.
- 3. Addition of a deciduous or evergreen tree at the front lot line.** This condition has been met. The previous landscape plan incorrectly noted six (6) evergreens, when only five (5) were shown on the drawing. The revised drawing notes the 5 evergreen trees and additional deciduous trees to meet the ordinance requirement for 17 trees along the site's Tyler Road frontage.

**HEADQUARTERS**  
235 East Main Street  
Suite 105  
Northville, Michigan 48167

○ 248.596.0920  
F 248.596.0930  
**MCKA.COM**

**Communities for real life.**

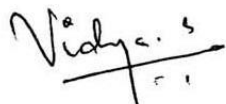
4. **Township Engineer and Wayne County Approvals.** This condition can be met. It is our understanding that the applicant has been in conversations with the Township and Wayne County to address grading and other engineering issues. As of this submittal, the applicant does not have final engineering approval from Wayne County. Per a letter from Wayne County dated 6/20/2023, there are still some unresolved issues and a review by the Drain Commissioner is pending. Final engineering approval must be obtained before proceeding to the next phase of construction.
5. **Board of Trustees Special Land Use Approval.** This condition has been met. The project received preliminary site plan approval and a recommendation of special land use approval from the Planning Commission on December 14, 2022; subsequently, special land use approval was granted by the Board of Trustees on January 17, 2023.
6. **Provision of a dumpster enclosure for the clubhouse, as discussed.** This condition has been met. The revised plan now includes a dumpster enclosure near the clubhouse building. The proposed enclosure is 11.3' x 13.3' and located at an angle off the main access drive, to allow for easy trash truck access. Details of the enclosure have been noted and feature a block enclosure with face brick to match the clubhouse building and steel reinforced wooden gates.
7. **Provision of turn radius diagrams for the attached unit garages to ensure adequate turn movement area for vehicles entering and exiting the units.** This condition has been met. The revised plan set includes Sheet C9.5, which shows the turn movements of a pick-up truck in and out of individual driveways separated by the stone strip. The applicant has noted that the typical dimension of a garage is adequate to accommodate a mid-size SUV and not a pick-up truck. As such, a pick-up truck at a dwelling (if any) will park in the driveway and follow the turn patterns as shown.

#### RECOMMENDATION

All of the conditions of preliminary site plan approval have been addressed at this time, with the exception of engineering approval which the applicant is actively working on with the County. Therefore, we recommend that the Planning Commission grant final site plan approval for the Brookwood Senior Housing development to be located on Tyler Road, subject to full engineering approval from Wayne County and the Township Engineer.

This recommendation is made with the understanding that should any aspect of the site layout change during engineering review and approval, the applicant must re-appear before the Planning Commission for amended final plan approval.

Respectfully,  
**McKENNA**



Vidya Krishnan  
Senior Principal Planner



Gage Belko, AICP  
Associate Planner

cc: Dan Power, Director of Planning and Economic Development  
Paul J. Kammer, FTCH, Township Engineers  
Andy Leneghan, Van Buren Township Fire Marshal



---

June 21, 2023  
Fishbeck Project No. 211142  
VBT Project No. 21-032

Kevin Lawrence  
Director of Water and Sewer  
Van Buren Township  
46425 Tyler Road  
Van Buren Township, MI 48311

**Brookwood Van Buren Township Multi Family Residential Site Plan  
Engineering Review No. 3**

At the request of Van Buren Township (Township), Fishbeck has reviewed the engineering plans submitted to the Township and distributed for Engineering Review on June 6, 2023, for the Brookwood Multi Family Residential Facility located on Tyler Road in Van Buren Township, Michigan. The accompanying review letter is an update to the previous Engineering Plan Reviews No. 1 and No. 2 and the corresponding letters dated March 30, 2023 and May 9, 2023.

This project entails construction of 132 housing units (constructed in two, four and six dwelling units) and a club house to the North of Tyler Road and to the East of Morton Taylor Road. The entire site is proposed to be constructed over four phases.

Proposed construction includes: housing units and clubhouse; 286 parking spaces throughout the development (some of which are garage spaces); hot mix asphalt (HMA) paved roadways with concrete curb and gutter and concrete driveways and sidewalks; a full stormwater management system including an enclosed underground storm system and five separate detention ponds; a new public water main system including eleven hydrants and service lines to each housing unit; a polyvinyl chloride (PVC) sanitary sewer system with service connections to the proposed buildings and a pump station outlet structure; and other various landscaping and site plan improvements.

Our review comments are as follows:

## General

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

1. The Applicant is responsible for meeting all requirements listed in the Engineering Standards Manual and showing all required information on the plans. There are several requirements in the Engineering Standards Manual that need to be addressed prior to the preconstruction phase. Many of these items are commented on in this letter, however, it is up to the Applicant to verify all requirements are sufficiently met.
2. Verify all proposed signage locations. Sheet C3.1 shows proposed signs placed in driveways of units 2 and 4. Also, a note on sheet C3.1 says "refer to legend on sheet C3.0" for signs however, the sign legend is on sheet C0.1.
3. Detectable warning surfaces should be provided for all crosswalks at intersections with stop signs. There should also be detectable warning plates for the sidewalk crossing in the ROW for the entrance drive at Tyler Rd.

## Water Main Service

**Existing:** The Township's Geographic Information System (GIS) records and the applicant's plan indicate there is an existing 12-inch asbestos cement (AC) watermain running east-west along the north side of Tyler Road. Existing information indicates one hydrant and one gate valve in well along the 12-inch water main. There are also two 42-inch Great Lakes Water Authority (GLWA) AC pipe watermains running east-west along Tyler Road.

**Proposed:** The applicants plan indicates a new 8-inch ductile iron water main system tying into the existing 12-inch AC water main in two locations on the north side of Tyler Road. A new gate valve and well will be installed on the existing Township 12-inch water main between the proposed 8-inch taps. The new water main system continues north through the development and terminates at a hydrant at the very north end of the site. The new system includes 11 new hydrants and 1-inch domestic service lines at each housing unit.

### Comments:

1. Plans shall indicate the finish grade of all fire hydrants, valve-well rims, and all other water structures. Profile views do not indicate finish grade for hydrants. Fire hydrants are also not labeled on sheet C5.14 and on C5.15. All hydrants shall be labeled on the C5.300 series sheets.
2. Per discussions between the Applicant and the Township, a water main extension to the east property line was added between units 30 and 31. The intent of the original request was to place the water main extension just north of Basin 5 between Basin 5 and the wetlands. Also, per Township standards, the Applicant must add a gate valve in well at the termination of the water main stub as well as include a corresponding profile. Additionally, an easement is needed for this extension.
3. Many station values, rim elevations and pipe lengths do not match from plan to profile view. Verification throughout the plans is needed.
  - a. C5.301 shows a gate valve in well at station 2+53.59, the rim elevations do not match
  - b. C5.302 labels a length of pipe at 754 feet however, C5.15 does not match this
  - c. C5.304 shows a gate valve in well near station 10+41, however the plan labels one station and the profile labels another
4. Gate valve in well at STA 19+17.53 is not included in the corresponding profile.
5. Sheet C5.16 indicates 22.5 degree bends with thrust blocks, however, these are not labelled on sheet C5.303.
6. Applicant should verify gate valve and well labels and the need of a tapping sleeve. Currently all labels call out a 12" x 8" tapping sleeve.
7. Per Chapter 3, Part 4, Section d of the Van Buren Township Engineering Standards Manual, water services shall not be installed under driveways or other obstacles. Currently the water shut off for unit 119 is under the driveway.

## Sanitary Sewer

**Existing:** The Township's GIS records indicate a 15-inch public reinforced concrete pipe (RCP) sanitary sewer main running east-west along the south side of Tyler Road with two sanitary manholes, one manhole at the east property line and one at the west property line. The sanitary main flows west towards Morton Taylor Road. Township GIS records also indicate a 10-inch sanitary stub at the very northeast corner of the site however, the proposed plans do not show the northern most portion of the property being developed.

**Proposed:** The applicant's plan indicates a proposed 10-inch PVC pipe sanitary sewer main to be constructed throughout the development with 6-inch PVC leads and cleanouts at each housing unit. The sanitary system is proposed to outlet via a pump station located at the south side of the site on the west side of the entrance drive. A 4-inch sanitary force main is proposed to be directionally drilled under Tyler Road and connect the pump station to a new manhole constructed over the existing 15-inch sanitary main. The proposed sanitary sewer will be crossing under the two existing 42-inch GLWA water mains in Tyler Road.

#### Comments:

1. A final engineering review of the pump station was completed by the Township Engineer and comments were provided as part of a separate letter. The Applicant must review this letter and provide responses accordingly. As stated in the separate pump station review letter, there are still concerns with the constructability and installation of the force main relative to the existing utilities in the Tyler Road.
2. Manhole type and diameter shall be listed in plan view.
3. According to Chapter 5, Part 4, Section c of the Van Buren township Engineering Standards Manual, manholes shall not be located in drives or approaches. Sanitary MH #24 appears to be in the driveway of unit 119. Can Sanitary MH #24 be shifted slightly to be located out of the driveway?
4. Profiles seem to be missing several utility crossings. ALL crossings must be shown. Some examples are listed below:
  - a. C5.101 – Missing storm sewer crossing
  - b. C5.103 – Missing storm sewer crossing
5. Pump station callout on C5.5 refers to a detail on C5.17 but callout on C5.101 refers to a detail on C5.17. Coordinate notes.
6. The sanitary sewer easement shall be shown on the C5.100 series sheets.
7. Per Section C, Part 15 of the Van Buren Township Engineering Standards Manual, the class of pipe shall be shown in profiles.
8. Per Section C, Part 15 of the Van Buren Township Engineering Standards Manual, the location, by station of every proposed manhole shall be labeled in the profile. Currently, there is no location of manholes in the profiles.

## Storm Sewer

**Existing:** The applicant's plans show an existing 10-inch RCP storm sewer with two catch basins running east-west along the north side of Tyler Road. There are no other storm sewers located on the site. Within the property there are several wetland areas that have been surveyed and are shown by the applicant.

**Proposed:** The applicant's plan proposes a full stormwater management system with several catch basins and underground sewers that outlet to five detention ponds with sediment forebays that are all interconnected. The detention ponds outlet to a storm main that conveys metered flow north through the site and ultimately outlet to the wetlands in the northwest corner of the site.

#### Comments:

1. Storm structure sizes should be indicated on the plans.
2. The rim elevation of existing CB-30055 does not match what is listed in the profile.
3. The length and size of pipe are not indicated on C5.9 between CB #401 and MH #402 as well as MH #610 to FES #603A.
4. The length of pipe from CB #302 to MH #304 and MH #304 are currently not included in any profile. It is required that all storm sewer is profiled.
5. Per Chapter 5, Part B of the Van Buren Township Engineering Standards Manual, plastic pipe is not allowed under the influence of the road. The section of pipe from MH #401 to CB #404 must be RCP.
6. Sheet C5.202 is missing labels on the profile for pipes and structures.
7. Sheet C5.203 is missing part of the profile. MH #304 should be included on profile 3B.
8. Per Section C, Part 15 of the Van Buren Township Engineering Standards Manual, the location, by station of every proposed manhole shall be labeled in the profile. Currently, there is no location of manholes in the profiles. The equalization pipes between Pond 1, Pond 5 and Pond 2 have been revised to include the minimum slope per the Township standards however, the invert of the 36" equalization pipe at FES #601 has been lowered to elevation 674.00 which is 6-inches below the bottom of detention elevation. The invert of FES #601 should be raised to the bottom of detention elevation.
9. Detention pond details should show the permanent pools of water and corresponding elevations.

10. Select overflow routes are shown on sheets C6.2 through C6.5. All overflow routes should be indicated and shown.
11. Applicant shall have an emergency overflow spillway detail for all proposed ponds. Currently, there are only details for ponds 1, 4 and 5.
12. OHM review comments dated 6/20/2023 were submitted to the Township on 6/21/2023 by the Applicant. The Applicant must update the plans per the OHM review letter and receive County approval prior to the Applicant moving forward to the preconstruction phase.

## Paving and Grading

1. Several crosswalks do not appear to include curb drops and ramps. Sidewalk ramps and curb drops should be provided at all crosswalks.
2. Grade changes in the roadways of more than one percent require a vertical curve and minimum vertical curve length is 100 feet. Several vertical curves are shown as 50 feet in length.
3. Per Chapter 7, Section A, Part 9 under street design criteria of the Van Buren Township Engineering Design Manual, regardless of design, six-inch edge drain will be required along all roadways.

## Soil Erosion and Sedimentation Control (SESC)

1. Make sure the SESC plan provided is clear and concise, indicating all elements that are needed for all areas of earth disturbance, and in accordance with the Township *Engineering Standards Manual*, Chapter II, Plan Requirements, Paragraph D, SESC Plan Requirements, and in accordance with Wayne County SESC standards. A permit must be acquired from the Wayne County SESC County Enforcing Agency.  
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>.

## Recommendation

Fishbeck recommends the Planning Commission grant Final Site Plan approval based on the engineering review of the Brookwood Multi Family Residential plans dated June 6, 2023, contingent to the Applicant addressing all comments in the above letter and receiving County approval for stormwater management. If the Applicant does not receive County approval and must make significant changes, the Township may request the Applicant resubmit plans for Final Engineering review. The Applicant must update the drawings per the above comments prior to moving to the pre-construction phase of the Township site plan process. An issued for construction set with all updates included, must be submitted for review by the Township Engineer.

If you have any questions regarding this project or our comments listed above, please contact me at 248.324.4796 or [mtlepppek@fishbeck.com](mailto:mtlepppek@fishbeck.com) or Paul Kammer at 248.324.2137 or [pkammer@fishbeck.com](mailto:pkammer@fishbeck.com)

Sincerely,



**Mike Leppek, PE**  
Civil Engineer



**Paul Kammer, PE**  
Senior Civil Engineer

By email

Copy: Dan Power – Township  
Brittney Williams – Township  
Vidya Krishnan– McKenna



# ***VAN BUREN TOWNSHIP FIRE DEPARTMENT***

**46425 Tyler Road, Van Buren Township, MI 48111**

***David C. McNally II, Fire Chief: (734) 699-8900 x 8916***

***Andrew Lenaghan, Deputy Chief/Fire Marshal: (734) 699-8900 x 9416***

June 13, 2023

Director of Planning and Economic Development  
46425 Tyler Road  
Van Buren Township, MI 48111

Wade Trim  
555 S. Saginaw St. STE 201  
Flint, MI 48502

RE: Brook wood Multi-Family Residential Development final site plan

A preliminary site plan review was performed on the Brookwood Multi-Family Residential Development for Wade Trim. The focus of this review was Water Supply and Fire Department Access. The Code used in the review is the Van Buren Township adopted fire code IFC 2021. The buildings were classified as Residential Group 2 (R-2).

## **Water Supply**

The Fire Flow required per building is 2000 gpm for 2 hours  
4801-6200 square feet.

Type 5 (wood frame construction)

**Table B105.1 (2) IFC 2001**

~~For a fire flow of 2000 gpm, the maximum distance from any point on a street or road frontage to a hydrant is 225 feet. **Table C102.1 IFC 2021**~~

**~~On sheet C5.2 the distance of 225 feet is exceeded. A hydrant will need to be added in the area of unit 20-21.~~**

**Hydrant added in front of Units 20-21 (9/22)**



## Fire Department Access

~~Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders. D103.1 IFC 2021~~

### ~~No Corrections made to Street Width (9/22)~~

~~Per the last revision of the site plans, the street width is 27 feet, back of curb to back of curb. The mountable curb needs to be reduced from 30 inches to 18 inches. (10/26)~~

18" mountable curb shown in the site details on sheet C3.8

~~Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20–26 feet wide. D103.6.1 IFC 2021~~

Noted in latest site plan set, posted signage showing no parking on either side of the street. (10/26)

~~Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved access roads. D106.1 IFC 2021~~

At the planning staff review meeting on 8/17, it was agreed upon that if the housing units were equipped throughout with an automatic sprinkler system, an exception would be made (Per Code Allowance) to allow one access road.

The required turning radius of a fire apparatus access road shall be determined by the fire code official. 503.2.4 IFC 2021

~~After review of the sectional site plans, adjustments in the turns need to be made to allow for the ladder truck to turn without having to utilize the mountable portion of the curb.~~

The Face of the curb radii has been changed from 25 feet to 30 feet. In addition, Sheets C 9.0 through C 9.4 show adequate fire truck movement through the development.

All Fire Department concerns have been addressed.

If you have any questions regarding this review, please contact me at [alenaghan@vanburen-mi.org](mailto:alenaghan@vanburen-mi.org) or 734-699-9416.

Andrew Lenaghan  
Deputy Fire Chief/Fire Marshal  
Van Buren Township



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

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **November 9, 2022 at 5:30 p.m.** The meeting will be held in person at Van Buren Township Hall, located at **46425 Tyler Road, Van Buren Township, MI 48111**, in the Board Room. **Members of the public may additionally participate in the meeting electronically** per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following request:

**Case 21-032:** A request by Chris Garner on behalf of owner SB – Invest L.P. to construct an independent multi-family residential senior housing development with 132 dwelling units with a combined gross floor area of approximately 154,110 square feet. The project is proposed to be located on the north side of Tyler Road, between Morton Taylor and Haggerty Roads on a 44.4-acre site. The site has tax parcel ID # 83 043 99 0015 000 and is zoned RM – Multiple Dwelling Residential District. Senior housing developments are a Special Land Use in the RM (Multiple Dwelling 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.

Members of the public may access the agenda materials via the Township website – [www.vanburen-mi.org](http://www.vanburen-mi.org) by **November 7, 2022**. On the meeting website, members of the public will also gain access to **means of participating in the electronic meeting. On the agenda for the meeting**, a unique Zoom weblink and dial-in phone number with a meeting ID for meeting videoconference or teleconference access will be provided. The meeting will be available to view live on the Van Buren Township YouTube Channel which can be reached from the live meeting link located on the Van Buren Township website home page ([www.vanburen-mi.org](http://www.vanburen-mi.org)). Closed captioning will be available after YouTube fully renders meeting video.

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

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

Posted: October 17, 2022  
Published: October 20, 2022





PROJECT MANAGER: - C:\PW\_WORK\WADE-TRIM\_VCLARK\01129952\PLTS-EGLE CONSERVATION EASEMENT PLANDWG - C2.0 - PLOTTED 11/22/2022 8:23 AM BY CLARK, VERONICA



Know what's below.  
Call before you dig.

MORTON TAYLOR RD

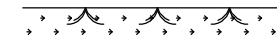
TYLER RD (66 FT WD)

### LEGEND

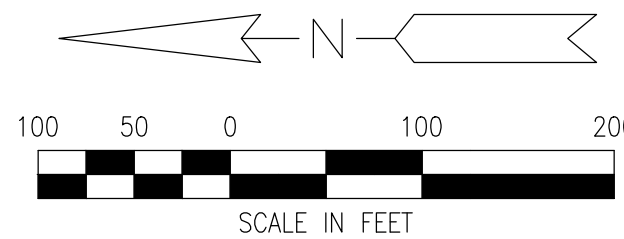
PROPOSED CONSERVATION  
EASEMENT BOUNDARY



WETLAND LIMITS



ESTIMATED COUNTY  
DRAIN EASEMENT



48" INV  
INV=669.67

48" INV  
INV=670.23

MCCLAUGHREY DRAIN

SEASONAL STREAM

CONSERVATION EASEMENT AREA  
498,031 SQ. FT.  
11.43 AC

ESTIMATED 60.0' COUNTY DRAIN EASEMENT

GARNER PROPERTY MANAGEMENT  
23944 EUREKA ROAD, SUITE 105  
TAYLOR, MI 48180  
PROPOSED EGLE CONSERVATION EASEMENT PLAN  
FOR  
VAN BUREN TOWNSHIP MULT-FAMILY RESIDENTIAL

ISSUED FOR: DATE: BY:

JOB NO.  
GPM2001.01F

SHEET

C1.0

855 S. Saginaw Street, Suite 201  
Taylor, MI 48180  
810.335.2552  
www.wadetrim.com



© Wade Trim Group, Inc. GPM2001.01F VAN BUREN MULT-FAMILY

REV# DATE DESCRIPTION BY





**To:** Dan Power, AICP

**From:** Kevin Royston, PE and Veronica Clark, Engineer

**Date:** June 21, 2023

**Subject:** Brookwood Multifamily Housing, Van Buren

Dear Dan Power,

We have received OHM Permit Review Team's review letter dated on June 20, 2023, and offer the following in response. Please note our responses are provided in italicized font below the original comment:

**Storm Water Management:**

1. To expedite review, please provide a letter with detailed responses to the comments in this review.

***Response:*** See this letter with detailed responses to the comments in review letter.

2. The rim elevation of any manhole location along a closed conduit upstream of a detention pond must be at least one (1) ft above the design high water level of the detention ponds. There are several structures that do not meet this requirement and must be revised.

***Response:*** The rims of the manholes located along a closed conduit upstream of a detention pond will be raise to be at least one (1) ft above the design high water level of the detention ponds.

3. There is a manhole shown on the storm sewer profile 2F (Sheet C5.202) with no information provided regarding this manhole. Provide information regarding invert elevations, pipe sizes, and any other pertinent information.

***Response:*** The manhole is WQ #202 on the storm sewer profile 2F on sheet C5.202. A label will be added to the structure including invert elevations, pipe sizes and other pertinent information.

4. Review and revise hydraulic conveyance calculations for all proposed storm sewer piping.
  - a. There are several storm sewers stretches that do not meet the minimum velocity requirement of 2.5 ft/s at full flow. Revise these sections to achieve the minimum velocity requirements. If the minimum velocity cannot be maintained, please review the pipe slope per the below table.

***Response:*** We will work with the County to meet the required the cleansing velocity.

- b. Provide drainage areas (acre) and Intensity (in/hr) in the stormwater calculations table on sheet C5.19.

***Response:*** The drainage areas (acre) and Intensity (in/hr) in the stormwater calculations table on sheet C5.19 will be added.

- c. The 36" equalizer pipes must meet the minimum self-cleaning pipe slopes from the above table if the minimum velocity requirements cannot be met.

**Response:** *Per the teams meeting between Garner Property Management Team, Wayne County representatives, and Van Buren Township representatives on May 10th it was determined that the equalizer pipes would need to be flat to provide the ability to send water in both directions. The minimum velocity requirements is not pertinent to the equalizer pipes but will be addressed for the conveyance storm network.*

5. The proposed overflow pipe from OS#101 to the natural stream must be designed using the 10-yr peak flow for the entire site and not just the allowable outflow. Revise the design calculations and plans accordingly, ensuring the plans and details include the correct pipe size.

**Response:** *The calculations and plans will be revised to size the overflow pipe from OS#101 to the natural stream using the 10-year peak flow for the entire site. See sheet C7.1.*

6. Review and revise the proposed overflow spillway in Pond #1
  - a. The provided calculations on Sheet C7.1 indicate weir width of 80ft, but the provided width in the calculations and typical sections for Pond #1, Pond #4, and Pond #5 indicate a weir of 27ft. Revise the weir calculations and cross sections using the 100-year peak flow for the total site area. All ponds that are prone to overtopping must have an adequately sized spillway using the 100- year peak flow from the entire site.

**Response:** *Pond #1, Pond #4 and Pond #5 will be revised to show the 80 feet weir width. See sheet C7.1.*

7. Revise all detention pond details (C7.1 to C7.5) to include the proposed permanent pools for each pond.

**Response:** *All the detention ponds details on sheets C7.1 thru C7.5 will be revised to include the proposed permanent pools for each pond.*

8. Note on the plans which Wayne County Treatment requirement the proposed Cascade system(s) meet:
  - a. 80% reduction in TSS concentration or,
  - b. Maximum effluent TSS concentration of 80 mg/L.

**Response:** *A note will be added to the plans stating: Cascade system(s) meet Wayne County Treatment requirement of 80% reduction in TSS concentration or maximum effluent TSS concentration of 80 mg/L. See sheets C7.2A, C7.3, and C7.4A.*

9. Provide a 12-ft wide Stable Maintenance Access strip within the required buffer strip at the minimum of two sides for the detention systems. Please revise the plans accordingly and resubmit for review.

**Response:** *A 12-foot wide Stable Maintenance Access strip will be added within the required buffer strip at the minimum of two sides for the detention systems.*

**Traffics and Geometrics:**

1. The 12 ft. dimension labeled on sht. C3.5 is acceptable.

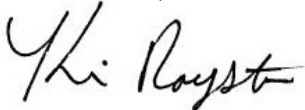
**Response:** *Understood.*

2. Based on the depth of proposed excavation and the existing road elevation it does not appear feasible to maintain 2-way traffic at all times during construction activities. Please submit a detour plan for our review.

**Response:** *A detour plan will be provided with application for the permit and be included in the construction plan set.*

Very truly yours,

Wade Trim, Inc.



Kevin Royston PE  
Project Manager



Veronica Clark  
Engineer

KR:VBC:rld  
GPM 2001.01F  
20230621 OHM ResponseLetter.docx

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
November 9, 2022  
MINUTES - DRAFT**

Chairperson Kelley called the meeting to order at 5:32 p.m.

**ROLL CALL:**

**Present:** Cullin, Grant, Budd and Kelley.

**Excused:** Atchinson, Jahr and Barr.

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

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

**Applicant(s) in Attendance:** Veronica Clark of Wade Trim, Tom Gritter of Gritter Real Estate Services, Luke Bonner of Bonner Advisory Group, Chris Garner of Garner Properties and Management and Rino Soave of Infinity Acquisitions, LLC.

**Audience:** Ten (10) and Two (2) remove viewers.

**APPROVAL OF AGENDA:**

Motion Budd, Cullin second to approve the agenda of November 9, 2022 as presented. **Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Cullin, Grant second to approve the regular meeting minutes of October 26, 2022 as presented. **Motion Carried.**

**PUBLIC HEARING:**

**ITEM #1:       CHRIS GARNER / SB – INVEST L.P. (BROOKWOOD) – PUBLIC HEARING**

**TITLE:           A REQUEST BY CHRIS GARNER ON BEHALF OF OWNER SB – INVEST L.P. TO CONSTRUCT AN INDEPENDENT MULTI-FAMILY RESIDENTIAL SENIOR HOUSING DEVELOPMENT WITH 132 DWELLING UNITS WITH COMBINED GROSS FLOOR AREA OF APPROXIMATELY 154,110 SQUARE FEET. SENIOR HOUSING DEVELOPMENTS ARE A SPECIAL LAND USE IN THE RM (MULTIPLE DWELLING 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 TITLED “BROOKWOOD”.**

**THE PROJECT IS PROPOSED TO BE LOCATED ON THE NORTH SIDE OF TYLER ROAD, BETWEEN MORTON TAYLOR AND HAGGERTY ROADS ON A 44.4-ACRE SITE. THE SITE HAS TAX PARCEL ID #83-043-99-0015-000 AND IS ZONED RM – MULTIPLE DWELLING RESIDENTIAL DISTRICT.**

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

Director Power informed that the public hearing is an opportunity for members of the public and neighboring property owners to speak. Brookwood is a proposed senior housing development

on Tyler Road. The public hearing is the first step to introduce the basics of the project, under New Business there will be more in-depth discussion under special land use and preliminary site plan. Director Power will defer to the Planning Commission as to how much they would like to go through of the reviews, possibly summarizing reports due to the scale of the project and not having all Planning Commission members in attendance, the Commission may elect to save the full review for a later date.

Director Power provided the basic information of the project, displaying a site map of the 44.23-acre parcel along with architectural elevations. The site is located to the west of Hickory Woods, zoned RM (multiple dwelling residential district) and the disturbed area is 25.9-acres. There will be 132 attached condominium units with a clubhouse, the attached condos are in 2, 4, and 6 plex buildings, with 154,110 square feet of building area. There is a significant amount of wetland coverage, all access will be by boulevard style entry off of Tyler Road with two (2) 20'+ wide access lanes. There will be 284 parking spaces total, 20 lot spaces and 264 garage spaces. A Traffic Impact Study was completed by Wade Trim on September 9, 2022. The wetland areas on the site will be preserved.

Members of the audience had the following questions and comments:

- Resident attended the meeting to get more information. The property backs up to his property on the east side and is all woods. Resident is glad to hear there will be a buffer as he paid a premium to have a lot that backs up to woods. Resident is excited about the project, feels it is good for our community and just wanted to get a better understanding of the project.
- Resident in Hickory Woods property backs up to the east side of the property and inquired if the strand of trees will remain along the east side of the property. Residents in Hickory Woods were taken aback by the lack of information until they received a letter from the State of Michigan. Resident is attending in hope to get answers to questions.
- Resident on Bradley Drive came to the Township earlier in the week to look at the map of the area and was told the woods backing his property were all wetlands. Resident is looking for more information to see if the woods will remain.
- Resident in Hickory Woods informed that traffic on Tyler Road is busy and she is concerned with the tree line abutting the property. Her specific concern is Tyler Road, there needs to be a traffic signal at the Morton Taylor and Tyler Road intersection. Resident would like to have a traffic study of the area as well.

**Motion Grant, Cullin second to close the public hearing. Motion Carried.**

**OLD BUSINESS:**

**ITEM #1: COBBLESTONE CREEK PHASE VILLAS REVISION – SPECIAL LAND USE REVIEW.**

**TITLE: THE REQUEST BY APPLICANT INFINITY ACQUISITIONS, LLC ON BEHALF OF OWNER C.A. KIME, INC. FOR PRELIMINARY APPROVAL TO REVISE A PHASE OF ATTACHED CONDOMINIUM HOUSING UNITS WITHIN THE 117.06-ACRE COBBLESTONE CREEK PLANNED RESIDENTIAL DEVELOPMENT (PRD) TITLED COBBLESTONE CREEK VILLAS. THE REQUEST IS TO BE REVIEWED AS A SPECIAL**

- Commissioner inquired if this was an item where members of the homeowner's association (HOA) wanted the repetition? Rino Soave informed that he worked with the HOA to make sure that they were on board, he offered single-family and multiple-family and the HOA wanted multiple-family. The HOA wants to match the brick and façade finishes to what's there as closely as possible. The roof line was adjusted, bay windows, windows in garage doors and cedar shake were added finishes. The road will eventually be completed as well. Commissioner informed at the meeting in June, the HOA President discussed that they wanted the repetitive look and keeping the units similar.

No comments from the audience.

**Motion Cullin, Budd second to recommend preliminary conditional site plan approval to the Township Board of Trustees to revise a phase of attached condominium housing units within the 117.06-acre Cobble Stone Creek Planned Residential Development (PRD), Cobblestone Creek Villas, site located on the south side of Huron River Drive, east of Hoeft Road, area subject to the request includes 6.88 acres located on Chinkapin Drive and Pinewood Lane, between 13687 Pinewood Lane (parcel ID number V-125-83-114-02-0067-000) and 13957 Chinkapin Drive (parcel ID number V-125-83-114-02-0028-000), subject to the conditions in the staff review letter dated 11-3-22, McKenna Associates review letter dated 10-19-22, Fishbeck Associates review letter dated 6-3-22, Fire Department approval of the fire hydrant layout and recommending approval of all four (4) recommended PRD deviations.**

**Roll Call:**

**Yeas: Budd, Grant, Cullin and Kelley.**

**Nays: None.**

**Excused: Atchinson, Barr and Jahr.**

**Motion Carried. (Letter Attached)**

**NEW BUSINESS:**

**ITEM #1: CHRIS GARNER / SB – INVEST L.P. (BROOKWOOD) – SPECIAL LAND USE REVIEW.**

**TITLE: A REQUEST BY CHRIS GARNER ON BEHALF OF OWNER SB – INVEST L.P. TO CONSTRUCT AN INDEPENDENT MULTI-FAMILY RESIDENTIAL SENIOR HOUSING DEVELOPMENT WITH 132 DWELLING UNITS WITH A COMBINED GROSS FLOOR AREA OF APPROXIMATELY 154,110 SQUARE FEET. SENIOR HOUSING DEVELOPMENTS ARE A SPECIAL LAND USE IN THE RM (MULTIPLE DWELLING RESIDENTIAL) DISTRICT. THE PROJECT IS PROPOSED TO BE TITLED "BROOKWOOD".**

**THE PROJECT IS PROPOSED TO BE LOCATED ON THE NORTH SIDE OF TYLER ROAD, BETWEEN MORTON TAYLOR AND HAGGERTY ROADS ON A 44.4-ACRE SITE. THE SITE HAS TAX PARCEL ID #83-043-99-0015-000 AND IS ZONED RM (MULTIPLE DWELLING RESIDENTIAL DISTRICT).**



Director Power informed that the agenda is set up with two (2) items, special land use and preliminary site plan review. Any special land use has general criteria, however senior housing is a specific type of special land use. Director Power discussed the following in an overview of the Brookwood Senior Housing special land use request:

- **General Special Land Use:** Socially and economically desirable use of land, necessity for public convenience, compatibility with adjacent uses of land, protection of public health, safety and welfare, adequate services and utilities, cohesion with neighborhood, consideration of the environment and natural resources, harmony with the underlying zoning district and a valid exercise of the Township's police power.
- **Specific Special Land Use Criteria for Senior Housing:** Open space/site area requirements, floor area requirements, adjacency to planned major thoroughfare, 40' height, front, rear and side setbacks of 50' at project boundary, building architecture, limits on accessory buildings, parking landscaping and signage.

Commissioners agreed that most of their questions and questions from the audience pertain to the preliminary site plan.

No comments from the audience.

**Motion Budd, Grant second to table the discussion on the special land use request by Chris Garner on behalf of owner SB – Invest L.P. for the Brookwood development. Motion Carried.**

**ITEM #2: CHRIS GARNER / SB – INVEST L.P. (BROOKWOOD) – PRELIMINARY SITE PLAN REVIEW.**

**TITLE: A REQUEST BY CHRIS GARNER ON BEHALF OF OWNER SB – INVEST L.P. TO CONSTRUCT AN INDEPENDENT MULTI-FAMILY RESIDENTIAL SENIOR HOUSING DEVELOPMENT WITH 132 DWELLING UNITS WITH A COMBINED GROSS FLOOR AREA OF APPROXIMATELY 154,110 SQUARE FEET. THE PROJECT IS PROPOSED TO BE TITLED "BROOKWOOD".**

**THE PROJECT IS PROPOSED TO BE LOCATED ON THE NORTH SIDE OF TYLER ROAD, BETWEEN MORTON TAYLOR AND HAGGERTY ROADS ON A 44.4-ACRE SITE. THE SITE HAS TAX PARCEL ID #83-043-99-0015-000 AND IS ZONED RM (MULTIPLE DWELLING RESIDENTIAL DISTRICT).**

Director Power gave the presentation and informed that the design is based on the physical constraints of the site. The owner has worked hard to reach out to neighboring homeowner's associations (HOA's). The RM (Multiple Dwelling Residential District) does allow senior housing as a special land use. There was a Traffic Impact Study done by Wade Trim on September 9, 2022. The boulevard does create two (2) entry points in the event of an emergency, but otherwise the site circulation is a circle. There is extensive landscaping, a fair amount of open space and wetland preservation. The stormwater design will have a series of detention ponds. The sanitary sewer had difficulty connecting to the north, all is being routed to the south with a pump station.

Director Power displayed the building architecture. The project design currently has a lot of shared driveways. The applicant is looking into how to separate them.

Commissioners agreed, being short so many members to hold off full reviews from the Principal Planner and Township Engineer.

Vidya Krishan of McKenna Associates gave a brief presentation. The applicant is aware that traffic is a concern and the wetlands are a concern. EGLE was not amenable to them cutting through the wetland for access and Hickory Woods was not designed for shared access. The boulevard design was to accommodate fire access and the Township has approached Wayne County repeatedly to get a light at the Morton Taylor and Tyler Road intersection. The applicant has also approached Wayne County. Regarding the resident's comment about the light at the intersection, it has always been on the Township's mind to get a light there. The intersection is not the Township's jurisdiction nor does the applicant have the ability to put it in, Wayne County has to approve it. The applicant has worked hard to meet all ordinance requirements.

Paul Kammer of Fishbeck Associates informed that Wayne County looks at specific numbers for the Traffic Impact Study. They are not here in the Township every day and the study can only be based on their numbers. The Township can continue to push for the light, but it's not the Township's decision.

Chris Garner of Brookwood Senior Communities gave a brief presentation. Brookwood has five (5) similar projects in Michigan, located in: Taylor (under construction), Fenton Township (ground breaking this month), Superior Township (site plan submittal December 2022), Ash Township (site plan submittal December 2022) and Van Buren Township. They have been working on the project for a year and a half and have made every effort to meet the criteria.

Luke Bonner of Bonner Advisory Group gave a presentation and thanked the Township staff. Mr. Bonner is working with Hobbs & Black Architects and Veronica Clark of Wade Trim. Mr. Bonner understands that the property is challenged. The applicant looks for communities that are a good fit, sites that have great natural features and zoning. They have taken interest and put every effort into talking to the neighboring residents. The applicant did reach out to the neighboring homeowner's associations and hopes that the information gets distributed to their residents. Mr. Bonner displayed the site plan and the shaded areas are wetlands. EGLE conducted a 30-day review of the site. The wetlands are high quality wooded wetlands, EGLE is interested in placing a conservation easement. The trees along the edge of the site will stay, the applicant has no interest in removing them. If they have to remove anything, it will be replaced. A rendering of the clubhouse was displayed. Brookwood is an independent action senior community for ages 55+. The four (4) unit buildings are single-story long-term lease. The Township wanted to see side entry garages, so they did the garages to not all front face. There are 132 single-story ranch units, 7 – 6-unit buildings, 17 – 4-unit buildings and 11 – 2-unit buildings, the applicant will be sprinkling all units. The exterior façade consists of brick, stone and cement board siding. The site is 44 acres with 11.8 acres of preserved wetlands and 10.5 acres of general open space. In regard to separation of the driveways, several face each other with a shared driveway. Staff has asked for separation, there is enough room to have a clear separation. Mr. Bonner proposed a gravel base separation, as it may get driven over quite a bit.

Commissioners had the following questions and comments:

- The amount of wetland area and the separation to the north, with the majority of the separation being wetlands will the applicant not be disturbing any of it?
- Commissioner understands that if anything is taken, it has to be replaced.
- The site is zoned RM (multiple dwelling residential district), that land is buildable for other types of development by-right? Vidya Krishnan confirmed, yes only within the buildable area. The applicant is preserving the wetlands and trees on the site.
- The side entry garages are a concern, will there be enough room for the residents to back out? Architect Luke Bonner informed that he looked at the dimensions and they do have enough room to back out, they can also widen the driveways comfortably if needed.
- The ordinance also calls for how much driveway coverage is allowed, with the changes will they be allowed? Director Power will confirm the coverage language. Vidya Krishnan informed that she has seen houses with driveways that back to each other with enough room. Commissioner does not want the residents to have to back out onto the road.
- Commissioner inquired if the applicant knew what the setback between the side entry garage doors is. The applicant did not know offhand.
- Commissioner inquired with the homes being rentals, the pump station will be under the preview of the applicant to take care of? Luke Bonner confirmed that yes it will be taken care of and he has spoken with Director Power about how the pump station will be maintained moving forward.
- Commissioner lives in the area, the traffic at the intersection is dangerous.
- Luke Bonner explained the traffic study and that it is based on trips. Trips are counted based on residents leaving the development and returning home.
- Commission inquired, given the way that the wetlands are now, how will development affect the water flow into the wetlands? Veronica Clark of Wade Trim informed that stormwater runoff will be discharged to the wetland areas at an approved rate so that the wetland doesn't get dried out. Wade Trim looked at the preexisting conditions of the site. Luke Bonner informed that the wetland areas along the west boundary line are areas that have dried out, but after a couple days of heavy rain, the water is back.
- Commissioner inquired as to how to control creating more water or less water in the wetlands. Luke Bonner informed that the flow is with the weather.
- The property to the north of the site is considered wetlands, the northern portion of the site will have a conservation easement with EGLE and the property will be protected and never touched.
- Commissioner inquired what happens over time with the other wetland areas. Paul Kammer of Fishbeck Associates informed that those areas are still protected.
- Resident inquired about the strategic releasing of the water, what happens when the retention ponds fill up? Veronica Clark of Wade Trim informed that the residents of Hickory Woods have retention ponds, this development will have detention ponds. The detention ponds at the new development will be connected to the stormwater system.
- Resident inquired when the traffic study was done, commented now there is an assisted living facility going in across the street. This may be another reason to bring up having another traffic study and was the study done before the assisted living development? Resident is concerned with the entrances to both, that we are setting ourselves up for potential problems at the corner. Veronica Clark informed that the traffic study was completed in September. Director Power commented that he can follow up to make sure

that any of the developments are included. Paul Kammer of Fishbeck Associates informed that in looking at the report, the study was updated to take out the connection at Morton Taylor. Typically, they expand or look out for future expansions. The number count was taken in October 2021. Director Power will follow up on the assumed growth and bring back any findings to the next meeting.

Commissioners thanked the residents and the applicants for their participation in the discussion.

**Motion Cullin, Grant second to table the discussion on the preliminary site plan review request by Chris Garner on behalf of owner SB – Invest L.P. for the Brookwood development to a future meeting. Motion Carried.**

#### **GENERAL DISCUSSION:**

Director Power informed that there is only one more Planning Commission meeting for the year, in December. Director Power mentioned reaching out via email to see what Commissioners' level of interest is in various ordinance priority topics. Commissioners liked the idea of structuring into several committees to discuss ordinance revisions prior to meetings.

Commissioner discussed possibly looking at the SB – Invest L.P. site in Taylor to see how many acres, what the location is like and if they have shared driveways. Vidya Krishnan explained that she thinks the applicant came up with all side entry garages based on the Township not wanting all front facing garages. Director Power informed that there are standards for the width of the driveway. Vidya Krishnan commented maybe have side entry garages for end units with front facing in the middle. Director Power informed that the distance between the garage doors is between 40 – 50 feet.

#### **ADJOURNMENT:**

**Motion Budd, Cullin second to adjourn the meeting at 7:49 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary

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

No comments from the audience or remote viewers.

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

**ITEM #3: NIGHT HAWK PROPERTIES / ZIPPY AUTO WASH – SPECIAL LAND USE REVIEW.**

**TITLE: A REQUEST BY DAVID BREWER OF VANSTON / O'BRIEN INC. ON BEHALF OF OWNER NIGHT HAWK PROPERTIES TO CONSTRUCT A 4,900 SQUARE FOOT AUTOMATIC CAR WASH AND RELATED SITE IMPROVEMENTS ON A 1.65-ACRE SITE. AUTOMATIC AUTOMOBILE WASH ESTABLISHMENTS ARE A SPECIAL LAND USE IN THE C-2 (EXTENSIVE HIGHWAY BUSINESS DISTRICT), AND THE PROPOSED SPECIAL LAND USE REQUIRES A PUBLIC HEARING. THIS HEARING IS BEING HELD IN ACCORDANCE WITH ARTICLE 12, CHAPTER 4 (SPECIAL LAND USE REVIEW) OF THE ZONING ORDINANCE.**

**THE PROJECT IS TO BE LOCATED AT 11650 BELLEVILLE ROAD (PARCEL ID NUMBER 83-081-99-0004-709), WHICH IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS DISTRICT). THE PROPERTY IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD, BETWEEN VENETIAN AVENUE AND SUNRISE LANE.**

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

Member of the audience is a 3<sup>rd</sup> generation car wash owner/operator in the Township and has two (2) primary concerns for the site. The first concern is increased traffic volume exiting at the intersection of the shared drive with the medical center, that there will be more accidents and he inquired if the applicant has performed a traffic study. The second concern is the number of stacking spaces on the site, the possibility of cars backing up into traffic from the shared drive onto Belleville Road and the possibility of a blockage of access to the urgent care facility.

No further comments from the audience, no comments from remote viewers.

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

**OLD BUSINESS:**

**ITEM #1: CHRIS GARNER / SB – INVEST L.P. (BROOKWOOD) – SPECIAL LAND USE REVIEW.**

**TITLE: A REQUEST BY CHRIS GARNER ON BEHALF OF OWNER SB – INVEST L.P. TO CONSTRUCT AN INDEPENDENT MULTI-FAMILY RESIDENTIAL SENIOR HOUSING DEVELOPMENT WITH 132 DWELLING UNITS WITH A COMBINED GROSS FLOOR AREA OF APPROXIMATELY 154,110 SQUARE FEET. SENIOR HOUSING DEVELOPMENTS ARE A SPECIAL LAND USE IN THE RM (MULTIPLE DWELLING RESIDENTIAL DISTRICT). THE PROJECT IS PROPOSED TO BE TITLED "BROOKWOOD".**

**THE PROJECT IS PROPOSED TO BE LOCATED ON THE NORTH SIDE OF TYLER ROAD, BETWEEN MORTON TAYLOR AND HAGGERTY ROADS ON A 44.4-ACRE SITE. THE SITE HAS TAX PARCEL ID #83-043-99-0015-000 AND IS ZONED RM (MULTIPLE DWELLING RESIDENTIAL DISTRICT).**

Director Power presented his review letter dated 12-7-22. The applicant is requesting to construct an independent multi-family residential senior housing development with 132 dwelling units with a combined gross floor area of 154,110 square feet. The project was presented at the 11-9-22 Planning Commission meeting in which the Commission requested a more complete review. The applicant has provided the following additional information and revisions to the project:

- A summary of comparison senior housing projects in Grand Rapids, Ann Arbor and Chelsea, Michigan was forwarded to Planning Commissioners via email on 11-23-22.
- An updated Traffic Impact Study dated 11-30-22, which includes the projected traffic from the Hampton Manor senior housing project on Tyler Road.
- A stone strip has been proposed to provide separation between driveways serving adjacent units with side entry garages.
- Tree protections have been noted and new trees have been proposed along the east property line.
- Strategic unit-to-unit landscape screening has been provided between proposed units 87 and 60 and proposed units 57 and 97 and elsewhere.
- A draft conservation easement to EGLE has been provided which covers a significant portion of the norther part of the property.
- The entry boulevard traveling lane widths have been increased to 22 feet.

In addition, Director Power recommends the following as conditions of approval for the proposed preliminary site plan and special land use:

- The pump station will require Township Board approval as part of any special land use approval.
- A set of deed and/or lease restrictions requiring the primary occupancy of each unit to be by seniors must be provided to Township staff.

Vidya Krishnan of McKenna Associates presented her review letter dated 12-9-22. The applicant has worked with the Township over the past several months to address all concerns previously raised. McKenna Associates finds that the proposed senior housing development meets the criteria for special land use approval, subject to conditions. Therefore, McKenna Associates recommends the Planning Commission recommend special approval to the Township Board, subject to the following conditions:

1. Clarification regarding minimum floor area of each unit.
2. Approval of utility plan ad storm water detention plan by Township Engineer and Wayne County.
3. That all conditions of preliminary site plan approval are met including landscaping and parking.
4. Final site plan approval.

Tom Gritter, Gritter Real Estate Services LLC, was present to answer any questions.

Resident on Bradley Drive inquired what the distance is from the wetlands at the proposed development to the back of his property. Paul Kammer of Fishbeck Associates informed that in looking at a diagram it is approximately 375 feet.

Remote resident from Hickory Woods lives along the tree line and is concerned about the removal of trees and loss of screening.

Chris Garner of Garner Property Management informed that the intent is to leave the tree line as is. If there is any disturbance, they will replant more trees. Vidya Krishnan of McKenna Associates confirmed that the applicant is maintaining all trees and any gaps will be filled in with new trees, planted by the applicant.

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

**Motion Jahr, Cullin second to recommend the Township Board of Trustees, grant the request by applicant Chris Garner on behalf of owner SB – Invest L.P. to construct an independent multi-family residential senior housing development with 132 dwelling units with a combined gross floor area of approximately 154,110 square feet, at the 44.4-acre site located on the north side of Tyler Road, between Morton Taylor and Haggerty Roads, tax parcel ID number 83-043-99-0015-000 based on the analysis and subject to the conditions in the McKenna Associates review letter dated 12-9-22 and staff review letter dated 12-7-22.**

**Roll Call:**

**Yeas: Budd, Grant, Atchinson, Cullin, Jahr and Kelley.**

**Nays: None.**

**Excused: Barr.**

**Motion Carried. (Letters Attached)**

**ITEM #2: CHRIS GARNER / SB – INVEST L.P. (BROOKWOOD) – PRELIMINARY SITE PLAN REVIEW.**

**TITLE: A REQUEST BY CHRIS GARNER ON BEHALF OF OWNER SB – INVEST L.P. TO CONSTRUCT AN INDEPENDENT MULTI-FAMILY RESIDENTIAL SENIOR HOUSING DEVELOPMENT WITH 132 DWELLING UNITS WITH A COMBINED GROSS FLOOR AREA OF APPROXIMATELY 154,110 SQUARE FEET. THE PROJECT IS PROPOSED TO BE TITLED “BROOKWOOD”.**

**THE PROJECT IS PROPOSED TO BE LOCATED ON THE NORTH SIDE OF TYLER ROAD, BETWEEN MORTON TAYLOR AND HAGGERTY ROADS ON A 44.4-ACRE SITE. THE SITE HAS TAX PARCEL ID #83-043-99-0015-000 AND IS ZONED RM (MULTIPLE DWELLING RESIDENTIAL DISTRICT).**

Director Power had no more comments to report for the preliminary site plan review. Director Power deferred to the Principal Planner and Township Engineer for their reviews.

Vidya Krishnan of McKenna Associates presented her review letter dated 12-9-22. The site plan addresses most of the details required by the Zoning Ordinance. Any items that are either missing or require additional information can be included at final site plan review. McKenna Associates recommends the Planning Commission approve the preliminary site plan for Brookwood Senior Housing, subject to the following conditions:

1. Notation of a detailed phasing timeline and clarification regarding the self-sufficiency of each phrase.
2. Planning Commission approval of the additional parking to be provided, to satisfy visitor parking needs.
3. Addition of a deciduous or evergreen tree at the front lot line.
4. Wayne County and Township Engineer approval of detention pond designs and landscaping.
5. Special land use approval by Township Board of Trustees.

Paul Kammer of Fishbeck Associates presented his review letter dated 11-2-22. Fishbeck recommends the Planning Commission grant the Brookwood Van Buren Township multi-family residential development preliminary site plan approval for engineering feasibility, subject to the comments in the review letter and in accordance with the Township's Engineering Standards manual for the engineering review submittal. A more in-depth engineering review will be completed during the final site plan and engineering review stage of the process. It is also recommended that the applicant continue discussions with Township staff regarding the items listed in the review letter and have discussion with Wayne County for roadways and stormwater to determine their requirements before finalizing certain design elements.

Director Power presented the Fire Department review letter dated 10-26-22. The applicant has adequately addressed all comments.

Tom McGregor informed the applicant plans to develop all infrastructure at one time.

No comments from the audience or remote viewers.

Commissioners had the following questions and comments:

- There is no dumpster on the plan, is one not needed for the clubhouse? Chris Garner informed that in the applicant's other developments such as the Taylor location there is no dumpster, multiple smaller trash totes are utilized when needed. Vidya Krishnan informed that the applicant's loading area is much larger than required, there is room if the applicant needs to add a dumpster.
- In the plan, they have sidewalks, but not always on both sides of the street. Is that common? It is part of the design.
- Are the mountable gutters on both sides of the street? Paul Kammer of Fishbeck Associates informed yes, they are and there should be no issue handling stormwater.
- Are the fire departments turn radius for the ladder truck and road width conditions met? Director Power informed that the letter provided in the packet was prior to the last meeting. The condition has been met with the increase in width of the travel lane and the sprinkling of the units allows for one access road with two-way traffic, addressing both conditions.



- Is there a template for the turn radius for the garage driveways? Director Power informed that a template was provided by the applicant. Vidya Krishan of McKenna Associates informed that a standard passenger vehicle could make a 3-point turn, a longer vehicle such as a large truck, would have to back out.
- Regarding phasing, how is the applicant developing? Chris Garner informed that the phasing is done so that a group can get started, there will likely be three (3) phases and they will be done as quickly as possible.
- Commissioner inquired if the Commission wants to require a turn radius diagram prior to final site plan review? Commissioners agreed to add as a condition of final site plan approval. Director Power displayed a diagram that he had.
- When construction begins on the site are there standards for dust, noise and debris. Director Power informed yes, there are part of the Township engineering standards.
- These are one story single-family housing units in a multi-family district. Someone could request to come in and build a multi-story multiple-family building. Director Power confirmed that the applicant is building to a lesser density.

Resident in Hickory Woods back door faces the tree line. She is concerned about the noise, dirt and traffic on Tyler Road. Vidya Krishnan of McKenna Associates confirmed that the applicant is replacing trees if any are removed and trees will be added to the gaps to fill in coverage.

No further comments from the audience or remote viewers.

**Motion Atchinson, Jahr second to grant the applicant, SB – Invest L.P. (Brookwood), preliminary site plan approval to construct and independent multi-family residential senior housing development with 132 dwelling units with a combined gross floor area of approximately 154,110 square feet, located on the north side of Tyler Road, between Morton Taylor and Haggerty Roads on a 44.4-acre site, parcel number 83-043-99-0015-000, subject to the conditions in the McKenna Associates review letter dated 12-9-22, Fishbeck Associates review letter dated 11-2-22, Fire Department review letter dated 10-26-22, Wade Trim letter dated 12-1-22, with a dumpster included and a turn radius diagram provided prior to final site plan review.**

**Roll Call:**

**Yeas: Cullin, Atchinson, Grant, Budd, Jahr and Kelley.**

**Nays: None.**

**Excused: Barr.**

**Motion Carried. (Letters Attached)**

**NEW BUSINESS:**

**ITEM #1: ZONING ORDINANCE TEXT AMENDMENTS – RESIDENTIAL ZONING REGULATIONS.**

**TITLE: PROPOSED AMENDMENTS THAT WILL MODIFY THE REQUIREMENT FOR AT LEAST THIRTY PERCENT (30%) OF ALL STRUCTURES WITHIN A PROPOSED RESIDENTIAL PLLAT OR SITE CONDOMINIUM PROJECT TO HAVE THE GARAGE**



# Charter Township of Van Buren

Request for Board Action

Agenda Item #:

Work Study Meeting Date:

Board Meeting Date:

Consent Agenda

New Business

Unfinished Business

Public Hearing

Presentation

Item (Subject)	
Department	
Presenter(s)	
Phone Number	
Individuals in Attendance (Other than presenter)	

Agenda topic

Action Requested	
Background – (Supporting and reference Data, Include attachments)	
Budget Implication	
Implementation Next Step	
Department Recommendation	
Committee/Commission Recommendation	
Attorney Recommendation	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
Additional Remarks	
Approval of Supervisor	



## MEMO

---

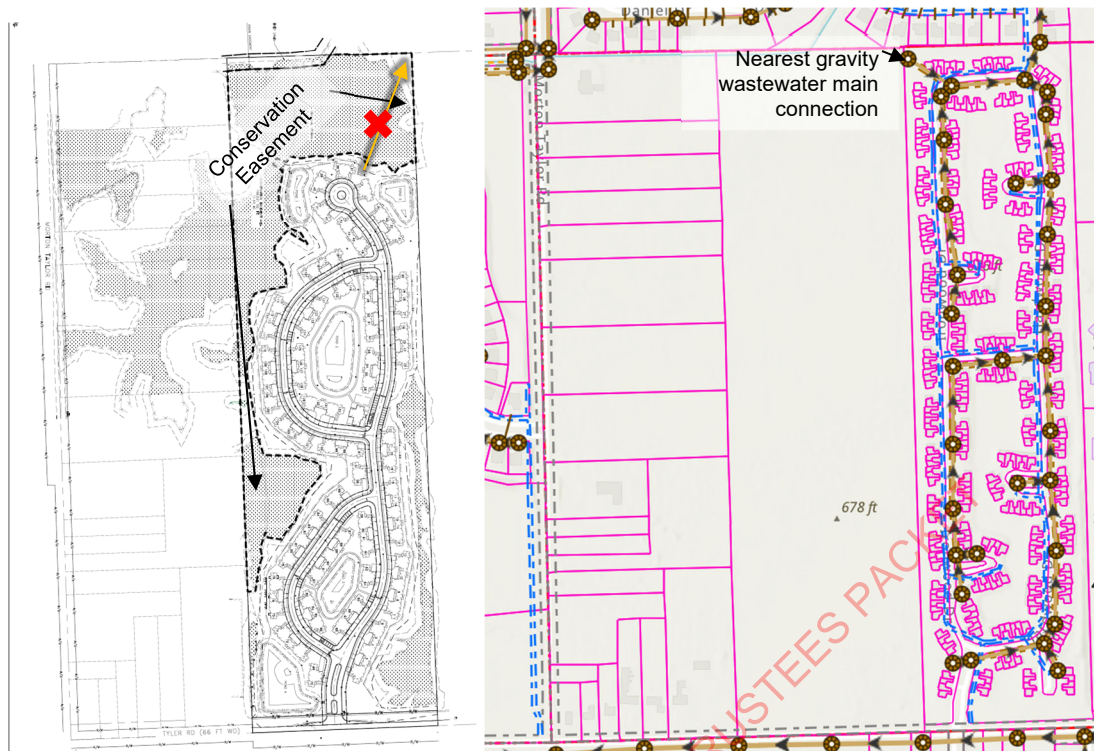
TO: Van Buren Township Board of Trustees  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Case 21-032 – Brookwood Multi-Family Senior Housing  
Development: Pump Station Request and Detention Basin  
Variance Requests  
DATE: June 13, 2023

---

Chris Garner on behalf of owner SB – Invest L.P. has applied to construct an independent multi-family residential senior housing development with 132 dwelling units in 34 buildings with a combined GFA of approximately 154,110 square feet, along with a clubhouse. Senior housing developments are a Special Land Use in the RM (Multiple Dwelling Residential) District. The project is proposed to be titled “Brookwood”. The project is proposed to be located on the north side of Tyler Road, between Morton Taylor and Haggerty Roads. The site has tax parcel ID # 83 043 99 0015 000. The Township Board of Trustees granted special land use approval for the project on January 17<sup>th</sup> 2023. The project is now undergoing review for compliance with applicable standards of Wayne County and of the Van Buren Township Engineering Standards Manual.

Two items have been revealed over the course of the preliminary and final site plan review phases of this project which will require action by the Township Board of Trustees:

- (1) **Approval of the use of a pump station** to direct wastewater from the proposed project south across Tyler Road. A pump station is proposed to direct wastewater from the project due to constraints on other methods due to a conservation easement (see image below). The Board of Trustees must approve new pump stations per section IV.A.8 of the [Engineering Standards Manual](#), and are subject to the review of the Township Engineer for compliance with Section IX of the Engineering Standards Manual.
- (2) **Approval of variance from engineering standard VI.A.I.b** of the Van Buren Township Engineering Standards Manual to allow construction of two (2) stormwater detention ponds that will have a permanent pool of stormwater that is less than 4' deep. The Township Board of Trustees is given authority to grant the requested detention basin variance.



I recommend that the Board grant **conditional approval** to **both** the requested pump station and the variance from Township Engineering Standard VI.A.1.b, subject to the following conditions:

- All conditions stated in the letter from Fishbeck dated June 13, 2023 must be met and must be addressed on a set of Issued-for-Construction plan drawings prior to project construction.
- The requested pump station and detention basin design are subject to final site plan approval by the Van Buren Township Planning Commission and any conditions imposed by the Planning Commission.
- The requested pump station design is also subject to any conditions placed by the Van Buren Township Director of Water and Sewer.

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

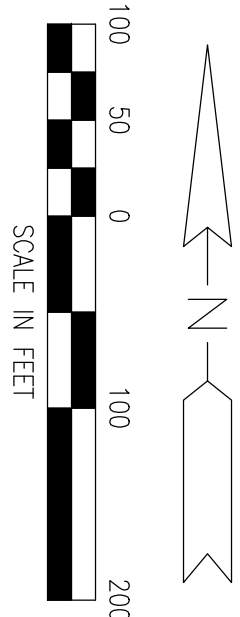
CC: Kevin Lawrence, Van Buren Charter Township Director of Water and Sewer  
Mike Leppek, P.E. and Paul Kammer, P.E. - Fishbeck





**LEGEND**

- PROPOSED CONSERVATION EASEMENT BOUNDARY
- WETLAND LIMITS
- ESTIMATED COUNTY DRAIN EASEMENT



JOB NO. GPM2001.01F		ISSUED FOR: DATE: BY:		GARNER PROPERTY MANAGEMENT 23944 EUREKA ROAD, SUITE 105 TAYLOR, MI 48180 PROPOSED EGLE CONSERVATION EASEMENT PLAN FOR VAN BUREN TOWNSHIP MULT-FAMILY RESIDENTIAL		WADE TRIM 555 S. Saginaw Street, Suite 201 Farm MI 48502 810.235.2555 www.wadetrtrim.com		REV#		DATE		DESCRIPTION		BY	
SHEET		C1.0													



June 13, 2023  
Fishbeck Project No. 211142  
VBT Project No. 21-032

Kevin Lawrence  
Director of Water and Sewer  
Van Buren Township  
46425 Tyler Road  
Van Buren Township, MI 48311

### **Brookwood Van Buren Township Multi Family Residential Site Plan Pump Station and Detention Pond Engineering Variance Review**

At the request of Van Buren Township (Township), Fishbeck has reviewed the sanitary pump station and detention pond details and design that were submitted to the Township on June 6, 2023, for the Brookwood Multi Family Residential Facility located on Tyler Road in Van Buren Township, Michigan.

At this time, Fishbeck has completed a final engineering review of the proposed sanitary pump station in accordance with requirements established as part of the Engineering Standards Manual, Charter Township of Van Buren (April 2014), Section IX.

Fishbeck also understands that the Applicant is intending on submitting to the Township Board of Trustees for a variance for the permanent pool of water requirements set forth in the Engineering Standards Manual. Fishbeck has reviewed the submitted detention pond design and details regarding the permanent pool variance.

Our review comments and recommendations are as follows:

## **Pump Station**

### **Sanitary System Access:**

The Township and Fishbeck worked with the applicant in the early stages of design to determine a viable gravity sewer outlet option for the Brookwood site. An existing outlet on the north side of the property that was previously constructed as part of the Hickory Woods development was determined to be too shallow for use. The existing regulated wetlands also made accessing this location difficult. The use of a pump station, to access the Township sanitary sewer on the south side of Tyler Road was the next best alternative.

### **Review Comments:**

1. The Applicant must provide details for the electrical service to the pump station. No electrical drawings associated with the pump station appeared to be provided as part of the submitted engineering drawings. Electrical details should also include conduit sizing and routing. The Applicant must coordinate pump station service with electrical service provider.
2. Additional details must be provided for SCADA programming and coordination with the Township SCADA provider, UIS. A programmable logic controller (PLC) is also required in the control panel. An example of Township typical pump station controls has been previously provided. The Applicant must provide the SCADA system for this pump station within the proposed panel and pump station package and ensure the SCADA system can communicate with the Township's existing SCADA system.
3. The pump station outlet force main crossing under Tyler Rd. is still a concern and the deep excavation that will be required to install this pipe via open trench construction, as proposed. The trench detail provided on the plans indicates an open trench with 1 on 1 slopes on each side of the trench. This will expose approximately 7 to 13 feet of the existing 42" GLWA water mains which will need to be supported. It is recommended that the Applicant investigate raising the outlet pipe above the GLWA water mains. This has been discussed between Fishbeck and the Applicant, however, we still feel there is a viable design option that puts the outlet pipe above the GLWA water mains. Can the existing smaller utilities like the post

drain culvert be raised or moved to allow for clearance of the 4" pump station outlet pipe? Based on the elevations provided in the plans, it appears this may be possible.

4. If raising the force main pipe is determined not to be viable, the applicant must provide more information on the complexities of the open cut installation as approved. We also recommend that GLWA is consulted with prior to proposing this type of construction.

**Recommendation:**

Due to the depth of the proposed sanitary, the lack of access to the north, and the inability to utilize gravity sewer to cross the existing utilities located within the Tyler Rd. rights-of-way (ROW), the use of a pump station is recommended for this site. While our recommendation is to allow the use of the pump station, our review comments listed above must be addressed and incorporated into the engineering drawings or responded to prior to the Applicant moving to the Pre-Construction phase of the Township Site Plan process.

## Detention Ponds

**Proposed:**

The Applicant's plan proposes a full stormwater management system with five detention ponds that are all interconnected with 36" storm sewer pipes. The 36" storm pipes connect the five detention ponds at the bottom of the stormwater storage elevation with the intent to equalize the basins so that they detain stormwater runoff as one system. The ultimate outlet for the detention system is from proposed Basin 1, where runoff discharge is metered with an outlet structure and ultimately discharged into the existing wetlands.

**Requested Variance:**

The Applicant is requesting a variance from the Township Engineering standard for a permanent pool of water within a stormwater detention pond. Per the detention basin standards in Chapter 6, Section A 1b of the Township Engineering Manual, detention basins must be designed to have a permanent pool with a minimum depth of four feet.

The Applicant's plan is proposing a 1-foot permanent pool of water in two out of the five basins, Basin 1 and Basin 5. Per the Wayne County Stormwater Standards Manual, Chapter 6.2.1, a constructed wetland can be utilized as a detention system where over 50% of the surface area typically is covered by wetland vegetation. Permanent wetland pool depths vary between 0.5 and 3 feet depending on vegetation type.

**Recommendation:**

The function of a permanent pool of water is to allow for sediment and pollutants to settle and collect in the bottom of the basin so they are removed from the water before it is discharged from the site. As stated previously in this letter, the Applicant is requesting to use 1-foot permanent pools of water and 50% wetland plantings within Basins 1 and 5 per the County Stormwater standards in lieu of 4-foot permanent pools of water per the Township Engineering standards. The 1-foot permanent pools of water will function similar to the 4-foot permanent pools and the additional wetland plantings will increase the sediment and pollutant removal further. As with any detention system, these detention ponds should be maintained regularly so that they continue to function as intended.



## Conclusion

Fishbeck has reviewed the submitted pump station design and the request for variance for the proposed detention ponds Basin 1 and Basin 5 for the Brookwood Multi Family Residential Facility and for both instances Fishbeck offers no objection for the Township Board of Trustees to approve the use of a pump station and the 1-foot permanent pool detention basin contingent to the comments listed above and as outlined in the upcoming Engineering Review Letter, being addressed.

If you have any questions regarding our comments, please contact me 248.324.4796 or [mtleppek@fishbeck.com](mailto:mtleppek@fishbeck.com) or Paul Kammer at 248.324.2137 or [pkammer@fishbeck.com](mailto:pkammer@fishbeck.com).

Sincerely,



**Mike Leppek, PE**

Civil Engineer

Attachment

By email

Copy: Dan Power – Township



**Paul J. Kammer, PE**

Senior Civil Engineer

EXCERPTS FROM BOARD OF TRUSTEES PACKET  
FOR REFERENCE



# Memorandum

**TO:** Planning Commission  
**FROM:** Vidya Krishnan, Senior Principal Planner  
Gage Belko, Associate Planner  
**SUBJECT:** **Single-Family Detached Building Height Standards**  
**DATE:** 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.





## 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.)	<del>30</del> 35	<del>30</del> 35	<del>30</del> 35	<del>30</del> 35
Max. Building Height (stories)	<del>2</del> 2.5	<del>2</del> 2.5	<del>2</del> 2.5	<del>2</del> 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.)	<del>30</del> 35
Max. Building Height (stories)	<del>2</del> 2.5

### Section 3.109 AG, Agricultural and Estate District

#### (E) Dimension Regulations

Lot Standards	
Max. Building Height (ft.)	<del>30</del> 35
Max. Building Height (stories)	<del>2</del> 2.5

### Section 4.102 Schedule of Regulations

Table 2. Schedule of Regulations

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



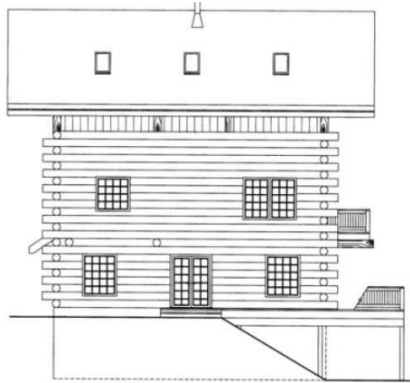
*Source: America's Best House Plans*



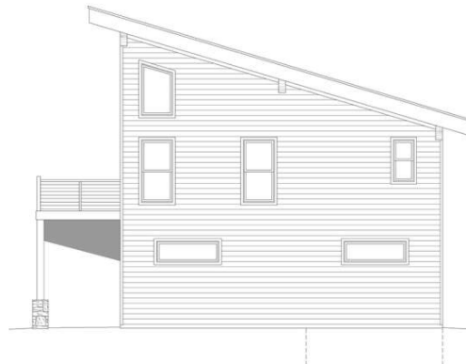
*Source: America's Best House Plans*



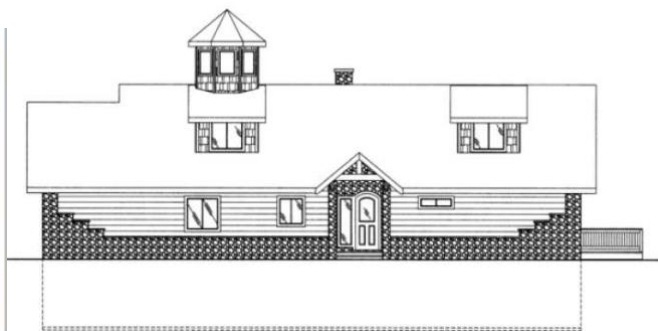
Source: America's Best House Plans



Source: America's Best House Plans



Source: America's Best House Plans







Source: Buy Home Designs



Source: The House Plan Company





# Memorandum

**TO:** 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.





## 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
<ul style="list-style-type: none"> <li>• Single-family detached dwellings</li> <li>• Publicly-owned recreational facilities.</li> <li>• Local governmental buildings and similar uses.</li> <li>• School (Primary or Secondary)</li> <li>• School (College or University, Public or Non-Profit)</li> <li>• Private swimming pools</li> <li>• Accessory building and uses</li> <li>• Home occupations</li> <li>• Adult foster care, family home</li> <li>• Horses for personal non-commercial use</li> <li>• Family day care home</li> <li>• Accessory structures and uses customarily incidental to the above permitted uses</li> </ul>	<ul style="list-style-type: none"> <li>• Child care centers</li> <li>• 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.</li> <li>• Country Club</li> <li>• Golf courses</li> <li>• Outdoor Recreation, Golf Driving Range</li> <li>• Outdoor Recreation, Private Park</li> <li>• Bed and breakfast operations</li> <li>• A group day care</li> <li>• Religious Institutions</li> <li>• Adult day care centers</li> <li>• Planned Residential Developments</li> <li>• Wireless Communication Facilities</li> </ul>

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Error! Reference source not found.](#) (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 [Error! Reference source not found. \(including footnotes\)](#), then [Error! Reference source not found.](#) shall prevail. Refer to [Error! Reference source not found.](#) for definitions of uses and refer to [Error! Reference source not found.](#) 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.)	<a href="#">Error! Reference source not found.</a>	<a href="#">Error! Reference source not found.</a>	125	120	Side Yard (total of 2)	25	25	25	25





	<a href="#">not found.</a>	<a href="#">not found.</a>							
Max. Lot Coverage (%)	15	20	30	30	Rear Yard	35	35	35	35
Min. Floor Area/Unit (sq. ft.)	1,800 (B)	1,800 (B)	1,500 (B)	1,500 (B)					
Max. Building Height (ft.)	<del>30</del> 35	<del>30</del> 35	<del>30</del> 35	<del>30</del> 35					
Max. Building Height (stories)	<del>2</del> 2.5	<del>2</del> 2.5	<del>2</del> 2.5	<del>2</del> 2.5					
Footnotes: Refer to <a href="#">Error! Reference source not found.</a> wherever a footnote is referenced in parentheses after one of the design regulations.									

### 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
<ul style="list-style-type: none"> <li>• Dwelling, Single-Family Residential Attached</li> <li>• Dwellings, Two-Family</li> <li>• Swimming Pools, Private</li> <li>• Clubhouse, Private</li> <li>• Hospitals and nursing homes</li> <li>• School (Primary or Secondary)</li> <li>• School (College or University, Public or Non-Profit)</li> <li>• 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.</li> <li>• Adult foster care, family home</li> <li>• Family day care home.</li> <li>• Accessory structures and uses customarily incidental to the above permitted uses</li> </ul>	<ul style="list-style-type: none"> <li>• Dwelling, Multiple Family High Rise</li> <li>• Adult foster care, small group</li> <li>• Adult foster care, large group.</li> <li>• Day Care, Group Home</li> <li>• Apartment Houses</li> <li>• Religious Institutions</li> <li>• Child care center</li> <li>• Adult day care center</li> <li>• Wireless Communication Facilities</li> </ul>

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Error! Reference source not found.](#) (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 [Error! Reference source not found. \(including footnotes\)](#), then [Error! Reference source not found.](#) shall prevail. Refer to [Error! Reference source not found.](#) for definitions of uses and refer to [Error! Reference source not found.](#) 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 <a href="#">Error! Reference source not found.</a>	Single-Family Detached in RM District	Apartments <a href="#">Error! Reference source not found.</a>	Multi-Family High Rise <a href="#">Error! Reference source not found.</a>
Min. Lot Area (sq. ft.)	10 acres <a href="#">Error! Reference source not found.</a>	4,200 (up to 1 bedroom) <a href="#">Error! Reference source not found.</a> 5,000 (2 bedroom) <a href="#">Error! Reference source not found.</a> 6,200 (3+ bedrooms) <a href="#">Error! Reference source not found.</a>	Edge – 7,200 Interior – 6,300	2,800 (up to 1 bedroom) <a href="#">Error! Reference source not found.</a> 3,500 (2 bedroom) <a href="#">Error! Reference source not found.</a> 4,800 (3+ bedrooms) <a href="#">Error! Reference source not found.</a>	<a href="#">Error! Reference source not found.</a>
Min. Lot Width (ft.)	400	<a href="#">Error! Reference source not found.</a>	<a href="#">Edge 60'/Interior-45'</a>	<a href="#">Error! Reference source not found.</a>	<a href="#">Error! Reference source not found.</a>
Min. Lot Depth (ft.)	--	<a href="#">Error! Reference source not found.</a>	<a href="#">(C)</a>	<a href="#">Error! Reference source not found.</a>	<a href="#">Error! Reference source not found.</a>
Max. Lot Coverage (%)	30	--	30	--	15
Min. Floor Area/Unit (ft.)	--	500 (efficiency) <a href="#">Error! Reference source not found.</a> 700 (1 bedroom) <a href="#">Error! Reference source not found.</a> 900 (2 bedroom) <a href="#">Error! Reference source not found.</a> 1,100 (3+ bedrooms) <a href="#">Error! Reference source not found., Error!</a>	Edge – 1,250 (Y) Interior – 1,000 (Y), (Z), (AA)	500 (efficiency) <a href="#">Error! Reference source not found.</a> 700 (1 bedroom) <a href="#">Error! Reference source not found.</a> 900 (2 bedroom) <a href="#">Error! Reference source not found.</a> 1,100 (3+ bedrooms) <a href="#">Error! Reference source not found., Error!</a>	500 (efficiency) <a href="#">Error! Reference source not found.</a> 700 (1 bedroom) <a href="#">Error! Reference source not found.</a> 900 (2 bedroom) <a href="#">Error! Reference source not found.</a> 1,100 (3+ bedrooms) <a href="#">Error! Reference source not found., Error!</a>



		<a href="#">Reference source not found.</a>		<a href="#">Reference source not found.</a>	<a href="#">Reference source not found.</a>
Max. Building Height (ft.)	30	--	<del>30</del> 35	--	150
Max. Bldg. Height (stories)	2.5	--	<del>2</del> 2.5	--	15
Min. Front Yard Setback	35	<a href="#">Error! Reference source not found.</a>	<a href="#">30</a>	<a href="#">Error! Reference source not found.</a>	75 <a href="#">Error! Reference source not found.</a> , <a href="#">Error! Reference source not found.</a>
Min. Side Yard (one) Setback	20 <a href="#">Error! Reference source not found.</a>	<a href="#">Error! Reference source not found.</a>	<a href="#">Edge 10'/Interior – 5'</a>	<a href="#">Error! Reference source not found.</a>	50 <a href="#">Error! Reference source not found.</a> , <a href="#">Error! Reference source not found.</a>
Min. Side Yard (total of 2) Setback	40 <a href="#">Error! Reference source not found.</a>	<a href="#">Error! Reference source not found.</a>	<a href="#">Edge 20'/Interior – 15'</a>	<a href="#">Error! Reference source not found.</a>	110 <a href="#">Error! Reference source not found.</a> , <a href="#">Error! Reference source not found.</a>
Min. Rear Yard Setback	35	<a href="#">Error! Reference source not found.</a>	<a href="#">Edge 35'/Interior – 25'</a>	<a href="#">Error! Reference source not found.</a>	50 <a href="#">Error! Reference source not found.</a> , <a href="#">Error! Reference source not found.</a>
Footnotes: Refer to <a href="#">Error! Reference source not found.</a> wherever a footnote is referenced in parentheses after one of the design regulations.					

### 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



<ul style="list-style-type: none"> <li>• Single-family detached dwelling</li> <li>• Single-family farm dwellings related to agricultural operations</li> <li>• Commercial agriculture buildings and greenhouses</li> <li>• Commercial agriculture operations</li> <li>• Keeping of Pets and Livestock</li> <li>• Truck gardening</li> <li>• Greenhouses and Nurseries</li> <li>• Public and private stables, and riding academies</li> <li>• Veterinary/Animal Clinics and Hospitals</li> <li>• Swimming pools, private</li> <li>• Cemeteries</li> <li>• Temporary Produce Sales Building</li> <li>• Family day care home</li> <li>• Adult foster care, family home</li> <li>• Home Occupations</li> <li>• Accessory structures and uses customarily incidental to the above permitted uses</li> </ul>	<ul style="list-style-type: none"> <li>• Kennels and Raising of Fur Bearing Animals</li> <li>• Day Care, Group Home</li> <li>• Mining, excavating, or other removal of sand, earth, minerals, or other materials naturally found in the earth</li> <li>• Agricultural Retail Sales</li> <li>• Golf Courses</li> <li>• Outdoor Recreation, Golf Driving Ranges</li> <li>• Outdoor Recreation, Private Parks</li> <li>• Country Clubs</li> <li>• Outdoor Recreation, Gun Clubs</li> <li>• Religious institutions</li> <li>• Child Care Centers</li> <li>• Adult day care centers</li> <li>• Planned Residential Developments</li> <li>• 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.</li> <li>• Wireless Communication Facilities</li> </ul>
--	---

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Error! Reference source not found.](#) (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 [Error! Reference source not found.](#) (including footnotes), then [Error! Reference source not found.](#) shall prevail. Refer to [Error! Reference source not found.](#) for definitions of uses and refer to [Error! Reference source not found.](#) 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.)	<a href="#">Error! Reference source not found.</a>	Side Yard (total of 2)	25
Max. Lot Coverage (%)	15	Rear Yard	35
Min. Floor Area/Unit (ft.)	2,000 <a href="#">Error! Reference source not found.</a>		
Max. Building Height (ft.)	<del>30</del> 35		
Max. Building Height (stories)	<del>2</del> 2.5		
Footnotes: Refer to <a href="#">Error! Reference source not found.</a> 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 [Table 1](#) and footnotes thereto, which schedule and footnotes hereby made a part of this [Error! Reference source not found.](#).

Table 1. Schedule of Regulations

Schedule of Regulations
-------------------------



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

[illegible]



		<a href="#">Reference source not found.</a>				<a href="#">source not found.</a> 75 <a href="#">Error! Reference source not found.</a> <a href="#">Error! Reference source not found.</a> 75 <a href="#">Error! Reference source not found.</a>	<a href="#">source not found.</a> 50 <a href="#">Error! Reference source not found.</a> <a href="#">Error! Reference source not found.</a> 50 <a href="#">Error! Reference source not found.</a>	<a href="#">source not found.</a> 150 <a href="#">Error! Reference source not found.</a> <a href="#">Error! Reference source not found.</a> 150 <a href="#">Error! Reference source not found.</a>	<a href="#">Reference source not found.</a> 50 <a href="#">Error! Reference source not found.</a> <a href="#">Error! Reference source not found.</a> 50 <a href="#">Error! Reference source not found.</a>		
RMH, Mobile Home Park	5,550	720	55	--	50	35 <a href="#">Error! Reference source not found.</a>	25 <a href="#">Error! Reference source not found.</a>	50 <a href="#">Error! Reference source not found.</a>	35 <a href="#">Error! Reference source not found.</a>	30	2
C, Local Business	--	--	--	--	--	75 <a href="#">Error! Reference source not found.</a>	15 <a href="#">Error! Reference source not found.</a>	15 <a href="#">Error! Reference source not found.</a>	25	40	4
C-1, General Business	--	--	--	--	--	75 <a href="#">Error! Reference source not found.</a>	15 <a href="#">Error! Reference source not found.</a>	15 <a href="#">Error! Reference source not found.</a>	25	40	4
C-2, Extensive Highway Business	--	--	--	--	--	35 <a href="#">Error! Reference source not found.</a>	25 <a href="#">Error! Reference source not found.</a>	50	20	40	4



FS, Freeway Service	--	--	--	--	--	75 <a href="#">Error! Reference source not found.</a>	75 <a href="#">Error! Reference source not found.</a>	150	75	30	3
OT, Office Technology	--	--	--	--	--	<a href="#">Error! Reference source not found.</a> , <a href="#">Error! Reference source not found.</a>	20 <a href="#">Error! Reference source not found.</a> , <a href="#">Error! Reference source not found.</a>	40 <a href="#">Error! Reference source not found.</a>	30 <a href="#">Error! Reference source not found.</a>	45	3 <a href="#">Error! Reference source not found.</a>
M-1, Light Industrial	--	--	--	--	35	50 <a href="#">Error! Reference source not found.</a>	40 <a href="#">Error! Reference source not found.</a>	80	40	30 <a href="#">Error! Reference source not found.</a>	2.5 <a href="#">Error! Reference source not found.</a>
M-2, General Industrial	--	--	--	--	35	60 <a href="#">Error! Reference source not found.</a>	50 <a href="#">Error! Reference source not found.</a>	100	50	40 <a href="#">Error! Reference source not found.</a>	4 <a href="#">Error! Reference source not found.</a>
MT, Industrial Transportation	--	<a href="#">Error! Reference source not found.</a>	--	--	35	50 <a href="#">Error! Reference source not found.</a>	50 <a href="#">Error! Reference source not found.</a>	100	50	35	3
AP, Airport	250 acres	--	--	--	--	100 <a href="#">Error! Reference source not found.</a>	50 <a href="#">Error! Reference source not found.</a>	100	100	--	--

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:

**Case 23-023: 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.

**Case 22-058: 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.

**Case 23-021: 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 [www.vanburen-mi.org](http://www.vanburen-mi.org)\Government\Agendas & Minutes\Planning Commission by no later than **June 12<sup>th</sup>, 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 ([www.vanburen-mi.org](http://www.vanburen-mi.org)). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments or questions about the meeting via e-mail to [dpower@vanburen-mi.org](mailto:dpower@vanburen-mi.org). To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend a meeting, and/or to obtain this notice in alternate formats, please contact the Clerk's Office at 734.699.8900, extension 9205.

Posted: May 22, 2023

Published: May 25, 2023