

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
February 9, 2022  
MINUTES**

Chairperson Kelley called the meeting to order at 7:34 p.m.

**ROLL CALL:**

**Present:** Jahr, Cullin, Atchinson, Barr, Garrett and Kelley.

**Excused:** Budd.

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

**Planning Representatives:** McKenna Associates, Vidya Krishnan and Adam Cook.

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

**Audience:** Two (2).

**APPROVAL OF AGENDA:**

Motion Cullin, Jahr second to approve the agenda of February 9, 2022 as amended, moving General Discussion Item #1 New Planning Commissioner Introduction to the front of the agenda.

**Roll Call:**

**Yeas:** Atchinson, Barr, Garrett, Cullin, Jahr and Kelley.

**Nays:** None.

**Excused:** Budd.

**Motion Carried.**

**NEW PLANNING COMMISSIONER INTRODUCTION:**

Director Power introduced new Planning Commission member Kamika Garrett. Commissioner Garrett thanked Director Power, she is looking forward to serving on the Commission.

**APPROVAL OF MINUTES:**

Motion Jahr, Barr second to approve the regular meeting minutes of January 12, 2022 as presented. **Motion Carried.**

**NEW BUSINESS:**

**ITEM #1: DISCUSSION: OUTDOOR DINING ZONING ORDINANCE TEXT AMENDMENT**

**PROPOSED AMENDMENTS TO ARTICLE 2 (DEFINITIONS) AND ARTICLE 5 (DEVELOPMENT STANDARDS FOR SPECIFIC USES) TO PROVIDE INCREASED CLARITY AND FLEXIBILITY REGARDING OUTDOOR DINING AND RETAIL LAND USES.**

Vidya Krishnan of McKenna Associates gave the presentation. The Township had recently expressed an interest in reviewing the Zoning Ordinance for allowing outdoor dining on a

temporary basis. The way the ordinance is currently written it requires approval of all temporary uses by the Planning Commission, which can be time consuming for a business with a short outdoor season. McKenna Associates looked at how other municipalities have addressed the issue of outdoor dining for the past year and a half and summarized their findings. The other municipalities included: Plymouth Township, City of Southfield, City of Grand Rapids and Canton Township. All other municipalities made revisions to allow for the temporary use to be approved administratively while still subject to all regulations, thus allowing the process to be handled more efficiently.

Director Power informed that in 2015 an ordinance was passed to enable outdoor dining. Components of the past ordinance are included with the amendments, this will allow for outdoor dining approval within certain limits to be handled administratively. A drafted update of the ordinance was provided to the Commission. Director Power wanted to give the Planning Commission time to review prior to the next meeting and the opportunity to provide feedback.

Commissioners had the following questions and comments:

- Will there be permit costs. Director Power informed that with what's in place now applicants would have to pay in some instances. Revising could allow for 1 year at no cost to the applicant.
- Does the proposal not include barbers, nail and hair salons? No, not at this time.
- Are the proposals not dependent on covid, ongoing ordinance adjustments for the community? Yes. The covid specific haven't been used much, this is a good tool for businesses moving forward.
- Rules for dog friendly outdoor dining, are there any rules in our ordinance? Vidya Krishnan commented that there are a couple of restaurants in Canton where dogs are permitted in the outdoor dining area, she will look into it further.
- What if an applicant wants to put up a tent or something over the area? Director Power explained that anything that expands by 25% or fewer is approvable administratively as long as there is a building inspection and fire safety requirements are met. The ordinance is also written to address that at the end of the season the tents need to come down.
- The requirement for the storage of tables and chairs, wasn't sure whether it was meant to be outside of season or during season that they can't be stored outside? Staff will look into further to clarify.

Director Power informed Commissioners that if they are in favor of moving forward, a future public hearing can be scheduled and in the interim a refined draft will come back to the Commission. Director Power may try to consolidate other Zoning Ordinance amendments in the public hearing.

No comments from the audience or remote viewers.

**Motion Jahr, Atchinson second to direct staff to proceed with the Outdoor Dining Zoning Ordinance text amendment development. Motion Carried.**

**ITEM #2: DISCUSSION: DWELLING AREA ZONING ORDINANCE TEXT AMENDMENT**

**PROPOSED AMENDMENTS TO ARTICLE 4 (SCHEDULE OF REGULATIONS) TO REDUCE MINIMUM FLOOR AREA REQUIREMENTS IN CERTAIN RESIDENTIAL ZONING DISTRICTS.**

Vidya Krishnan of McKenna Associates gave the presentation. The Township has received questions regarding the minimum size of dwelling units in the AG, Agriculture and Estates District, specifically about the minimum floor area requirement. McKenna Associates reviewed Zoning Ordinances in other municipalities to see what the comparable dwelling size requirement is to help evaluate if the Township Ordinance needs to be revised. The overall size is not regulated by the Michigan State Building Code. In four (4) of the communities: Sumpter Township, Huron Township, Lyon Township and Superior Township the minimum lot size ranged from 1 to 5 acres with a minimum floor area of 1,200 square feet. The communities of Northfield Township, Canton Township and Delhi Township ranged from 5 to 40 acres minimum lot sized with a minimum floor area ranging from 1,000 to 1,800 square feet. Based on McKenna Associates review, Van Buren Township's minimum dwelling size is the most stringent of all the municipalities.

Commissioners had the following questions and comments:

- Commissioner agreed that the current minimum floor area is very stringent and inquired what we are proposing? Director Power informed that there is no number picked yet, possibly in the 1,200 to 1,500 square foot range in the AG, Agricultural and Estates District. More research will be needed to figure out whether further scaling is needed in the R-1, Residential Districts. Vidya Krishnan informed that the key focus currently is on the AG, Agricultural and Estates District.
- Do we know when the other communities with the minimum floor area of 1,200 square feet put that in place? Vidya Krishnan informed that Lyon Township was within the past couple years, she will look into when the other communities put 1,200 square feet in place.
- If the Michigan Building Code is sufficient, why do we feel we need to regulate further? Director Power informed that in earlier planned residential development (PRD) subdivisions there are tiered minimum floor area requirements which provide an aesthetic quality to the subdivision. Vidya Krishnan provided an example that in an R1-B neighborhood, you might have one home at 400 square feet and another home at 2,500 square feet, the regulations help to provide a development pattern for neighborhoods.
- Commissioner agreed it's worth exploring further and there seems to be a desire for smaller houses. Would want to know how many total acres would be affected by the change and what the average median square foot of homes are in those districts.
- Changing the minimum floor area may have long and short term economic effects to the tax base. Would like to have some analysis of what that effect could be for the Township.

No comments from the audience or remote viewers.

**Motion Cullin, Garrett second to direct staff to further investigation into changing the ordinance on the minimum floor area square footage for the AG, Agricultural and Estates District and looking at all zoning areas of residential districts. Motion Carried.**

**ITEM #3: DISCUSSION: GASOLINE FILLING AND GASOLINE SERVICE STATION ZONING ORDINANCE TEXT AMENDMENT**

**PROPOSED AMENDMENT TO ARTICLE 3 (ZONING DISTRICTS AND PERMITTED USES) REGARDING THE CATEGORIZATION OF GASOLINE FILLING AND SERVICE STATIONS.**

Vidya Krishnan of McKenna Associates gave the presentation. A recent review of the uses permitted in the various commercial and industrial zoning districts led to a question regarding how gasoline filling stations were classified by the Township Zoning Ordinance. The ordinance currently allows the use as a principal permitted use in the C-1 (Local Business), C-2 (Extensive Highway Business) and FS (Freeway Service) districts. There are no specific site design standards governing the use, therefore, McKenna Associates reviewed zoning ordinances of other municipalities chosen based upon their location to a major arterial, freeway or trunk line traversing through it such as I-275, I-94, I-96, US-24, US-23, US-12, which generally have a lot of filling stations. Based on the McKenna Associates review, Van Buren Township is the only municipality that permits gas stations as a principal use, with the exception of the City of Novi.

Having a use that is higher in density, requires a special land use. The goal is to consider whether to change to a special land use with the requirement of design standards and have a more in-depth review for considerations.

Commissioners had the following questions and comments:

- Gasoline, does that include diesel and other fuels? Yes, any filling station that would service or provide fuel to a vehicle.
- What about electric vehicle (EV) stations? Director Power informed that EV is not part of what's being discussed right now, but is worth discussing further and staff will look into stations built specifically for EV.
- Commissioner inquired since we are looking at fuel, look at all fuels and including EV? Director Power agreed that's a good path forward.
- Commissioner agreed that it's a good idea to bring land use into line with what our neighbors are doing and is in favor of pursuing further.

No comments from the audience or remote viewers.

**Motion Atchinson, Cullin second to have staff and consultants look at the proposed ordinance amendments to Article 3 (Zoning Districts and Permitted Uses) gasoline filling and service stations, in addition the comparisons of the uses of gas stations as a special land use and design standards including electric vehicle (EV) charging stations. Motion Carried.**

**ITEM #4: FULL DRAFT SUMPTER ROAD CORRIDOR PLAN RECOMMENDATION**

**THE PLANNING COMMISSION AND MASTER PLAN CONSULTANT MCKENNA ASSOCIATES WILL PRESENT A FULL DRAFT OF THE CORRIDOR PLAN FOR THE SUMPTER ROAD CORRIDOR FROM BEMIS ROAD TO THE CITY LIMITS OF BELLEVILLE. THE PLAN WILL BE RECOMMENDED FOR CONSIDERATION BY THE BOARD OF TRUSTEES TO RELEASE FOR A 42-DAY REVIEW BY NEIGHBORING JURISDICTIONS.**

Director Power gave a brief introduction thanking the Planning Commission, residents, business owners, land owners and Sub-Committee members (Commissioners Atchinson, Barr and Jahr).

Adam Cook of McKenna also thanked the Planning Commission, Sub-Committee, residents, businesses and property owners that provided feedback. Mr. Cook gave a presentation of the full draft of the Sumpter Road Corridor Plan including the following:

- Vision Statement.
- Future Land Use Plan – Sumpter Road Mixed Use.
- Building Types: Accessory Dwelling Unit (ADU), Artisan Studio, Artist Cottage, Barn-Style, Cottage Retail, Detached Garage, Liner Building, Maker Space, Mixed Use, Retail, Studio Shed / Roadside Stand and Workshop.
- Lot Types: Anchor Lot, Frontage Lot: Deep, Frontage Lot: Shallow and Landlocked Lot.
- Rural Residential Patterns.

Director Power summarized the Zoning Plan. There are several big revisions to enable the new Sumpter Road Mixed Use District including: defining setbacks to minimize impact on neighboring properties, identifying the aesthetic standard through the overlay district and stringent landscape and streetscape standards. Director Power will bring the detailed Zoning Plan back to the Commission in late winter to early spring.

Commissioners had the following questions and comments:

- Great presentation, great job to all involved.
- How do we define extremely light industrial use?
- Thank you to Director Power, Adam Cook and Sub-Committee members Jahr, Barr and Atchinson.
- Wanted to capture what the community wanted and believes the community will love the plan.
- Looking forward to seeing the detailed zoning plan.
- Very happy with how all the data and information was translated into the plan.

Director Power informed that the next step moving forward would be for the Planning Commission to recommend to the Township Board of Trustees their release of the full draft to neighboring communities for a 42-day review period.

**Motion Jahr, Atchinson second to recommend to the Township Board of Trustees distribution of the full draft of the Sumpter Road Corridor Plan for the 42-day review period by neighboring jurisdictions.**

**Roll Call:**

**Yeas: Barr, Garrett, Atchinson, Cullin, Jahr and Kelley.**

**Nays: None.**

**Excused: Budd.**

**Motion Carried.**

**GENERAL DISCUSSION:**

**ITEM #1: PENDING PLANNING COMMISSION PROJECT UPDATES**

Director Power provided a list of all projects that the Commission has reviewed over the past couple of years with their status and asked Commissioners to contact him if they have any questions. Commissioner Cullin inquired about the Clover Development as it was not on the list. Director Power informed Clover Development is still active and in the process of final stormwater design with Wayne County and the Township and is between preliminary and final site plan.

Resident informed last night the Sumpter Township Board voted to ask the County for federal funds of 6 million dollars for a bicycle and pedestrian path from City of Belleville along Sumpter Road down to Arkona Road into Crosswinds Marsh and also along Bemis Road from the Lower Huron Metropark to Rawsonville Road. Resident asked the Board how they could go through Van Buren Township, their response was that the County doesn't give the money, this is federal funding. Maybe this is something the County could build in Van Buren Township.

**ADJOURNMENT:**

**Motion Barr, Cullin second to adjourn the meeting at 9:34 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary