

**CHARTER TOWNSHIP OF VAN BUREN**  
**PLANNING COMMISSION AGENDA**  
**Wednesday, October 26<sup>th</sup>, 2022 – 5:30 PM**  
**Van Buren Township Hall**  
**46425 Tyler Road**

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

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/89235315834>

Or One tap mobile :

US: +13092053325,,89235315834# or +13126266799,,89235315834#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 436 2866 or +1 301 715 8592

Webinar ID: 892 3531 5834

International numbers available: <https://us06web.zoom.us/j/89235315834>

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

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:** Approval of minutes from the regular meeting of September 28<sup>th</sup>, 2022.

**CORRESPONDENCE:**

**PUBLIC HEARING:**

**ITEM # 1**                      **Case 22-033: Crossroads Distribution Center North 6, LLC – Rezoning with Conditions Request**

**TITLE:**                      A request by Crossroads Distribution Center North 6, LLC, to rezone the parcel described as Parcel ID# 83 008 99 0002 706, otherwise known as the Ashley Crossroads North Building 6 site located at 42060 Ecorse Road, from **M-T – Industrial Transportation to M-2 – General Industrial with conditions**. The parcel is 46.15 acres in area.

**LOCATION:**                      The parcel is located on the west side of Haggerty Road on the north side of Ecorse Road.

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

**OLD BUSINESS:**

**NEW BUSINESS:**

**ITEM # 1                      Case 22-033: Crossroads Distribution Center North 6, LLC – Rezoning with Conditions Request**

**TITLE:**                      A request by Crossroads Distribution Center North 6, LLC, to rezone the parcel described as Parcel ID# 83 008 99 0002 706, otherwise known as the Ashley Crossroads North Building 6 site located at 42060 Ecorse Road, from **M-T – Industrial Transportation to M-2 – General Industrial with conditions**. The parcel is 46.15 acres in area.

**LOCATION:**                      The parcel is located on the west side of Haggerty Road on the north side of Ecorse 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 with conditions to the Township Board of Trustees.



**ITEM #2:                      CASE 22-041 – Lawrence Duty / 42482 North Cumberland Drive – Country Walk Phase III Site Plan Amendment**

**TITLE:**                      **The Applicant, Lawrence Duty, is requesting an amendment to the approved Country Walk Phase III Site Plan to allow one (1) new model architectural elevation to be built in the subdivision.**

**LOCATION:**                      The Country Walk Phase III Subdivision is the subject of the request. The development is located on the east side of Martinsville Road, north of Savage Road.

**ACTION ITEMS:**                      A. Presentation by the Township Staff.  
B. Presentation by the applicant.  
C. Planning Commission discussion.  
D. Planning Commission considers approval of the site plan amendment



**ITEM # 3                      Zoning Ordinance Discussion: Side entry garage and building separation requirements for residential developments**

**TITLE:**                      The Planning Commission is requested to discuss zoning requirements for minimum percentage of side entry garages and building separation in residential developments.

**ACTION ITEMS:**                      A. Presentation from Staff  
B. Planning Commission discussion

C. Public Comment

D. Planning Commission considers continuation of research and discussion or scheduling of public hearing

## **GENERAL DISCUSSION AND UPDATES**

## **ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
September 28, 2022  
MINUTES**

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

**ROLL CALL:**

**Present:** Cullin, Atchinson, Barr, Budd and Kelley.

**Excused:** Jahr, Grant.

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

**Applicant(s) in Attendance:** William Ellis and Jim Mitte of EHM Properties.

**Audience:** Three (3).

**APPROVAL OF AGENDA:**

Motion Barr, Cullin second to approve the agenda of September 28, 2022 as presented. **Motion Carried.**

**APPROVAL OF MINUTES:**

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

**PUBLIC HEARING:**

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

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

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

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

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

No comments received.

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

**NEW BUSINESS:**

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

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



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

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

Director gave a brief presentation and provided background on the property rezoning petition for 1166 Sumpter Road to Sumpter Road Mixed Used District. Director Power chose to go through the staff report regarding the request by EHM applicants to rezone and explain the staff's rationale for recommendation on the case. Visuals for the site were provided in the packet. Applicants inquired about marketing the property as a single-family home as provided in the letter they wrote. The two applicants gave their presentation reiterating what Director Power stated while praising his amazing presentation.

Commissioners had the following comments:

- Commissioner gave comments of the public supporting the applicants request to rezone as well as compliment the nice job that they have done.
- Commissioner liked the idea of this being the first trial run of what they've worked so hard to develop.

No comments from audience or remote viewers.

**Motion Barr, Cullin second to recommend approval to Township Board of Trustees for the requested amendment to the zoning ordinance made by the applicant, EHM Properties, Inc. to rezone the property located at 1166 Sumpter Road, parcel number V-125-83-112-02-0029-005 from C (local business) to SRMU (Sumpter Road Mixed Use), based on the analysis and subject to the conditions in Director Power's staff review letter dated 08/23/2022.**

**Roll Call:**

**Yeas: Cullin, Barr, Atchinson, Budd and Kelley.**

**Nays: None.**

**Excused: Grant, Jahr.**

**Motion Carried. (Letters Attached)**

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

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

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

Director gave a brief presentation and provided background on an extension request for Burger King restaurant redevelopment and an additional drive thru lane.

Commissioners had the following questions and comments:

- Commissioner inquired if there was a specific timeline that they were being requested to extend or does it automatically extend for another year? Director Power confirmed, yes, the default can be up to one year and there can be two extension requests. Director Power requested if the commissioners would give them another year.

No questions or comments from the audience or remote viewers.

**Motion Atchinson, Kelley second to recommend approval of the requested extension to the preliminary site plan for the Burger King Restaurant Redevelopment and Drive Thru Lane Addition located at 11550 Belleville Road, tax parcel 83-081-99-0004-002.**

**Roll Call:**

**Yeas: Cullin, Barr, Atchinson, Budd and Kelley.**

**Nays: None.**

**Excused: Grant, Jahr.**

**Motion Carried. (Letters Attached)**

**ITEM #3: Staff will provide an update on development and on various Zoning Ordinance text amendment efforts.**

Director Power gave a brief update on the proposed amended site plan for the Camping World project (West Wing Plan). Planning Commission had been seeking additional information regarding various proposed repair uses around the store. Prior to this review was an approved plan (original plan) for which final site plan approval was obtained on December 9<sup>th</sup> 2020 and construction began January 2021. In September Camping World informed staff they would revert back to the original plan and Director Power will keep the Planning Commission up to date with any more changes.

- Commissioner requested when they would get construction going and the store reopened. Director Power stated there is no timetable at this time as they're still waiting on pricing from some contractors.

Director Power commended Planning Commission for their work on various zoning ordinance discussions.

Director Power gave updates on Sumpter Road Mixed Use and Sumpter Road Overlay District as well as ordinance amendments concerning gas stations.

Director Power stated there are other zoning ordinance amendments including the amendments regarding residential developments which are actively being discussed. Electric vehicle charging stations are in active development as well.

The game plan is to finish these up by the end of the year.

Director Power reminded Commissioners of upcoming training on October 12<sup>th</sup>. May be an issue with meeting that day. Plan on October 26<sup>th</sup>

**GENERAL DISCUSSION:**

**ADJOURNMENT:**

**Motion Budd, Cullin second to adjourn the meeting at 6:25 p.m. Motion Carried.**

Respectfully submitted,

John Coleman  
Recording Secretary



# VAN BUREN CHARTER TOWNSHIP

## DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

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

## PLANNING & ZONING APPLICATION

### CASE INFORMATION

CASE NUMBER:	DATE SUBMITTED:
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### APPLICANT INFORMATION

NAME: Crossroads Distribution Center North 6, LLC	PHONE: 734-394-1900
ADDRESS: 2575 South Haggerty Rd. Suite 500	CELL PHONE:
CITY, STATE & ZIP: Canton, MI 48188	FAX:
EMAIL: kbowen@ashleycapital.com	

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

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

### BILLING CONTACT

NAME: Ken Bowen	PHONE: 734-394-1900
ADDRESS: 2575 South Haggerty Rd. Suite 500	CELL PHONE: 248-867-1065
CITY, STATE & ZIP: Canton, MI 48188	FAX:
EMAIL: kbowen@ashleycapital.com	

### SITE/PROJECT INFORMATION

NAME OF PROJECT: Crossroads Distribution Center North 6			
PARCEL ID NO: V125-83- 008-99-0002-706		PROJECT ADDRESS: 42060 Ecorse Rd. Belleville MI 48111	
* APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the <u>west</u> Side of <u>Haggerty</u> Road; Between <u>Ecorse</u> Road and <u>Van Born</u> Road.			
SIZE OF LOT WIDTH: 2156.75'	SIZE OF LOT DEPTH: 1007.13'	ACREAGE OF SITE: 46.15	TOTAL ACRES OF SITE TO REVIEW:
CURRENT ZONING: M-T	IS A REZONING OF THIS PARCEL BEING REQUESTED? <u>Y</u> / N		REQUESTED ZONING: M-2
PROJECT DESCRIPTION: Conditional rezoning from M-T to M-2 to allow limited M-2 use			

## SPECIAL PERMIT INFORMATION

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N

IF YES, SECTION OF ZONING ORDINANCE FOR WHICH YOU ARE APPLYING FOR SPECIAL APPROVAL:

IS THERE AN OFFICIAL WOODLAND WITHIN THE PARCEL? Y / N

IF YES, WOODLAND ACREAGE:

TOTAL NUMBER OF REGULATED TREES OUTSIDE THE WOODLAND AREA:

TOTAL NUMBER OF TREES:

DETAILED DESCRIPTION FOR CUTTING TREES:

IF APPLICABLE, APPLICATION MUST BE ACCOMPANIED WITH A TREE SURVEY OR STATEMENT OF NO TREES, WHICH INCORPORATES ALL THE REQUIREMENTS LISTED IN SECTION 4.45 OF THE TOWNSHIP'S ZONING ORDINANCE 6-2-92, AS AMENDED.

Crossroads Distribution Center North 6, LLC  
OWNER'S AFFIDAVIT By: Ashley Capital, LLC Its agent

Kenneth J Bowen

PRINT PROPERTY OWNER'S NAME

Ken JB

SIGNATURE OF PROPERTY OWNER

9-26-22

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 26<sup>th</sup> day of September 20 22

Julia Anne Gibbs Notary Public, Wayne County, Michigan My Commission expires 12/20, 2027

JULIA ANNE GIBBS  
NOTARY PUBLIC, STATE OF MICHIGAN  
COUNTY OF WAYNE  
My Commission Expires December 20, 2027  
Acting in the County of Wayne



## MEMO

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TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Case 22-033 – Ashley Crossroads Distribution Center North 6, LLC – Conditional Rezoning  
DATE: October 20, 2022

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Commissioners:

Applicant Crossroads Distribution Center North 6, LLC has applied to rezone the parcel described as Parcel ID# 83 008 99 0002 706, otherwise known as the Ashley Crossroads North Building 6 site located at 42060 Ecorse Road, from M-T – Industrial Transportation to M-2 – General Industrial with conditions. The request is a proposed legislative amendment of the Township Zoning Ordinance and Zoning Map. The subject parcel is 46.15 acres in area and is part of the Ashley Capital Crossroads North Phase 1 development (ACRN Phase 1). ACRN Phase 1 is a roughly 114-acre development with three buildings with a total combined area of roughly 1.6 million square feet, including two constructed buildings and a third building that is currently under construction.

The applicant seeks to conditionally rezone the subject parcel to support a limited application of use that is defined as *Manufacturing and Processing (Heavy)* on the subject site, which is permitted in the M-2 zoning district. The specific proposed use of the site is for a specific type of lithium ion battery manufacturer. The proposed use will bring approximately 2,112 jobs to Van Buren Township. The proposed use can be categorized within a relevant excerpt of the definition for *Manufacturing and Processing (Heavy)* under Section 2.102(130)(a) of the Zoning Ordinance, which is provided below:

*(130) MANUFACTURING AND PROCESSING (HEAVY): Includes the following uses and any other similar uses conducted entirely within a completely enclosed building: (a) The assembly and/or manufacture of automobiles, automobile bodies, parts and accessories, electrical fixtures, batteries and other electrical apparatus and hardware;*

The intent of conditional rezoning is as follows, per Section 12.507(A) of the Van Buren Township Zoning Ordinance:

*The Planning Commission and Township Board recognize that, in certain instances, it would be an advantage to both the Township and to a property owner seeking rezoning if the property owner proposes certain conditions and limitations as part of a petition for rezoning. Therefore, it is the intent of this Section to provide a process consistent with the provision of Section 405 of the Michigan Zoning Enabling Act, PA 110 of 2006 (MCL 125.3405, as amended) to permit property owners to offer conditions regarding the use and/or development of land as part of the rezoning*



*request. It is the further intent of this ordinance to accomplish, among other things, the objectives of the Zoning Ordinance and the Master Plan to achieve integration of the proposed land development project with the characteristics of the surrounding area.*

To assist with this review, your packet includes a completed application form, a review letter from Vidya Krishnan of McKenna Associates dated October 18, 2022, a final draft conditional rezoning agreement document from the applicant, a survey which includes the property boundary and legal description of the subject parcel to be rezoned, a conceptual site plan for the proposed use, a narrative describing the proposed use from the applicant titled, "Detailed Narrative of ONE's Cell Manufacturing Facility", copies of Planning Commission minutes from November 2017 through April 2021 which document the history of the Planning Commission's review of the ACRN Phase 1 site, a site plan excerpt from the most recent issued-for-construction site plan for the ACRN Phase 1 site, Sections 3.116 and 3.117 of the Van Buren Township Zoning Ordinance, relevant excerpts of the Van Buren Township 2020 Master Plan, and a copy of the public hearing notice for the meeting to be held on October 26<sup>th</sup>.

The following are findings which have been prepared to support the recommendation McKenna Associates has made with regards to the proposed rezoning with conditions in their October 18, 2022 letter:

### **Findings**

Section 12.507(E) of the Zoning Ordinance states that a Rezoning with Conditions may only be approved if it meets the requirements and standards of sub-sections (1) through (10) therein. We find that the requirements and standards of Section 12.507(E) of the Zoning Ordinance are met, as follows:

1. Section 12.507(1). The proposed conditional rezoning is consistent with the goals, policies, and objectives of the Master Plan and its subsequent amendments.
2. Section 12.507(2). The proposed conditional rezoning voluntarily prohibits any of the heavy manufacturing and automotive uses allowable in the proposed M-2 District.
3. Section 12.507 (3). The subject site received site plan approval from the Planning Commission in 2019 and is in the process of complying with all of the zoning ordinance and site designs requirements.
4. Section 12.507 (4). The proposed rezoning with conditions will result in integration of the proposed use with the characteristics of the existing industrial area.
5. Section 12.507(5). The proposed conditional rezoning will facilitate a business that anticipates a \$1.6 billion investment and creation of 2,000+ new jobs which are of definite public benefit to the residents and the region.
6. Section 12.507 (6). The proposed conditional rezoning does not preclude any future zoning action by the Township.
7. Section 12.507 (7). The subject site has existing utility service and is working with the township, DTE and Wayne County to meet any additional needs.
8. Section 12.507 (8). The conditions offered by the applicant are fully enforceable.
9. Section 12.057(9). The conditional rezoning is not a use variance.

10. Section 12.057(10). The site has already received site plan approval and the proposed manufacturing use is classified as a principal permitted use in the proposed M-2 District.

If the Planning Commission makes the recommendation to move forward with the requested conditional rezoning, staff would recommend that the findings discussed in this letter be referenced in any motion. If the conditional rezoning is recommended for approval by the Planning Commission, the agreement and rezoning ordinance will be forwarded to the Township Board of Trustees for approval. If the proposed use involves changes to the original approved site plan for the subject parcel within the broader ACRN Phase 1 site, the Planning Commission will review an application for an amended ACRN Phase 1 site plan at a later date.

I look forward to the Planning Commission's discussion on this agenda item. Thank you for your consideration.

Sincerely,

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

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

CC: Ron Akers, AICP, Van Buren Charter Township Municipal Services Director





**MCKENNA**

October 18, 2022

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

**Subject: Conditional Rezoning Request – Crossroads Distribution Center North 6 LLC/42060 Ecorse Road; Application Dated September 26, 2022.**

Dear Commissioners:

We have reviewed an application from Ken Bowen on behalf of Crossroads Distribution Center North 6 LLC, owners of Building 6 within the Crossroads North Industrial Development located at 42060 Ecorse Road, to conditionally rezone the parcel from its current zoning classification of MT (Industrial Transportation) District to M-2 (General Industrial) District. This parcel is approximately 45.16 acres in area and located on the north side of Ecorse Road, west of Haggerty Road.

The site is occupied by a 658,989 square foot industrial building (listed as 659,546 on site plan Exhibit B). The applicant seeks to conditionally rezone the parcel to allow for the building to be used in manufacturing lithium-ion batteries. The existing MT district does not permit automotive based manufacturing uses, while the proposed M-2 District allows for manufacturing industries involving batteries or an automotive component.

Per Section 12.507, as an alternative to a rezoning amendment, the Township may allow conditional rezoning to further the objectives of the Zoning Ordinance and the Master Plan, to achieve integration of the proposed land development project with the characteristics of the surrounding area. We have reviewed the request and offer the following comments:



Source – Nearmap July 2022

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

O 248.596.0920  
F 248.596.0930  
**MCKA.COM**

**Communities for real life.**



## COMMENTS

- Existing Conditions.** The site is a 45.16 acre parcel occupied by a large distribution center building with 112 truck docks which received special land use approval and final site plan approval from the Board of Trustees and Planning Commission on May 7, 2019 and June 12, 2019, respectively. The parcel is part of the Crossroads North Development which includes an approximately 250,000 sq. ft warehouse building along Ecorse frontage, and a 658,989 sq. ft. distribution center building called "Building 5", which is located immediately to the south of the subject site. All of the associated improvements related to parking, circulation, landscaping etc., are already in place or in the process of being completed.

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

	Existing Land Use	Current Zoning	Future Land Use
<b>Subject Site</b>	Distribution Center (under construction)	M-T Industrial Transportation	Industrial Trucking
<b>North</b>	Vacant	M-T Industrial Transportation	Light Industrial
<b>South</b>	Distribution Center	M-T Industrial Transportation	Industrial Trucking
<b>East</b>	Vacant Industrial and single family residential	M-1, Light Industrial + R-1B, Single Family Residential	Light Industrial
<b>West</b>	ITC Corridor	R-1B, Single Family Residential	Medium Density Single Family Residential-A

- Required Information.** Section 12.507 (D)(1) of the Zoning Ordinance describes information required for any petition involving an amendment to the official Zoning Map. The information required to enable a review of the request has been obtained from the applicant.

## REZONING STANDARDS

Article 12, Chapter 5 of the Zoning Ordinance includes the procedures and standards for reviewing Zoning Ordinance amendment applications. Section 12.507 (E) includes specific standards of review for the Planning Commission and Township Board of Trustees to consider prior to taking action on an amendment application with conditions. These standards and our comments follow.

### ***(1) The proposed rezoning will further the goals and objectives of the Township Master Plan.***

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



The applicant proposes to rezone the parcel to allow for use of the building for manufacture of lithium-ion batteries. The Master Plan designates the future land use of the subject site as industrial trucking. Per the Master Plan the *Industrial Trucking designation is Intended for large-scale industrial development which has a significant transportation and/or logistics component, though otherwise generates similar impacts to uses in Light Industrial areas.* The Master Plan notes that *heavy industrial designation is intended for industrial uses of a higher intensity, for areas that take advantage of railroad and major thoroughfare access, and are generally buffered by light industrial uses. The uses most appropriate in this district are sites where raw and semi-finished materials are fabricated, manufactured, and warehoused.*

The Ecorse-Haggerty Road corridor is a heavy truck traffic route. At the time the proposed distribution center building was approved, there was extensive discussion on the impacts from the truck traffic generated by the distribution facility building and building 5 on Ecorse Road. As a result, the applicant worked with Wayne County to add an extra lane along the site's frontage and signalize the turn lane at the intersection. The proposed conditional rezoning will change the focus of the building from a truck intensive distribution use, to a manufacturing use with fewer truck trips. The Master Plan clearly advocates for no additional industrial trucking area beyond what is currently existing due to the extensive impacts on roadways. The change of the trucking use to a manufacturing use, is a step towards accomplishing the Township's Master Plan objectives.

**(2) *Rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the Rezoning with Conditions Agreement).***

The M-2 district allows for heavy manufacturing and processing industries. The ordinance defines heavy manufacturing in part as, "The assembly and/or manufacture of automobiles, automobile bodies, parts and accessories, electrical fixtures, batteries and other electrical apparatus and hardware." The proposed lithium ion battery manufacturing would be placed in this category and therefore would be permitted in the proposed zoning district.

The M-2 district also permits *breweries, bump shops, distilleries, machine shops, metal buffing, plastering and polishing shops, lumber and planing mills, painting and sheet metal shops, undercoating and rust proofing shops and welding shop.* The proposed conditional rezoning agreement includes a clause stating that these uses shall not be permitted on the site. The agreement further notes that none of the special land uses permitted in the M-2 district, shall be permitted on the subject site.

**(3) *The use of the property in question shall be in complete conformity with all regulations governing development and use within the zoning district to which the property is proposed to be rezoned, including, without limitation, permitted uses, lot area and width, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply:***

**(a) *Development and use of the property shall be subject to the more restrictive requirements shown or specified in the Rezoning with Conditions Agreement, and/or in other conditions and provisions set forth in the Rezoning with Conditions Agreement required as part of the Rezoning with Conditions approval. Such Rezoning with Conditions Agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.***

**(b) *As part of the grant of final approval of a Rezoning with Conditions, the Township Board shall be authorized to grant modifications to the strict terms of the Zoning Ordinance governing dimensional***



***requirements on the property; provided, such authorization to grant modifications shall be conditioned upon the Township Board finding that each Zoning Ordinance provision sought to be modified will result in an enhancement of the development that would be in the public interest, and that approving the modification would be consistent with the Township Master Plan and compatible with the surrounding area.***

The proposed conditional rezoning does not involve a vacant piece of land or new construction. As previously noted, the subject site is occupied by a large industrial building which received site plan approval from the Planning Commission in June 2019. All aspects relating to site circulation, pedestrian circulation, landscaping, setbacks, building architecture, screening, signage and more were reviewed and approved as part of a comprehensive review. The building is currently under construction along with implementation of all site improvements.

When originally approved as a distribution center, the site was anticipated to generate significant truck traffic throughout the day. The change to a manufacturing use will significantly reduce the volume of truck traffic generated by the site.

The applicant is offering no additional site design related conditions on the conditional rezoning agreement but will be required to comply with all aspects of the previously approved plan. The applicant is seeking no modifications from the provisions of the zoning ordinance to facilitate occupancy by the new use.

- (4) The proposed Rezoning with Conditions will result in integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Rezoning with Conditions.***

The project area is an established industrial zone, which extends on the north and south sides of Ecorse Road. The subject site is located in the middle of a larger industrial zone with other distribution center and warehousing uses. The use of the site for manufacturing will be consistent with the established industrial use pattern of the area. Therefore, the proposed rezoning with conditions will result in integration of the proposed use with the characteristics of the project area.

- (5) As compared to the existing zoning and considering the site-specific conditions and/or land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Conditions. In determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against and be found to clearly outweigh the reasonably foreseeable detriments, taking into consideration reasonably accepted planning, engineering, environmental and other principles, and also taking into consideration the special knowledge and understanding of the Township by the Township Board and Planning Commission.***

The currently approved use for the subject site is a distribution center building. The applicant constructed the facility as a speculative building with no known tenant at the time of approval. The proposed battery manufacturing entity is anticipated as a \$1.6 billion investment, creating 2,112 jobs in the Township. The manufacture of batteries domestically to support the auto industry is in line with reducing dependency on supply chain issues and promoting mobility and economic growth locally.



Per recent public information, *this innovative, Michigan-made company is on the cutting-edge of battery technology, and the work they're doing will increase the range of electric vehicles to over 600 miles on a single charge. With this new gigafactory, we will continue bringing the supply chain of electric vehicles, chips, and batteries home to Michigan and the USA while creating a sustainable, clean energy economy."*

The proposed manufacturing facility will use cutting edge technology and not likely to generate fumes, odors or other pollutants like the manufacturing processes used in the years past. As proposed, we anticipate no foreseeable detriment. In addition, the use will be required to comply with the environmental performance standards of Article 8 of the Zoning Ordinance, and any proposed change to the site's parking, circulation, or accessory outdoor uses will be subject to amended site plan review.

***(6) The proposed conditions will not preclude future zoning and planning actions by or on behalf of the municipality.***

The proposed use does not involve any changes to the previously approved site plan at this time and is not anticipated to preclude any future planning of zoning action by the township. The conditional rezoning agreement does not offer any such restrictions or limitations.

***(7) Existing and available public services will be capable of serving proposed or potential development that will occur as a result of the Rezoning with Conditions without negatively impacting the delivery of public services to other properties in the Township, or the conditions will ensure that public services will be sufficient to serve both the site and other properties in the Township.***

The subject site is served by water and sewer and the site was designed to accommodate necessary stormwater drainage. A change from distribution to manufacturing will likely create an additional load on the utilities serving the site (water and electricity); however, the applicant is working with the Township and DTE to address any additional needs that may arise. The use is likely to prompt an increase in passenger vehicle traffic, particularly on Haggerty Road. This increased traffic should be supported by the widening and reconstruction of Haggerty Road from Ecorse Road to Van Born Road, along with installation of a traffic signal at the site's main outlet onto Haggerty Road, subject to approval by Wayne County.

***(8) The offered condition(s) are beneficial to the public good and likely to be enforceable.***

The conditions offered by the applicant include a prohibition on manufacture of automobiles and automobile bodies. The agreement also includes a clause prohibiting heavy industrial manufacturing such as bump shops, paint booths etc. These conditions will safeguard the interests of the neighboring properties including the single-family residential properties in the larger area and are enforceable.

***(9) The condition does not have the same effect as a use variance.***

A use variance is a deviation granted to permit a use that is not allowed in the district. Whereas a conditional rezoning is a change in the zoning designation of a property to a district that allows for the use to occur with limitation/conditions offered to safeguard any anticipated adverse impacts. The proposed battery manufacturing use is a permitted use in the M-2 district.

***(10) The proposed conditions do not relieve the applicant of the responsibility of securing any applicable site plan, plat, condominium, or special land use approvals.***





The subject site has already received site plan approval. The proposed battery manufacturing use is a principal permitted use in the M-2 District per Section 3.117 (B) of the Zoning Ordinance.

## RECOMMENDATION

At this time, the application to conditionally rezone the subject sites from M-T to M-2 meets the following standards of Section 12.507.E(1) through (10) of the Zoning Ordinances:

1. Section 12.507(1). The proposed conditional rezoning is consistent with the goals, policies, and objectives of the Master Plan and its subsequent amendments.
2. Section 12.507(2). The proposed conditional rezoning voluntarily prohibits any of the heavy manufacturing and automotive uses allowable in the proposed M-2 District.
3. Section 12.507 (3). The subject site received site plan approval from the Planning Commission in 2019 and is in the process of complying with all of the zoning ordinance and site designs requirements.
4. Section 12.507 (4). The proposed rezoning with conditions will result in integration of the proposed use with the characteristics of the existing industrial area.
5. Section 12.507(5). The proposed conditional rezoning will facilitate a business that anticipates a \$1.6 billion investment and creation of 2,000+ new jobs which are of definite public benefit to the residents and the region.
6. Section 12.507 (6). The proposed conditional rezoning does not preclude any future zoning action by the Township.
7. Section 12.507 (7). The subject site has existing utility service and is working with the township, DTE and Wayne County to meet any additional needs.
8. Section 12.507 (8). The conditions offered by the applicant are fully enforceable.
9. Section 12.057(9). The conditional rezoning is not a use variance.
10. Section 12.057(10). The site has already received site plan approval and the proposed manufacturing use is classified as a principal permitted use in the proposed M-2 District.

Therefore, we recommend that the Planning Commission recommend **approval** of the requested amendment to the Zoning Map to conditionally rezone the subject parcel from M-T to M-2 designation as listed, to the Township Board of Trustees, subject to the following condition:

- Violation of the terms of the conditional rezoning agreement will automatically revert the zoning of the subject site to the original MT zoning and render the conditional rezoning void.

Respectfully  
**McKENNA**

Vidya Krishnan  
Senior Principal Planner

Cc: Dan Power, Director of Planning and Economic Development

## CONDITIONAL REZONING AGREEMENT

**THIS CONDITIONAL REZONING AGREEMENT** (the "Agreement") is made of this \_\_\_\_ day of \_\_\_\_ 2022, by and between Ashley Capital, LLC, 2575 S. Haggerty Rd. Suite 500 Canton, MI 48188 a Michigan limited liability corporation ("Developer") Crossroads Distribution Center North 6, LLC, 2575 S. Haggerty Rd. Suite 500 Canton, MI 48188, a Michigan limited liability corporation ("Owner"), and the Charter Township of Van Buren, 46425 Tyler Rd., Van Buren Twp., MI 48111, a Michigan charter township (the "Township").

### RECITALS

**WHEREAS**, the Owner is currently the fee owner of real property located at 42060 Ecorse Road, Belleville, MI 48111, legally described on the attached "**Exhibit A**" (the "Property").

**WHEREAS**, the Owner is currently negotiating a lease with a company that manufactures lithium-ion battery cells and modules for electric vehicles and energy storage applications.

**WHEREAS**, to facilitate the lease negotiations and to allow this tenant to occupy the Property and manufacture battery cells, the Owner desires to have the Property rezoned from "M-T" Industrial Transportation to "M-2" General Industrial as set forth in the Charter Township of Van Buren Zoning Ordinance, Section 12.507, Rezoning (Zoning Map Amendment) with Conditions.

**WHEREAS**, the Developer has voluntarily offered in writing to enter into this Agreement consistent with Section 405 of the Michigan Zoning Enabling Act, P.A. 110 of 2016, as amended (MCL § 125.3405).

**WHEREAS**, this Agreement is made by the Township pursuant to the authority granted to the Township under MCL § 125.3405.

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_, 2022, the Township Planning Commission held a Public Hearing and voted to recommend approval of this Conditional Rezoning Agreement.

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_, 2022, the Township Board of Trustees voted to approve and accept the offer of the Owner to enter into this Conditional Rezoning Agreement based upon the conditions set forth herein.

**NOW, THEREFORE**, in consideration of the conditions and rights reserved, herein, and in order to accomplish the forgoing purposes, the undersigned hereby agree:

1. The Development Project. The Developer agrees to construct a 658,989 sf industrial building and execute a minimum 10 year lease with a lithium-ion battery manufacturer subject to conditions set forth in this Agreement, (the "Project").

2. Rezoning. The Township agrees to rezone the Property from "M-T" Industrial Transportation to "M-2" General Industrial as set forth in the Charter Township of Van Buren Zoning Ordinance Article 3, and allow the uses permitted by right and identified as "Permitted Uses" in Section 3.117. The following additional conditions shall apply to such rezoning:

- a. The assembly and/or manufacture of automobiles or automobile bodies shall not be permitted.
- b. Breweries, bump shops, metal buffing, plastering and polishing shops, lumber and planning mills, painting and sheet metal shops, undercoating and rust proofing shall not be permitted
- c. Truck and Railroad Terminals shall not be permitted
- d. All M-2 zoning district's special land uses identified in Section 3.117(C) of the zoning ordinance shall not be permitted

3. Conditions Subsequent to Rezoning. If any of the following events occur, then this Agreement shall be null and void and the zoning of the Property shall revert to the "M-T" Industrial Transportation zoning classification:

- a. The Owner's failure or inability to provide the Township with evidence that the Owner has executed a minimum 10 year lease with a lithium-ion battery manufacturer within 3 months from date in which Township Board of Trustees approves this Agreement.
- b. The Developer fails to commence any necessary construction of the Project within 6 months from the date in which Township Board of Trustees approves this Agreement
- c. The Owner ceases to lease the Property to a lithium-ion battery manufacturer
- d. The Developer fails to comply with any of the provisions set for in Section 2 of this Agreement.
- e. A Court of Law makes a determination that the Developer has violated the terms of this Agreement.

4. Compliance with Conditions. Upon the Developer commencing the proposed use upon the Property subject to this Agreement, Developer shall continuously operate and maintain the development or use in compliance with all the conditions set forth in this Agreement. Any failure to comply with a condition contained herein shall constitute a violation of the Van Buren Township Zoning Ordinance, and be punishable accordingly against the Developer. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.



5. Entire Agreement. This agreement constitutes the entire agreement between the parties with respect to the matter set forth herein, and there are no representations, warranties, covenants, or obligations except as set forth herein. This Agreement supercedes all prior contemporaneous agreements, understandings, negotiations statements and discussion, written or oral, of the parties hereto, relating to the matters contemplated by the Agreement.

6. Modification. The terms of this Agreement shall not be modified, amended or altered, except by written agreement duly executed by the Developer, the Owner, if applicable, and the Township as authorized by Township Board of Trustees, after a public hearing and notification of abutting property owners and tenants as required by the Michigan Zoning Enabling Act, P.A. 110 of 2006.

7. No Waiver. The failure of any party to complain or enforce of any act or omission on the part of another party, no matter how long the same may continue, shall not be deemed to be an acquiescence or waiver by such party of any of its rights hereunder. No waiver by any party at any time, expressed or implied, or any breach of any provision of this Agreement shall be deemed a waiver of a breach of any other provision of this Agreement or a consent to any subsequent breach of the same or any other provision of this agreement. If any action by any party shall require the consent or approval of another party(ies), such consent or approval of such action shall not be deemed a consent to or approval of any other provision of this agreement.

8. Governing Law. This Agreement shall be governed by the laws of the State of Michigan.

9. Notice. Notice shall be deemed as given hereunder upon personal delivery to the addresses set forth below, or if properly addressed, one (1) day after depositing such notice, with postage prepaid, in a United States mailbox or one (1) day after depositing such notice in the custody of a nationally recognized overnight delivery service. Notice shall be deemed properly addressed if sent to the following addresses:

Developer:	Ashley Capital 2575 S. Haggerty Road, Suite 500 Canton, MI 48188 734-394-19000
Owner:	Crossroads Distribution Center North 6, LLC 2575 S. Haggerty Road, Suite 500 Canton, MI 48188 734-394-1900
Township:	Charter Township of Van Buren 46425 Tyler Road Van Buren Twp, MI 48111

10. Counterparts. The parties agree that this Agreement may be executed by facsimile or in counterparts, and that all counterparts together, with or without facsimile signatures, shall constitute one integrated agreement and be deemed an original document.

11. Recording. This document shall be recorded with the Wayne County Register of Deeds Office.

**IN WITNESS WHEREOF**, the undersigned has executed this **CONDITIONAL REZONING AGREEMENT** on the date first above written.

[SIGNATURES ON THE FOLLOWING PAGES]

**THE DEVELOPER:**  
**ASHLEY CAPITAL, LLC**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Kenneth J. Bowen  
Its: Vice President

STATE OF MICHIGAN     )  
                                      )SS.  
COUNTY OF WAYNE     )

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public, in and for said County,  
personally appeared Kenneth J. Bowen, to me known to be the same persons described in,  
and who executed the within instrument, who acknowledged the same to be his free act and  
deed.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
My Commission Expires: \_\_\_\_\_

**THE OWNER:**  
**CROSSROADS DISTRIBUTION CENTER**  
**NORTH 6, LLC**  
**By: ASHLEY CAPITAL, LLC, its agent**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Kenneth J. Bowen  
Its: Vice President

STATE OF MICHIGAN     )  
                                      )SS.  
COUNTY OF WAYNE     )

On this \_\_\_\_ day of \_\_\_\_\_, 2022, before me, a Notary Public, in and for said County,  
personally appeared Kenneth J. Bowen, to me known to be the same persons described in,  
and who executed the within instrument, who acknowledged the same to be his free act and  
deed.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
My Commission Expires: \_\_\_\_\_

[Signatures Continued]

**THE TOWNSHIP:  
CHARTER TOWNSHIP OF VAN BUREN**

_____	_____
Witness Signature	By: Signature
	Printed Name
	Its: Printed Title

STATE OF MICHIGAN     )  
  )SS.  
COUNTY OF WAYNE     )

On this \_\_\_\_day of \_\_\_\_\_, 2022, before me, a Notary Public, in and for said County, personally appeared \_\_\_\_\_, to me known to be the same persons described in, and who executed the within instrument, who acknowledged the same to be his free act and deed.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
My Commission Expires:\_\_\_\_\_

**EXHIBIT "A"**  
**PROPERTY LEGAL DESCRIPTIONS**

Land situated in the Township of Van Buren, County of Wayne, State of Michigan, described as follows:

A PARCEL OF LAND IN PART OF THE SE 1/4 OF SECTION 2, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

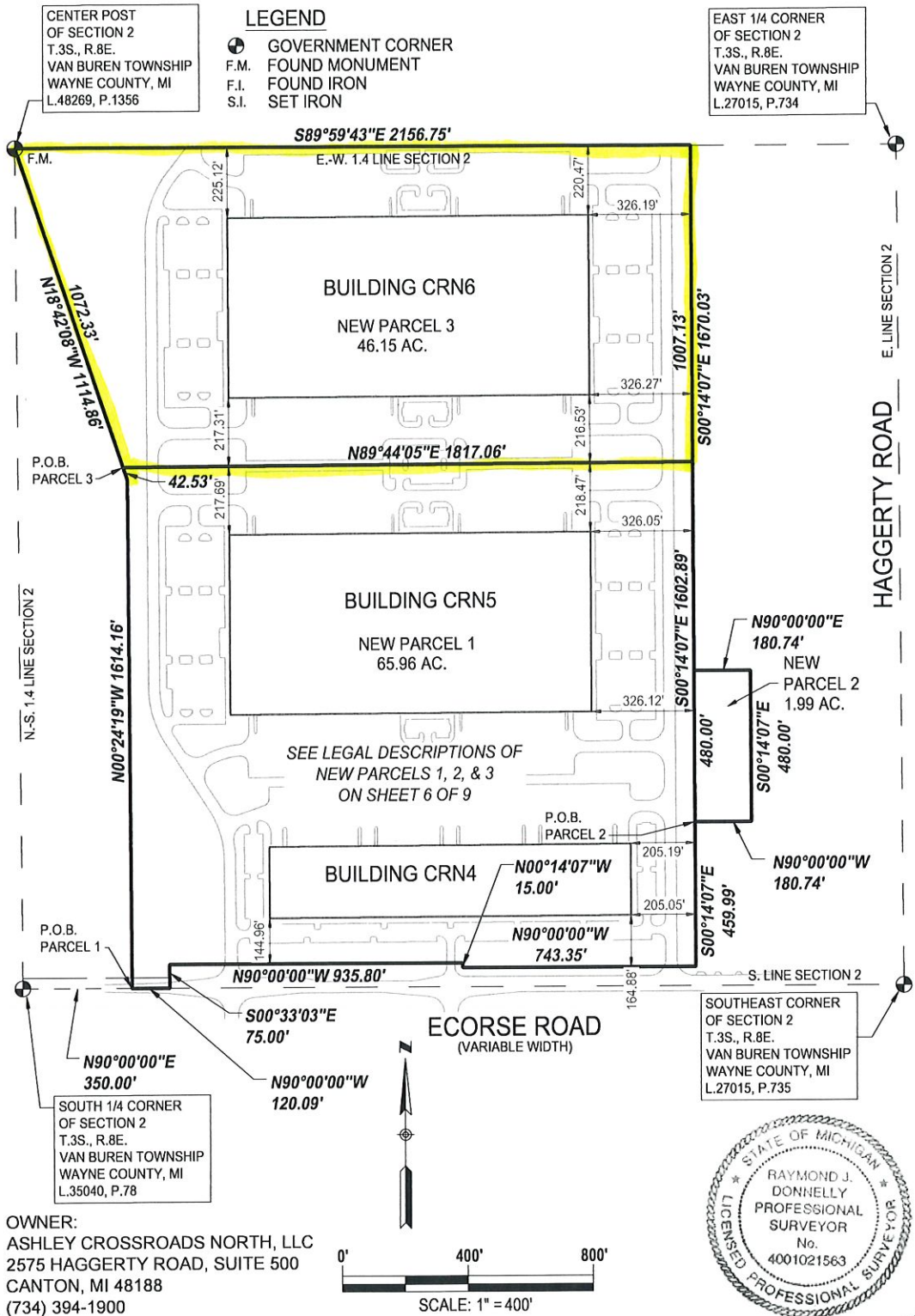
COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2; THENCE SOUTH 90° 00' 00" EAST 350.00 FEET ALONG THE SOUTH LINE OF SECTION 2 AND CENTERLINE OF ECORSE ROAD; THENCE NORTH 00° 24' 19" WEST 1614.16 FEET; THENCE NORTH 18° 42' 08" WEST 42.53 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 18° 42' 08" WEST 1072.33 FEET TO THE CENTER POST OF SAID SECTION 2; THENCE SOUTH 89° 59' 43" EAST 2156.75 FEET ALONG THE EAST & WEST 1/4 LINE OF SAID SECTION 2; THENCE SOUTH 00° 14' 07" EAST 1007.13 FEET; THENCE SOUTH 89° 44' 05" WEST 1817.06 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 46.15 ACRES OF LAND.

Commonly known as: Vacant Ecorse Road, Van Buren Township, Michigan

Tax Parcel Identification No. 83-008-99-0002-706

# CERTIFICATE OF SURVEY FOR PARCEL SPLIT



**SPALDING DeDECKER**  
Engineers | Surveyors

905 South Blvd. East  
Rochester Hills, MI 48307

Phone: (248) 844-5400  
Fax: (248) 844-5440

www.sda-eng.com

DRAWN: L.THORNTON	DATE: 11-11-20
CHECKED: R.DONNELLY	DATE: 11-11-20
MANAGER: S.KEHRER	SCALE: 1" = 400'
JOB No. SM20-191	SHEET: 2 OF 9
SECTION 02 TOWN 03 SOUTH RANGE 08 EAST	
VAN BUREN TOWNSHIP, WAYNE COUNTY, MI	



# CERTIFICATE OF SURVEY FOR PARCEL SPLIT

## LEGAL DESCRIPTION OF NEW PARCEL 1

A PARCEL OF LAND IN PART OF THE SE 1/4 OF SECTION 2, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2; THENCE SOUTH 90° 00' 00" EAST 350.00 FEET ALONG THE SOUTH LINE OF SECTION 2 AND CENTERLINE OF ECORSE ROAD TO THE POINT OF BEGINNING; THENCE NORTH 00° 24' 19" WEST 1614.16 FEET; THENCE NORTH 18° 42' 08" WEST 42.53 FEET; THENCE NORTH 89° 44' 05" EAST 1817.06 FEET; THENCE SOUTH 00° 14' 07" EAST 1602.89 FEET; THENCE NORTH 90° 00' 00" WEST 743.35 FEET ALONG A LINE 60 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE NORTH 00° 14' 07" WEST 15.00 FEET; THENCE NORTH 90° 00' 00" WEST 935.80 FEET ALONG A LINE 75 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE SOUTH 00° 33' 03" EAST 75.00 FEET; THENCE NORTH 90° 00' 00" WEST 120.09 FEET ALONG THE SOUTH LINE OF SAID SECTION 2 AND SAID CENTERLINE OF ECORSE ROAD BACK TO THE POINT OF BEGINNING. CONTAINING 65.96 ACRES OF LAND.

## LEGAL DESCRIPTION OF NEW PARCEL 2

A PARCEL OF LAND IN PART OF THE SE 1/4 OF SECTION 2, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2; THENCE SOUTH 90° 00' 00" EAST 470.09 FEET ALONG THE SOUTH LINE OF SECTION 2 AND CENTERLINE OF ECORSE ROAD; THENCE NORTH 00° 33' 03" WEST 75.00 FEET; THENCE SOUTH 90° 00' 00" EAST 935.80 FEET ALONG A LINE 75 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE SOUTH 00° 14' 07" EAST 15.00 FEET; THENCE SOUTH 90° 00' 00" EAST 743.35 FEET ALONG A LINE 60 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE NORTH 00° 14' 07" WEST 459.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00° 14' 07" WEST 480.00 FEET; THENCE NORTH 90° 00' 00" EAST 180.74 FEET; THENCE SOUTH 00° 14' 07" EAST 480.00 FEET; THENCE NORTH 90° 00' 00" WEST 180.74 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 1.99 ACRES OF LAND.

## LEGAL DESCRIPTION OF NEW PARCEL 3

A PARCEL OF LAND IN PART OF THE SE 1/4 OF SECTION 2, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2; THENCE SOUTH 90° 00' 00" EAST 350.00 FEET ALONG THE SOUTH LINE OF SECTION 2 AND CENTERLINE OF ECORSE ROAD; THENCE NORTH 00° 24' 19" WEST 1614.16 FEET; THENCE NORTH 18° 42' 08" WEST 42.53 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 18° 42' 08" WEST 1072.33 FEET TO THE CENTER POST OF SAID SECTION 2; THENCE SOUTH 89° 59' 43" EAST 2156.75 FEET ALONG THE EAST & WEST 1/4 LINE OF SAID SECTION 2; THENCE SOUTH 00° 14' 07" EAST 1007.13 FEET; THENCE SOUTH 89° 44' 05" WEST 1817.06 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 46.15 ACRES OF LAND.

OWNER:  
ASHLEY CROSSROADS NORTH, LLC  
2575 HAGGERTY ROAD, SUITE 500  
CANTON, MI 48188  
(734) 394-1900



**SPALDING DeDECKER**  
Engineers | Surveyors

905 South Blvd. East  
Rochester Hills, MI 48307

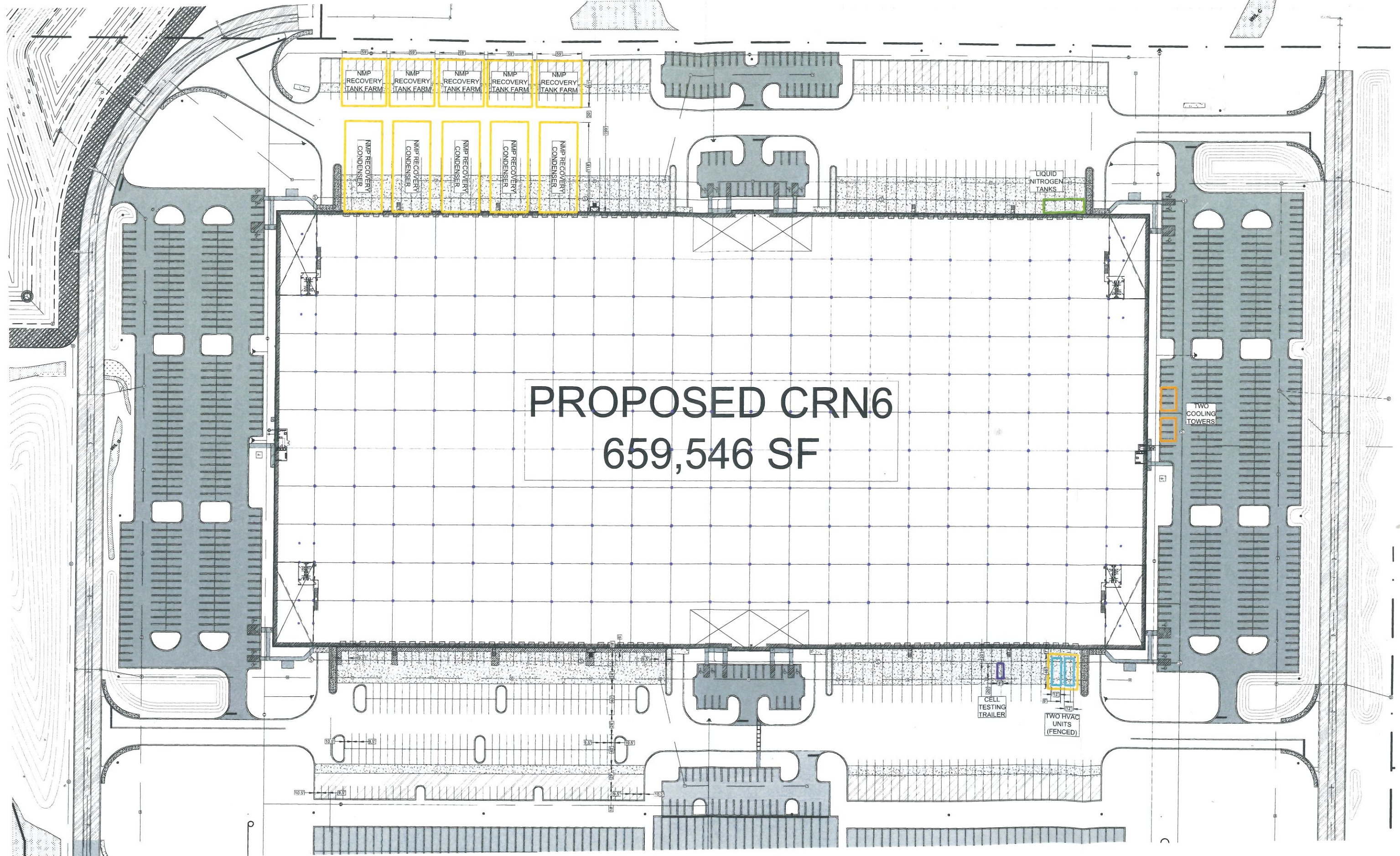
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DRAWN: L.THORNTON	DATE: 11-11-20
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MANAGER: S.KEHRER	SCALE: N/A
JOB No. SM20-191	SHEET: 6 OF 9
SECTION 02 TOWN 03 SOUTH RANGE 08 EAST	
VAN BUREN TOWNSHIP, WAYNE COUNTY, MI	



# CONCEPTUAL SITE PLAN





## **Detailed Narrative of ONE's Cell Manufacturing Facility**

Our Next Energy, Inc. (ONE) plans to build a battery cell manufacturing facility and is considering a number of locations. This manufacturing facility will produce battery cells for electric vehicle and grid storage applications. The factory will be among the first in the United States to manufacture cutting edge lithium-iron-phosphate battery cells and will employ a significant number of locally-based employees.

### **Manufacturing Process**

The production of the lithium-ion battery cell consists of several key steps: electrode manufacturing, cell assembly and cell finishing. Cells typically consist of two electrodes (an anode and a cathode), a separator and an electrolyte.

First, materials are combined with a solvent to form a viscous, liquid "slurry" that will eventually become electrodes. The slurry is churned to ensure that materials are equally distributed throughout the mixture.

This slurry is then coated onto a foil current collector. Achieving a consistent thickness of slurry is critical for ensuring that the final battery is high quality and without defects. The coated wet electrode is then delivered to a long dryer to evaporate the solvent. A recovery system in the drying room recovers as much raw material as possible for future use. Depending on the materials used at the start of the process, the electrodes created are either anodes or cathodes.

The coated foil is then "calendered" or compressed by large rollers and then cut into smaller pieces for use in a cell. Calendaring defines the electrode's physical properties and width. It also magnifies the bonding strength of the electrode and the current collector. Electrodes are also "slitted," and cut into pieces, determining the electrode's length. Laser cutting is often used for slitting, but alternative technologies are being explored.

The finished electrodes are then vacuum dried for up to three weeks. Anodes and cathodes are then stacked against one another with a ceramic separator between them. Cells are then placed inside a housing, filled with electrolyte and welded shut.

Finally, cells are discharged, charged and aged to finalize their formation and ensure that they meet quality assurance standards. During this formation and aging process, the cells' chemical integrity is finalized and they are screened for defects. This process can take up to three weeks.

A schematic of the steps of cell manufacturing is displayed below.

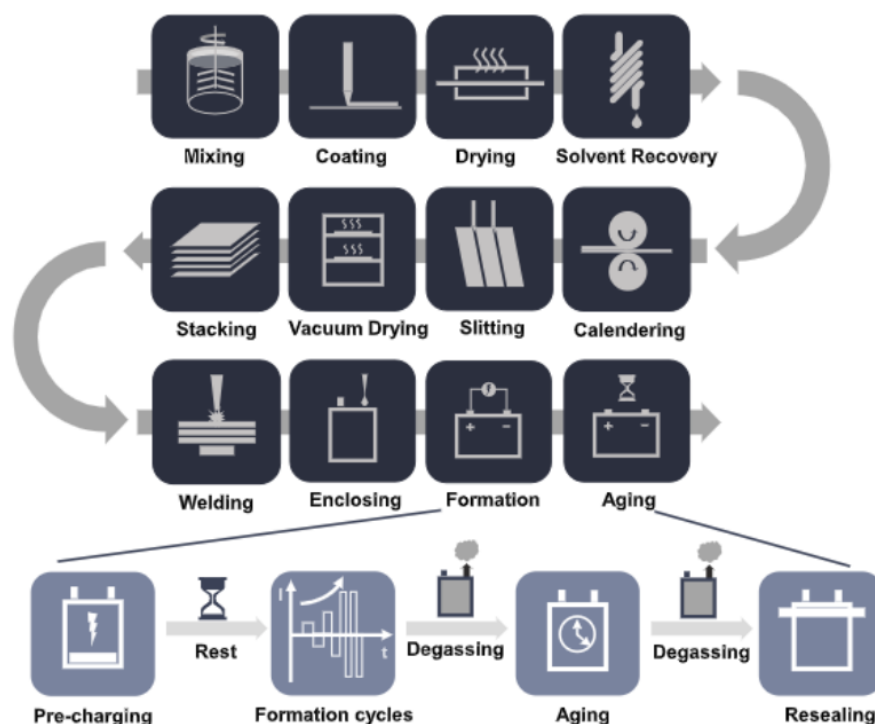


Figure 1. Schematic of LIB manufacturing processes

Source: [Current and future lithium-ion battery manufacturing](#)

## Locations

### Current Novi Headquarters

29050 Cabot Drive, Novi, Michigan (current)

Purposes: Product development, battery management, testing and validation, business development, manufacturing operations

### Future Novi Headquarters

45145 12 Mile Road, Novi, Michigan

Purposes: Product development, battery management, testing and validation, business development, manufacturing operations

### Torrance Testing and Applications Engineering Facility

19825 Hamilton Ave, Torrance, California

Purposes: OEM vehicle integration, rapid prototyping, low volume business development activity, benchmarking intel

### Fremont R&D Facility

45535 Northport Loop East, Fremont, California

Purposes: Cell research R&D, cell and materials lab, cell process development, advanced pack safety

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
NOVEMBER 8, 2017  
MINUTES**

Chairperson Thompson called the meeting to order at 7:33 p.m.

**ROLL CALL:**

**Present:** Kelley, Atchinson, Budd, Boynton, Franzoi and Thompson.

**Excused:** None.

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

**Planning Representatives:** McKenna Associate, Patrick Sloan, Wade Trim Associate, David Nummer and Fishbeck Associate, David Potter.

**Audience:** Seventeen (17).

**APPROVAL OF AGENDA:**

**Motion Boynton, Kelley second to approve the amended agenda of November 8, 2017 correcting the description of New Business Item #2 from special use permit to preliminary site plan approval. Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Kelley, Boynton second to approve the regular meeting minutes of October 25, 2017 as presented. Motion Carried.**

**PUBLIC HEARING:**

**ITEM # 1                    17-030 ASHLEY CAPITAL, IS REQUESTING A SPECIAL LAND USE PERMIT TO CONSTRUCT A DISTRIBUTION CENTER. THE DISTRIBUTION CENTER IS PROPOSED TO CONSIST OF FOUR (4) BUILDINGS TOTALING 1,575,778 SQUARE FEET OF SPACE.**

**LOCATION:                THE PROPOSED DEVELOPMENT IS LOCATED NEAR THE NORTHWESTERN INTERSECTION OF ECORSE ROAD AND HAGGERTY ROAD. PARCEL ID# V-125-83-005-99-0009-701 (APPROXIMATELY 158.5 ACRES).**

**Motion Franzoi, Boynton second to open the public hearing. Motion Carried.**

Ken Bowen gave the presentation for the applicant. The applicant is requesting special use approval to construct a distribution center consisting of four (4) buildings totaling approximately 1,575,778 square feet. Mr. Bowen gave a PowerPoint presentation displaying the south phase of the Ashley Capital distribution center. The applicant would like to break ground in the spring in order to complete the project by the end of the year. The project will take approximately 9-10 months to complete. The applicant has no tenants in mind at this time.

Two (2) Haggerty Road residents discussed traffic concerns, road conditions, car accidents and the need for a traffic study. The residents also discussed noise generated during construction and clearing of the existing Ashley Capital development, the decline in their property value and their desire to receive a buyout offer from Ashley Capital. Some of the owners stated they never received a buyout offer from Ashley Capital when they made their original offers twenty (20) years ago.

Commissioners discussed concern for the residential homes along both Haggerty and Ecorse Roads and the need to review the traffic study. Commissioners also requested that Ashley Capital look into the possibility of looking again at buyouts of the neighboring residential properties.

**Motion Boynton, Kelley second to close the public hearing. Motion Carried.**

**NEW BUSINESS:**

**ITEM # 1                    17-031 – SPECIAL LAND USE RECOMMENDATION ASHLEY CAPITAL CROSSROADS NORTH DISTRIBUTION CENTER.**

**TITLE:                    THE APPLICANT, ASHLEY CAPITAL, IS REQUESTING A SPECIAL USE PERMIT TO CONSTRUCT A DISTRIBUTION CENTER. THE DISTRIBUTION CENTER IS PROPOSED TO CONSIST OF FOUR (4) BUILDINGS TOTALING 1,575,778 SQUARE FEET OF SPACE.**

**LOCATION:                THE PROPOSED DEVELOPMENT IS LOCATED NEAR THE NORTHWESTERN INTERSECTION OF ECORSE ROAD AND HAGGERTY ROAD. PARCEL ID# V-125-83-005-99-0009-701 (APPROXIMATELY 158.5 ACRES).**

No additional comments from the applicant.

Patrick Sloan of McKenna Associates presented his special use review letter dated 10-23-17 recommending the Planning Commission recommend special approval to the Township Board, subject to the following conditions:

1. Submission of a traffic impact study and implementation of its recommendations, as required by the Township and Wayne County.
2. That the proposed setback of 60 feet from the property lines abutting the R-1B zoned areas be approved on the preliminary site plan at this time, subject to a Zoning Ordinance amendment being adopted allowing the setback of a distribution center to be reduced from 80 feet to 60 feet. If the Zoning Ordinance is not adopted, the final site plan must show a setback of 80 feet.
3. That a performance guarantee be submitted by the applicant for planning a sufficient evergreen buffer between Buildings 4 and 6 in the event that building 6 is not constructed within a certain period of time.
4. That all of the conditions of preliminary site plan approval are met.
5. Final site plan approval.

Commissioners discussed the need to review the traffic study, the tree removal permit to be addressed at final site plan approval, the applicant to consider reaching out to neighboring residential homeowners to discuss remedies and staff to research remedies with the township attorney for assistance with major industrial rezoning. The Commissioners agreed not to take action on the special use permit until having time to review the traffic study and to invite Wayne County to the next meeting for discussion on the traffic study.

Resident discussed the detention pond on the property and drainage.  
Mr. Bowden gave Director Akers a copy of the traffic study for review.

**Motion Kelley, Boynton second to table the discussion until the Commission has reviewed the traffic study. Motion Carried.**

**ITEM # 2                    17-030 – PRELIMINARY SITE PLAN APPROVAL FOR ASHLEY CAPITAL CROSSROAD NORTH DISTRIBUTION CENTER.**

**TITLE:                    THE APPLICANT, ASHLEY CAPITAL, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL TO CONSTRUCT A DISTRIBUTION CENTER. THE DISTRIBUTION CENTER IS PROPOSED TO CONSIST OF FOUR (4) BUILDINGS TOTALING 1,575,778 SQUARE FEET OF SPACE.**

**LOCATION:                THE PROPOSED DEVELOPMENT IS LOCATED NEAR THE NORTHWESTERN INTERSECTION OF ECORSE ROAD AND HAGGERTY ROAD. PARCEL ID# V-125-83-008-99-0002-703 & PARCEL ID V-125-83-005-99-0009-701 (APPROXIMATELY 158.5 ACRES).**

Ken Bowen gave the presentation, displaying a color rendering of the proposed buildings. The building design was changed to be more consistent with architectural requirements.

Patrick Sloan of McKenna Associates presented his preliminary site plan review letter dated 10-23-17 recommending preliminary site plan approval subject to the fifteen (15) conditions referenced in his review letter.

Fishbeck Associate, David Potter presented his review letter dated 10-23-17 recommending the Commission grant preliminary site plan approval subject to the comments noted in the review.

Director Akers presented the Fire Department review letter dated 11-1-17 recommending approval subject to the five (5) items addressed in the letter being completed during construction.

Two (2) Haggerty Road residents discussed concerns with the height of the light poles, the height of the berm and evergreen buffer, flooding and drainage from the site.

No comments from the audience.

Commissioners agreed to table preliminary site plan approval until considering their special use recommendation.

**Motion Kelley, Boynton second to table preliminary site plan approval to coincide with the special use approval. Motion Carried.**

**ITEM # 3                    16-037 – FINAL SITE PLAN APPROVAL**

**TITLE:                    THE APPLICANT, SPEEDWAY LLC/ANDREW SALD, IS REQUESTING FINAL SITE PLAN APPROVAL TO CONSTRUCT A GASOLINE FILLING STATION.**

Commissioners expressed difficulty in conceptualizing without plans or renderings, discussed the possibility of looking at other future land use designations, location of boat slips and docks, the total number of units, use of conditional rezoning, examples of similar housing developments in the area and the projected time line for the amendment to the Future Land Use Map. A layout concept will be provided at a future meeting, Sandy's Marina will likely be utilized by most residents for boat docking and storage, 70 units is the target with a maximum of 74 to 75 units. The Commission asked the applicant if the timeline and conditional rezoning will work for the development project, Mr. Jones agreed the timeline and conditional rezoning would work for the development.

Local Real Estate Broker, Therese Antonelli of Moving the Mitten discussed the target audience of the development being seniors and/or snowbirds who are looking to downsize, gave examples of similar housing developments in neighboring Canton and expressed the need in the community for ranch homes and smaller compact dwellings with main floor masters to provide senior housing options.

The Commission wants to direct staff with an "Intent to Plan" and work with McKenna Associates on the feasibility of adding a residential district and to have it presented at the July 10<sup>th</sup> meeting.

**Motion Boynton, Kelley second to send out the Notice of Intent to Plan. Motion Carried.**

**ITEM # 2                    17-030 – ASHLEY CAPITAL CROSSROADS NORTH DISTRIBUTION CENTER – FINAL SITE PLAN APPROVAL.**

**TITLE:                    THE APPLICANT, ASHLEY CAPITAL, IS REQUESTING FINAL SITE PLAN APPROVAL TO CONSTRUCT A DISTRIBUTION CENTER. THE DISTRIBUTION CENTER IS PROPOSED TO CONSIST OF THREE (3) BUILDINGS TOTALING 1,579,325 SQUARE FEET OF SPACE.**

**LOCATION:                THE PROPOSED DEVELOPMENT IS LOCATED NEAR THE NORTHWESTERN INTERSECTION OF ECORSE ROAD AND HAGGERTY ROAD. PARCEL ID #V-125-83-008-99-0002-703 & PARCEL ID #V-125-83-005-99-0009-701 (APPROXIMATELY 158.5 ACRES).**

Allen Dresselhouse of Ashley Capital and Joe Webb of Webb Design asked to have the consultants present their review letters first and they would address any comments.

Vidya Krishnan of McKenna Associates presented her final site plan review letter dated 6-6-19 recommending the Planning Commission grant final site plan approval to the Ashley Capital Crossroads North project to be located on the north side of Ecorse Road, west of Haggerty Road, subject to the condition below:

1. Constructing the base of the monument signs with brick as the masonry material.

David Potter of Fishbeck Associates presented his final site plan review letter dated 6-7-19 recommending engineering site plan and final site plan approval subject to the review comments noted in the letter, in the marked-up plans and in accordance with the *Engineering Standards Manual*.

All comments must be addressed, all required permits must be obtained from Wayne County Department of Public Services (stormwater, ROW, SESC, sanitary sewer) and EGLE/MDEQ (water main, sanitary sewer, wetlands) and the plans resubmitted for final approval in an Issued-for-Construction plan set prior to the scheduling of the pre-construction meeting.

Commissioner Boynton presented the Fire Department review letter dated 5-30-19 recommending approval with exceptions, as long as the remaining items are addressed with authority having jurisdiction (AHJ).

The applicant will have brick as the masonry material for the monument signs, has spoken with the Fire Marshal to address the remaining items noted in the Fire review and has met with Director Akers to discuss the western most drive approach and traffic study for the intersection.

Commissioners discussed concern with eastbound traffic making a left turn at the intersection, the turn is narrow, having Township staff work with the applicant to monitor traffic and possibly have an additional traffic study if needed and adding a note to the plan to have staff and the applicant monitor the traffic flow and work together to address future issues. The applicant agreed to add a note to the site plan, will work with Township staff to monitor the traffic flow and when tenants move in will speak with the managers to make them aware of the intended traffic flow.

No comments from the audience.

**Motion Kelley, Boynton second to grant Ashley Capital Crossroads North, final site plan approval to construct a distribution center, located near the northwestern intersection of Ecorse and Haggerty Roads, subject to and based on the analysis in the McKenna Associates review letter dated 6-6-19, Fishbeck Associates review letter dated 6-7-19, Fire Department review letter dated 5-30-19 with a note to be made on the plan that traffic is to be monitored going forward and staff will work with the applicant to address future issues. Motion Carried. (Letters attached)**

**ITEM # 3                      19-022 – INFINITY HOMES TOWNSEND PARK – SITE PLAN AMENDMENT**

**TITLE:                      THE APPLICANT, INFINITY HOMES, IS REQUESTING AN AMENDMENT TO THE APPROVED TOWNSEND PARK SITE PLAN FOR REVISED SINGLE-FAMILY ARCHITECTURAL ELEVATIONS.**

**LOCATION:                THE UNFINISHED TOWNSEND PARK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF MORTON TAYLOR ROAD, NORTH OF ECORSE ROAD.**

The applicant, Infinity Homes, was not present for the meeting.

**Motion Kelley, Franzoi second to table Infinity Homes request for a site plan amendment until the next meeting. Motion Carried.**

**ITEM #2: 21-017 – ASHLEY CROSSROADS NORTH PRELIMINARY AND FINAL SITE PLAN AMENDMENT.**

**THE APPLICANT AND OWNER, ASHLEY CROSSROADS NORTH, LLC, SEEKS TO AMEND A PREVIOUSLY APPROVED PRELIMINARY AND FINAL SITE PLAN TO ADD ACCESSORY OUTDOOR INDUSTRIAL STORAGE AND ADJUST THE PREVIOUSLY APPROVED CONFIGURATION OF PARKING SPACES AND LANDSCAPING AROUND A DISTRIBUTION CENTER BUILDING.**

**THE AFFECTED PROPERTY IS APPROXIMATELY 41.6 ACRES OF A PARCEL LOCATED AT 42050 ECORSE ROAD (TAX PARCEL ID 83-008-99-0002-703), ZONED M-T – INDUSTRIAL TRANSPORTATION. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF ECORSE ROAD BETWEEN HAGGERTY ROAD AND KIRKCRIDGE STREET.**

Director Power gave the presentation. The request is an amendment to preliminary and final site plan approval in which the changes were significant enough to warrant a new review.

Vidya Krishnan of McKenna Associates presented her review letter dated 4-8-21. The applicant's proposal at this time is to amend the site to enable them to accommodate the specific needs of a long-term tenant. When the site plan was originally approved for the building, it was presented as speculative industrial building. However, a building of this size would need a major tenant whose needs are specific. The proposed outdoor storage is in keeping with the intent of the Zoning Ordinance and meets the required standards. Therefore, McKenna Associates recommends that the Planning Commission grant preliminary and final site plan approval for the proposed Ashley Crossroads North Building 5 amended site plan, subject to the following conditions:

1. Submission of any proposed wall signs for administrative approval and permitting.
2. Installation of light poles in compliance with fixtures previously approved and maintaining required illumination levels.
3. Planning Commission approval of the reduced parking and increased trailer staging proposed.
4. Planning Commission approval of increased fence height from 6' to 8' and use of chain link for the interior fencing area.

Director Power presented the Fire Marshal Lenaghan's review letter dated 4-6-21. The plans are approved as long as the following items are addressed:

1. The tenant will be incorporating an 8-foot fence around the north, east and south sides. There will be two (2) guard sheds at the northwest and southwest sides.
  - Will the guard sheds be staffed around the clock? If not, access for Fire Department use will be required.
  - The fire hydrant currently located on the southwestern corner needs to be inside the fenced in area.
2. Outdoor storage is requested on the eastern side of the building to store tractors. No trailers will be stored in this area, however, box and deliver vans will be stored in this area.



- Emergency access will be required for the two (2) crash gates.

Kyle Morton of Ashley Capital informed that the building was designed to be flexible with not knowing what the ultimate tenant makeup would look like. The applicant agrees with the comments in the McKenna Associates review letter and the Fire Marshal's review letter and will address all comments.

Commissioner inquired what color the decorative fencing will be. The decorative fencing will be matte black. No comments from the audience.

**Motion Kelley, Jahr second to grant the applicant, Ashley Crossroads North, LLC preliminary and final site plan approval to add accessory outdoor industrial storage and adjust the previously approved configuration of parking spaces and landscaping around a distribution center building, located at 42050 Ecorse Road, based on the analysis and subject to the conditions in the Van Buren Planning memo dated 4-9-21, McKenna Associates review letter dated 4-8-21 and Fire Marshal review letter dated 4-6-21.**

**Roll Call:**

**Yeas: Budd, Kelley, Cullin, Jahr and Thompson.**

**Nays: None.**

**Absent: Atchinson.**

**Motion Carried. (Letters Attached)**

**ITEM #3: 17-026 – METRO PARTY STORE – EXTENSION OF SITE PLAN APPROVAL.**

**THE APPLICANT, TIMOTHY SHAMMAS, IS REQUESTING AN EXTENSION TO THE EFFECT OF PRELIMINARY SITE PLAN APPROVAL THAT WAS GRANTED TO ADD A GASOLINE FILLING STATION TO AN EXISTING SHOPPING CENTER. THE PRELIMINARY SITE PLAN WAS APPROVED ON SEPTEMBER 26, 2018.**

**LOCATION: 41001 E. HURON RIVER DRIVE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF HAGGERTY ROAD AND E. HURON RIVER DRIVE.**

Director Power gave the presentation. Preliminary site plan approval was granted on September 26, 2018, however, there been complications due to the work flow related to Covid 19. The applicant has been consistently working through design changes and a motion is needed to approve an extension in order to enable the case to come back for final site plan review.

No comments from the Commission or the audience.

**Motion Kelley, Budd second to grant the applicant, Timothy Shamas, the request for an extension to the preliminary site plan approval for the property located at 41001 E. Huron River Drive, based on the analysis detailed in the Van Buren Planning Memo dated 4-9-21.**



42050 ECORSE ROAD, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN

(PARCEL I.D. 88-008-99-0002-704)

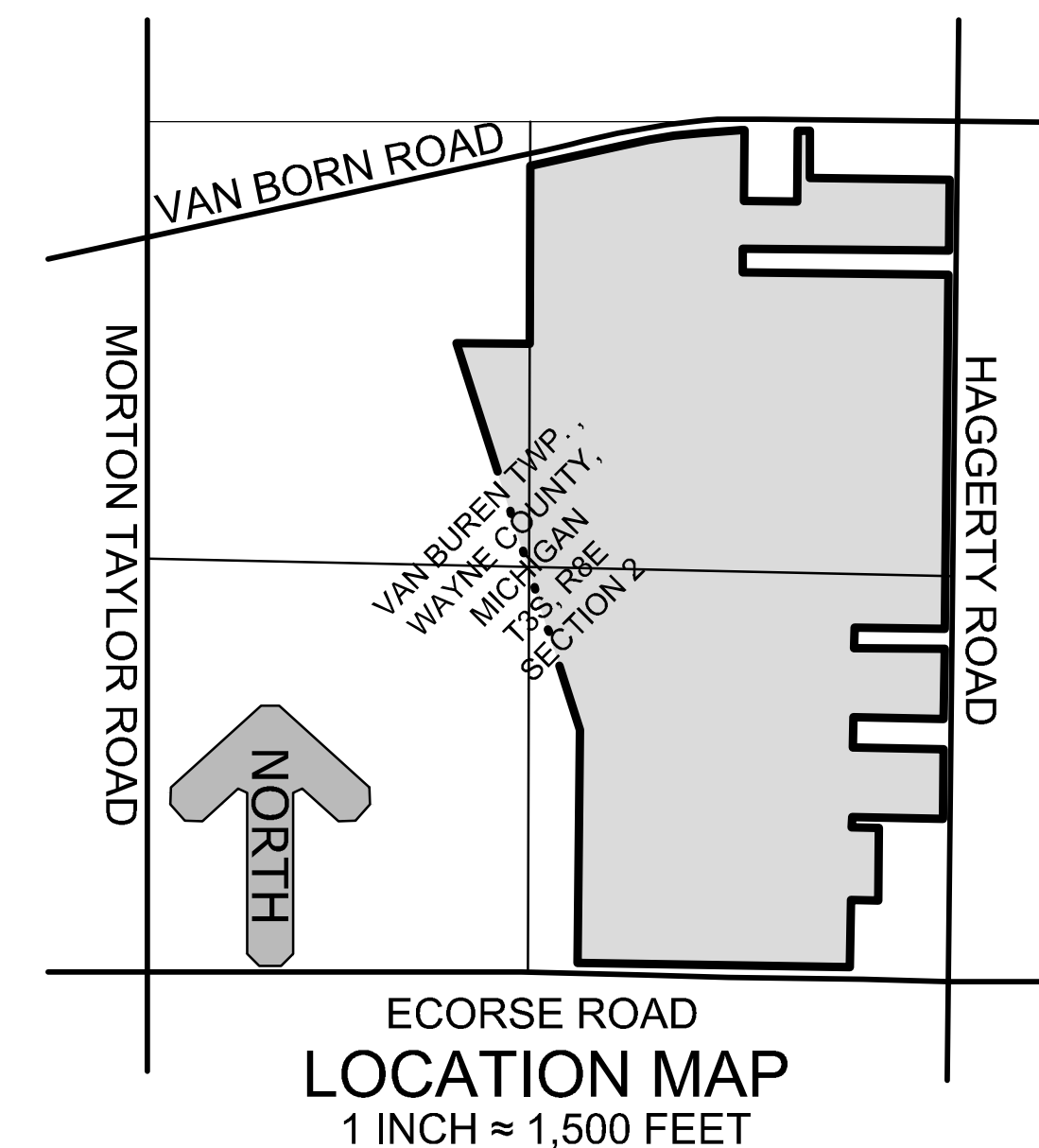
COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2; THENCE SOUTH 90° 00' 00" EAST 350.00 FEET ALONG THE SOUTH LINE OF SECTION 2 AND CENTERLINE OF ECORSE ROAD TO THE POINT OF BEGINNING ; THENCE NORTH 00° 24' 19" WEST 1614.16 FEET; THENCE NORTH 18° 42' 08" WEST 42.53 FEET ; THENCE NORTH 89° 44' 05" EAST 1817.06 FEET; THENCE SOUTH 00° 14' 07" EAST 1602.89 FEET; THENCE NORTH 90° 00' 00" WEST 743.35 FEET ALONG A LINE 60 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE NORTH 00° 14' 07" WEST 15.00 FEET; THENCE NORTH 90° 00' 00" WEST 935.80 FEET ALONG A LINE 75 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE SOUTH 00° 33' 03" EAST 75.00 FEET; THENCE NORTH 90° 00' 00" WEST 120.09 FEET ALONG THE SOUTH LINE OF SAID SECTION 2 AND SAID CENTERLINE OF ECORSE ROAD BACK TO THE POINT OF BEGINNING. CONTAINING 65.96 ACRES OF LAND.

(PARCEL I.D. 88-008-99-0002-705)

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2; THENCE SOUTH 90° 00' 00" EAST 470.09 FEET ALONG THE SOUTH LINE OF SECTION 2 AND CENTERLINE OF ECORSE ROAD; THENCE NORTH 00° 33' 03" WEST 75.00 FEET; THENCE SOUTH 90° 00' 00" EAST 935.80 FEET ALONG A LINE 75 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE SOUTH 00° 14' 07" EAST 15.00 FEET; THENCE SOUTH 90° 00' 00" EAST 743.35 FEET ALONG A LINE 60 FEET NORTHERLY OF AND PARALLEL TO THE SOUTH LINE OF SAID SECTION 2; THENCE NORTH 00° 14' 07" WEST 459.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00° 14' 07" WEST 480.00 FEET; THENCE NORTH 90° 00' 00" EAST 180.74 FEET; THENCE SOUTH 00° 14' 07" EAST 480.00 FEET; THENCE NORTH 90° 00' 00" WEST 180.74 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 1.99 ACRES OF LAND.

(PARCEL I.D. 88-008-99-0002-706)

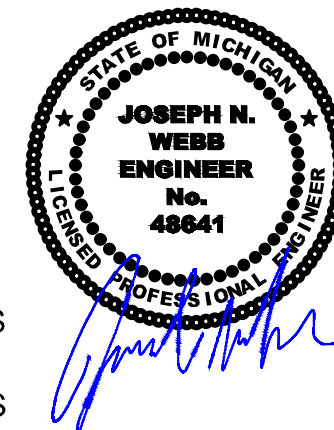
COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2; THENCE SOUTH 90° 00' 00" EAST 350.00 FEET ALONG THE SOUTH LINE OF SECTION 2 AND CENTERLINE OF ECORSE ROAD; THENCE NORTH 00° 24' 19" WEST 1614.16 FEET; THENCE NORTH 18° 42' 08" WEST 42.53 FEET TO THE POINT OF BEGINNING; THENCE NORTH 18° 42' 08" WEST 1072.33 FEET TO THE CENTER POST OF SAID SECTION 2; THENCE SOUTH 89° 59' 43" EAST 2156.75 FEET ALONG THE EAST & WEST 1/4 LINE OF SAID SECTION 2; THENCE SOUTH 00° 14' 07" EAST 1007.13 FEET; THENCE SOUTH 89° 44' 05" WEST 1817.06 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 46.15 ACRES OF LAND.



- VAN BUREN TOWNSHIP BUILDING PERMIT
- VAN BUREN TOWNSHIP MECHANICAL PERMIT
- VAN BUREN TOWNSHIP ELECTRICAL PERMIT

MR. DENNIS SCHULTZ  
CROSSROADS DISTRIBUTION CENTER NORTH 4&5, LLC  
2575 HAGGERTY ROAD, SUITE 500  
CANTON, MICHIGAN 48188  
T (734) 394-1900  
E dschultz@ashleycapital.com

C1.0	COVER SHEET
C2.0	OVERALL SITE IMPROVEMENTS
C2.1	EAST LOT
C2.2	NORTH & SOUTH CENTER LOTS
C2.3	WEST LOT
C3.1	GENERAL NOTES AND DETAILS
WM-1	VBT - STANDARD WATERMAIN DETAILS 1
WM-2	VBT - STANDARD WATERMAIN DETAILS 2





## Article 3: Zoning Districts and Permitted Uses

### Section 3.116 M-T, Industrial Transportation District

(A) STATEMENT OF PURPOSE
The intent of the M-T Industrial Transportation District is to provide locations, sufficiently separated from adjacent neighboring uses, sufficiently separated from adjacent neighboring uses and rights-of-way, for more intensive industrial uses, especially larger scale trucking operations, including interstate and intrastate motor carriers whose activities are most suitably placed in appropriate locations close to complementary uses and similar operations. In addition, this district is intended to be applied to those areas of the Township which are illustrated in the Township's Master Plan and coordinated with the Township's Planned Thoroughfare System. Finally this district is intended to include properties which are located adjacent to and have access to major thoroughfares of sufficient capacity and improvements, which accommodate large building setbacks for large buildings as outlined herein and which result in minimum visual and physical impacts on adjacent and neighboring uses and public right-of-way, all as determined by the Township.

(B) PERMITTED USES	(C) SPECIAL LAND USES
<ul style="list-style-type: none"><li>• Wholesale sales</li><li>• Warehousing (excluding Distribution Centers)</li><li>• Manufacturing and Processing (Light)</li><li>• Laboratories, Minor</li><li>• Laboratories, Major</li><li>• Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations and including storage yards, when necessary to serve the immediate vicinity.</li><li>• Accessory structures and uses customarily incidental to the above permitted uses</li></ul>	<ul style="list-style-type: none"><li>• Distribution Centers</li><li>• Accessory Caretaker Dwelling</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) PROHIBITED USES
<ul style="list-style-type: none"><li>• The assembly manufacture, fabrication, packaging or treatment of materials that would require the use of the following chemicals, compounds and/or materials: asbestos, bactericides, cadmium, chlorinated hydrocarbons, chlorofluorocarbons (CFC's), fungicides, lead, mercury, pesticides, polychlorinated biphenyls (PCB's), or radioactive compounds, as well as other chemicals, compounds, and/or materials that could negatively impact the environment and/or the health, safety, or general welfare of residents of the Township.</li><li>• The blending, compounding or repackaging of cleaning products, paint or petroleum.</li><li>• The re-manufacturing of engines or transmissions.</li><li>• Low or high volume production operations involving grinding, heat treatment or machining processes.</li><li>• Metal finishing operations utilizing materials such as iron, manganese, phosphates or zinc.</li><li>• Sheet metal plating and all other plating operations.</li><li>• High volume paint operations.</li><li>• Dry cleaning plants and laundries.</li><li>• Any use which involves sand blasting or shot peening processes.</li></ul>

(E) ARCHITECTURAL STANDARDS APPLICABLE TO THE M-T ZONING DISTRICTS
Building elevations, where visible from residential districts or public rights-of way, shall incorporate vertical design elements such as spandrel glass, columns, pilasters and/or piers, so as to break up the horizontal mass of the building.

<b>(F) DIMENSION REGULATIONS</b>			
<b>Lot Standards</b>		<b>Minimum Setbacks</b>	
<i>Min. Lot Area (sq. ft.)</i>	-	<i>Front Yard</i>	50 <u>(O)</u>
<i>Min. Lot Width (ft.)</i>	--	<i>Side Yard (one)</i>	50 <u>(P)</u>
<i>Min. Lot Depth (ft.)</i>	--	<i>Side Yard (total of 2)</i>	100
<i>Max. Lot Coverage (%)</i>	35	<i>Rear Yard</i>	50
<i>Min. Floor Area/Unit (ft.)</i>	<u>(B)</u>		
<i>Max. Building Height (ft.)</i>	35		
<i>Max. Building Height (stories)</i>	3		
Footnotes: Refer to <u>Section 4.102</u> wherever a footnote is referenced in parentheses after one of the design regulations.			

## Section 3.117 M-2, General Industrial District

(A) STATEMENT OF PURPOSE
The intent of this Section is to provide suitable locations for manufacturing, assembling and fabricating uses, including large-scale or specialized industrial operations requiring good access by road and/or railroad and public and utility services.

(B) PERMITTED USES	(C) SPECIAL LAND USES
<ul style="list-style-type: none"> <li>• All Permitted Uses in the M-1, Light Industrial District (<a href="#">Section 3.115</a>)</li> <li>• Manufacturing and Processing (Heavy)</li> <li>• Truck and Railroad Terminals</li> <li>• Accessory structures and uses customarily incidental to the above permitted uses</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor storage of Building or Contracting Equipment and Supplies</li> <li>• Drive-In Theaters</li> <li>• Mining, excavating, or other removal of sand, earth, minerals, or other materials naturally found in the earth</li> <li>• Air Freight Forwarders</li> <li>• Junk Yards</li> <li>• Recreational Vehicle Storage Yards</li> <li>• Truck Repair and Maintenance Facility, Minor</li> <li>• Truck Repair and Maintenance Facility, Major</li> <li>• Accessory Caretaker Dwelling</li> <li>• Regulated Uses (Sexually Oriented Businesses)</li> </ul>

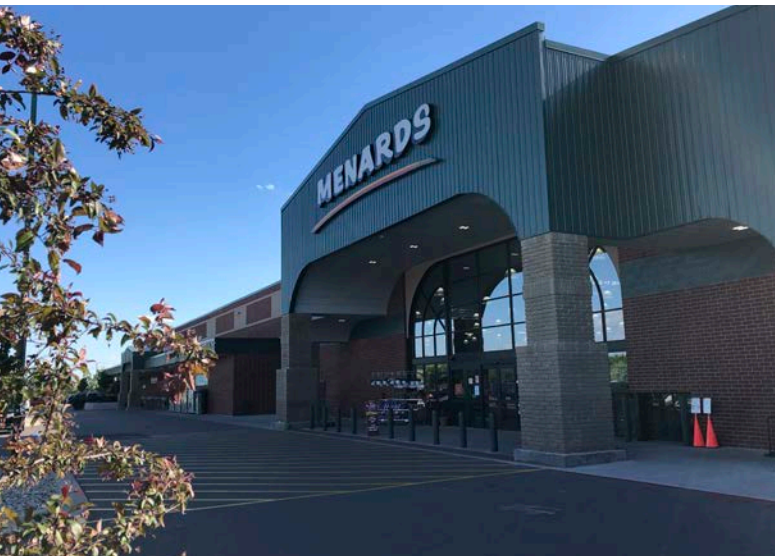
The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Section 3.104](#) (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in [Section 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.)	-	Front Yard	60 <a href="#">(O)</a>
Min. Lot Width (ft.)	--	Side Yard (one)	50 <a href="#">(P)</a>
Min. Lot Depth (ft.)	--	Side Yard (total of 2)	100
Max. Lot Coverage (%)	35	Rear Yard	50
Min. Floor Area/Unit (ft.)	--		
Max. Building Height (ft.)	40 <a href="#">(S)</a>		
Max. Building Height (stories)	4 <a href="#">(S)</a>		
Footnotes: Refer to <a href="#">Section 4.102</a> wherever a footnote is referenced in parentheses after one of the design regulations.			

## GOAL:

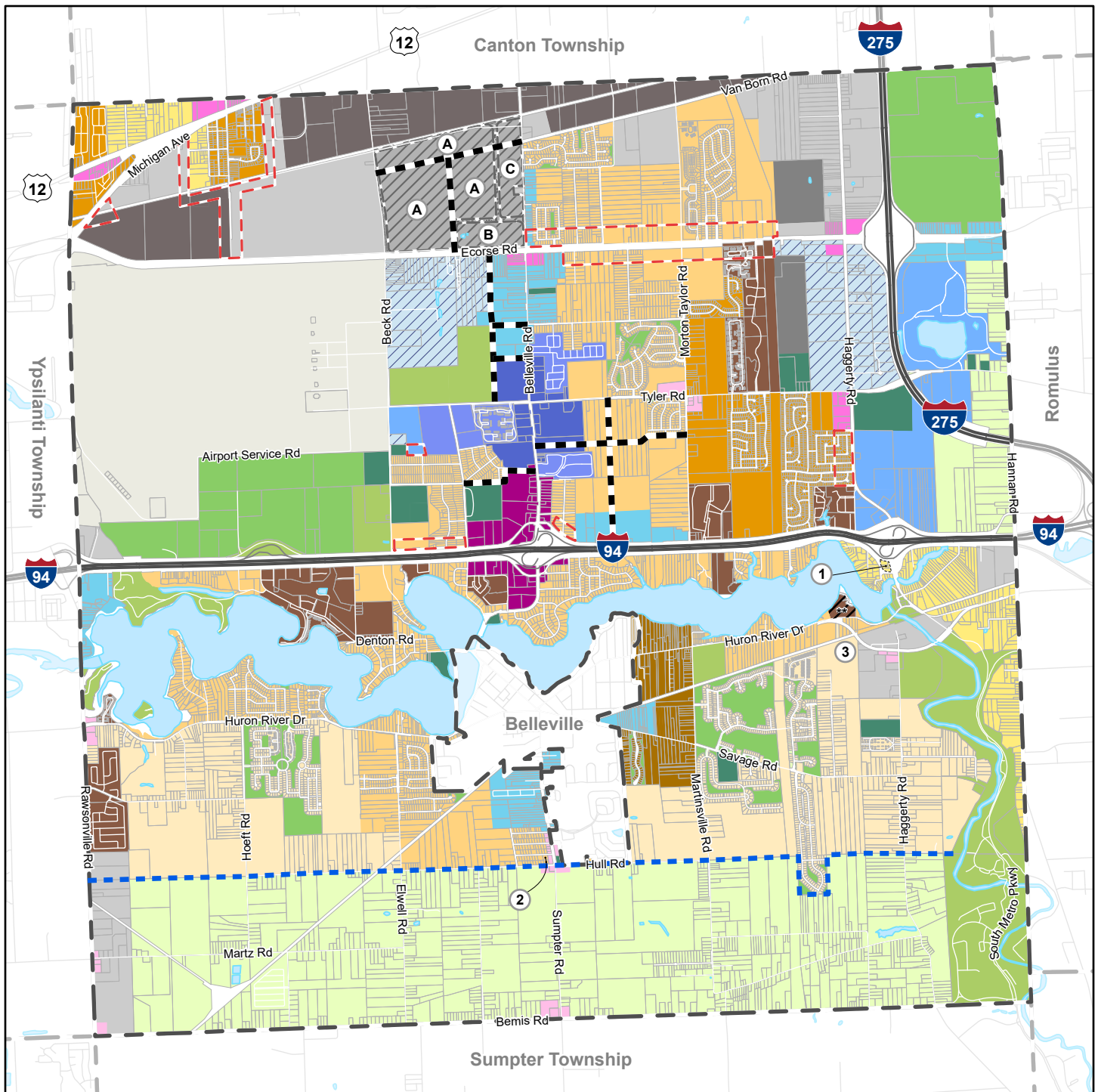
### **Commercial/Office/Industrial**

*To ensure a strong and diverse local economy by supporting the growth and development of new and existing commercial, office-based, and industrial employers in those areas of the Township where concentrations of such uses have historically occurred. Of equal import is recognition of evolving development preferences, and a readiness to support the evolution of single-use clusters into formats that respond to those evolving preferences when necessary.*



## OBJECTIVES:

1. Through strict land use and zoning policies, avoid the further proliferation of strip commercial development, as this results in hazardous traffic conditions, an unattractive streetscape and long-term re-use issues associated with obsolete strip commercial buildings.
2. The Belleville Road corridor Gateway Commercial and Town Center areas will constitute the major commercial center for the Township.
3. In the interest of preserving the rural character of the southern and extreme eastern sides of the Township, future commercial uses will be limited to small clusters that are contextually appropriate in their design, contain a mix of uses, and are pedestrian-friendly.
4. Downtown Belleville plays a crucial role as the Township's historic commercial center. It provides a historic context that even the most well-intentioned new development cannot replicate. A close future relationship between the Township and City of Belleville is necessary to ensure that downtown Belleville can serve as the commercial center for residents of the Township's south side.
5. Office uses should be welcomed in the Township, as an important component of Mixed Use districts. However, new large concentrations of office uses, absent a research or light industrial component, should be avoided.
6. Encourage industry to remain and expand in areas of the Township designated for such on the Future Land Use Map; these areas are best suited for industrial development.
7. Provisions should be made for small-scale industry with minimal externalities and a public-facing component, otherwise known as artisanal or craft industry, to develop in the Township in Mixed Use areas. Examples include small breweries that serve the public, bakeries with a retail component, and small-scale apparel production.
8. Develop and/or strictly maintain existing design standards for commercial, office, and industrial areas, to ensure a standard of excellence in aesthetics and design. Elements of concern include road design, landscaping, parking, architecture, and other design elements.
9. Develop criteria for retrofitting existing single-use commercial, office, and industrial areas with new uses and building formats, so that they may continue to economically function in the event that demand shifts away from these areas.



## Map 4: Future Land Use

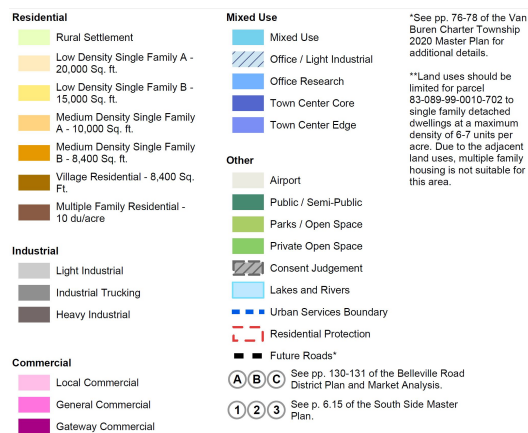
Charter Township of  
Van Buren, Michigan

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.



## Industrial Trucking (Industrial Transportation)

### DESCRIPTION

Intended for large-scale industrial development which has a significant transportation and/or logistics component, though otherwise generates similar impacts to uses in Light Industrial areas. Areas designated Industrial Transportation begin at a depth of 400 feet from the road frontage; Light Industrial uses are intended for this 400-foot buffer area. The reservation of the frontage is intended to achieve the objective of locating larger buildings away from the road frontage, and to encourage smaller, higher quality buildings on the frontage.

The amount of land reserved for this designation on the Future Land Use Map is adequate to serve the Township's needs in the coming decades. As this category is intended for uses which have major impacts on the roadway system, and whose large building footprints create impediments to transitioning to neighboring uses, further development of transportation and/or logistics-based facilities should not occur in the Township.

### APPLICABLE PORTIONS OF TOWNSHIP

Applied to the rear portions of parcels fronting Ecorse Road, Haggerty Road, and Van Born Road, near Interstate 275.

### TRANSECT ZONES

T-3

### CORRESPONDING ZONING

● M-T

### SEE ALSO

Haggerty/Ecorse Corridor Plan

## Heavy Industrial

### DESCRIPTION

Intended for industrial uses of a higher intensity, for areas that take advantage of railroad and major thoroughfare access, and are generally buffered by light industrial uses. The uses most appropriate in this district are sites where raw and semi-finished materials are fabricated, manufactured, and warehoused.

### APPLICABLE PORTIONS OF TOWNSHIP

Areas bordering the railroad corridor in the northern portion of the Township;

The two landfill areas: US Ecology, north of Interstate 94 and south of Willow Run Airport; and Woodland Meadows, in the extreme northeast corner of the Township.

### TRANSECT ZONES

T-3

### CORRESPONDING ZONING

● M-2

### SEE ALSO

Belleville Road District Plan



# ZONING PLAN

The Zoning Ordinance is the primary regulatory tool for Van Buren Township to implement the land use elements of this Plan. The Future Land Use Map indicates conservation areas, growth areas of different densities, and provides locations for mixed use areas, parks and community uses, commercial, and industrial uses.

The land use classifications on the Future Land Use Map, and their corresponding descriptions, set land use policy to guide future development in the Township. The Future Land Use Plan provides general land use development principles that are consistent with the Township's Goals and Objectives for growth. The official Zoning Map displays precise boundaries, correlated with standards and permitted uses that are adopted as law.

A Zoning Plan is required by the Michigan Planning Enabling Act (MPEA) and Zoning Enabling Acts (MZEAs). Section 33(d) of the MPEA (PA 33 of 2008, as amended) requires that the Master Plan shall serve as the basis for the community's Zoning Plan. Additionally, the Michigan Zoning Enabling Act (PA 110 of 2006, as amended) requires a Zoning Plan to be prepared as the basis for the zoning ordinance. The Zoning Plan must be based on an inventory of conditions pertinent to zoning in the municipality and the purposes for which zoning may be adopted (as described in Section 201 of the MZEA).

Table 4 on the following page presents the zoning districts that apply to each of this Plan's Future Land Use designations. Where new regulations are recommended to implement the conceptual elements of this Plan, the "new district" or "district revisions" descriptions is included along with the applicable zoning districts.

This Future Land Use Plan sets a future vision for Van Buren Township by creating opportunities for a vibrant mixed-use Town Center district, new mixed-use nodes throughout the community at a variety of scales and densities, and conservation of existing neighborhoods and semi-rural areas. This Master Plan constitutes an effort to articulate these opportunities under the umbrella of a single vision.

Though great effort has been made to create one-to-one correspondences wherever possible, not all of the future land use categories herein will directly align with the current location(s) or regulations of the zoning districts to which they most closely correspond. In some instances, the underlying regulations of a particular zoning district are sound, but the district's geographic boundaries are recommended for alteration to align with its corresponding future land use category; in other instances, underlying regulations may require alteration, while the district boundaries remain unchanged. In some instances, a combination of adjusting regulations and boundaries of a particular zoning district may be required to achieve correspondence with the Future Land Use Plan. In one case, creation of a new zoning district is proposed to correspond with the Village Residential future land use category.

The key recommended revisions the Zoning Ordinance are discussed in the next section, and the following Table 4 details the Zoning Plan.

## RECOMMENDED REVISIONS TO THE ZONING ORDINANCE AND ZONING MAP

In order to meet the Goals and Objectives of this Plan, the following revisions to the Zoning Ordinance and Map are recommended:

1. Planned Residential Developments should be removed from the Special Land Uses permitted in the **AG (Agricultural and Estates)** District.
2. Consider inclusion of duplex, triplex, and fourplex housing types as Special Land Uses in one or more of the **R-1A, R-1B, R-1C, and R2-A (Single Family Residential)** Districts, as long as these building types satisfy dimensional requirements consistent with those currently in place.
3. New incentives and standards for infill housing and neighborhood investment should be developed for single-family residential districts corresponding to their respective densities. Strategies for affordable housing, accessory dwelling units, and adaptive reuse should be considered.
4. A study should be undertaken to examine the feasibility of **eliminating** the **R2-A (Single Family Residential)** District, which is currently not shown on the Zoning Map. This study should examine, on a parcel-by-parcel basis, the number of nonconformities created in hypothetical scenarios where the R2-A District is applied to those areas currently designated as the corresponding Low Density Single Family B category on the Future Land Use Map, versus the existing number of nonconformities under current zoning in those areas. If it is determined that application of the R2-A District would reduce nonconformities in those areas, it should be applied. If it is, however, determined that application of the R2-A District would increase nonconformities in those areas, it should be eliminated, in which case, the Future Land Use Map should be updated accordingly by merging the Low Density Single Family A and B categories into a single Low Density Single Family category.
5. A **new zoning district** should be developed to correspond to the **Village Residential** Future Land Use Category. This new district should be form-based in nature, and employ specific building type design standards, similar to those used in the M-U District. These design standards should be developed with the intent of ensuring residential development in the area designated as Village Residential is compatible with the historic character of adjacent residential neighborhoods in Belleville.
6. Design standards should be applied to the **C (Local Commercial)** District to ensure that new development is compatible with the human-scaled and pedestrian-oriented character desired for these areas.
7. The **C-1 (General Business) District** should be modified to include Truck Stop as a Special Land Use, and the **FS (Freeway Service) District** should be **eliminated**.
8. Consider **elimination** of the **C-2 (Extensive Highway Business) District**, through rezoning those C-2 areas currently intended for Mixed Use on the Future Land Use Map to the **M-U (Mixed Use) Zoning District**. Remaining areas intended for Gateway Commercial use that are currently zoned C-2 should be rezoned as a **new Gateway Commercial Zoning District** that meets the design standards and requirements of the **Belleville Road Overlay District (BROD)**.
9. Areas designated as Mixed Use, Town Center Core, and Town Center Edge on the Future Land Use Map should be rezoned to **M-U (Mixed Use)** once an area-specific vision plan has been developed in detail. The M-U District Regulations should be modified to include additional Mixed Use Subareas and Building Type Standards as required to fulfill the intent of each vision plan.
10. A **new zoning district** should be developed to correspond to the Office/Light Industrial Future Land Use Category. The new district should combine select elements of the **O-T (Office Technology)** and **M-1 (Light Industrial)** Districts to create a set of predictable regulations and associated design standards, so as to achieve the stated intent of this category.

11. The **M-T (Industrial Transportation)** District should **not** be further applied in the Township.
12. The Zoning Ordinance should be thoroughly reviewed and edited according to lean zoning principles. Regulations that do not contribute to the implementation of the Future Land Use Plan should be eliminated or reduced in scope. As part of this process, consider adding form-based elements to all districts, similar in nature to those in the **Belleville Road Overlay (BROD)** and **Mixed Use (M-U)** Districts.
13. Alternatively, the Zoning Ordinance could be replaced with a Township-wide Form Based Code (discussed further on the following page) that would be lean in nature, and place building form and context as its organizing principle. Form-Based Codes are user-friendly, and provide predictable and consistent standards for development, giving developers and local property owners a clear understanding of local regulations.
14. Additional incentives to encourage sustainable use of land, materials, energy, and resources should be developed for all districts.

## Conventional Zoning Procedures

### REZONING TO IMPLEMENT THE MASTER PLAN

The land use classifications on the Future Land Use Map provide the basis for evaluating future rezoning requests. Zoning actions that are consistent with the Future Land Use Map usually receive deferential and favorable judicial review if challenged. The Master Plan should be the principal source of information in the investigation of all rezoning requests. The Township may initiate rezoning necessary to place land in conformance with the Future Land Use Map, or they may wait for property owners to come forward.

### PLANNED DEVELOPMENT

Planned development involves the use of special zoning requirements and review procedures that provide design and regulatory flexibility, so as to encourage innovation in land use planning and design. Planned developments should achieve a higher quality of development than might otherwise be possible. Continued use of planned development is recommended to achieve development in accordance with the goals and objectives of this Plan. Planned development can be used as the regulatory tool to permit open space zoning or cluster development in new residential areas.

### PERFORMANCE STANDARDS

Rather than simply regulate development on the basis of dimensional standards, many communities are establishing performance standards to regulate development based on the permissible effects or impacts of a proposed use. Performance standards should be used to supplement conventional zoning standards. Performance standards can be developed to regulate noise, dust, vibration, odor, glare and heat, safety hazards, and environmental impacts such as air and water pollution. The complexity of the performance standards should be based in part on the capacity of Township staff to administer the standards.

Performance standards can be particularly useful in achieving environmental and resource protection goals. If based on a strong body of research, standards can be developed that relate to critical environmental areas (such as floodplains, wetlands, lakes, woodlands, groundwater recharge areas, and unique wildlife habitats), and natural resource areas.

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

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **October 26, 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. The Planning Commission will consider the following request for a rezoning (Zoning Map amendment) with conditions, which is a proposed legislative amendment of the Township Zoning Ordinance:

1. **Case 22-033:** A request by Crossroads Distribution Center North 6, LLC, to rezone the parcel described as Parcel ID# 83 008 99 0002 706, otherwise known as the Ashley Crossroads North Building 6 site located at 42060 Ecorse Road, from **M-T – Industrial Transportation to M-2 – General Industrial with conditions**. The parcel is located on the west side of Haggerty Road on the north side of Ecorse Road.

Members of the public may access the agenda materials via the Township website – [www.vanburen-mi.org](http://www.vanburen-mi.org) by no later than October 24, 2022. On the meeting website, members of the public will also find information regarding **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 4, 2022  
Published:       October 6, 2022





# VAN BUREN CHARTER TOWNSHIP

## DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

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

## PLANNING & ZONING APPLICATION

### CASE INFORMATION

CASE NUMBER: 22-041/42482 N. Cumberland Dr.	DATE SUBMITTED:
--	-----------------

### APPLICANT INFORMATION

Architectural Review

NAME: Lawrence Dity	PHONE: Same
ADDRESS: 8087 Stonegate Dr.	CELL PHONE: 734-634-6548
CITY, STATE & ZIP: Northville, Mi. 48168	FAX: —
EMAIL: lditybuilding@yahoo.com	

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

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

### BILLING CONTACT

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

### SITE/PROJECT INFORMATION

NAME OF PROJECT: Country Walk 111			
PARCEL ID NO: V125-83- 041-04-0046-000		PROJECT ADDRESS: 42482 Cumberland Dr. Van Buren Twp 48111	
*APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the <u>North</u> Side of <u>Cumberland Dr.</u> Road; Between <u>Dover Ct.</u> Road and <u>Hanover Dr.</u> Road.			
SIZE OF LOT WIDTH: Front 57' - Rear 82'	SIZE OF LOT DEPTH: 120'	ACREAGE OF SITE: .18	TOTAL ACRES OF SITE TO REVIEW: .18
CURRENT ZONING: Residential	IS A REZONING OF THIS PARCEL BEING REQUESTED? Y / <u>(N)</u>		REQUESTED ZONING:
PROJECT DESCRIPTION: Amendment to Country Walk 111 Subdivision site plan and architectural model to introduce a new architectural model.			




## SPECIAL PERMIT INFORMATION

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N <u>N/A</u>	
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

Lawrence A. Duty  
PRINT PROPERTY OWNER'S NAME

  
SIGNATURE OF PROPERTY OWNER

10/20/22  
DATE

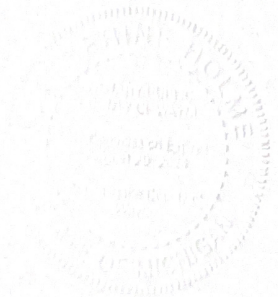
STATE OF MICHIGAN  
COUNTY OF WAYNE

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 20<sup>th</sup> day of October, 2022.

Catherine Holme Notary Public, Wayne County, Michigan My Commission expires 8/29, 2024.

**CATHERINE HOLME**  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF WAYNE  
My Commission Expires August 29, 2024  
Acting in the County of Wayne





# MEMO

---

TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Case 22-042 - Site Plan Amendment for Lawrence Duty  
regarding New Architectural Model in Country Walk Phase III  
Subdivision  
DATE: October 25, 2022

---

The Applicant, Lawrence Duty, is requesting an amendment to the approved Country Walk Phase III Site Plan to allow one (1) new model architectural elevation to be built in the subdivision. The Country Walk Phase III Subdivision is the subject of the request. The development is located on the east side of Martinsville Road, north of Savage Road. The Country Walk development has a Planned Residential Development (PRD) agreement that was approved in 2002 and amended in 2005 but has since expired. Before it expired, several homes were completed in Country Walk. In July of 2015, a Memorandum of Understanding (MOU) was executed between Van Buren Township, the Country Walk Three Homeowners Association, and Blue Country Walk, LLC which outlined the responsibilities of the parties with respect to the completion of the development and required compliance with that PRD which had expired.

The proposed plans are subject to the PRD agreement, MOU, and the standards of the Zoning Ordinance, specifically section 5.115 which addresses architectural details in PRDs.

The following is staff's review of the architectural plan based on the conditions in the MOU and PRD agreement. I offer the following comments:

## Comments

### 1. Site Plan

The setbacks, as described in the approved site plan for the Country Walk development, depict a front and rear setback of 25' and a required side yard setback of 10'. The lot sizes in the development vary in width from 75' to 61' and in depth from 120' to 125'.

The proposed model dimensions of 40'0" wide by 55'-3" deep. Staff has reviewed the plot plan that was submitted by the applicant, and the plot plan demonstrates that these required setbacks will be met.

### 2. Floor Area

The PRD agreement requires that the square footage of the detached single-family homes be a minimum of 1,800 square feet. The proposed building is a two-floor home with approximately 1,253 square feet on the first level and 836 square feet on the second

level. The floor area exceeds 1,800 square feet and this requirement will be met.

**3. Façade Elevations**

The Township's Zoning Ordinance and the project's PRD agreement have specific requirements to ensure that the Township's "Substantially Different" architectural design standard is met. Substantial difference in style between units must be maintained from neighboring lots within three (3) lots of the proposed parcel and within three (3) lots of the parcel across the street. The following two (2) criteria have been the focus of past review of the project's "Substantially Different" criteria compliance:

- Roof pitch by varying three or more vertical units in twelve from one another (i.e. 6/12, 9/12, 12/12, etc.)
- Location of major design features relative to main mass by varying the location of at least two major design features that include, but are not limited to dormers, gables, garages (i.e. front-entry versus side-entry), and porches.

Staff has verified that the required criteria above have been met. All units surrounding the proposed building have been constructed, and all are substantially different in at least three (3) different architectural categories from the proposed model.

**4. Building Materials**

The PRD agreement requires that all of the detached dwelling units provide brick on a minimum 50% of the façade. The proposed elevation demonstrates 1,344 square feet of brick, as compared with 877 square feet of vinyl siding. This requirement has been met.

**5. Side-Entry Garages**

The PRD agreement requires that at least 30% of the single-family detached units have side entry garages. Side entry garage units were previously identified for the Country Walk project, and this unit is not designated as requiring a side entry garage.

**Recommendation**

Staff recommends that the Planning Commission approve the site plan amendment to the Country Walk Phase III subdivision to be built by Lawrence Duty based on the following conditions:

1. The proposed unit is subject to approval by the Country Walk Phase III Homeowner's Association.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Rea", is written on the line.



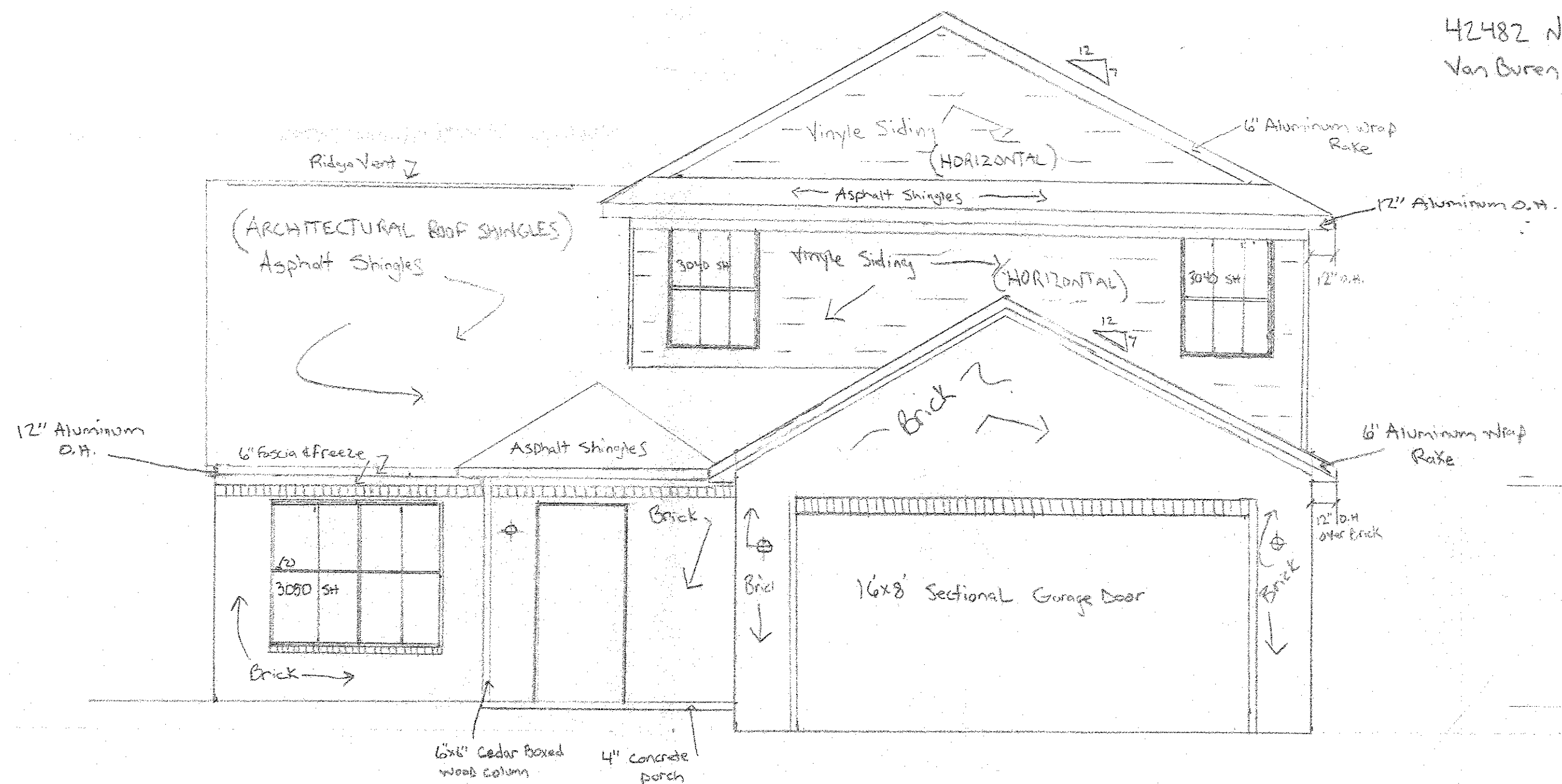
Dan Power, AICP  
Planning and Economic Development Director  
Public Services Department  
Charter Township of Van Buren

NOTE: FRONT ELEVATION - BRICK - 220 SF.  
 SIDING - 150 SF.  
 REAR ELEVATION - BRICK = 279 SF.  
 SIDING = 216 SF.  
 RIGHT ELEVATION - BRICK = 428 SF.  
 SIDING = 276 SF.  
 LEFT ELEVATION - BRICK = 411 SF.  
 SIDING = 235 SF.  
 TOTAL - BRICK = 1,344 SF.  
 SIDING = 877 SF.

Lawrence Duty  
 8087 Stonegate Dr.  
 Northville, MI 48168

10/14/22

42482 N. Cumberland Dr.  
 Van Buren Twp. MI. 48111



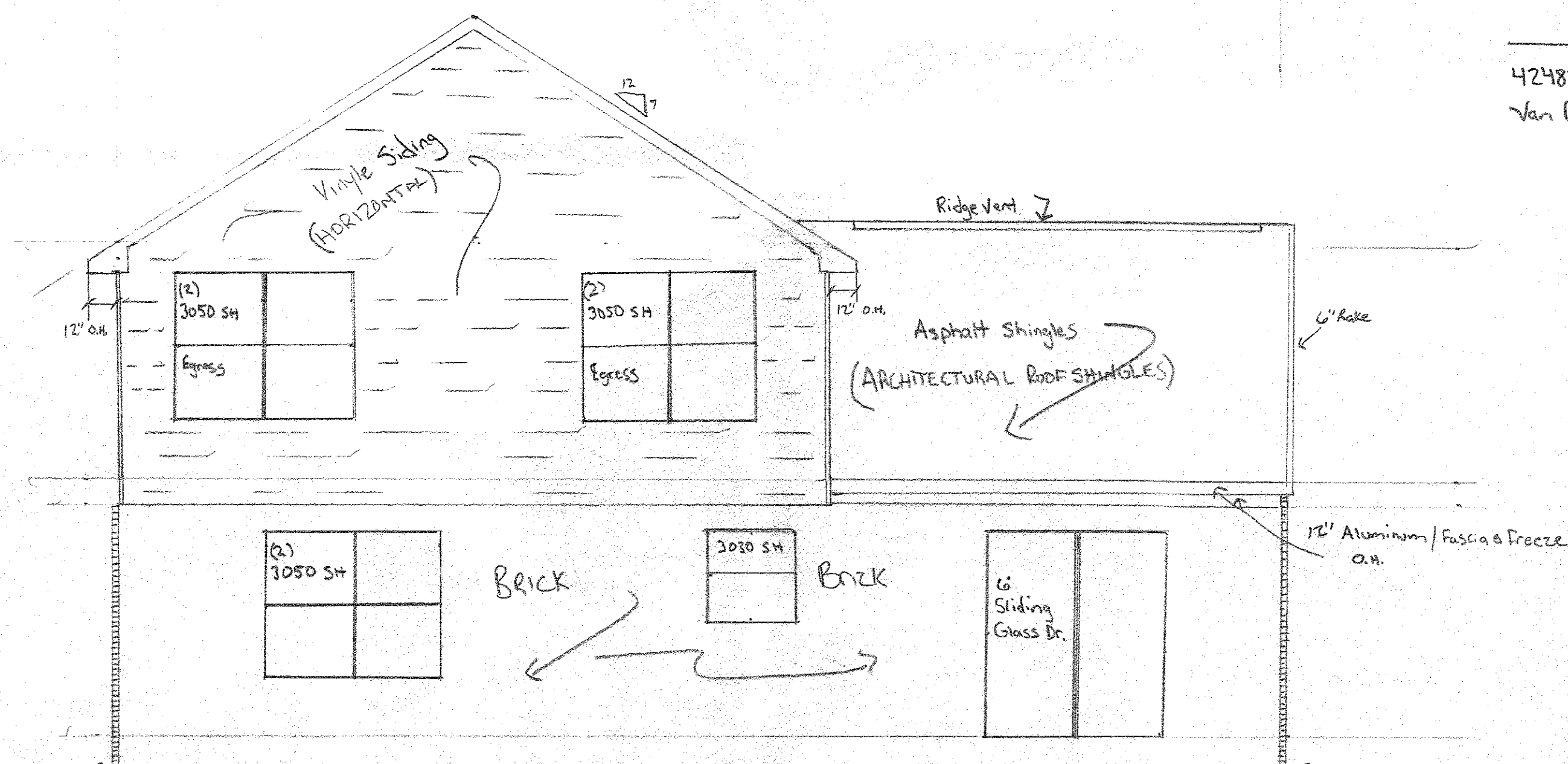
FRONT ELEVATION

Scale 1/4" = 1'0"

Lawrence Doty  
8087 Stonegate Dr.  
Northville, Mi. 48168

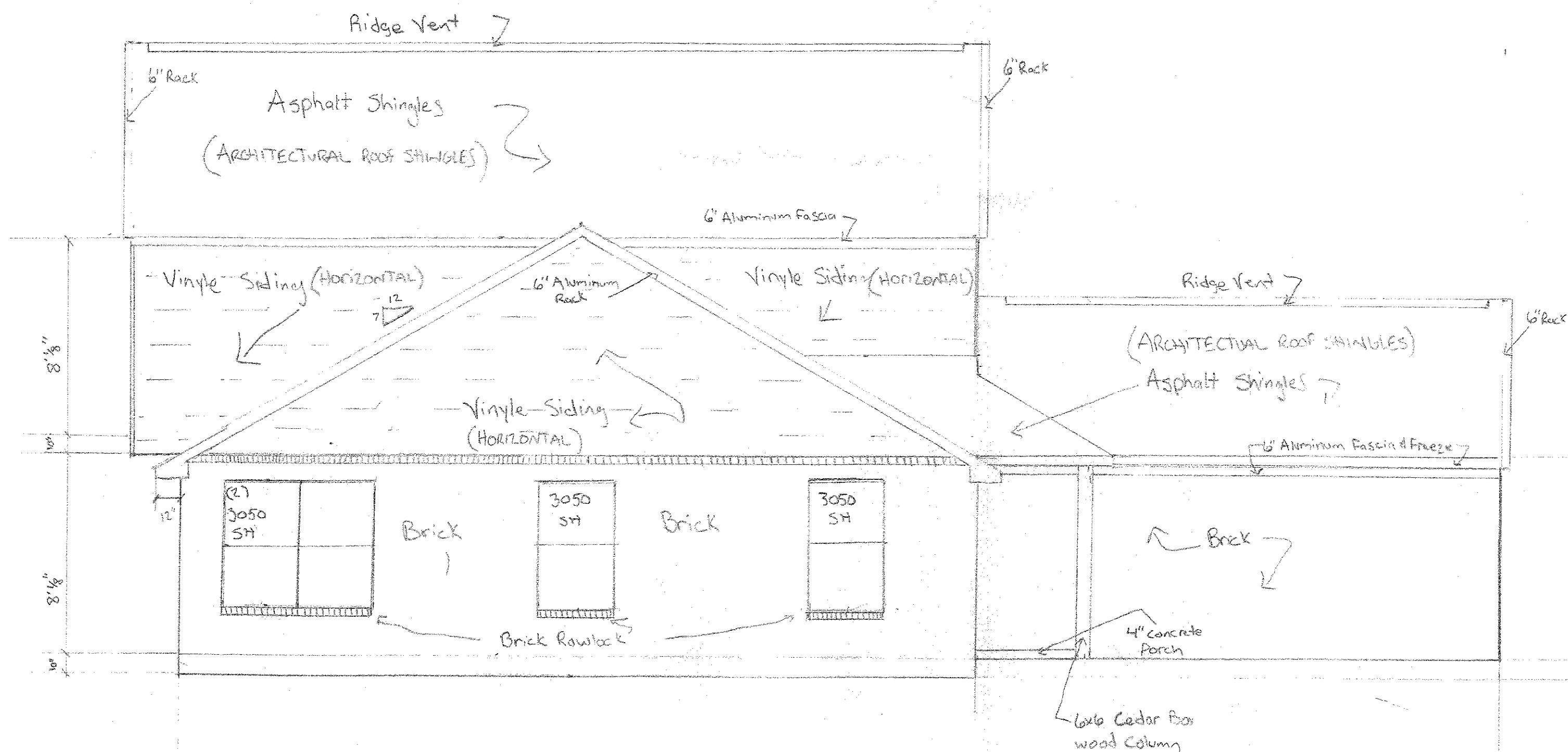
10/14/22

42482 N. Cumberland Dr.  
Van Buren Twp. Mi. 48111



Rear Elevation

Scale 1/4" = 1'0"



Lawrence P. Doty  
8087 Stonegate Dr.  
Northville, MI 48168

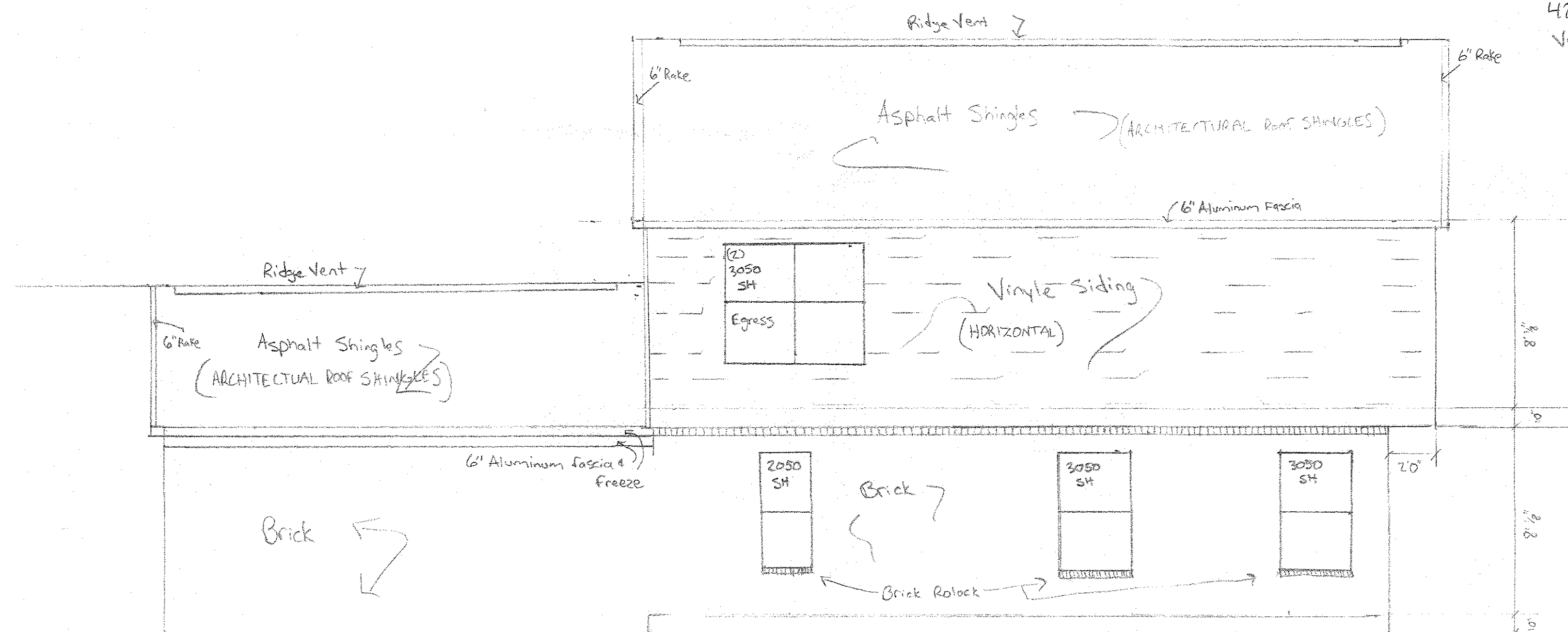
10/14/22

42482 Cumberland Dr.  
Van Buren Twp. MI 48111

Lawrence Duty  
8087 Stonegate Dr.  
Northville, MI 48168

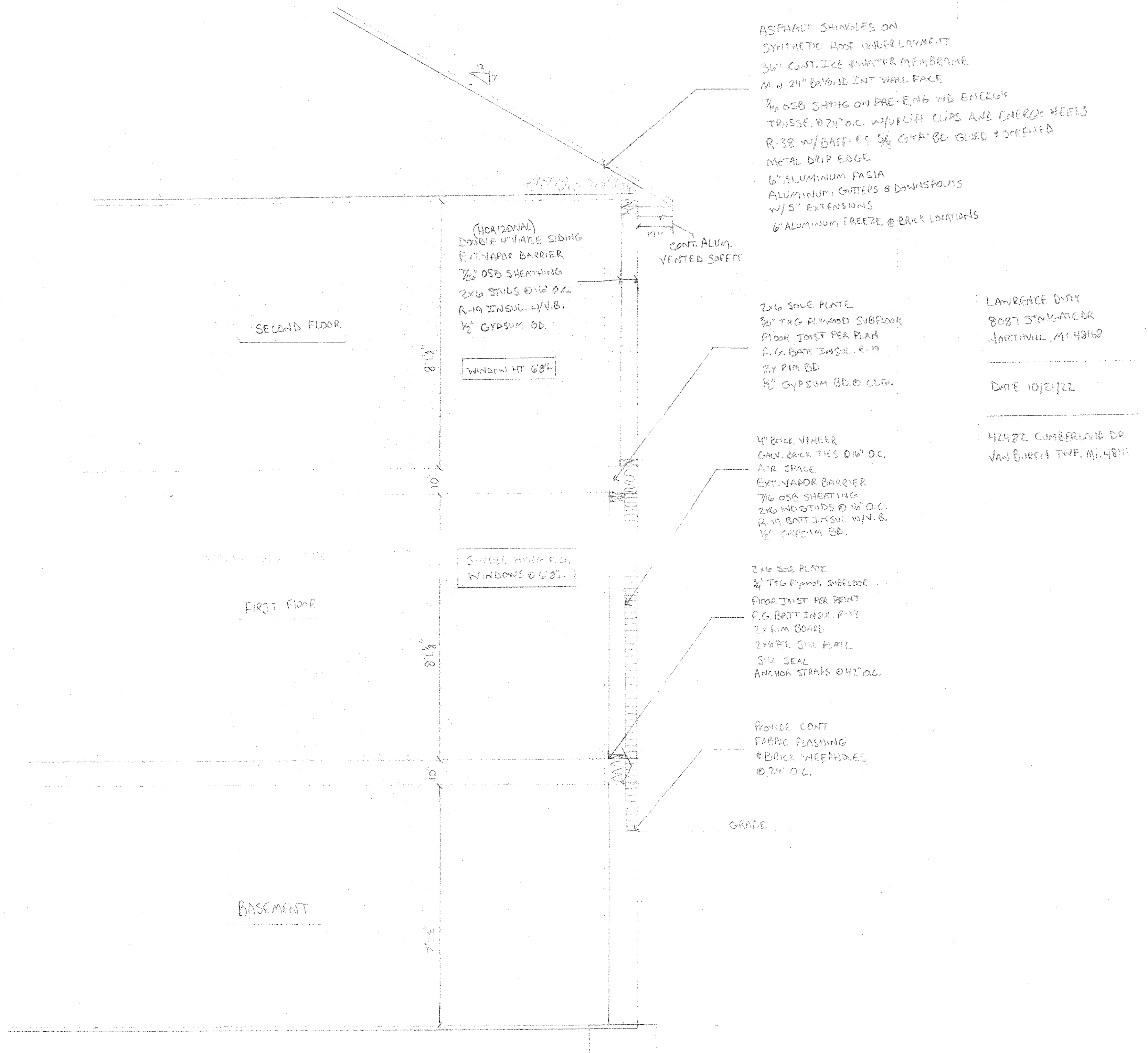
10/14/22

42482 N. Cumberland Dr.  
Van Buren Twp. MI 48111



Right Side Elevation

Scale  $\frac{1}{4}'' = 1'0''$



ASPHALT SHINGLES ON  
SYNTHETIC ROOF UNDERLAYMENT  
3/16" CONT. ICE & WATER MEMBRANE  
MIN. 24" BEYOND INT WALL FACE  
7/16" OSB SHEATHING ON PRE-ENG WID ENERGY  
TRUSSE @ 24" O.C. W/UPCLIP CLIPS AND ENERGY HOELS  
R-32 W/BAFFLES 3/8" GYP. BD GUNED & SCREWED  
METAL DRIP EDGE  
6" ALUMINUM FASIA  
ALUMINUM GUTTERS & DOWNSPOUTS  
W/5" EXTENSIONS  
6" ALUMINUM FREEZE @ BRICK LOCATIONS

(HORIZONTAL)  
DOUBLE 4" VINYL SIDING  
EXT. VAPOR BARRIER  
7/16" OSB SHEATHING  
2x16 STUDS @ 16" O.C.  
R-19 INSUL. W/V.B.  
1/2" GYPSUM BD.

WINDOW HT 6'8"

SINGLE HUNG P.O.  
WINDOWS @ 6'8"

CONT. ALUM.  
VENTED SOFFIT

2x6 SOLE PLATE  
3/4" TAG PLYWOOD SUBFLOOR  
FLOOR JOIST PER PLAN  
F.G. BATT INSUL. R-19  
2x RIM BD  
1/2" GYPSUM BD. @ CLG.

4" BRICK VENEER  
CALV. BRICK TIES @ 16" O.C.  
AIR SPACE  
EXT. VAPOR BARRIER  
7/16" OSB SHEATHING  
2x16 HD STUDS @ 16" O.C.  
R-19 BATT INSUL W/V.B.  
1/2" GYPSUM BD.

2x6 SOLE PLATE  
3/4" TAG PLYWOOD SUBFLOOR  
FLOOR JOIST PER PRINT  
F.G. BATT INSUL. R-19  
2x RIM BOARD  
2x6 PT. SILL PLATE  
SILL SEAL  
ANCHOR STRAPS @ 42" O.C.

PROVIDE CONT.  
FABRIC FLASHING  
@ BRICK WEEPHOLES  
@ 24" O.C.

GRADE

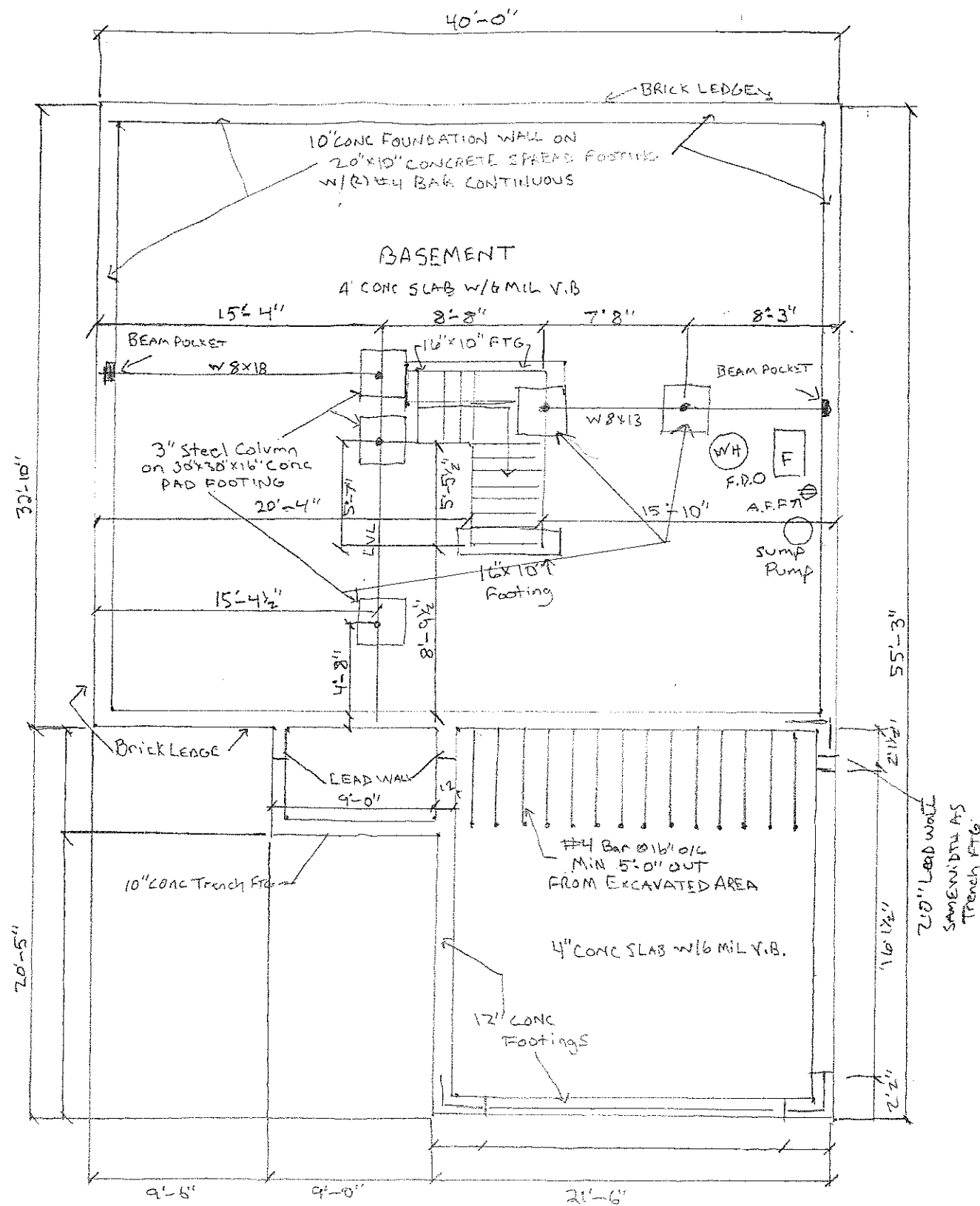
LAWRENCE DUTY  
8087 STONKATE DR  
NORTHVILLE, MI 48169

DATE 10/21/22

42482 CUMBERLAND DR  
VAN BUREN TWP. MI 48111

WALL SECTION SCALE 1/2" = 1'-0"





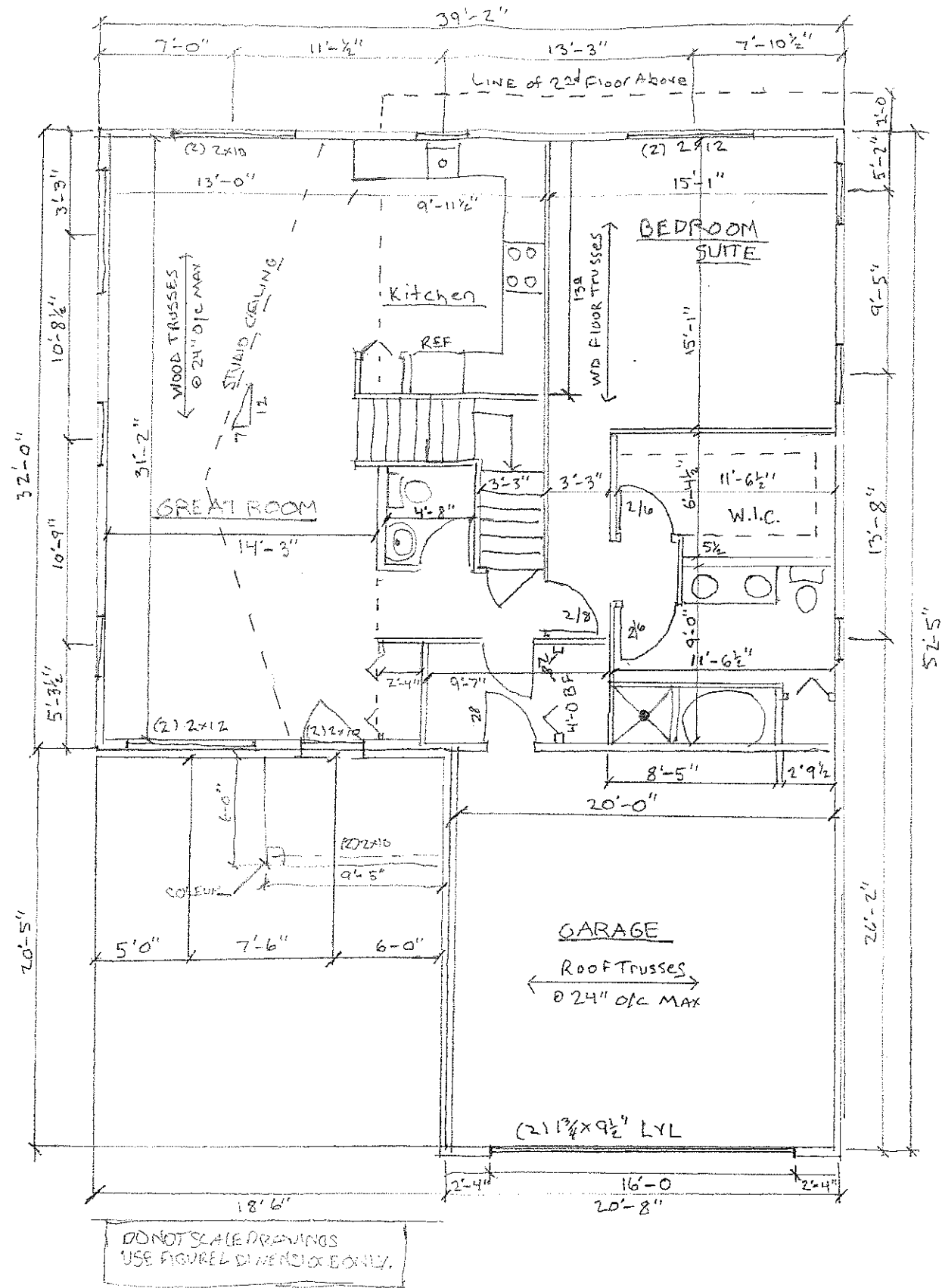
Lawrence Duty  
8087 STONGATE DR  
NORTHVILLE, MI 48168

3/15/2021

BASEMENT FOUNDATION  
PLAN

42482 N. CUMBERLAND DR.  
VAN BUREN TWP. MI 48111

ALL EXTERIOR WALL DIMENSIONS ARE  
6" AND TO OUTSIDE OF SHEATHING UNO  
ALL INTERIOR WALL DIMENSIONS ARE 3/4"

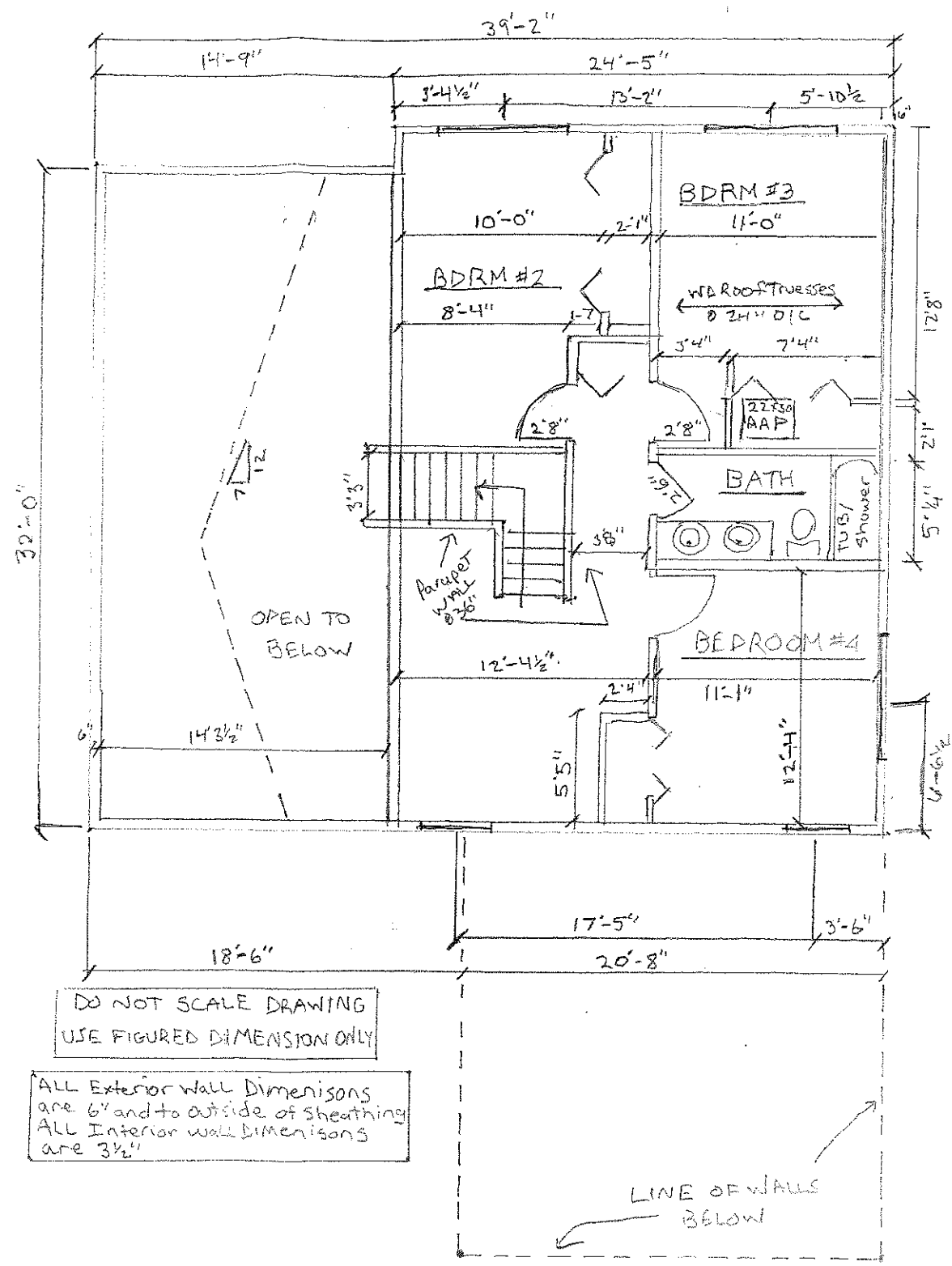


Lawrence, Dwy  
8087 Stonegate Dr.  
Northville, MI 48168

3/15/2021

First Floor Plan

42482 N. Cumberland Dr.  
Van Buren Twp. Mich. 48111

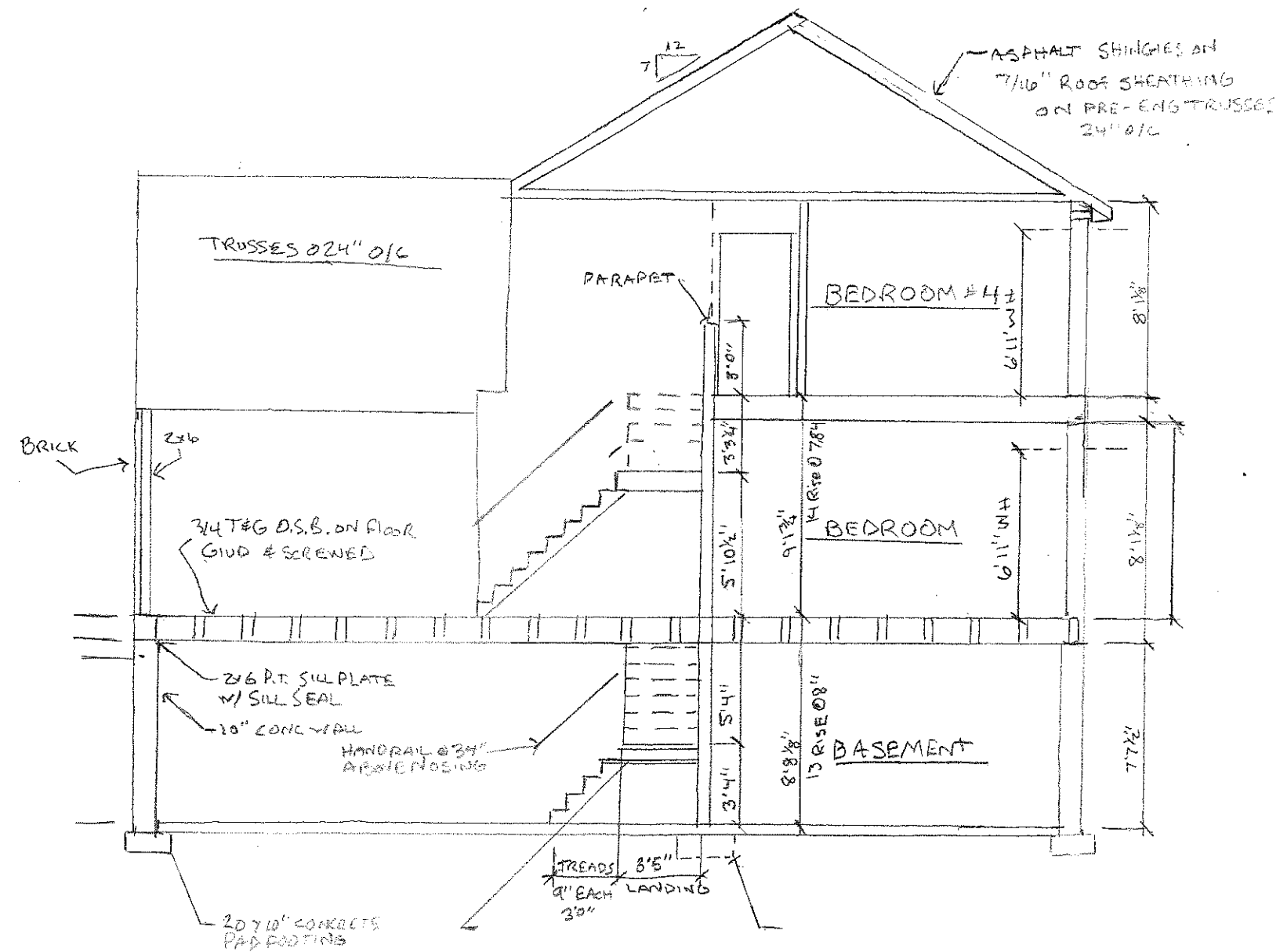


Lawrence Dwy  
 8087 Stonegate Dr.  
 Northville, MI 48168

3/15/2021

Second Floor Plan  
 836 SF.

42482 N. CUMBERLAND DR.  
 VAN BUREN TWP. MI. 48111



CROSS SECTION

Lawrence DUTY  
8087 STONEGATE DR  
NORTHTON, MI. 48162

3/15/2021

CROSS SECTION

42482 Cumberland Dr.  
Van Buren Twp. MI. 48111

DESCRIPTION:

PART OF THE S.W. 1/4 OF SECTION 23, AND  
PART OF THE N.W. 1/4 OF SECTION 26,  
T. 3 S., R. 8 E., VAN BUREN TWP. MI.  
DESCRIBED AS: UNIT 48 OF COUNTRY WALK III  
CONDOMINIUM SUBDIVISION PLAN NO. \_\_\_\_  
WAYNE COUNTY RECORDS.

SCALE: 1" = 30'



OPEN SPACE

N 82°13'01" E 73.75'

MD-3 #46

359

361

\*18'-8" SAN, LEAD  
- INV. 62.2  
WYE LOCATION 1+01

PRO.  
WATER  
SERVICE

PRO. SAN. LEAD  
10" SAN.  
SEWER ESMT  
10" SAN

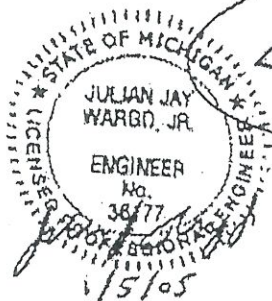
10' PUBLIC  
- UTIL. ESMT.

10' SAN.

T/C  
688.34

T/C  
668.68

42482 N. CUMBERLAND DRIVE  
66' WIDE (PVT.)



RECEIVED

JUL 27 2022

Initial:



3 WORKING DAYS  
BEFORE YOU DIG  
CALL MISS DIG  
1-800-452-7171  
(TOLL FREE)

## LEGEND

T/C	TOP OF CURB
F.G.	FINISH GRADE
x 80.5	PROPOSED GRADE
x (60.5)	AS-BUILT GRADE
MD	MASTER DEED

BUILDER:  
CREATIVE LAND DESIGN, INC.  
41050 VINCENTI COURT  
NOVI, MI. 48375  
248-615-1313

IT IS THE CLIENT'S RESPONSIBILITY TO REVIEW THIS  
DRAWING FOR ALL HOUSE PLAN DATA, HOUSE LOCATION  
AND ORIENTATION ON THE PARCEL.

REVISIONS		
HOW	DATE	BY
ISSUED BY PTG	DATE N/A	DATE 12-23-04

COUNTRY WALK III

VAN BUREN TWP.

WICHITA

LOT 380 / UNIT 46

**THEOT WOZIAN**  
A ASSOCIATES  
CIVIL ENGINEERS & LAND SURVEYORS  
28480 FRANKLIN ROAD  
SOUTHFIELD, MICHIGAN 48034  
(248) 352-8880

Don't  
miss it

100

NEW YORK

10

03140

9/14

ТНТА Р. 87





## MEMO

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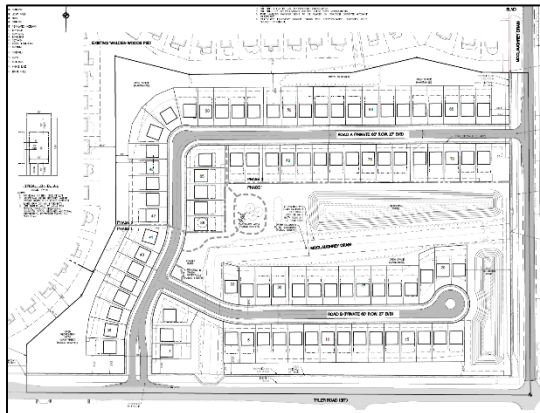
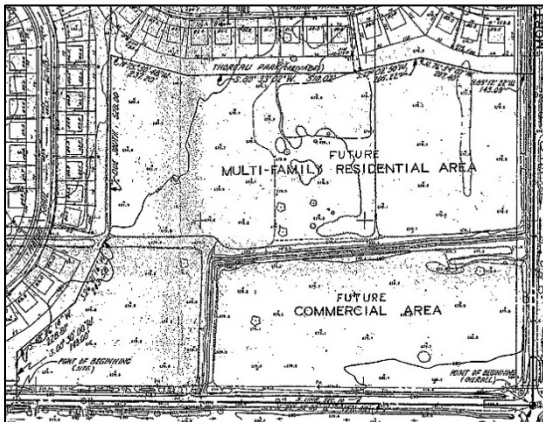
TO: Van Buren Township Planning Commission  
FROM: Dan Power– Director of Planning and Economic Development  
RE: Residential Development Standard Zoning Ordinance Discussion  
DATE: October 20, 2022

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Commissioners:

The Planning Commission and staff have worked steadily on a set of Zoning Ordinance amendments to adjust a minimum requirement that 30% of garages in residential subdivisions and site condominiums must be side- or rear-entry garages and minimum residential building separation requirements of 20 feet in Planned Residential Developments (PRD's). Staff began this process following an initial review of a specific application by Pulte Homes to acquire and develop 30 acres of planned multi-family and commercial development near the corner of Morton Taylor and Tyler Roads as a PRD with single-family home sites. Staff explored some of the constraints on this potential project by the side entry garage and building separation requirements. Staff has reviewed specific development interest and residential building trends, findings from the Master Plan, and regional and comparison community context to evaluate whether the proposed Zoning Ordinance amendments would be justifiable. These items are discussed in the sections below. I will also discuss the scope of ordinance application across the Township if the amendments are implemented.

**Specific Development Interest and residential building trends.** Pulte Homes proposes to construct eighty-eight (88) detached single-family residential units on approximately 30 acres of property near the northwest corner of Morton Taylor and Tyler Roads. The site was previously planned as a mix of multi-family (126 units) and commercial development, as a part of the broader 150-acre Walden Woods Planned Unit Development (PUD). Pulte Homes' request would reduce the gross residential density of the proposed 30-acre development site from 4.44 units per acre to 3.10 units per acre and would eliminate the commercial uses on the site. Pulte Homes' proposal would also involve paving an affected portion of Morton Taylor Road north of Tyler Road. A side-by-side comparison of the previous approved and proposed uses is provided here:





The home models being proposed by Pulte Homes are roughly 37-39' wide on average, to be located on 50-55' wide lots. This layout is similar to many of the units in the Townsend Park Phase 2 subdivision near the northeast corner of Morton Taylor and Ecorse Roads. Townsend Park / Victoria Park was approved with a 10-foot combined side yard setback requirement and under a consent judgement, and is therefore distinct from the regulations that apply to other PRD's in the Township. Townsend Park Phase 2 is currently under construction and units are selling quickly. An initial review of the proposed Pulte project as a new PRD revealed that it would be significantly constrained by the required minimum building separation distance and the requirement to ensure 30% of its units have garages that are side- or rear-entry access. Staff began to examine the zoning ordinance requirements around these dimensional limits closely. Revising the restrictions on separation distances within PRDs and on garage door orientation within single-family residential subdivisions and site condominiums would create additional flexibility in the overall development pattern of residential projects and, in the case of this project, would allow a condensed layout of housing relative to what the zoning ordinance would require.

**Master Plan Guidance.** In examining whether the Township would benefit from the type of flexibility mentioned above, applicable guidance was sought from the Township's adopted 2020 Master Plan. The 2020 Master Plan solicited public input and provided goals, objectives, and a zoning plan with recommended changes to the Zoning Ordinance and Zoning Map, along with a future land use map, consistent with the Michigan Planning Enabling Act (PA 33 of 2008).

The 2020 Master Plan included survey responses over the course of two years, including 769 survey responses in 2018 and additional responses in 2019. More than 40% of respondents in 2018 and more than 50% of respondents in 2019 were in favor of more single-family housing. Respondents in 2018 and 2019 were generally not in favor of more multi-family development. Respondents in 2018, 88 percent of whom lived in single-family dwellings, responded more favorably to moderately-priced single-family housing than to luxury single-family housing.

A primary residential goal, supporting objectives, and a recommended zoning plan action related to residential development were developed as part of the Master Plan, along with an affirmation of desired densities of residential development as shown on the Township's future land use map.

The stated primary residential goal of the 2020 Master Plan is *to provide an adequate supply of housing that meets the needs of new and existing Township residents, is responsive to changing generational preferences, allows residents to age in place, add value to the community, and achieves a high standard of excellence in aesthetics and design.* Objectives stemming from this goal include the following:

- *Encourage the development of new housing in "missing middle" formats and/or layouts that are currently absent or in short supply, by creating zoning districts and design standards as necessary in the appropriate areas of the Township.*
- *Density of housing, regardless of housing format, should be compatible with the context of the immediate area and the intent of its future land use category. Generally, densities will be higher and lots will be smaller in the northern portion of the Township; densities will be lower and lots will be larger in the southern and extreme eastern portions of the Township, in the interest of preserving that area's rural character.*

Additionally, the Master Plan includes a zoning plan which includes the following recommendation: *New incentives and standards for infill housing and neighborhood investment should be developed for single-family residential districts corresponding to their respective densities. Strategies for affordable housing, accessory dwelling units, and adaptive reuse should be considered.*

The Township's Master Plan also culminated in a future land use map that calls for 29% of the Township's future land uses to be single family residential uses with densities ranging from 1.75 to 5 dwelling units per acre, as compared with 17% of the Township's future land uses being designated as rural residential uses with densities under 1 unit per acre. Within these future land use areas, areas planned as single-family residential represent roughly 84% of all planned dwelling units, compared with areas planned as rural residential representing roughly 16% of planned dwelling units.

Overall, the Master Plan's recommendations indicate a preference for moderately-priced single-family homes, recognize geographic differences in preferences for relatively high and low density, recommend creating new incentives and standards for infill housing and neighborhood investment, and plan most of the Township's single-family residential housing stock as 1.75 to 5 dwelling unit per acre single family housing.

**Regional and Comparison Community Context.** In addition to seeking guidance from the Master Plan, the Township can consider guidance from researching nearby communities. During the August 10<sup>th</sup> and August 24<sup>th</sup> Planning Commission meetings, the Planning Consultant researched the following nearby community ordinances to draw a comparison to Van Buren Township's rules regarding (1) side entry garage requirements and (2) minimum separation distances between residential homes:

- |                      |                           |
|----------------------|---------------------------|
| - Canton Township,   | - Plymouth Township,      |
| - Ypsilanti Township | - Pittsfield Township and |
| - Lyon Township,     | - The City of Novi        |

If desired by the Planning Commission, future land use maps from these communities can be researched, so as to draw adequate land use comparisons between these communities and Van Buren Township, and staff can also review a broader range of communities.

According to the Planning Consultant's letter dated August 4<sup>th</sup>, 2022, in all the Ordinances we compared from the above-mentioned communities, side entry garages were a desirable option but not a mandate. The Ypsilanti Township ordinance offered a creative alternative of side entry or recessed garage placement. Building separation requirements varied significantly, with a majority have a separation requirement of only 10 feet or allowing for Planning Commission and Board of Trustees to reduce that distance based on preservation of natural features or other factors. Images from these various communities were provided to the Planning Commission. Based on concerns raised from some of these images, the Planning Commission provided guidance for specific constraints on homes with separation distances less than 20 feet including constraints on landscaping, ensuring adequate drainage between units, and architectural treatments. These specific provisions were then added to the most recently reviewed draft of the proposed Zoning Ordinance amendment.

**Scope of ordinance application across the Township.** The 20-foot minimum building separation standard that is being researched applies specifically to Planned Residential Developments (PRDs). Note that PRDs generally must be properties that are forty (40) acres in area unless unique conditions apply per Section 6.204(C) of the Van Buren Township Zoning Ordinance. Assuming all existing undeveloped parcels greater than forty (40) acres planned as single-family residential or rural residential parcels as designated under the 2020 Van Buren Township Master Plan are proposed as PRDs, seven (7) properties or groups of properties could be subject to these revised requirements:

1. Wilkins farm properties near the southeast corner of Hull and Sumpter Road. *Planned rural settlement (RS)- 1 unit per acre gross density.*
2. 95-acre parcel on West Huron River Drive, east of Cobblestone Creek development. *Planned low-density single-family residential A (LDA) – 1.75-2 units per acre gross density.*
3. 78-acre parcel on Hoeft Road, south of Cobblestone Ridge development. *Planned LDA.*
4. 53-acre Gerbstadt property at southeast corner of Ecorse and Morton Taylor Roads. *Planned medium density single family residential A (MDA) – 3.5-4 units per acre.*
5. 98-acre property near the northeast corner of Hull and Martinsville Roads. *Planned LDA.*
6. 75-acre property at the southwest corner of Hull and Sumpter Roads. *Planned RS.*
7. Residentially planned properties between I-275 and I-94 adjacent to the Ted Scott Wayne County Community College District site. *Planned RS.*

There are an additional eight (8) undeveloped residentially planned parcels between 30 and 40 acres in area which may be eligible as PRDs subject to the findings of Section 6.204(C), including the above-mentioned Morton Taylor and Tyler Road parcel under consideration by Pulte Homes.

### **Current draft of Ordinance and Recommendations**

The most recent draft of the proposed set of zoning ordinance text amendments is included with this packet. For the Planning Commission's reference, this packet also includes written communications from Steven Darke dated September 22, 2022 and Commissioner Medina Atchinson dated October 20, 2022. I encourage the Planning Commission to use these reference materials and my analysis above to move forward with decision points on the proposed text amendments. On the following page, you will find a checklist to guide your upcoming discussion. I encourage Planning Commissioners to explore residential developments in nearby communities or to let me know if there is additional data staff can provide to assist with their decision-making process.

Thank you for allowing me to assist in this ordinance research and development effort.

Sincerely,



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

<b>Side entry garage language</b>				
Further revisions needed?	Yes		No	<u>Comments:</u>
If yes, provide suggestions:				
<b>20' dwelling separation language</b>				
No change?	Yes		No	If no, see below
Simple removal of the restriction with no further edits?	Yes		No	If no, see below
<b>Specific restrictions on building separation: Detached single family residential</b>				
Minimum combined separation of 50'* among five (5)* adjacent buildings	Yes		No	<u>Comments:</u>
*Change these figures?				
Provide an offset in row of five (5) or more adjacent buildings	Yes		No	<u>Comments:</u>
Prohibit fences and structures between units	Yes		No	<u>Comments:</u>
Verify lower elevation between units for drainage	Yes		No	<u>Comments:</u>
Prohibit landscaping >2.5' in height between units	Yes		No	<u>Comments:</u>
Construction easement required between buildings	Yes		No	<u>Comments:</u>
Additional benefit required	Yes		No	<u>Comments:</u>
Other?				
<b>Specific restrictions on building separation: Attached single family residential</b>				
Prohibit fences and structures between units	Yes		No	<u>Comments:</u>
Verify lower elevation between units for drainage	Yes		No	<u>Comments:</u>
Construction easement required between buildings	Yes		No	<u>Comments:</u>
Other?				
<b>Additional considerations**</b>				
Geographic limits – only PRDs north of Belleville Lake may be subject to this flexibility	Yes		No	<u>Comments:</u>
Additional modification available for minimum required floor area per dwelling unit in PRDs, based on findings that such floor plans are in short supply, bring value to the community, and meet building code	Yes		No	<u>Comments:</u>
Other	Yes		No	<u>Comments:</u>
<b>Ready to schedule hearing?</b>	Yes		No	<u>Comments:</u>

\*\*These are additional optional revisions that do not appear in the currently presented set of text amendments.

## Section 6.207. Design

A PRD shall comply with the following standards:

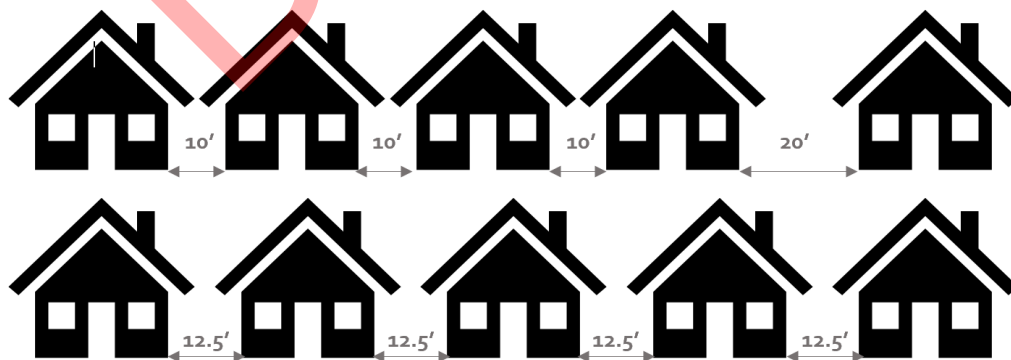
(B) **Building Setbacks.** Buildings in a PRD shall comply with the following building setback requirements:

- (3) Notwithstanding Section 6.207(B)(1) and Section 6.207(B)(2) above, the minimum side and rear yards for all buildings in a PRD shall be the same as in the zoning district in which the PRD is located. The Township Board, upon recommendation from the Planning Commission, may modify the minimum side and rear yard setback requirements based on sound planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings and the need for proper amounts of open space for the exclusive use of residents of the PRD. ~~However, the minimum building separation requirements of Section 6.207(C) may not be modified.~~

(C) **Building Separation.** Buildings in a PRD shall comply with the following building separation requirements:

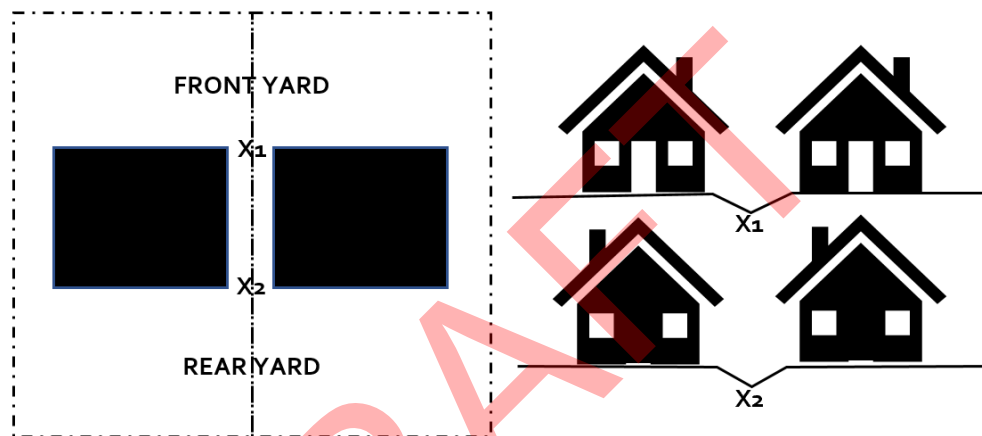
- (1) Any detached single-family principal or accessory structure in a PRD ~~shall be located at least five (5) feet from any side lot line. and Any detached single-family principal or accessory structure in a PRD shall be located at least twenty (20) feet from any other detached single-family principal or accessory structure, except that The Township Board, upon recommendation from the Planning Commission, may modify the this requirement based on sound planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and securing the following commitments as part of the PRD Agreement and PRD Plan approval:~~

- (a) The combined building separation distances between five (5) contiguous single family detached dwellings shall not be less than 50 feet. See illustration below:





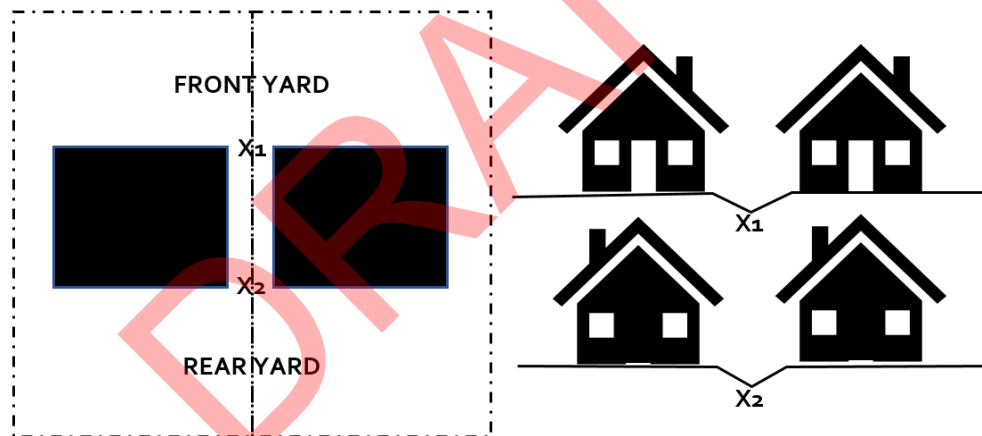
- (b) No more than five (5) single family detached dwellings shall be constructed in a single straight line along the street façade. The front façade must be stepped back a minimum of 5 feet or staggered within the allowable building envelope.
- (c) All structures including fences will be prohibited between two single-family principal structures that are separated by less than twenty (20) feet and there will be no less than ten (10) feet of unobstructed access (including permitted projections) adjacent to a principal structure or between two single-family principal structures.
- (d) The topographic elevation along the side lot line between two (2) adjacent single-family dwellings which are less than 20 feet apart must be lower than the elevations of each building's foundation along the entirety of the buildings' side walls (see illustration below), and positive drainage must be established along the side lot lines toward the front yard or rear yard between two structures.



- (e) Landscaping with the side yards of two (2) single-family dwellings structures separated by less than 20 feet shall comprise only of ornamental shrubs, flowers and ground cover not to exceed 2.5 feet in height at full growth.
- (f) Prior to any construction in side or rear yards of two separately owned single-family principal structures which are separated by less than twenty (20) feet, a construction easement which contains terms for complete site restoration must be executed between the affected property owners.
- (g) At least one (1) additional design benefit must be provided where a development contains detached single family dwellings which are separated by less than 20 feet such as, the dedicating additional open space, open space amenities such as walking paths, or recreational facilities; ensuring a higher percentage of the front façade wall (excluding windows, doors, and related trim) is faced with brick or stone than is otherwise required by this ordinance; offsetting the front walls of adjacent dwellings in relation to the front lot line; adding architectural embellishments to dwellings such as front porches or recessed garages; or other features as necessary to meet the intent stated in Section 6.201, subject to the discretion of the Planning Commission.

(2) Any building in a PRD containing more than one (1) dwelling unit (i.e., apartments, townhouses, attached dwellings) shall be located at least ten (10) feet from any side lot line and at least twenty (20) feet from any other similar structure, as well as at least thirty (30) feet from any detached single-family principal or accessory structure, except that The Township Board, upon recommendation from the Planning Commission, may modify the this requirement based on sound planning and design principles, taking into account the degree of compatibility between adjoining uses, sensitivity to the characteristics of the site, the need for free access for emergency vehicles, the need for adequate amounts of light and air between buildings, and securing the following commitments as part of the PRD Agreement and PRD Plan approval:

- (a) All structures including fences will be prohibited between two buildings containing more than one (1) dwelling unit that are separated by less than twenty (20) feet and there will be no less than ten (10) feet of unobstructed access (including permitted projections) adjacent to one such building or between two such buildings.
- (b) Between two buildings containing more than one (1) dwelling unit separated by less than twenty (20) feet, the topographic elevation **must be lower than the elevations of each building's foundation along the entirety of the buildings' side walls** (see illustration below), and positive drainage must be established along the side lot lines toward the front yard or rear yard between two structures (see illustration below).



- (c) Prior to any construction in side or rear yards of two separately owned buildings containing more than one (1) dwelling unit which are separated by less than twenty (20) feet, a construction easement which contains terms for complete site restoration must be executed between the affected property owners.

## Section 5.115 Dwelling, Single-Family Residential (All Site Condominiums and Subdivisions)

### (B) Application of standards.

#### (6) Definitions.

- (b) “**Substantially different**” means that a structure, when compared to another structure, differs from that structure as measured by ~~three (3)~~ four (4) or more of the following ~~five (5)~~ six (6) criteria:
- (i) Roof style. Roof style is determined by location and orientation of the principal ridge line and adjacent sloping sections. Different roof styles include but are not limited to gable, reverse gable, Cape Cod, gambrel, hip, mansard and flat, etc.
  - (ii) Roof pitch. Roof pitch is determined by measuring the ratio of vertical to horizontal units in the sloping segments of the principal section of the roof of a structure. Different roof pitches are three (3) or more vertical units in twelve (12) from each other including, for example, 6:12 and 9:12 or 8:12 and 11:12, etc.
  - (iii) Exterior Material. Exterior material describes the material present area of structure. Different exterior materials include but are not limited to horizontal siding, vertical siding, shingles/shakes, brick, stone and stucco, etc.
  - (iv) Location of Major Design Features Relative to Main Mass. Major design features include but are not limited to attached garages, porches, porticos, breeze-ways, gables, dormers and/or similar major features. Different locations of major design features relative to the main mass of a structure include but are not limited to in front of, beside, on top of, and/or in some other location relative to the main mass of the structure.
  - (v) Location of Windows Doors Relative to Main Mass. Windows and doors on a structure can take on various configurations. Different location of windows and doors relative to the main mass of a structure include but are not limited to center door, off-center door and no door, with windows on either or both sides of and/or above the door.
  - (vi) **Garage door orientation.** The garage door on a principal dwelling which is oriented toward the side, rear, or front of the lot, in contrast to the garage door's orientation on the neighboring property.

- (8) **Garage Door Orientation.** In addition to the requirement that a structure be found to be substantially different as defined herein, at least thirty percent (30%) of all structures within a proposed residential plat or site condominium project shall have the garage door oriented other than to the front of the lot (i.e., oriented to the side or rear of the lot). A deviation from the 30% requirement can be granted by the Board upon recommendation from the Planning Commission if the negative impacts of front garage door orientation are offset by recessing the garage door a minimum of five (5) feet from the front face of the dwelling, use of architectural enhanced garage doors, expanded brick on the front façade, or other enhancements deemed acceptable by the Planning Commission.

Add, "placing a maximum allowable ratio of area of the garage door relative to the area of the building's front façade"?

## Power, Dan

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**From:** Medina Atchinson <matchinson@atchinsonford.net>  
**Sent:** Thursday, October 20, 2022 3:34 PM  
**To:** Power, Dan  
**Subject:** [EXTERNAL EMAIL] It's More Than 10 Feet

**CAUTION:** Please be careful when opening links and attachments.

Dear Fellow Planning Commissioners,

At the Planning Commission meeting on September 14, 2022, a proposal from staff to reduce the required space between new residents' homes from a total of 20 feet to 10 feet was discussed in length. I was not in attendance for that discussion.

The community has spoken. And to be clear, my intent is never to be critical of anyone's suggestion, thought, opinion, likes, dislikes, or beliefs but rather to serve our community by supporting the fulfillment of their wishes. Further, relative to this, as it pertains to the Michigan Zoning Enabling Act Sect. 203.1, we should stand firm in our commitment to executing this to fruition. Not following the Master Plan could have legal implications.

Currently, VBT has a couple of multiple-acre properties that are working within the Planned Residential Development (PRD) that have not been completed. These locations remain unfinished at this time. The vacant housing lots and building envelopes have been established and will not be impacted by the proposed change from 20 feet to 10 feet. Those locations will continue to be developed per the PRD and the proposed reduction would not affect those single-family developments, meaning, no reduction will be granted for those locations.

VBT has additional multi-acre properties currently zoned for commercial and multi-family residential. Developers have looked at those properties and wanted to develop multi-family rentals. A few years ago, Director Dan Power provided me with our rental population data. Unfortunately, I was unable to locate those results for this letter. [Dan can provide it again if necessary to help us make decisions.] As memory serves, VBT had substantially more rentals than our surrounding communities. The data that Director Dan Power provided to me only captured the rentals that are currently located in zoned multi-family rental properties, such as Southport Apartments and Water's Edge Apartments. It should be noted that VBT's higher rental percentage, which compared to our neighboring communities, was understated as it did NOT include the single-family homes located throughout VBT that are being rented independently between the property owner and a tenant.

I have nothing against rentals. However, I **am** against having too much of any single housing option. Having reviewed the rental penetration within VBT, VBT has plenty. I'm strongly against **not** following our Master Plan and **not** providing the housing that our residents communicated they preferred. During public engagement sessions and [via] survey results, our residents clearly expressed their wishes for our community. They voiced a desire for a variety of home-style options. They further articulated that they want walking paths, bike paths, common areas, smaller yards, and less grass. As I stated during the last meeting, I consider myself a gatekeeper, ensuring that we hold fast to our Master Plan and provide our residents with what **they** ask for.

Upon providing housing options, not only will VBT attract more new residents, but VBT will also retain its current residents. Hopefully, the renters will see an opportunity to purchase and no longer be a renter. Accordingly, as our population ages, VBT will retain that age group instead of losing it to communities that provide closer homes, smaller yards, common areas, and walking paths. Our aging population wants smaller homes and smaller lots. With all that said, I want VBT to be both competitive and attractive to developers. You and I may want a larger yard, but we must be prudent and look beyond that as the housing styles and trends are changing. What was old seems to be new again. Cherry Hill Village in Canton is a perfect example of smaller lots, closer homes, large front porches, back-alley garages, more open space, common areas, parks, restaurants, movie theater, ice cream shops, beauty salons, bars, medical offices which are all walkable to a downtown area near Cherry Hill Village.

As I stated at the September 26, 2022, meeting, “this is not just about 10 feet”. Rather, we should recognize that this 10-foot rule is common practice in many other communities, as evidenced by the McKenna letter dated August 4, 2022, which captured the listing of communities that state the requirement is 10 feet vs 20 feet. At the September 26, 2022, meeting I also mentioned that the State of Michigan’s housing code only requires 10 feet of separation vs 20 feet. With that said, VBT seems to want to become exclusive vs inclusive. I strongly discourage exclusivity. Even if VBT’s intention isn’t to be exclusive, the 10 feet separation requirement makes VBT appear like we are not trying to keep up with shifting housing trends. And, VBT will appear to not want the development of our vacant properties. Which could cause us development that is not most beneficial for our community and our residents.

Not making changes where necessary will only make VBT less competitive in garnering consideration from developers. Further, when developers do come, they bring rooftops, the rooftops bring residents, more tax money, and more students at our schools, restaurants, movie theaters, and recreation (i.e., Top Golf, Dave & Busters, Olive Garden, etc.). Our citizens expressed that they didn’t want any more banks, gas stations, or fast-food restaurants. If we look at Belleville Road and Rawsonville Road, we have multiples of Taco Bell, Subway, McDonald’s, Burger King, Wendy’s, and Tim Hortons; two of each fast-food restaurant, with Tim Hortons having three locations (Haggerty Rd, Belleville Rd, and Rawsonville Rd). To date, VBT has not attracted a larger variety of dining options for our residents. Our residents informed us during the Community Engagements and the surveys that they leave VBT for both shopping and dining options. Restaurants go where they count rooftops and traffic. I strongly encourage us to stay on course with our Master Plan which will promote a healthier community culture.

Additionally, when developers come, [not only do they eventually bring residents, students for our schools, and customers for our businesses] they bring with them ancillary perks which I’ve personally witnessed having served on both the BZA and the Planning Commission. I’ve observed collapsed drains being repaired (even after Wayne County inspected supposedly inspected them), dirt roads getting paved, condemned buildings being torn down, more available tax fund income per capita, additional jobs, and a happier community in general.

Reflecting back, Speedway came looking to build on the corner of Belleville Road and Tyler Road. Did I want another gas station on Belleville Road? No. And, I can assure you that my fellow PC members did not want another gas station either. However, the property was zoned, allowing Speedway to develop a gas station per our zoning and ordinance requirements.

The Speedway situation could potentially happen again. The 30 acres near Tyler Road and Morton Taylor Road are zoned as commercial and multi-family residential, meaning that a developer looking to build a commercial-type structure could build right behind Walden Woods Subdivision or a multi-family (apartment building) could be developed. If you lived in Walden Woods, would you want a commercial development behind your subdivision? I’ve attended enough Home Owners Association meetings to know that the homeowners within Walden Woods would prefer to have single-family homes. Not a commercial business.

Remember, VBT has more rentals than needed. The residents want more housing options. I prefer commercial development to remain on the main roads throughout the community (i.e., Belleville Road, Rawsonville Road, Haggerty Road, Ecorse Road, etc.). Morton Taylor has a school and several subdivisions.

I trust that I have provided the insight necessary to secure your thoughtful consideration in favor of my appeal on behalf of our community.

Respectfully,  
Medina Atchinson



**Power, Dan**

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**From:** Steven Darke <stevenjacobdarke@gmail.com>  
**Sent:** Thursday, September 22, 2022 8:09 AM  
**To:** Power, Dan  
**Subject:** [EXTERNAL EMAIL] Residential Building Separation

**CAUTION:** Please be careful when opening links and attachments.

Hello Dan,

I would like to express my support of allowing the reduction of building separations in residential developments. Although the township has a history of enforcing higher standards when it comes to spacing in subdivisions, I think it is time for us to adapt, especially considering that there have been no new single family housing developments here in a very long time.

Many higher end developers (such as Pulte Homes) are building homes closer together, and it seems to be a trend that works out both for developers and for buyers. Obviously, seeing how popular these types of developments are currently, I believe there is a large portion of the population that Van Buren is not currently catering to.

With that being said, I'm so glad to see an effort being put into reevaluating the township's current ordinances in order to find a way to better serve our housing needs. In the end, the ultimate goal is to attract as much well-planned development as possible, and I'm afraid of everything we'd be missing out on if nothing ends up changing.

Please feel free to share my opinions with the planning commission next time this topic gets discussed. Thanks!

-Steven Darke