

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION MINUTES  
JANUARY 23, 2013**

Chairperson Thompson called the meeting to order at 7:30 p.m. Present: Johnson, Boynton, Kelley, Budd, Guenther and Thompson. Excused: McKenna. Staff Present: Director Carroll and Secretary Harman. McKenna Associate present: Sally Hodges. There were 8 people in the audience.

**APPROVAL OF AGENDA:**

**Motion Kelley, Boynton second to approve the agenda of January 23, 2013 as presented.**

**Motion carried.**

**MINUTES:**

**Motion Johnson, Kelley second to approve the minutes of January 9, 2013 as presented.**

**Motion carried.**

**PUBLIC HEARING:**

**ITEM #1      CASE#      RZ12-002**  
**TITLE:      THE APPLICANT BELLEVILLE PETROLEUM, INC. IS REQUESTING TO REZONE PARCEL NUMBER V125-83-129-99-0002-002 ALSO KNOWN AS 15400 SUMPTER ROAD EQUAL TO 1.00 ACRES FROM C (LOCAL BUSINESS) TO C-1 (GENERAL BUSINESS).**

**LOCATION: THIS PROPERTY IS LOCATED SOUTH OF HULL ROAD, WEST OF SUMPTER ROAD, EAST OF BAK ROAD.**

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

Joe Nasser, owner of the Clark gas station gave the presentation. The applicant would like to rezone the property from C (local business) to C-1 (general business) to put up a new building with 750 square feet of retail space. The pumps and canopy are to remain the same with the building being the only change. The applicant presented a color rendering of what the proposed building would look like. The applicant has been in the process of trying to improve the building for quite some time on the 44,000 square foot lot. Attorney John Day noted that the existing use of the property qualified as a non-conforming use and the applicant is trying to find a way to get approval to rezone to make the use conforming and improve the building. The property is under deed restriction to remain as a gas station until 2018. Day also noted that the total building square footage will be 2,000 when improved.

Residents have concerns about the rezoning of the property drastically changing the area and the additional businesses allowed in C-1 zoning. Residents also inquired about the building size, setbacks, and what will happen to the existing building. Chairperson Thompson also read two letters submitted by residents not in attendance that expressed their concerns of rezoning the property.

Hodges of McKenna Associates noted that there is a lot of discussion on the intent of why to rezone. Being there are a lot of things that could be included in the rezoning of the property it's necessary to keep a bigger perspective. Attorney Day noted that this is a one acre parcel that is deed restricted in terms of use and the applicant is trying to find a way to keep the business in the community and prosper.

Resident is concerned if the zoning change is allowed that other businesses may follow.

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

**OLD BUSINESS:**

**ITEM #1           CASE#           11-010 SPR**  
**TITLE:           THE APPLICANT, WELLINGTON INDUSTRIES, IS REQUESTING FINAL SITE PLAN APPROVAL TO CONSTRUCT A 19,412 SQUARE FOOT ADDITION AND ASSOCIATED SITE IMPROVEMENTS.**

**LOCATION: PARCEL NUMBER V125-83-093-99-0002-700 ALSO KNOWN AS 39555 SOUTH I-94 SERVICE DRIVE. THE SUBJECT SITE IS LOCATED WEST OF HANNAN ROAD AND SOUTH OF THE I-94 SERVICE DRIVE.**

Architect Wade Hoppe gave the presentation.

Sally Hodges of McKenna Associates review letter dated 1-16-13 recommends the Planning Commission approve the revised site plan with the following conditions:

1. Correction of the errors on Sheet C5 of the site plan.
2. The landscape plan and plant list must be revised to change the Korean arborvitae to 6 foot tall dark green arborvitae planted 42 inches on center and the quantity of plants be revised accordingly.
3. Receipt of all required permits and approvals and submission of copies to the Township prior to final site plan approval.
4. Approval of the Township Engineer.

David Nummer of Wade Trim recommends final site plan approval.

The fire department letter referencing case # 11-010 SPR recommends final site approval.

**Motion Boynton, Kelly second to grant final site plan approval to Wellington Industries to construct a 19,412 square foot addition and associated site improvements located at parcel number V125-83-093-99-0002-700 also known as 39555 South I-94 Service Drive along with the Wade Trim letter dated 1-17-13, McKenna Associates recommendation letter dated 1-16-13 as well as the fire department recommendation letter referencing case number 11-010 SPR. Motion Carried.**

**NEW BUSINESS:**

**ITEM #1           CONSIDER APPOINTING TWO MEMBERS OF THE COMMISSION TO AN AD HOC COMMITTEE BEING FORMED TO DRAFT A LAKE ORDINANCE.**

Chairperson Thompson volunteered to serve on the Committee and asked Commissioner Boynton if he would serve on the Committee as well, he agreed.

**UNFINISHED BUSINESS:**

**ITEM #1           CONSIDER RECOMMENDING THE ESTABLISHMENT OF A NEW SECTION OF THE ZONING ORDINANCE – ARTICLE IV, GENERAL PROVISIONS – SECTION 4.56 STORMWATER DETENTION PONDS.**

Chairperson Thompson noted the item on the agenda is considering recommending the establishment of a new stormwater detention pond section in the zoning ordinance on to the Township Board.

**Motion Johnson, Boynton second to recommend the establishment of a new section of the zoning ordinance, Article IV, General Provisions – Section 4.56 Stormwater Detention Ponds and pass it on to the Township Board for approval.**

**Roll Call:**

**YEAS: Kelley, Budd, Boynton, Johnson, Guenther and Thompson.**

**NAYS: None.**

**ABSENT: McKenna.**

**Motion Carried.**

**GENERAL DISCUSSION:**

Commissioner Thompson inquired about Victory pre-owned sales facility going out of business on Belleville Road.

**Motion Budd, Boynton second to adjourn at 8:34 p.m.**

**Motion carried.**

Respectfully Submitted,

Christina Harman,  
Recording Secretary