

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
APRIL 12, 2017
MINUTES**

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

ROLL CALL:

Present: Jackson, Boynton, Atchinson, Budd, Franzoi and Thompson.

Excused: Kelley.

Staff: Director Akers and Secretary Harman.

Planning Representatives: McKenna Associate, Patrick Sloan.

Audience: Three (3).

APPROVAL OF AGENDA:

Motion Jackson, Atchinson second to approve the agenda of April 12, 2017 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Atchinson second to approve the regular meeting minutes of March 22, 2017 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 ZONING ORDINANCE ADOPTION

TITLE: VAN BUREN TOWNSHIP IS CONDUCTING A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A NEW ZONING ORDINANCE. THIS NEW ZONING ORDINANCE REFLECTS A COMPREHENSIVE UPDATE TO THE CURRENT ZONING ORDINANCE.

Motion Boynton, Jackson second to open the public hearing. Motion Carried.

Patrick Sloan of McKenna Associates presented his memo dated March 2, 2017 detailing the history of the zoning ordinance review process including meeting dates and sections of the zoning ordinance reviewed at previous Planning Commission meetings. Mr. Sloan summarized and discussed major changes made to the ordinance including: standards added to the Airport District, added text to allow the Planning Commission the ability to increase or decrease the number of bicycle spaces required in the Belleville Overlay District, the addition of the newly adopted Belleville Lake Shoreline Districts, Mixed Use District changes, the addition of a Country Club land use definition, changes to Planned Residential Developments (PRD's) paving requirements and new phase requirements, reducing the maximum number of single-family dwelling units in a building and the addition of standards for solar energy systems.

No comments from the Commission or the audience.

Motion Boynton, Franzoi second to close the public hearing. Motion Carried.

ITEM # 2 CASE #17-006

TITLE: REZONING 40631 ALDEN DRIVE (C-1, GENERAL COMMERCIAL TO R1-C, SINGLE FAMILY RESIDENTIAL)

LOCATION: THIS SITE IS LOCATED AT 40631 ALDEN DRIVE, WHICH IS LOCATED SOUTH OF THE I-94 SERVICE DRIVE AND EAST OF HAGGERTY ROAD.

Motion Budd, Jackson second to open the public hearing. Motion Carried.

Owner/Applicant Steve Drahos gave the presentation. Mr. Drahos is requesting to rezone the property from C-1, General Commercial to R1-C, Single Family Residential to add an addition to the existing home. The rezoning of the property will allow for the size of the addition that the owner/applicant desires.

Director Akers presented his review letter dated April 7, 2017. Staff recommends that the Planning Commission recommend approval of the request to amend the Township's Zoning Map by rezoning the property located at 40631 Alden Drive from C-1, General Commercial to R1-C, Single Family Residential based upon the five (5) reasons referenced in his review letter.

No comments from the Commission or the audience.

Motion Atchinson, Jackson second to close the public hearing.

NEW BUSINESS:

ITEM # 1 CASE #17-006

TITLE: REZONING 40631 ALDEN DRIVE (C-1, GENERAL COMMERCIAL TO R1-C, SINGLE FAMILY RESIDENTIAL)

LOCATION: THIS SITE IS LOCATED AT 40631 ALDEN DRIVE, WHICH IS LOCATED SOUTH OF THE I-94 SERVICE DRIVE AND EAST OF HAGGERTY ROAD.

No questions or comments from the Commission or the audience.

Motion Jackson, Boynton second to recommend to the Township Board of Trustees for approval of the request to amend the Township's Zoning Map by rezoning the property located at 40631 Alden Drive, parcel number V125-83-093-01-0021-001 from C-1, General Commercial to R1-C, Single Family Residential based upon the five (5) reasons referenced in Director Akers review letter dated March 3, 2017 (letter attached):

- 1. The R-1C, Single Family Residential zoning district would be consistent with the residential properties in the immediate area.**
- 2. The proposed rezoning would be consistent with the provisions in the Southside Master Plan which indicate that single family residential uses should be located in this area.**

3. **The applicant would be unable to split the property due to not having sufficient parcel width for two parcels so thus the applicant would have to maintain their existing parcel size.**
4. **The proposed rezoning would be more appropriate for the infrastructure on the residential road.**
5. **The proposed rezoning does not create any shortages of available vacant commercially zoned property in Van Buren Township.**

Roll Call:

Yeas: Atchinson, Budd, Boynton, Jackson, Franzoi and Thompson.

Nays: None.

Absent: Kelley.

Motion Carried.

GENERAL DISCUSSION:

Director Akers discussed the Qualification Committee that interviewed three Planning firms to provide general planning services to the Township. The Committee is recommending McKenna Associates to the Board of Trustees next week.

Commissioner inquired about the status of the gas station at Michigan Avenue/Denton Road. Director Akers informed the Commission and the audience that building permits have been issued for the gas station and the applicant has acquired the MDOT property for the sidewalk. Commissioner inquired about the status of the Township acquiring DNR lakefront property. Director Akers informed the Commission and the audience that the township has submitted an application to acquire the DNR property and are awaiting a response.

Motion Boynton, Atchinson second to adjourn at 8:02 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



Memo

DATE: March 3, 2017
TO: Planning Commission
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: 17-006 Rezoning Request of 40631 Alden Drive

Staff Report

File Number: 17-006

Site Address: 40631 Alden Drive

Parcel Number: 125-83-093-01-0021-001

Parcel Size: 0.398 Acres

Location: Alden Road, East of Haggerty & South of I-94 South Service Drive

Applicant: Stephen Drahos, 40631 Alden Drive, Van Buren Township, MI 48111

Property Owner: Same as applicant.

Request: Applicant is requesting to rezone their existing property located at on Alden Drive from C-1, General Commercial to R1-C, Single Family Residential.

Zoning and Existing Use: C-1, Single Family Residential.

Adjacent Zoning and Existing Uses:

North: R1-C (Single Family Residential) & Single Family Residential

East: C-1 (General Commercial) & Single Family Residential

South: C-1 (General Commercial) & Vacant

West: R1-C (Single Family Residential) & Single Family Residential

Other: Public hearing notices were published in the Belleville Area Independent on February 16, 2017 and notices were sent to all property within 300' of the subject property on February 16, 2017 in accordance with the Michigan Zoning Enabling Act.

Summary:

The applicant has requested to rezone the above specified property from C-1, General Commercial to R1-C, Single Family Residential. The primary intent of the applicant is to eliminate the legal non-conforming use status of the property so they can construct an addition onto their home. Staff has reviewed this request based on the Township’s Master Plan and current Zoning Ordinance. Please consider the following:

Master Plan:

The Southside Master Plan designates this area as having a future land use designation as Low Density Residential B. The Low and Medium Single Family future land use designation is described as follows:

“Low and Medium Density Single Family: The Low and Medium Density Single Family land use categories are intended to permit single family residential development consistent with recent development patterns between Hull Road and Belleville Lake. The permitted maximum density in the Single Family land use categories ranges from 1.75 to 4 units per acre, with the minimum lot area ranging from 10,000 to 20,000 square feet. The Low Density Single Family A category corresponds to the R-1A zoning district, the Low Density Single Family B category corresponds to the R-2A zoning district, and the Medium Density Single Family B category corresponds to the R-1B zoning district.”

The Southside Master Plan also includes a table which address the densities of the Future Land Use Categories. This is as follows:

**Table 6.1
Recommended Density and Minimum Lot Area
Single Family Residential Land Use Areas**

<u>Future Land Use Category</u>	<u>Recommended Density</u>	<u>Recommended Min Lot Area</u>
Rural Settlement	1 unit/acre	1 acre
Low Density Single Family A	1.75 – 2 units/acre	20,000 sq. ft.
Low Density Single Family B	2.5 – 2.9 units/acre	15,000 sq. ft.
Medium Density Single Family A	3.5 – 4 units/acre	10,000 sq. ft.
Village Residential	4.1 – 5 units/acre	8,400 sq. ft.

The Township’s Zoning Ordinance indicates that the minimum lot size for the R1-C zoning district is 8,400 square feet and the minimum required parcel width is 70 feet which is more consistent with the Village Residential zoning designation. The Low Density Residential B designation is more consistent with the R2-A zoning district which requires a minimum lot area of 15,000 square feet. The square footage of the subject property is approximately 17,300 square feet and the width is approximately 60 feet. Based on this the property would not be able to be split and take advantage of the smaller minimum lot area offered by the R1-C zoning district. Due to this and due to the same uses being allowed for all residentially zoned property, the rezoning of the property to R1-C would be consistent with the Township’s Master Plan.

Additionally, the residentially zoned parcels in the surrounding area are currently zoned R1-C as well.

Zoning:

Existing C-1, General Commercial: The General Business District, as established in this Article is intended to permit a wider range of business and entertainment activities than those permitted in the Local Business District. The permitted uses are intended to provide business and services usually found in major shopping centers and central business districts at the junction of major streets. These uses generated large volumes of vehicular traffic, require substantial access for off-street parking and loading and require detailed planning, particularly as to relationships with adjacent residential areas.

This existing zoning district is not consistent with the low density residential designation in the South Side Master Plan nor is it consistent with the existing residential neighborhood in the immediate vicinity.

Proposed R1-C, Single Family Residential: The R1-C district primarily allows for single family residential uses on minimum 8,400 square foot lots. Permitted uses include single family detached dwellings; public parks; local governmental uses; schools; private swimming pools; home occupations; adult foster care; and family day care homes. Special uses in the district include child care centers; public utility buildings; golf courses; bed and breakfast establishments; group day care homes; churches; and adult day care centers.

Other Considerations:

The property is located in an existing residential neighborhood and has frontage on a gravel road. The surrounding properties are zoned R1-C which is consistent with many of the properties in the area around Belleville Lake. This property is adjacent to a property to the south which has frontage on Haggerty Road and C-1 General Commercial zoning. The property also is adjacent to the property to the east which also has a single family residential dwelling and is zoned C-1. Neither the subject parcel nor the parcel to the east are compliant with the Township's Master Plan and the current C-1 zoning is not consistent with the existing residential neighborhood.

The rezoning will have little if any additional impact on current traffic or infrastructure. The proposed R1-C district is consistent with how the property is currently being used and due to the width of the parcel on Alden Drive, it would not be able to be split without obtaining a variance from the Board of Zoning Appeals. The request should not hinder community need for commercial property as there are several vacant commercially zoned areas in the Township.

Recommendation:

Staff recommends that the Planning Commissions recommend approval of the request to amend the Township's Zoning Map by rezoning the property located at 40631 Alden Drive parcel #125-

83-093-01-0021-001 from C-1, General Commercial to R1-C, Single Family Residential based upon the following reasons:

- A. The R1-C, Single Family Residential zoning district would be consistent with the residential properties in the immediate area.
- B. The proposed rezoning would be consistent with the provisions in the Southside Master Plan which indicate that single family residential uses should be located in this area.
- C. The applicant would be unable to split the property due to not having sufficient parcel width for two parcels so thus the applicant would have to maintain their existing parcel size.
- D. The proposed rezoning would be more appropriate for the infrastructure on the residential road.
- E. The proposed rezoning does not create any shortages of available vacant commercially zoned property in the Township.



Memo

DATE: April 7, 2017
TO: Planning Commission
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: 17-006 Rezoning Request of 40631 Alden Drive

Staff Report

File Number: 17-006

Site Address: 40631 Alden Drive

Parcel Number: 125-83-093-01-0021-001

Parcel Size: 0.398 Acres

Location: Alden Road, East of Haggerty & South of I-94 South Service Drive

Applicant: Stephen Drahos, 40631 Alden Drive, Van Buren Township, MI 48111

Property Owner: Same as applicant.

Request: Applicant is requesting to rezone their existing property located at on Alden Drive from C-1, General Commercial to R1-C, Single Family Residential.

Zoning and Existing Use: C-1, Single Family Residential.

Adjacent Zoning and Existing Uses:

North: R1-C (Single Family Residential) & Single Family Residential

East: C-1 (General Commercial) & Single Family Residential

South: C-1 (General Commercial) & Vacant

West: R1-C (Single Family Residential) & Single Family Residential

Other: Public hearing notices were published in the Belleville Area Independent on March 23, 2017 and notices were sent to all property within 300' of the subject property prior to March 23, 2017 in accordance with the Michigan Zoning Enabling Act.

Summary:

The applicant has requested to rezone the above specified property from C-1, General Commercial to R1-C, Single Family Residential. The primary intent of the applicant is to eliminate the legal non-conforming use status of the property so they can construct an addition onto their home. Staff has reviewed this request based on the Township’s Master Plan and current Zoning Ordinance. Please consider the following:

Master Plan:

The Southside Master Plan designates this area as having a future land use designation as Low Density Residential B. The Low and Medium Single Family future land use designation is described as follows:

“Low and Medium Density Single Family: The Low and Medium Density Single Family land use categories are intended to permit single family residential development consistent with recent development patterns between Hull Road and Belleville Lake. The permitted maximum density in the Single Family land use categories ranges from 1.75 to 4 units per acre, with the minimum lot area ranging from 10,000 to 20,000 square feet. The Low Density Single Family A category corresponds to the R-1A zoning district, the Low Density Single Family B category corresponds to the R-2A zoning district, and the Medium Density Single Family B category corresponds to the R-1B zoning district.”

The Southside Master Plan also includes a table which address the densities of the Future Land Use Categories. This is as follows:

**Table 6.1
Recommended Density and Minimum Lot Area
Single Family Residential Land Use Areas**

<u>Future Land Use Category</u>	<u>Recommended Density</u>	<u>Recommended Min Lot Area</u>
Rural Settlement	1 unit/acre	1 acre
Low Density Single Family A	1.75 – 2 units/acre	20,000 sq. ft.
Low Density Single Family B	2.5 – 2.9 units/acre	15,000 sq. ft.
Medium Density Single Family A	3.5 – 4 units/acre	10,000 sq. ft.
Village Residential	4.1 – 5 units/acre	8,400 sq. ft.

The Township’s Zoning Ordinance indicates that the minimum lot size for the R1-C zoning district is 8,400 square feet and the minimum required parcel width is 70 feet which is more consistent with the Village Residential zoning designation. The Low Density Residential B designation is more consistent with the R2-A zoning district which requires a minimum lot area of 15,000 square feet. The square footage of the subject property is approximately 17,300 square feet and the width is approximately 60 feet. Based on this the property would not be able to be split and take advantage of the smaller minimum lot area offered by the R1-C zoning district. Due to this and due to the same uses being allowed for all residentially zoned property, the rezoning of the property to R1-C would be consistent with the Township’s Master Plan.

Additionally, the residentially zoned parcels in the surrounding area are currently zoned R1-C as well.

Zoning:

Existing C-1, General Commercial: The General Business District, as established in this Article is intended to permit a wider range of business and entertainment activities than those permitted in the Local Business District. The permitted uses are intended to provide business and services usually found in major shopping centers and central business districts at the junction of major streets. These uses generated large volumes of vehicular traffic, require substantial access for off-street parking and loading and require detailed planning, particularly as to relationships with adjacent residential areas.

This existing zoning district is not consistent with the low density residential designation in the South Side Master Plan nor is it consistent with the existing residential neighborhood in the immediate vicinity.

Proposed R1-C, Single Family Residential: The R1-C district primarily allows for single family residential uses on minimum 8,400 square foot lots. Permitted uses include single family detached dwellings; public parks; local governmental uses; schools; private swimming pools; home occupations; adult foster care; and family day care homes. Special uses in the district include child care centers; public utility buildings; golf courses; bed and breakfast establishments; group day care homes; churches; and adult day care centers.

Other Considerations:

The property is located in an existing residential neighborhood and has frontage on a gravel road. The surrounding properties are zoned R1-C which is consistent with many of the properties in the area around Belleville Lake. This property is adjacent to a property to the south which has frontage on Haggerty Road and C-1 General Commercial zoning. The property also is adjacent to the property to the east which also has a single family residential dwelling and is zoned C-1. Neither the subject parcel nor the parcel to the east are compliant with the Township's Master Plan and the current C-1 zoning is not consistent with the existing residential neighborhood.

The rezoning will have little if any additional impact on current traffic or infrastructure. The proposed R1-C district is consistent with how the property is currently being used and due to the width of the parcel on Alden Drive, it would not be able to be split without obtaining a variance from the Board of Zoning Appeals. The request should not hinder community need for commercial property as there are several vacant commercially zoned areas in the Township.

Recommendation:

Staff recommends that the Planning Commissions recommend approval of the request to amend the Township's Zoning Map by rezoning the property located at 40631 Alden Drive parcel #125-

83-093-01-0021-001 from C-1, General Commercial to R1-C, Single Family Residential based upon the following reasons:

- A. The R1-C, Single Family Residential zoning district would be consistent with the residential properties in the immediate area.
- B. The proposed rezoning would be consistent with the provisions in the Southside Master Plan which indicate that single family residential uses should be located in this area.
- C. The applicant would be unable to split the property due to not having sufficient parcel width for two parcels so thus the applicant would have to maintain their existing parcel size.
- D. The proposed rezoning would be more appropriate for the infrastructure on the residential road.
- E. The proposed rezoning does not create any shortages of available vacant commercially zoned property in the Township.