

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
March 27, 2019
MINUTES**

Chairperson Thompson called the meeting to order at 7:30 p.m.

ROLL CALL:

Present: Kelley, Budd, Boynton and Thompson.

Excused: Franzoi, Atchinson and Jahr.

Staff: Director Akers, Director Best, Planning Intern Stamper and Secretary Harman.

Planning Representatives: None.

Audience: Thirteen (13).

APPROVAL OF AGENDA:

Motion Boynton, Kelley second to approve the agenda of March 27, 2019 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Kelley second to approve the regular meeting minutes of March 13, 2019 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 19-006 - REZONING

TITLE: THE APPLICANT, CARL G. SPEAKS, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 13440 MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.

**LOCATION: SUBJECT PROPERTY IS LOCATED AT 13440 MARTINSVILLE ROAD.
(PARCEL ID #83-105-99-0003-000)**

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

The applicant, Carl G. Speaks, gave the presentation. Mr. Speaks is in the process of selling his property and was unaware it was zoned M-1, Light Industrial, the zoning of the property has created difficulty in mortgage financing approval for the buyer. Rezoning the property will allow for mortgage approval and the sale to move forward.

Director Akers presented his staff review letter dated 3-19-19 recommending the Planning Commission recommend approval of the request to rezone parcel numbers 83-105-99-0003-000 and 83-105-99-0004-000, 13440 and 13510 Martinsville Road, from M-1 (light industrial) to R1-B (single family residential) based up on the following reasons:

1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map (2018).
2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.

3. The street system has shown that it is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
4. The Township's utilities and services have been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.
5. The requested rezoning does not change Zoning Ordinance but brings the Township further into compliance with the future land use map (2018).
6. The requested rezoning is not expected to result in exclusionary zoning.
7. The sites physical, geological, hydrological and other environmental factors are compatible with the permitted zoning district.
8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.
10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.
11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

No comments from the Commission or the audience.

Motion Budd, Kelley second to close the public hearing. Motion Carried.

ITEM # 2 19-007 - REZONING

TITLE: THE APPLICANT, BOBBY A. BROWN, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 13510 MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.

**LOCATION: SUBJECT PROPERTY IS LOCATED AT 13510 MARTINSVILLE ROAD.
(PARCEL ID #83-105-99-0004-000)**

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

The applicant, Bobby A. Brown, gave the presentation. Mr. Brown has lived at his property for over 30 years and was unaware that it was zoned light industrial until he tried to sell his home. Mr. Brown is requesting to rezone the property to R1-B (single family residential) in order to sell his home.

Director Akers findings for 13510 Martinsville road are the same as 13440 Martinsville Road, reflected in his staff review letter dated 3-19-19 (Public Hearing Item #1).

No comments from the Commission or the audience.

Motion Boynton, Kelley second to close the public hearing. Motion carried.

NEW BUSINESS:

ITEM # 1 & # 2 19-006 & 19-007 - REZONING

TITLE: THE APPLICANTS, CARL G. SPEAKS AND BOBBY A. BROWN, ARE REQUESTING TO REZONE THEIR PROPERTIES LOCATED AT 13440 (CARL G. SPEAKS) AND 13510 (BROWN A. BROWN) MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL

LOCATION: SUBJECT PROPERTIES ARE LOCATED AT 13440 MARTINSVILLE ROAD, PARCEL ID #83-105-99-0003-000 (CARL G. SPEAKS) AND 13510 MARTINSVILLE ROAD, PARCEL ID #83-105-99-0004-000 (BOBBY A. BROWN).

Director Akers had no further comments to present and no comments from the Commission or the audience.

Motion Boynton, Kelley second to recommend the Township Board of Trustees grant applicant Carl G. Speaks, 13440 Martinsville Road, parcel ID #83-105-99-0003-000 and applicant Bobby A. Brown, 13510 Martinsville Road, parcel ID #83-105-99-0004-000 their request to rezone the properties from M-1, light industrial to R1-B, single family residential, subject to the recommendations in the staff review letter dated 3-19-19:

1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map (2018).
2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.
3. The street system has shown that it is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
4. The Township's utilities and services have been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.
5. The requested rezoning does not change Zoning Ordinance but brings the Township further into compliance with the future land use map (2018).
6. The requested rezoning is not expected to result in exclusionary zoning.
7. The sites physical, geological, hydrological and other environmental factors are compatible with the permitted zoning district.
8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.
10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.
11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

Roll Call:

Yeas: Boynton, Kelley, Budd and Thompson.

Nays: None.

Absent: Atchinson, Franzoi and Jahr.

Motion Carried. (Letter Attached)

ITEM # 3 19-008 – TNT FIREWORKS – TEMPORARY LAND USE APPROVAL

TITLE: THE APPLICANT, TNT FIREWORKS, IS REQUESTING A TEMPORARY LAND USE PERMIT TO CONDUCT A TEMPORARY OUTDOOR FIREWORKS TENT SALE.

LOCATION: 10562 BELLEVILLE ROAD. THIS SITE IS LOCATED IN THE WALMART PARKING LOT, WHICH IS ON THE WEST SIDE OF BELLEVILLE ROAD, NORTH OF THE I-94 NORTH SERVICE DRIVE.

The applicant, TNT Fireworks, was unable to attend the meeting. Commissioners discussed comments in the Fire Marshal’s review letter that need to be addressed by the applicant. Commissioners agreed to postpone the discussion to a future meeting when the applicant is present.

Motion Boynton, Kelley second to postpone TNT Fireworks temporary land use approval to allow the applicant to address comments from the Fire Marshal. Motion Carried.

ITEM # 4 19-009 – DTE ENERGY – SITE PLAN AMENDMENT

TITLE: THE APPLICANT, MATT VALASCHO, IS REQUESTING AN AMENDMENT TO THE EXISTING SITE PLAN FOR DTE ENERGY TO PERFORM AN OUTDOOR LIGHTING UPGRADE AND ADD ADDITIONAL SITE LIGHTING FOR DISPLAY PURPOSES ON THE SITE.

LOCATION: 8001 HAGGERTY ROAD. THIS SITE IS LOCATED AT THE EXISTING DTE WESTERN WAYNE CENTER, WHICH IS LOCATED ON THE EAST SIDE OF HAGGERTY ROAD BETWEEN ECORSE ROAD AND TYLER ROAD.

Matt Valascho of DTE Energy gave the presentation. Mr. Valascho is asking for an amendment to the site plan for DTE Energy to perform an outdoor lighting upgrade and additional site lighting for display purposes, the request has been reviewed by staff. The applicant will meet the staff review requirements for Fixtures G and FF, however, intends to seek a variance for fixture X of the demonstration area on the site plan.

Director Akers presented his staff review letter dated March 22, 2019 recommending approval of the changes to the site lighting at 8001 Haggerty subject to the following conditions/considerations:

1. The applicant shall not install the following proposed flood light fixtures:
 - a. Fixture G (LED Flood light)
 - b. Fixture X (LED Flood light)
 - c. Fixture FF (LED Flood light)

2. The Planning Commission allows the applicant to install light fixtures up to 30' as proposed in the submitted plans.

Commissioners asked the applicant to further explain the location and purpose of fixture X. The applicant displayed the location of the fixtures on the site plan. The fixtures will be of limited use, located in an outdoor showroom used as a demonstration area. The demonstration area is used for training contractors or to showcase a product and will only be lit for approximately 5-10 minutes, once or twice a month. Commissioners agreed the lighting will not offend neighboring parcels with the 60 foot tree buffer and discussed the possibility of setting time limits.

Motion Boynton, Kelley second to grant DTE Energy, Matt Valascho, an amendment to the existing site plan for DTE Energy to perform an outdoor lighting upgrade and additional site lighting for display purposes, located at 8001 Haggerty Road in the existing DTE Western Wayne Center, located on the east side of Haggerty Road between Belleville and Ecorse Roads, subject to the recommendations in the staff review letter dated 3-22-19 and to include a recommendation to seek a variance from the BZA for item 1B - Fixture X flood light. Motion Carried. (Letter Attached).

ITEM # 5 19-012 – QUIRK PARK SPLASH PAD – SITE PLAN AMENDMENT

TITLE: THE APPLICANT, VAN BUREN TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY, IS REQUESTING AN AMENDMENT TO THE EXISTING SITE PLAN FOR QUIRK PARK FOR PARK IMPROVEMENTS INCLUDING THE CONSTRUCTION OF A SPLASH PAD.

LOCATION: 46270 AYRES AVENUE. THIS SITE IS LOCATED AT QUIRK PARK ON THE TOWNSHIP HALL CAMPUS. QUIRK PARK IS LOCATED ON THE EAST SIDE OF QUIRK ROAD, SOUTH OF TYLER ROAD.

Lisa Lothringer of Van Buren Township DDA and Marc Russell of Russell Design gave the presentation. The Van Buren Township DDA is requesting an amendment to the existing site plan for Quirk Park for park improvements including the construction of a splash pad. Russell Design displayed a site plan rendering and gave a PowerPoint presentation of the project. The park improvements include replacement of the existing parking lot, parking lot restriping, asphalt path, pavilion, added changing rooms, splash pad with components for all age groups, seating with shade sails, landscaping and berm area, memorial for Egypt Covington with plantings and benches and the landscape plan will include additional shade trees. The existing pavilion will have concrete added for additional seating. The applicant is working with McKenna Associates on signage. The existing play structure will be relocated on the site, if project bids come in well, the play structure will be replaced with the old structure being repurposed at another location. The project has been presented to the Township Board and Recreation Committee, both in which it was well received. Russell Design is prepared to send the project out for bid with the blessing of the Planning Commission.

Director Akers presented his staff review letter dated 3-22-19 recommending approval of the site plans with the following considerations/conditions:

1. The plans will need to be revised to include the following items:
 - a. The dimensions of all lot and property lines

- b. Zoning classification of the parcels.
 - c. Legal description of the property, parcel ID number and the acreage of the property.
 - d. A use statement which describes the nature of the proposed use, a description of the proposed use and other general information describing the use.
 - e. A parking schedule outlining the existing parking on the property and any proposed needs.
 - f. Information on any proposed lighting in the park.
 - g. Add dimensions to the proposed barrier free parking spaces.
 - h. Add a detail sheet for the proposed van accessible handicap sign and post.
 - i. Add a table which identifies the specific number of parking spaces available for Quirk Park.
 - j. Add a table which calculates open space landscaping requirements for the created lawn areas.
 - k. Revise the deciduous tree planting standards from 2.5" to 3" minimum caliper to 3" minimum caliper.
2. That the Township consider combining the two (2) parcels on the Township campus into a single parcel.
 3. That the Planning Commission grants authorization to Township staff to review parking to ensure that it is sufficiently addressed per the Township's Zoning Ordinance at Quirk Park.
 4. That if any exterior lighting is to be added to proposed or existing buildings it be reviewed by the Director of Planning & Economic Development for compliance with the Townships lighting standards.
 5. That the plans for the splash pad will be reviewed by the Township Fire Marshal for compliance with the appropriate Fire Codes.

Director Akers presented the Fire Department review letter dated 3-25-19 recommending approval.

No comments from the Commission or the audience.

Motion Kelley, Boynton second to grant Van Buren Township DDA an amendment to the existing site plan for Quirk Park for park improvements including the construction of a splash pad, located at 46270 Ayres Avenue, based on the conditions and subject to the analysis in the staff review letter dated 3-22-19 and Fire Department review letter dated 3-25-19. Motion Carried. (Letters Attached)

GENERAL DISCUSSION: None.

ADJOURNMENT:

Motion Budd, Boynton second to adjourn at 8:29 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



Charter Township of Van Buren

BOARD OF TRUSTEES

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March 22, 2019

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

RE: Case 19-012 Quirk Park Splash Pad

Commissioners,

The following is a site plan review for the Quirk Park Splash Pad project and related improvements to Quirk Park. The Downtown Development Authority and the Township are proposing to construct a 6,359 square foot splash pad in Quirk park. Other improvements to Quirk Park include a 200 square foot family changing room various shaded seating and recreational areas. We have completed our review based upon the standards of the Township's Zoning Ordinance. Please consider the following:

- 1. Zoning and Use:** The Township's campus has two (2) separate zoning designations which are OT, Office Technology and R1-B, Single Family Residential. The improvements which are being made to the park are located on the R1-B portion of the property. The Zoning Ordinance allows for publicly owned recreational facilities as a permitted use within the R1-B district. The current use of the site is a public park and the improvements to the park fit within this allowable use. Due to this the parcel is properly zoned for the existing use and the intended improvements.
- 2. Limited Scope of Review:** As the improvements being made to the site are only within a specific area of a larger property this review will be limited to the immediate area around the proposed improvements. We will look at some of the impacts the proposed improvements will have on ancillary facilities (i.e. parking), but at this time the review will be limited in scope to the immediate area that improvements are being made.
- 3. Required Information:** The following information is required to be provided on the plans per the requirements of the Zoning Ordinance:
 - The dimensions of all lot and property lines.
 - Zoning Classification of the parcels.
 - Legal description of the property, parcel ID number, and the acreage of the property.
 - A use statement which describes the nature of the proposed use, a description of the proposed use, and other general information describing the use.
 - A parking schedule outlining the existing parking on the property and any proposed needs.
 - Information on any proposed lighting in the park.
- 4. Lot:** Van Buren Township's campus is split between two (2) parcels which are not depicted on the drawing. The parcel boundaries will need to be depicted on the drawing to determine specific locations of the existing parcel boundaries.
- 5. Dimensional Requirements:** The parcel boundaries are not depicted on the proposed plan and thus staff is unable to determine the specific setbacks of the proposed structures from the existing parcel boundary lines. The Zoning Ordinance defines a lot as follows: "An area of land, which may consist

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of lots of record and/or parcels or parts thereof, occupied or intended for occupancy by not more than one main building or dwelling unit, unless otherwise specifically provided in this Ordinance.”

Due to this definition we can consider both parcels as a single “lot.” Based on the proposed location of the structures and due to the “lot” definition, it is unlikely that the proposed structures run into any setback conflicts, but we would still like the plans to have the property boundaries on them. Staff does recommend that the Township consider the option of combining the two (2) parcels in order to clean up any future issues.

6. **Parking and Loading:** The only proposed changes to the parking of the site are the addition of barrier free parking in the area immediately adjacent to the closest entrance to the park. The dimensions of the new barrier free spaces will need to be indicated on the plans and a detail sheet will need to be provided for the van accessible handicap sign and post. The applicant will need to provide a table which summarizes the existing parking available for Quirk Park on the Township hall property and takes into account the calculation of an additional 23 spaces needed for the splash pad (3.5 spaces per 1,000 square feet of splash pad - swimming, tennis clubs, or similar uses). As this project is a Township project, I am requesting that the Planning Commission allow staff to work with the administration to evaluate parking for the site.
7. **Landscaping and Screening:** The following are the applicable landscaping requirements to the application:
 - a. **Open Space Landscaping:** The applicant will need to provide a table which calculates the square footage of open space created in the lawn areas in and around the proposed asphalt path and determines if the planting requirements meet the one (1) tree per 3,000 square foot requirement.
 - b. **Standards for Plant Materials:** All deciduous trees shall have a 3” minimum caliper. The current plans list the deciduous trees as a 2.5” to 3” caliper. It will need to be clarified on the plans that the caliper size will be 3”.
8. **Lighting:** Based on the provided plans it does not appear that there is any additional site lighting proposed with this project. If any light fixtures are proposed on any signage or on the changing room they will need to be reviewed by the Planning & Economic Development Director to ensure they meet the full cutoff requirements of the Zoning Ordinance.
9. **Architecture and Building Details:** The proposed changing room building is designed with brick in order to match the existing concession building on site. Staff has no objections to the details of the proposed family changing building.
10. **Signs:** Under section 11.106 of the Township’s Zoning Ordinance, signs which are put up on public property by a public agency are exempt from the requirements of the Zoning Ordinance. Based on this the proposed signage is not subject to any requirements of the Zoning Ordinance.
11. **Fencing:** The fence is a 4’ tall aluminum picket fence and is located in the rear yard of the “lot.” The Zoning Ordinance requires that fences not exceed 6’ in residential districts and based on this the proposed fencing complies with the requirements of the Zoning Ordinance. In addition, the fence is



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decorative and consistent with the typical fences other commercial business install within the community.

Recommendation

Based on the comments and findings in this review letter dated March 22, 2019, we are recommending approval of the site plans dated March 8, 2019 with the following considerations/conditions:

1. The plans will need to be revised to include the following items:
 - a) The dimensions of all lot and property lines.
 - b) Zoning Classification of the parcels.
 - c) Legal description of the property, parcel ID number, and the acreage of the property.
 - d) A use statement which describes the nature of the proposed use, a description of the proposed use, and other general information describing the use.
 - e) A parking schedule outlining the existing parking on the property and any proposed needs.
 - f) Information on any proposed lighting in the park.
 - g) Add dimensions to the proposed barrier free parking spaces.
 - h) Add a detail sheet for the proposed van accessible handicap sign and post.
 - i) Add a table which identifies the specific number of parking spaces available for Quirk Park.
 - j) Add a table which calculates open space landscaping requirements for the created lawn areas.
 - k) Revise the deciduous tree planting standards from 2.5" to 3" minimum caliper to 3" minimum caliper.
2. That the Township consider combining the two (2) parcels on the Township campus into a single parcel.
3. That the Planning Commission grants authorization to Township staff to review parking to ensure that it is sufficiently addressed per the Township's Zoning Ordinance at Quirk Park.
4. That if any exterior lighting is to be added to proposed or existing buildings it be reviewed by the Director of Planning & Economic Development for compliance with the Townships lighting standards.
5. That the plans for the splash pad will be reviewed by the Township Fire Marshall for compliance with the appropriate Fire Codes.

If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

Ron Akers, AICP
Director of Planning and Economic Development



Memo

DATE: March 19, 2019
TO: Planning Commission
FROM: Grace Stamper
Planning and Economic Development Intern
RE: 19-006 & 19-007 Rezoning Requests on Martinsville Road

Staff Report

File Number: 19-006 & 19-007

Site Address: 13440 & 13510 Martinsville Road

Parcel Number: 83-105-99-0003-000 & 83-105-99-0004-000

Parcel Size: ≈0.94 acres each

Location: West side of Martinsville Road between Savage Road and Huron River Drive

Applicant: Carl Speaks, 43340 Alva Drive
Bobby Brown, 13510 Martinsville Road

Property Owners: Same as applicants.

Request: Applicants are requesting to rezone their property from M-1 (Light Industrial) to R-1B (Single Family Residential)

Zoning and Existing Use: M-1, Light Industrial & residential dwelling on both properties.

Adjacent Zoning and Existing Uses:

North: M-1 (Light Industrial) & Residential Use

East: R-1A (Single Family Residential) & Residential Use

South: M-1 (Light Industrial) & Light Industrial Use

West: M-1 (Light Industrial) & Vacant

Other: Public hearing notices were published in the Belleville Independent on March 7, 2019 and notices were sent to all property within 300' of the subject property on March 6, 2019 in accordance with the Michigan Zoning Enabling Act.

Summary:

The applicants have requested to rezone the above specified properties from M-1, Light Industrial to R1-B, Single Family Residential. The existing use of the parcels is already residential and the future land use map designates the properties as residential. The primary purpose for the request is one of the property owners is working toward selling their home and the purchaser is currently having difficulty obtaining a mortgage due to the residential use being a legal non-conforming use.

Master Plan and Future Land Use:

The Southside Master Plan (2007) and the future land use map (2018) designate the properties as Village Residential in its future land use map. According to the plan, Village Residential is intended to be the densest area of single-family housing on the South Side. This density is meant to support the civic and business activities in the nearby city of Belleville. This designation is usually within a half mile of the city limits and consists primarily of single-family residential uses. The plan suggests that design standards should be adopted for development in the Village Residential area. Maximum density should be 4.1-5 units per acre with a minimum lot size of 8,400 square feet.

Village Residential is not a current zoning district in the Township. The closest match to this district would be R-1C, Single Family Housing, which has a minimum lot size of 8,400 square feet just like Village Residential. The current request is for the R-1B, Single Family Residential district which is similar to many of the parcels which are in the same area and abut Savage Road. The R1-B zoning district has a minimum lot size of 10,000 square feet and a minimum lot width of 80 feet which is consistent with the current width of the parcels. Due to the existing width of the parcels, the close proximity of other R1-B properties in the vicinity, and due to the same permitted uses being allowed in the R1-B district as the R-1C district, staff finds that this proposed rezoning would be consistent with the Township's Master Plan.

Zoning:

The existing zoning of the properties is M-1, light industrial. This district is meant to allow certain industrial and commercial uses but to limit noise, smoke, glare, or other features of industrial development that could negatively impact residential or commercial uses. It is meant to be a transition zone between heavy industrial and non-industrial uses. Permitted uses include wholesale sales, warehousing, light manufacturing and processing, minor and major laboratories, retail dry cleaning plants and laundries, public utility buildings, accessory outdoor storage, and accessory structures and uses related to the above permitted uses, and indoor recreation. The above uses are not compatible with the current residential use of the property.

The requested zoning of the properties is R-1B, Single Family Residential. The district is meant to provide a place for single-family dwellings while prohibiting any uses which would interfere with that. Permitted uses include detached single-family dwellings, publicly-owned recreation facilities, local government buildings and similar uses, schools, private swimming pools, accessory buildings and uses, home occupations, adult foster care or family homes, horses for personal non-commercial uses, family day care homes, and accessory structures and uses related to the above permitted uses. These above uses are compatible with the current residential use of the property.

Standards of Review for Amendments:

In Section 12.504 of the Zoning Ordinance, there are standards of review for amendments to the Ordinance text or Zoning Map. Below is a list of the criteria, each with a response about how the rezoning request applies.

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

Response: The South Side Master Plan and future land use map (2018) designate the properties for residential zoning and the current lot sizes are closest in comparison with the dimensional requirements of the R1-B zoning district. Therefore, the rezoning request is consistent with the Master Plan.

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

Response: The Zoning Ordinance intends to designate certain areas of the Township for single-family dwellings while prohibiting uses which may interfere with that. As the future land use map (2018) designates these properties as residential, the request is consistent with the Zoning Ordinance.

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

Response: Residential uses have low traffic volumes. The properties are already being used as residences, and the street system is currently able to accommodate traffic. It is expected that the street systems will be able to continue accommodating the traffic generated by the residential use.

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

Response: The properties are already being used as residences and the capacity of the Township's utilities and services has been sufficient. It is expected that they will continue to be sufficient.

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

Response: The requested rezoning does not change the Zoning Ordinance but rather brings the Township further into compliance with the South Side Master Plan and future land use map (2018).

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

Response: The intent of the future land use map (2018) is to eventually transition multiple properties including and around the subject properties to residential, so the rezoning would not result in exclusionary zoning.

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

Response: The properties are already being used residentially, showing that the site's physical, geological, hydrological, and other environmental features are compatible with the permitted uses in the proposed zoning district,

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

Response: The properties are already being used residentially and are also across the street from a planned residential development. The present use will simply be continued, so it will remain compatible with the surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

(I) If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.

Response: The properties are next to a planned residential environment that is zoned residential, and the properties are designated as residential in the future land use map (2018), so the boundaries are reasonable. The properties already have residences on them but are also big enough to meet dimensional regulations should a new dwelling be built in place of the old.

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

Response: The future land use map (2018) designates the properties as residential, so the requested zoning district is the most appropriate from the Township's perspective.

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

Response: Rezoning is more appropriate than amending the list of permitted or special land uses in the current zoning district because the South Side Master Plan and future land use map (2018) both designate the properties as residential, and R-1B is most appropriate to promote continuity in the neighborhood.

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

Response: The properties are across the street from a planned residential development and also border another residential property. The requested rezoning would therefore not create an isolated or incompatible zone in the neighborhood, especially considering that multiple properties in the neighborhood are designated as residential in the South Side Master Plan and future land use map (2018).

Recommendation:

Staff recommends that the Planning Commission recommend approval of the request to rezone Parcels # 83-105-99-0003-000 and 83-105-99-0004-000, 13440 and 13510 Martinsville Road, from M-1(light industrial) to R-1B (single family residential) based upon the following reasons:

1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map (2018).
2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.
3. The street system has shown that it is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
4. The Township's utilities and services have been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the Township.
5. The requested rezoning does not change the Zoning Ordinance but brings the Township further into compliance with the future land use map (2018).
6. The requested rezoning is not expected to result in exclusionary zoning.
7. The site's physical, geological, hydrological, and other environmental factors are compatible with the permitted zoning district.
8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential influence on property values.

9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.
10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.
11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

David C. McNally II
Fire Marshal
O: 734-699-8900 ext. 9416

Van Buren Fire Department
46425 Tyler Rd
Van Buren Twp, MI 48111



March 25th 2019

Director of Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Quirk Park

To Whom it may concern:

I have reviewed a set of plans for the quirk park project.

Project Overview:

The plan is to add splash pads as well as other amenities.

Questions:

1. Will the gate be maintained off of Quirk rd.? This is the closest access to the splash pad if an emergency should come in. A Knox lock, which I have will need to be put on it if it remains.

Plan is approved as submitted.

Respectfully submitted,

David McNally- Fire Marshal
Van Buren Fire Department

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.



Charter Township of Van Buren

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March 22, 2019

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

RE: Case 19-009 - DTE Lighting Display

Commissioners,

The following is a review of the proposed lighting improvements at the DTE property located at 8001 Haggerty Road. DTE Energy is proposed to install several light fixtures on their site for two (2) purposes: The first is that DTE is proposing to replace fixtures on their site for their general parking lot lighting. The second purpose is that DTE wants to provide several lighting options on the site to display to prospective municipal and other clients when they are searching for types of light fixtures to select when installing street and parking lot lighting. The plans are a bit difficult to navigate, so I want to provide a brief summary of how the plans are organized. The sheets which address the dawn to dusk master lighting plan and garage wall packs are for the general site lighting. These are the photometric plans for the lighting that will be on during general overnight hours. The sheets which are labeled, "Area Lighting + Product * Demonstrated at (Site Location)" those are the photometric plans for the general site lighting, plus the particular zone of display lights that they are planning to have on. Based on discussions with DTE, at no time will more than one (1) zone be on at a time. They will shut off zones as they turn the next zone on. These photometric plans will address the maximum proposed lighting at any given time. Based on this we have completed our review based upon the exterior lighting standards of the Township's Zoning Ordinance. Please consider the following:

1. **Zoning and Use:** The property is zoned M-1, Light Industrial and is currently used for offices and equipment storage for DTE energy.
2. **Lighting:** The following requirements of the Zoning Ordinance were reviewed with regards to site lighting for the DTE site.
 - a. **Light Trespass Limits:** Section 8.105(3) of the Zoning Ordinance requires that the light trespass from a property shall not exceed 0.5 foot candles at the property line. Upon review the proposed photometric plans it does not appear that the light trespass exceeds this. There is one portion of the plan where it appears the 0.5 contour line goes past the represented property line on the northeast portion of the site, but actually the area where the encroachment is demonstrated is a parcel which is also owned by DTE. Based on this there is no issue with light trespass.
 - b. **Fixture Height:** The Township's Zoning Ordinance limits the height of light fixtures to 25', however the Zoning Ordinance does give the Planning Commission discretion to approve lighting fixtures in industrial districts of up to 35' so long as the proposed lighting has no adverse impacts on the surrounding land uses. The maximum proposed fixture height for the general area lighting poles and the display poles is 30' tall. The surrounding land uses are industrial to the south and west, freeway to the east and there is a home/business to the north of the



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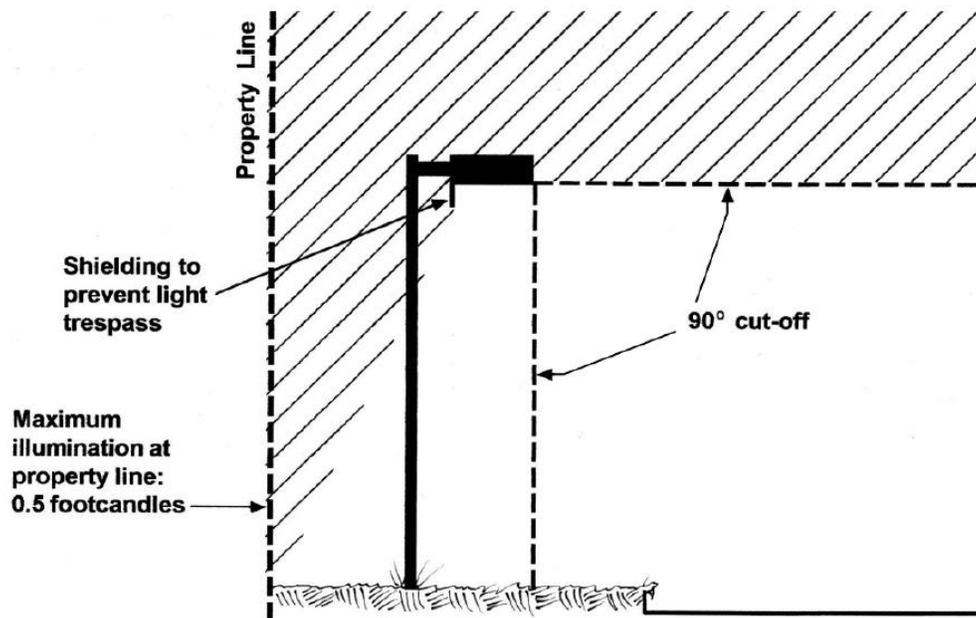
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property. Based on the photometric plan, it does not appear that this fixture would have an adverse impact on any of these properties. Staff recommends that the Planning Commission grant the applicant the ability to install light fixtures up to 30' tall.

- c. **Shielding:** Section 8.105(b)(1) of the Zoning Ordinance requires that outdoor lighting be shielded so that all outdoor lighting shall be directed toward and confined to the ground area. This section also requires that owners use full cut-off fixtures to prevent light from projecting above a 90 degree horizontal plane. The following diagram is listed in the Zoning Ordinance:



Based on this several of the proposed flood light fixtures will not meet the requirements of the Township's Zoning Ordinance. These include fixture G, fixture X, and wall pack fixture FF (TWH LED). These fixtures will not be able to be installed per the Township's Zoning Ordinance. Please be aware that the decorative fixtures are exempted from the shielding provisions of the Zoning Ordinance.

Recommendation

Based on the comments and findings in this review letter dated March 22, 2019, we are recommending approval of the changes to the site lighting at 8001 Haggerty subject to the following conditions/considerations:

1. The applicant shall not install the following proposed flood light fixtures:
 - a. Fixture G (LED Flood Light)
 - b. Fixture X (LED Flood Light)
 - c. Fixture FF (TWH LED)



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2. The Planning Commission allows the applicant to install light fixtures up to 30' as proposed in the submitted plans.

If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

Ron Akers, AICP
Director of Planning and Economic Development