

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
June 26, 2019
MINUTES**

Chairperson Thompson called the meeting to order at 7:31 p.m.

ROLL CALL:

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

Excused: Budd and Jahr.

Staff: Director Akers and Secretary Harman.

Planning Representatives: McKenna Associate, Vidya Krishnan.

Audience: Four (4).

APPROVAL OF AGENDA:

Motion Boynton, Kelley second to approve the agenda of June 26, 2019 as presented. Motion Carried.

APPROVAL OF MINUTES:

Motion Kelley, Boynton second to approve the regular meeting minutes of June 12, 2019 as presented. Motion Carried.

NEW BUSINESS:

ITEM # 1 19-023 – TEMPORARY LAND USE APPROVAL.

TITLE: THE APPLICANT, ATCHINSON FORD, IS REQUESTING A RENEWAL OF THEIR TEMPORARY LAND USE PERMIT TO PARK LEASE TURN IN VEHICLES AND NEW VEHICLE INVENTORY.

LOCATION: THE PROPERTY LOCATED AT 8705 BELLEVILLE ROAD, VAN BUREN TOWNSHIP, MI 48111, WHICH IS ON THE EASE SIDE OF BELLEVILLE ROAD, NORTH OF TYLER ROAD.

Commissioner Atchinson requested to be recused from the discussion.

Motion Boynton, Kelley second to recuse Commissioner Atchinson. Motion Carried.

Craig Atchinson of Atchinson Ford gave the presentation. Mr. Atchinson is requesting a renewal of their temporary land use permit to continue parking return lease vehicles and new vehicle inventory at the property. Mr. Atchinson now owns the property located at 8705 Belleville Road and is working on improvements to the property including the tear down of the old building, securing the property with new fencing, possibly adding lighting for security and changing the sign. Mr. Atchinson displayed a color rendering of a potential new sign.

Director Akers presented his staff review memo dated 6-21-19 recommending approval of the temporary land use permit for Atchinson Ford to continue the temporary land use of parking vehicles at 8705 Belleville Road, subject to the following conditions:

1. The applicant shall maintain setbacks which are consistent with the landscape buffering standards in the Townships Zoning Ordinance. These are as follows:
 - a. Front (East side adjacent to Belleville Road): 10' from the property boundary.
 - b. Side (North side adjacent to Belleville Manor): 20' from property boundary.
 - c. Side (South side adjacent to Armstrong's Funland): 10' from property boundary.
 - d. Rear (East side adjacent to Belleville Manor Park): 20' from the property boundary.
2. Vehicles parked immediately adjacent to Belleville Road shall be parked with the front of the vehicle facing away from Belleville Road and adjacent properties in order to avoid headlight glare.
3. The site shall be maintained in a clean manner and trash will be properly disposed of.
4. The hours of operation for the temporary vehicle parking area shall mirror the hours of operation for the Atchinson Ford dealership.
5. That any exterior lighting or signs be reviewed and approved by the Director of Planning and Economic Development for consistency with the Zoning Ordinance, prior to their installation.
6. That the temporary land use permit is valid for a period of one year ending June 26, 2020.

The applicant agreed to all conditions. No comments from the Commission or the audience.

Motion Kelley, Boynton second to approve Atchinson Ford's renewal of their temporary land use permit to park lease turn in vehicles and new vehicle inventory on the property located at 8705 Belleville Road, based on the analysis and subject to the conditions in Director Akers staff review letter dated 6-21-19. Motion Carried. (Letter attached)

ITEM # 2 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 TOWNEND PARK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EASE SIDE OF MORTON TAYLOR ROAD, NORTH OF ECORSE ROAD.

Rino Soave of Infinity Homes gave the presentation. Infinity Homes has purchased the remaining lots in the Townsend Park Subdivision; they are requesting an amendment to the site plan for revised single-family architectural elevations to move forward with the build out of the development.

Director Akers presented his staff review letter dated 6-21-19 recommending the Planning Commission approve an amendment to the site plan for the Townsend Park development in order to allow Infinity Homes to construct homes consistent with the provided plans which depict elevations to be constructed on the remaining lots in the subdivision. The approval is to be based upon the staff review letter dated June 21, 2019 and conditioned upon the following:

1. Township Planning Staff shall review each application for a new single family home in order to determine that the new home meets the required setbacks and that the elevation meets the

Township's "substantially different" architectural design standards set forth in the Zoning Ordinance.

2. The Planning Commission recommends that the applicant make efforts to obtain architectural approve from the Home Owners Association of Townsend Park if there is one.

Commissioners inquired how other projects by the applicant have been in relation to ordinance compliance and if the applicant has established contact or reached out to the homeowners associations in any of their current projects. Director Akers is not aware of any compliance issues other than grass cutting and lawn maintenance. Staff has received some soil erosion complaints; the applicant addresses these complaints as they are received by working with the builder to stay on top of street and site cleanup. The applicant is currently working in four active communities and is working with the homeowners associations in those developments. Mr. Soave will obtain a letter from the homeowners association for Townsend Park.

No comments from the audience.

Motion Kelley, Franzoi second to approve Infinity Homes request for an amendment to the approved Townsend Park site plan for revised single-family architectural elevations, based on the analysis and subject to the recommendations in the staff review letter dated 6-21-19. Motion Carried. (Letter attached)

GENERAL DISCUSSION:

ITEM #1: SENIOR HOUSING ZONING AMENDMENT

Vidya Krishnan of McKenna Associates presented her Elderly Housing Ordinance Amendment letter dated 6-21-19 with proposed text amendments to the Zoning Ordinance for review and discussion by the Commission.

Commissioners discussed changing the word "elderly" to "senior", having staff identify parcels where senior housing is feasible, varying parking standards for independent and assisted living and the need for housing for every stage of life. McKenna Associate Krishnan will change all language to reflect, "senior" instead of "elderly". Director Akers mentioned possibly having target marketing through the DDA to identify areas where senior housing is feasible in the DDA District, local real estate agents and developers are spreading the word on the need for senior housing in the Township and senior housing as a special land use will allow for flexibility in regard to the parking standards.

Beth Arnett of Clover Development a senior housing developer, is very interested in Van Buren Township, is willing to work with the special land use requirements and would like to see the zoning amendment move forward.

Commissioners are ready to move the Senior Housing Zoning Amendment forward to a public hearing.

Motion Boynton, Kelley second to have staff set up a public hearing in regard to the Senior Housing Zoning Amendment for review as well as to continue with revisions that may be necessary with McKenna Associates for the Zoning Ordinance. Motion Carried.

ITEM #2: LAKE FRONT LOT ANALYSIS AS DIRECTED BY THE BZA

Director Akers presented the staff memo dated 5-21-19 regarding narrow lakefront lots in the township. The Board of Zoning Appeals (BZA) has seen a handful of variance requests for lakefront homes due to narrow lots. Staff is looking into addressing these requests with the Planning Commission instead of the BZA to simplify the process. He discussed two (2) options, having a separate zoning district for lakefront homes or a sliding scale setback that would allow smaller lots to have smaller setbacks.

Commissioners identified that it would be an easier process to have the Planning Commission review instead of the BZA. The Commission would like have more information and actual language to review at a future meeting.

ADJOURNMENT:

Motion Boynton, Franzoi second to adjourn at 8:18 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



Memo

TO: Van Buren Township Planning Commission
FROM: Ron Akers, AICP - Director of Planning and Economic Development
RE: Review of Temporary Land Use Request #TLU19-023 – Atchinson Ford Vehicle Parking
8705 Belleville Road (Renewal)

DATE: June 21, 2019

Atchinson Ford is requesting renewal of their Temporary Land Use permit for the temporary parking and storage of vehicles at 8705 Belleville Road. The temporary use is proposed to be for a one-year timeframe. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

The following items are the approval standards in section 7.120 of the Township's Zoning Ordinance and our review is based upon conversations with the applicant and the provided materials. Please consider the following:

1. Adequacy of parking and access

The site is currently unoccupied and has an existing gravel parking area that encompasses nearly the entire width of the site. This area was original designed for the placement of manufactured and modular homes as the prior use of the site was a sales area for these types of homes. While some maintenance will need to be done on this gravel parking area it is currently existing and unused. Based on this the applicant has sufficient area to park vehicles on the site without creating negative externalities. Regarding adequate access, the applicant has worked with the Township Fire Marshall to ensure that the parking of vehicles will not create a situation where emergency vehicle access is limited by the storage of cars.

2. Adequate drainage

The site is in an existing gravel parking lot that already has storm water drainage. As no substantial improvements are being made to the property and as there have been no identified drainage issues which staff is aware of, the proposed temporary use should not have any impact on site drainage.

3. Compatibility with surrounding land uses

The proposed temporary use is located adjacent to vacant land to the west, a park area to the east, a private recreational use/ice cream shop to the south and manufactured housing community to the north. Based on this it is anticipated that the largest potential for incompatibility lies with the manufactured housing community to the north, but there are several factors which would mitigate this issues. First there already an existing vegetative buffer which is overgrown between the property to the north and the subject property. This should provide for some privacy between the uses. Second we will be proposing a condition that the parking/storage of vehicles be setback 20 feet from the north property boundary. The reason why we are proposing 20 feet is to be consistent with the distance required for

vegetative buffers in the landscaping section of our Zoning Ordinance. Lastly, the current condition of the site is fairly poor as the site has been abandoned for some time. I have discussed this issue with the applicant and they have indicated that their intention is to clean up the site, provide maintenance for the gravel parking area, and park new and newer year vehicles on the site. It is due to this that the condition of the site will improve as it will under go maintenance and regular use.

Regarding the parking of the vehicles along Belleville Road, we will be recommending a condition of approval that the Planning Commission require a minimum of a 10 setback from the front property line to be consistent with the landscaping buffer requirement along the road frontage. One issue which would need to be addressed is regarding headlight glare onto Belleville Road. Staff will place a recommendation on this application that the vehicles which are parked directly adjacent to Belleville Road be parked with the front of the vehicle facing away from Belleville Road. This will alleviate any concerns regarding the headlight glare onto Belleville Road.

As the parking area is primarily on front of the site, and the adjacent site to the south is an existing commercial use I do not believe that this use will place a substantial burden on these sites.

4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site

There are no proposed buildings and structures associated with the proposed temporary use of the property.

5. Sufficient setbacks from road right-of-ways and lot lines

The property is zoned C-1, General Commercial and it is recommended that the applicant maintain setbacks for the temporary storage and parking of vehicles which are consistent with the landscape buffers between the zoning districts. These are 10 feet from the front property line, 20 feet from the north and east property line, and 10 feet from the south property line. If approval is recommended this will be listed as a potential condition of approval.

6. Adequate utilities

The proposed temporary use should not utilize any existing utilities as it is proposed

7. Trash disposal and site clean-up

There are no proposed employees to be on site, but a condition should be placed on the approval that the applicant shall maintain the property in a clean manner.

8. Sanitary facilities

As there are no employees on site, no sanitary facilities will be provided. The employees will come from the Atchinson Ford main dealership site, where there are existing facilities.

9. Hours of operation

The vehicle storage area will be used during the same hours of operation as the dealership which can range from 9 a.m. until 9 p.m., but depending on the day has closing hours of 6 p.m. and 3 p.m.

10. Outdoor light and signs

Please note that no site lighting is proposed at this time and any future lighting will need to be reviewed for compliance with the Zoning Ordinance by Township staff. This will be recommended as a condition of approval. Also there is no proposed signage at this time, but any proposed signage will be reviewed by Township staff for compliance with the Zoning Ordinance.

11. Other licenses and permits required

There are no other licenses or permits required that staff is aware of.

12. Potential noise, odor, dust, and glare

The proposed temporary use should not increase the noise, odor, dust or glare from their use. The parking and storage of vehicles is essentially the original use of the site and what the gravel area was designed for. So long as the applicant maintains the above specified hours there should be no anticipated issues.

13. Fire lanes, fire protection, and security

The Fire Marshal has reviewed this site previously and no issues have arisen from the use of the site that staff is aware of. The site has an existing fence around it. This should limit the unauthorized access of this area.

14. Off-site impacts of traffic volumes

The roads in the immediate vicinity are major Township roads, and this temporary use will not impact their flow or travel volumes.

15. Necessity of performance bond to ensure prompt removal

A performance bond should not be necessary for this temporary use.

16. Other concerns which may impact the public health, safety, or general welfare

There are no additional concerns.

Recommendation

This temporary land use has been conducted for the last year with no issues that have been brought to the attention of the Township. The applicant has removed the existing vacant building on the site and has taken efforts to keep the property well maintained. Based on this and the review criteria mentioned above staff is recommending approval of the temporary land use for Atchinson Ford to continue the temporary land use of parking vehicles at this property at 8705 Belleville Road. The recommendation is based on this review dated June 21, 2019 and subject to the following conditions:

1. The applicant shall maintain setbacks which are consistent with the landscape buffering standards in the Township's Zoning Ordinance. These are as follows:
 - a. Front (East Side Adjacent to Belleville Road): 10' from property boundary.
 - b. Side (North Side Adjacent to Belleville Manor): 20' from property boundary.
 - c. Side (South Side Adjacent to Armstrong's Funland): 10' from property boundary
 - d. Rear (East Side Adjacent to Belleville Manor Park): 20' from property boundary
2. Vehicles parked immediately adjacent to Belleville Road shall be parked with the front of the vehicle facing away from Belleville Road and adjacent properties in order to avoid headlight glare.
3. The site shall be maintained in a clean manner and trash will be properly disposed of.

4. The hours of operation for the temporary vehicle parking area shall mirror the hours of operation for the Atchinson Ford dealership.
5. That any exterior lighting or signs be reviewed and approved by the Director of Planning & Economic Development for consistency with the Zoning Ordinance, prior to their installation.
6. That the temporary land use permit is valid for a period of one year ending June 26, 2020.



Memo

DATE: June 21, 2019
TO: Planning Commission
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: SPR 18-006 Site Plan Amendment for Gilbert Homes regarding Architectural Elevations in the Townsend Park Subdivision.

The applicant, Infinity Homes, is requesting architectural approval for additional home plans and façade elevations for residential dwellings in the Townsend Park development. There is an existing Planned Residential Development (PRD) Agreement in place for the property and a consent judgement entered in 2014.

These plans are subject to the PRD agreement, and the standards of the Zoning Ordinance, specifically section 5.115 which addresses specific development standards for single family dwellings in site condominiums and subdivisions.

The following is my review of the architectural plans based on the Zoning Ordinance and PRD agreement:

Comments

1. Site Plan

The setbacks, as described in the approved site plan for the Townsend Park development, depict a front yard setback of 20', a rear yard setback of 25', and a required side yard setback of 5'. The lots sizes in the development range approximately from 70' to 43' in width and between 110' and 162' in depth.

The submitted plans depict widths of 40' and slightly larger than 40' and depths ranging from 57' to 42'. Based on these sizes the house plans should fit onto most lots. There may be some conflicts with some of the larger homes and some of the smaller lots, but those can be verified during permit review. As we have recommended with each of these applications, staff will review each individual permit application for compliance with the Township's Zoning code.

2. Floor Area

The PRD Agreement requires a minimum square footage of 1700 square feet. The first submittal included three (3) elevations which did not meet the floor area requirement. These were the Catalina, the Greenwich, and the Traverse. The Greenwich and the Traverse

elevations were modified to provide a floor area which exceeds 1,700 square feet. The Catalina elevation was removed from the application. Based on this the application complies with this requirement.

3. Facade Elevations

The Zoning Ordinance requires that a property meet the substantially different standard from neighboring properties. The substantially different requirement can be achieved by varying three or more of the following 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.

The applicant has provided nine (9) different home models with at least three (3) elevation variations with each home model. In total there are approximately thirty (30) unique elevations which are proposed. Based on this staff finds that the applicant has submitted enough elevations to provide sufficient variation. As with all single family elevation approvals, staff will review each building permit application for compliance with the architecturally different standard as the building permits are submitted.

4. Building Materials

The Zoning Ordinance requires that at least 50% of the total wall area of residential structures to be brick or stone. The attached elevations show brick to the belt on all four sides. Due to this the standard has been met.

5. Side Entry Garages

The Zoning Ordinance requires that a minimum of 30% of all structures within a subdivision or site condominium development have a garage door oriented to an area other than the front lot. Allen Edwin originally submitted a plan in 2014 to demonstrate what lots would have side entry garages. Based on this the following lots that Infinity homes are purchasing are required to have side entry garages on them: 137, 138, 142, 143, 144, 148, 154, and 155. Several of the elevations have been provided with side entry garage options. Based on this the side entry garage criteria can be met.

6. Other Considerations

The applicant will be required to obtain architectural approval from the Home Owners Association (if they are anything other than the developer) for the proposed elevations. The Township cannot withhold building permits until this is obtained, but it is still a required to construct homes in this subdivision.

Recommendation

Based on the comments listed above and the additional requested documents, staff recommends that the Planning Commission approve an amendment to the site plan for the Townsend Park development in order to allow Infinity Homes to construct homes consistent with the provided plans which depict elevations to be constructed on the remaining lots in the subdivision. This approval should be based upon the staff review letter dated June 21, 2019 and conditioned upon the following:

1. Township Planning Staff shall review each application for a new single family home in order to determine that the new home meets the required setbacks and that the elevation meets the Township's "Substantially Different" architectural design standards set forth in the Zoning Ordinance.
2. The Planning Commission recommends that the applicant make efforts to obtain architectural approval from the Home Owners Association of Townsend Park if there is one.