

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, October 25, 2017 – 7:30 PM, Board of Trustees Room**

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1: Approval of minutes from the regular meeting of September 13, 2017.
Approval of minutes from the special meeting of October 4, 2017

CORRESPONDENCE:

PUBLIC HEARING:

ITEM #1: REPEAL OF MEDICAL MARIHUANA CULTIVATION FACILITIES REGULATIONS

DESCRIPTION: THIS IS A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE VBT ZONING ORDINANCE TO REPEAL THOSE SECTIONS OF THE ZONING ORDINANCE WHICH ALLOWS MEDICAL MARIHUANA CULTIVATIONS FACILITIES, PROVIDES SITE DEVELOPMENT STANDARDS FOR MEDICAL MARIHUANA CULTIVATION FACILITIES, AND REMOVES THOSE REFERENCES TO THE APPLICABLE SECTIONS IN OTHER AREAS OF THE ZONING ORDINANCE.

ACTION ITEMS:

- A. Planning Commission Opens Public Hearing
- B. Presentation by the applicant.
- C. Presentation by the Township Staff and Consultants.
- D. Public Comment.
- C. Planning Commission closes Public Hearing.

ITEM #2: ZONING ORDINANCE AMENDMENTS REGARDING DETENTION POND LOCATION AND REGARDING SETBACKS FOR OFF-STREET PARKING AND LOADING AREAS, ACCESS DRIVES, AND PAVED SURFACES ACCESSORY TO A DISTRIBUTION CENTER.

DESCRIPTION: THIS IS A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO SECTION 8.107 REGARDING DETENTION POND LOCATION AND SECTION 5.112 REGARDING SETBACKS FOR OFF-STREET PARKING AND LOADING AREAS, ACCESS DRIVES, AND PAVED SURFACES ACCESSORY TO A DISTRIBUTION CENTER.

ACTION ITEMS:

- A. Planning Commission Opens Public Hearing
- B. Presentation by the applicant.
- C. Presentation by the Township Staff and Consultants.
- E. Public Comment.
- D. Planning Commission closes Public Hearing.

UNFINISHED BUSINESS:

NEW BUSINESS:

ITEM #1: 17-031– SITE PLAN AMENDMENT

TITLE: THE APPLICANT, UPLAND HOMES, IS REQUESTING AN AMENDMENT TO THE APPROVED COUNTRY WALK SITE PLAN FOR REVISED SINGLE FAMILY ARCHITECTURAL ELEVATIONS.

LOCATION: THE UNFINISHED COUNTRY WALK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF MARTINSVILLE ROAD, NORTH OF SAVAGE ROAD.

ACTION ITEMS:

- A. Presentation by the applicant.
- B. Presentation by the Township Staff and Consultants.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the architectural approval.

ITEM #2: 17-024– MASTER PLAN AMENDMENT HAROLD SMITH FARM FUTURE LAND USE

TITLE: THE APPLICANT, BEN GRIFFIN, IS REQUESTING AN AMENDMENT TO THE TOWNSHIP'S FUTURE LAND USE MAP TO CHANGE THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY SINGLE FAMILY B TO LIGHT INDUSTRIAL.

LOCATION: THE PROPERTY AT 50015 MICHIGAN AVENUE IS THE SUBJECT OF THIS REQUEST. THIS PROPERTY IS LOCATED ON THE SOUTH SIDE OF MICHIGAN AVENUE, EAST OF ECORSE ROAD AND WEST OF DENTON ROAD. (APPROXIMATELY 75 ACRES)

ACTION ITEMS:

- A. Presentation by the applicant.
- B. Presentation by the Township Staff and Consultants.
- E. Planning Commission discussion.
- F. Planning Commission considers issuing the notice of intent to plan.

ITEM #3: 17-029– PRELIMINARY SITE PLAN APPROVAL

TITLE: THE APPLICANT, THE VAN BUREN TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL TO CONSTRUCT AN OFFICE BUILDING AND A PARK AT THEIR PROPERTY ON BELLEVILLE ROAD.

LOCATION: 10151, 10065, 10085, & 10101 BELLEVILLE ROAD IS THE SUBJECT OF THE AGENDA ITEM. THE PROPERTY IS LOCATED ON THE EAST SIDE OF BELLEVILLE ROAD, NORTH OF THE I-94 SERVICE DRIVE AND SOUTH OF TYLER ROAD.

ACTION ITEMS:

- A. Presentation by the applicant.
- B. Presentation by the Township Staff and Consultants.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the preliminary site plan approval.

ITEM #4: REPEAL OF MEDICAL MARIHUANA CULTIVATION FACILITIES REGULATIONS

DESCRIPTION: THIS IS A PUBLIC HEARING TO CONSIDER PROPOUSED AMENDMENTS TO THE VBT ZONING ORDINANCE TO REPAL THOSE SECTIONS OF THE ZONING ORDINANCE WHICH ALLOWS MEDICAL MARIHUANA CULTIVATIONS FACILITIES, PROVIDES SITE DEVELOPMENT STANDARDS FOR MEDICAL MARIHUANA CULTIVATION FACILITIES, AND REMOVES THOSE REFERENCES TO THE APPLICABLE SECTIONS IN OTHER AREAS OF THE ZONING ORDINANCE.

ACTION ITEMS:

- A. Presentation by Staff/Consultants.
- B. Planning Commission discussion
- C. Recommendation of Planning Commission to Township Board of Trustees.

ITEM #5: ZONING ORDINANCE AMENDMENTS REGARDING DETENTION POND LOCATION AND REGARDING SETBACKS FOR OFF-STREET PARKING AND LOADING AREAS, ACCESS DRIVES, AND PAVED SURFACES ACCESSORY TO A DISTRIBUTION CENTER.

DESCRIPTION: THIS IS A PUBLIC HEARING TO CONSIDER PROPOUSED AMENDMENTS TO SECTION 8.107 REGARDING DETENTION POND LOCATION AND SECION 5.112 REGARDING SETBACKS FOR OFF-STREET PARKING AND LOADING AREAS, ACCESS DRIVES, AND PAVED SURFACES ACCESSORY TO A DISTRIBUTION CENTER.

ACTION ITEMS:

- A. Presentation by Staff/Consultants.
- B. Planning Commission discussion
- C. Recommendation of Planning Commission to Township Board of Trustees.

ITEM #6: CASE 17-018 – SPECIAL LAND USE APPROVAL

TITLE: THE APPLICANT, PARALLEL INFRASTRUCTURE, IS REQUESTING A SPECIAL LAND USE APPROVAL FOR THE CONSTRUCTION OF A WIRELESS COMMUNICATION FACILITY (125 FOOT TALL MONOPOLE CELL PHONE TOWER AND ASSOCIATED SUPPORT STRUCTURES) AT 43430 ECORSE ROAD, VAN BUREN TOWNSHIP, MI 48111.

LOCATION: Parcel number V-125-83-012-99-0028-000 (43430 Ecorse Road.) This property is located around the northwest corner of Ecorse Road and Morton Taylor Road and is located in the R-1B, Single Family Residential Zoning District.

- A. Presentation by Applicant
- B. Presentation by Township staff.
- C. Planning Commission discussion.
- D. Planning Commission considers denial of the special land use.

ITEM #7: 17-018 – FINAL SITE PLAN APPROVAL

TITLE: THE APPLICANT, PARALLEL INFRASTRUCTURE, IS REQUESTING FINAL SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A WIRELESS COMMUNICATION FACILITY (125 FOOT TALL MONOPOLE CELL PHONE TOWER AND ASSOCIATED SUPPORT STRUCTURES) AT 43430 ECORSE ROAD, VAN BUREN TOWNSHIP, MI 48111.

LOCATION: Parcel number V-125-83-012-99-0028-000 (43430 Ecorse Road.) This property is located around the northwest corner of Ecorse Road and Morton Taylor Road and is located in the R-1B, Single Family Residential Zoning District.

- A. Presentation by the applicant.
- B. Presentation by the Township Staff and Consultants.
- C. Public Comment.
- D. Planning Commission considers denial of the preliminary site plan.

GENERAL DISCUSSION:

ITEM #1: DISCUSSION ON TOWNSHIP MASTER PLAN/FORMATION OF MASTER PLAN SUBCOMMITTEE

ITEM #2: JOINT COMMISSION/COMMITTEE MEETING – NOVEMBER 30, 2017

ADJOURNMENT:

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
SEPTEMBER 13, 2017
MINUTES**

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

ROLL CALL:

Present: Kelley, Atchinson, Franzoi and Thompson.

Excused: Boynton and Budd.

Staff: Deputy Director Best and Secretary Harman.

Planning Representatives: McKenna Associate, Patrick Sloan and Fishbeck Associate, David Potter.

Audience: Four (4).

APPROVAL OF AGENDA:

Motion Kelley, Atchinson second to approve the agenda of September 13, 2017 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Kelley, Franzoi second to approve the regular meeting minutes of August 23, 2017 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 17-018 – SPECIAL LAND USE APPROVAL

TITLE: **THE APPLICANT, PARALLEL INFRASTRUCTURE, IS REQUESTING SPECIAL LAND USE APPROVAL FOR THE CONSTRUCTION OF A WIRELESS COMMUNICATION FACILITY (125 FOOT TALL MONOPOLE CELL PHONE TOWER AND ASSOCIATED SUPPORT STRUCTURES) AT 43430 ECORSE ROAD, VAN BUREN TOWNSHIP, MI 48111.**

LOCATION: **PARCEL NUMBER V125-83-012-99-0028-000 (43430 ECORSE ROAD). THIS PROPERTY IS LOCATED AROUND THE NORTHWEST CORNER OF ECORSE ROAD AND MORTON TAYLOR ROAD AND IS LOCATED IN THE R-1B, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT.**

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

Civil Engineer Johnathan Crane gave the presentation. Parallel Infrastructure is requesting special land use approval for the construction of 125-foot tall monopole cell phone tower. The proposed tower is built to suit for Verizon Wireless. Mr. Crane displayed the site plan and discussed the quarter mile setback from the road, setbacks from the property lines in the event of a catastrophic event/failure the monopole would fall within the property line, fencing, landscaping and soil reports. He displayed both existing and future Verizon coverage maps showing the improvement in services.

The applicant is seeking special land use approval and preliminary site plan approval.

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

NEW BUSINESS:

ITEM # 1 17-018 – SPECIAL LAND USE APPROVAL

TITLE: **THE APPLICANT, PARALLEL INFRASTRUCTURE, IS REQUESTING SPECIAL LAND USE APPROVAL FOR THE CONSTRUCTION OF A WIRELESS COMMUNICATION FACILITY (125 FOOT TALL MONOPOLE CELL PHONE TOWER AND ASSOCIATED SUPPORT STRUCTURES) AT 43430 ECORSE ROAD, VAN BUREN TOWNSHIP, MI 48111.**

LOCATION: **PARCEL NUMBER V125-83-012-99-0028-000 (43430 ECORSE ROAD). THIS PROPERTY IS LOCATED AROUND THE NORTHWEST CORNER OF ECORSE ROAD AND MORTON TAYLOR ROAD AND IS LOCATED IN THE R-1B, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT.**

ITEM # 2 17-018 – PRELIMINARY SITE PLAN APPROVAL

TITLE: **THE APPLICANT, PARALLEL INFRASTRUCTURE, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A WIRELESS COMMUNICATION FACILITY (125 FOOT TALL MONOPOLE CELL PHONE TOWER AND ASSOCIATED SUPPORT STRUCTURES) AT 43430 ECORSE ROAD, VAN BUREN TOWNSHIP, MI 48111.**

LOCATION: **PARCEL NUMBER V125-83-012-99-0028-000 (43430 ECORSE ROAD). THIS PROPERTY IS LOCATED AROUND THE NORTHWEST CORNER OF ECORSE ROAD AND MORTON TAYLOR ROAD AND IS LOCATED IN THE R-1B, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT.**

McKenna Associate Patrick Sloan presented his special land use review letter dated 9-7-17 and preliminary site plan review letter dated 9-7-17 both recommending the Planning Commission defer action on special land use approval and preliminary site plan and that the applicant provide revised plans that address the issues raised in the review letters.

Fishbeck Associate David Potter presented his preliminary site plan review letter dated 9-1-17 recommending the Planning Commission grant preliminary site plan approval at this time.

Deputy Director Best presented the Fire Department review letter dated 8-28-17 recommend approval provided the requirements in the review letter are met.

Commissioners discussed how the neighboring residential and vacant land properties will continue to be developed, the use of the tank for the generator, a description of the canopy and its use, landscaping on all four (4) sides and planted inside the fence for screening, the project time frame, map identifying the existing towers and special land use approve being considered at final site plan approval.

Motion Kelley, Atchinson second to grant the applicant, Parallel Infrastructure, preliminary site plan approval for the construction of a 125 foot tall monopole cell phone tower and associated support

structures located at 43430 Ecorse Road subject to the conditions in the McKenna Associates review letter dated 9-7-17, Fishbeck review letter dated 9-1-17, Fire Department review letter dated 8-28-17 with the addition of looking at special land use approval at final site plan approval. Motion Carried. (letters attached)

GENERAL DISCUSSION:

1. **17-028 MCDONALD'S REMODEL:** Deputy Director Best informed commissioners that the Rawsonville Road McDonalds is preparing to update its look similar to the McDonalds on Michigan Ave and Belleville Road. The application was approved under administrative review.
2. **SCOPE OF MASTER PLAN:** Deputy Director Best discussed a proposed scope of services for the master plan referencing his staff memo dated 9-11-17. Staff would like to get started on the project this year and sought Planning Commission approval to proceed. Commissioners agreed to move forward with the scope of the master plan and discussed engaging the public, meeting with the City of Belleville and using social media to get information out to the residents.
3. **PLANNING APPROVAL PROCESS:** Deputy Director Best discussed the planning approval process referencing his staff memo dated 9-11-17. Staff has received complaints regarding the length of the development review process. Staff at a future meeting would like to bring back a more comprehensive process detailing some proposed changes for the Planning Commission to consider. Commissioners agreed to have the planning approval process as an upcoming agenda item.
4. **MEDICAL MARIJUANA SUBCOMMITTEE UPDATE:** Deputy Director Best provided an update from the Medical Marijuana Subcommittee referencing his staff memo dated 9-11-17. After discussion and an overview of the new rules and regulations, the Committee is recommending opting out of the new legislation. This is due to the uncertain nature of the state revenue sharing, uncertainty regarding the uses allowed and availability of dispensaries and other facilities in adjacent communities. To effectively opt out, the following is needed:
 - 1) Amend the Zoning Ordinance to remove the language that permits cultivation facilities and add language that makes it clear that we are prohibiting these uses.
 - 2) Revoke the medical marihuana registration ordinance that is on the books.The Planning Commission agreed to set the public hearing to opt out of the new legislation.

ADJOURNMENT:

Motion Atchinson, Franzoi second to adjourn at 9:10 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
OCTOBER 4, 2017
SPECIAL MEETING MINUTES - DRAFT**

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

ROLL CALL:

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

Excused: Franzoi.

Staff: Director Akers and Secretary Harman.

Planning Representatives: McKenna Associate, Patrick Sloan.

Audience: Four (4).

APPROVAL OF AGENDA:

Motion Boynton, Atchinson second to approve the special meeting agenda of October 4, 2017 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Boynton second to approve the regular meeting minutes of September 13, 2017 as presented. Motion Carried.

NEW BUSINESS:

ITEM # 1 17-007 – FINAL SITE PLAN APPROVAL

TITLE: THE APPLICANT, JILL FROHLICH/VAN BUREN INVESTORS, L.L.C., IS REQUESTING A FINAL SITE PLAN APPROVAL TO BUILD AND ADDITION ON AN EXISTING BUILDING AT 7850 HAGGERTY ON PARCEL 83-041-99-0001-711 (SOUTH OF ECORSE, WEST OF HAGGERTY) VAN BUREN TOWNSHIP, MI 48111.

LOCATION: PARCEL NUMBER V125-83-041-99-0001-711. THE SITE IS APPROXIMATELY 4.490 ACRES. IT IS LOCATED IN THE M-1, LIGHT INDUSTRIAL DISTRICT. THIS SITE IS LOCATED ON THE WET SIDE OF HAGGERTY ROAD, SOUTH OF ECORSE.

Derek Slupka with DS Architects gave the presentation for the applicant. Mr. Slupka discussed the new hydrant to be located between Continental and the neighbor to the south, shrubs around the detention pond, the addition of building space and reduction parking space, adding curb cuts to the drawings, the clean out of the detention pond, elevation and photo metric's to be added to the plan and restriping of the parking lot.

McKenna Associate Patrick Sloan presented his final site plan review letter dated 9-22-17 recommending approval of the final site plan subject to the following conditions:

1. That the 3 elevation and floor plan sheets and the photometric sheet approved at preliminary site plan review be incorporated into the final site plan approval.
2. That the 94 proposed parking spaces be approved per Section 9.101(I) of the Zoning Ordinance because the applicants are making the parking lot more conforming with the Zoning Ordinance by removing 6 parking spaces and adding floor area.

3. That the existing parking lot be double striped with 4-inch wide lines spaced 24 inches apart whenever it is resurfaced and restriped next.
4. That the light fixtures be shielded pursuant to Section 8.105 of the Zoning Ordinance and that the fixtures be reviewed and approved by staff.

Director Akers presented the Wade Trim final site plan review letter dated 9-1-17 and Fire Department review letter dated 8-19-17 both recommending the Planning Commission grant preliminary site plan approval at this time.

No questions or comments from the Commission or the audience.

Motion Kelley, Atchinson second to grant final site plan approval to build an addition on an existing building at 7850 Haggerty on parcel number 83-041-99-0001-711, south of Ecorse road and west on Haggerty, based on the analysis and subject to the recommendations in the McKenna Associates review letter dated 9-22-17, Wade Trim review letter dated 9-20-17, Fire Department review letter dated 8-19-17 and the planning commission's approval of the change to ninety-four (94) parking spaces and staff will approve lighting fixtures administratively. (Letters attached)

GENERAL DISCUSSION:

1. **PROPOSED TEXT AMENDMENTS TO THE ZONING ORDINANCE:** Patrick Sloan of McKenna Associates presented the proposed text amendments in his staff memo dated 9-22-17. The amendments are changes to language in Section 5.112 Distribution Centers and Section 8.107 Stormwater Basins. The Planning Commission will be considering the proposed amendments, a public hearing will be scheduled for Wednesday, October 25, 2017.

ADJOURNMENT:

Motion Boynton, Atchinson second to adjourn at 8:01 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

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

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **Wednesday, October 25, 2017 at 7:30 p.m.**, in the Board of Trustees Room, 46425 Tyler Road, Charter Township of Van Buren, Wayne County, Michigan to consider the following proposed amendments to the Charter Township of Van Buren's Zoning Ordinance:

1. Proposed amendments clarifying the zoning district location of stormwater ponds (Section 8.107) and amending the setbacks for off-street parking and loading areas, access drives, and paved surfaces accessory to a distribution center (Section 5.112).

2. A proposed amendment which repeals those sections of the Zoning Ordinance which allows medical marihuana cultivation facilities, provides site development standards for medical marihuana cultivation facilities, and removes those references to the applicable sections in other areas of the Zoning Ordinance.

The proposed amendments can be reviewed at the Planning & Economic Development Department at Van Buren Township Hall during normal business hours (7:30 a.m. to 4:00 p.m.). Written comments will be accepted by the Planning and Economic Development Department until 4:00 p.m. on the hearing date.

In compliance with the Americans with Disabilities Act, reasonable accommodations will be made available with advance notice.

Posted: October 3, 2017
Published: October 5, 2017

MEMORANDUM

TO: Charter Township of Van Buren Planning Commission

CC: Ron Akers, AICP, Director of Planning & Economic Development
Matt Best, M.S., Deputy Director of Planning & Economic Development

FROM: Patrick Sloan, AICP; Senior Principal Planner
Stephen Hannon, AICP; Assistant Planner

SUBJECT: Medical Marihuana Cultivation Facilities Regulations

DATE: October 6, 2017

The Van Buren Township Zoning Ordinance currently permits Medical Marihuana Cultivation Facilities in the General Industrial (M-2) zoning district as special land uses. These regulations were adopted in response to the Michigan Medical Marihuana Act (MMMA), Public Act 1 of 2008, which was the first law allowing medical marihuana in Michigan. While the MMMA allowed for primary caregivers to produce medical marihuana and qualified patients to receive it, it was silent on large growing facilities, dispensaries (a.k.a., provisioning centers), and related uses. Therefore, Van Buren Township's current regulations on Medical Marihuana Cultivation Facilities was based on our understanding of what was decriminalized by the MMMA.

In response to some of the obvious ambiguities in MMMA, the Medical Marihuana Facilities Licensing Act (MMFLA) was adopted by the State Legislature and signed into law in 2016. The MMFLA provides for and regulates the growth, processing, testing, transport, and provisioning of medical marihuana. Public Act 281 creates the Medical Marihuana Facilities Licensing Act (MMFLA) to license and regulate the growth, processing, transport, and provisioning of medical marihuana. The MMFLA does the following:

1. **Allows five (5) types of medical marihuana facilities:**
 - a. **Grow Operations.** These fall into three sub-categories with limits of 500, 1,000, or 1,500 plants.
 - b. **Processing Facilities.** These are facilities that extract resin from marihuana to create marihuana-infused products, including edibles.
 - c. **Safety Compliance Facilities ("Testers").** These facilities test marihuana for contaminants.
 - d. **Provisioning Centers ("Dispensaries").** Retail sales, which is the point at which taxes are collected.
 - e. **Secure Transportation.** This is not necessarily a land use. This could simply be a vehicle or person authorized to transport. However, if someone had a fleet of vehicles and a dispatch center, it would certainly be subject to zoning.

- 2. Allows local governments to allow, prohibit, regulate, and charge a licensing fee.** The MMFLA gives communities broad authority to allow some, all, or none of the newly legal uses, as well as to require Special Land Use, restrict them to certain zoning districts, and place other zoning regulations on them. The community can also restrict the total number of facilities. The MMFLA also allows communities to charge a licensing fee of up to \$5,000, which can be required to be renewed annually.

The MMFLA is worded that the community “may adopt an ordinance to allow,” and our understanding is that doing nothing would prohibit all of the newly legal uses unless preexisting ordinance language already permitted the use. However, to be safe, if the Township wants to prohibit the newly legal uses, it may wish to adopt an ordinance that explicitly prohibits these uses. Regardless, because the Zoning Ordinance regulations for Medical Marijuana Cultivation Facilities predate the State MMFLA, the Zoning Ordinance regulations must be reviewed for consistency with the MMFLA.

- 3. Establishes a Statewide licensing procedure.** The State will begin issuing licenses as early as December of 2017. Until then, the newly legal uses are not permitted to operate under the MMFLA. State licenses will not be issued without evidence of a local approval.
- 4. Creates a new tax and shares it with communities that have facilities in their boundaries.** The State will collect a 3% tax on all retail sales. Thirty percent (30%) of the money collected will be distributed to municipalities, with each municipality getting a set amount based on the number of facilities located within their borders, regardless of the type of facility.
- 5. Does not impact previously legal and licensed caregivers.** Individual caregivers are still limited to their previous number of plants (up to 12 plants per patient and up to 5 patients per caregiver), and still enjoy their protection from being prohibited within a community.

The Michigan Department of Licensing and Regulatory Affairs (LARA) is still in the process of adopting State regulations for these 5 types of facilities. For example, enclosed is an Advisory Bulletin from LARA, dated September 21, 2017 that addresses Co-Location of Medical Marijuana Facilities. Because additional Advisory Bulletins are expected from LARA, the full extent of State regulation is unknown.

RECOMMENDATION

Since the MMFLA was adopted, we have worked with the Public Safety Department, Developmental Services staff, and Township legal counsel to discuss the implications of this new law on Van Buren Township and what regulatory options are available to the Township. Based on many unknown factors, not the least of which are the yet-to-be-determined regulations that will come from LARA, we recommend repealing the provisions for Medical Marijuana Cultivation Facilities in the Zoning Ordinance, thereby prohibiting all of the 5 uses provided for in the MMFLA. If the Township decides later to permit one or more of these 5 uses, the appropriate regulations can be added to the Zoning Ordinance at that time.

The following sections proposed for amendment are attached to this memo (deletions are in ~~strike through~~):

- Section 3.104 (Deletion of the reference to Medical Marijuana Cultivation Facilities)
- Section 3.117 (Deletion of the reference to Medical Marijuana Cultivation Facilities)
- Section 5.125 (Deletion of the section in its entirety)

If the proposed amendments are in acceptable form, we recommend scheduling a public hearing. If you have any questions or comments in the meantime, please let us know. Thank you.

September 21, 2017

Co-Location of Medical Marihuana Facilities

Operation of grower, processor, and/or provisioning center facilities at the same location

The purpose of this bulletin is to advise the public and potential medical marihuana licensees of the Bureau of Medical Marihuana Regulation's intention to allow for the operation of licensed grower, processor, and/or provisioning center facilities at the same location. This bulletin is only for advisory purposes and is subject to change.

A potential licensee may apply for and be granted a license to operate as a grower, processor, and/or provisioning center.

It is the Bureau's intention that growers, processors, and provisioning centers may operate at the same location under the following conditions:

- Each licensed entity remains distinct and separate within different working areas.
- Each licensed entity has separate entrances and exits, point of sale operations (if applicable), and record keeping systems.
- The municipality in which the facility is located does not prohibit co-location of facilities through its local ordinance or zoning regulations.
- Each licensed entity is compliant with local and state public health standards and building inspection and fire safety regulations.
- Each entity's license is posted on the wall in its distinct working area.
- The Department has authorized the licensees to operate at the same location.

Other considerations regarding co-location of facilities:

- Additional inspections and/or permits may be required for licensed entities operating at the same location.
- Each grower, processor, and provisioning center requires its own separate application, regulatory assessment, and license.

This bulletin does not constitute legal advice and is subject to change. It is intended to be advisory only, in anticipation of the Department of Licensing and Regulatory Affairs' promulgation of emergency rules consistent with statutory requirements. Potential licensees are encouraged to seek legal counsel to



ADVISORY BULLETIN

September 21, 2017

ensure their licensure applications and operations comply with the Medical Marihuana Facilities Licensing Act and associated administrative rules.

More information on the Bureau of Medical Marihuana Regulation can be found at www.michigan.gov/bmmr.

For more information about LARA, please visit www.michigan.gov/lara

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Article 3: Zoning Districts and Permitted Uses

USE	R-1A, R-2A, R-1B, and R-1C	RM (A)	RMH	AG	C (B), (C)	C-1 (C)	C-2 (C)	FS	OT (D)	M-1 (E)	M-T (F)	M-2	AP (G)	M-U	DEVELOPMENT STANDARD	
Laboratories, Major										■	■	■				
Manufacturing and Processing, Light										■	■	■				
Manufacturing and Processing, Heavy												■				
Medical Marijuana Cultivation Facilities											○				<i>Section 5.125</i>	
Retail Dry Cleaning Plants and Laundries										■		■				
Truck Repair and Maintenance Facility, Major										○		○				
Truck Repair and Maintenance Facility, Minor										○		○				
Truck and Railroad Terminals												■	■			
Warehousing (Excluding Outdoor Storage and Distribution Center)						■										
Warehousing (Excluding Distribution Center)										■	■	■				
COMMUNITY, EDUCATION, AND INSTITUTIONAL USES																
Adult Day Care Center		○	○	○	○	○	○	○							○	<i>Section 5.110</i>
Adult Foster Care, Family Home	■	■	■	■											■	
Adult Foster Care, Large Group Home		○													○	
Adult Foster Care, Small Group Home		○													○	
Bus Passenger Station								■	■	■					■	
Cemeteries																
Child Care Centers	○	○	○	○	○	○	○	○							○	<i>Section 5.108</i>
Day Care or Child Care, Family Home	■	■	■	■											■	
Day Care or Child Care, Group Home	○	○		○											○	<i>Section 5.111</i>
Hospitals and Nursing Homes			■												○	<i>Section 5.120</i>
Places of Assembly	○	○	■	○		■	■		○						■	<i>Section 5.140</i>
Public Buildings and Uses	■					○	■	■	○						■	
Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations (excluding storage yards) when necessary to serve the immediate vicinity	○	■	■	○	○	■	■			■	■	■			○	
Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations (including storage yards) when necessary to serve the immediate vicinity										■	■	■				
Religious Institutions	○	○	■	○		■	■		○						■	<i>Section 5.140</i>
School, College or University and Public or Non-Profit	■	■	■			■	■	■	■						■	
School, College or University, Private						■	■		■						■	
School, Primary or Secondary	■	■	■			■	■	■	■						■	
School, Vocational or Technical						■	■		■						■	
RECREATION USES																
Campgrounds			■			○	○									<i>Section 5.107</i>
Country Clubs	○			○												
Golf Courses	○			○												<i>Section 5.118</i>
Horses for Personal, Non-Commercial Use	■			■												<i>Section 5.123</i>
Indoor Recreation						○	■			■		■				
Outdoor Recreation, Amusement						○	○									<i>Section 5.131</i>
Outdoor Recreation, Golf Driving Range	○			○												<i>Section 5.132</i>
Outdoor Recreation, Gun Club				○												<i>Section 5.132</i>

Section 3.117 M-2, General Industrial District

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

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

The above list is a summary of uses permitted by right or special land use approval in the district. Refer to [Section 3.104](#) (including footnotes) for standards and requirements applicable to permitted and special land uses. In case of a conflict between the above list and the uses listed in [Section 3.104](#) (including footnotes), then [Section 3.104](#) shall prevail. Refer to [Article 2](#) for definitions of uses and refer to [Article 5](#) for development standards for specific uses.

(D) DIMENSION REGULATIONS			
<i>Lot Standards</i>		<i>Minimum Setbacks</i>	
<i>Min. Lot Area (sq. ft.)</i>	--	<i>Front Yard</i>	60 <i>(O)</i>
<i>Min. Lot Width (ft.)</i>	--	<i>Side Yard (one)</i>	50 <i>(P)</i>
<i>Min. Lot Depth (ft.)</i>	--	<i>Side Yard (total of 2)</i>	100
<i>Max. Lot Coverage (%)</i>	35	<i>Rear Yard</i>	50
<i>Min. Floor Area/Unit (ft.)</i>	--		
<i>Max. Building Height (ft.)</i>	40 <i>(S)</i>		
<i>Max. Building Height (stories)</i>	4 <i>(S)</i>		

Footnotes: Refer to [Section 4.102](#) wherever a footnote is referenced in parentheses after one of the design regulations.

continued under the nonconforming use provisions of this Ordinance subject to all conditions therein.

Foals born on parcels where horses are presently kept may be kept on the parcel for two (2) years even though such additional horses may increase the number of horses on such parcel beyond the limit stated above, but in no case shall there be more than one (1) horse and one (1) foal per acre.

- (C) **Livestock Setbacks and Locations.** All land used for the keeping of livestock, except for bona fide commercial farm operations regulated under the Michigan Right to Farm Act, shall be located in the rear yard of the lot, no closer than fifty (50) feet from any abutting property line, and encompassed by a suitable fence or enclosure around the entire premises reserved for outside use of animals.
- (D) **Structure Setbacks and Locations.** No barns, pens, corrals or animal enclosure shall be located closer than one hundred (100) feet to any residentially-zoned district or fifty (50) feet from any other lot line or closer than fifty (50) feet from any dwelling on the same premises. All such structures shall be located behind any residence on the property.
- (E) **Open Area in Front of Dwelling.** There shall be provided, for any bona fide farm operation containing a dwelling unit, an open space unobstructed by buildings or equipment in the front of every dwelling unit equal to the width of the dwelling extending to the front lot line.
- (F) **Nuisances.** The keeping of any animal is prohibited if the same became obnoxious by reason of odor, noise or other nuisance. The determination of the Ordinance enforcement officer shall, in the absence of fraud, be conclusive on the question of whether the same are obnoxious under the terms of this Ordinance and consistent with the provisions of Michigan Right to Farm Act (Public Act 93, 1981, as amended).

Section 5.124 Kennels and Raising of Fur Bearing Animals

Kennels and the raising of fur bearing animals, including mink, rabbit, cat and canine establishments, shall meet the following requirements:

- (A) The use shall be located on a continuous parcel of land ten (10) acres or more in area.
- (B) All outdoor runs or breeding areas shall be enclosed on all sides by an obscuring wall or fence not less than four (4) feet in height.
- (C) All outdoor runs and breeding areas shall be located at least fifty (50) from any lot line and shall be not be located in the front yard.

Section 5.125 ~~Medical Marihuana Cultivation Facilities~~

~~(A) Purpose.~~

- ~~(1) It is the intent of this section to provide reasonable conditions for the cultivation of marihuana allowed by the Michigan Medical Marihuana Act, MCL 333.26421 et seq, as~~

Article 5: Development Standards for Specific Uses

~~amended (MMMA). Due to conflicts between the federal Controlled Substances Act and the MMMA, the cultivation of medical marijuana is a specialized land use with ramifications that need to be addressed by a local ordinance. Although some specific uses of marijuana may not be prosecuted according to the MMMA, marijuana continues to be classified as a Schedule 1 controlled substance under federal law making it unlawful under federal law to use, manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense marijuana. Due to its conflicting legal status, such businesses are generally not funded, financed or supported by banks and similar financial institutions as other federally lawful enterprises may be. As a consequence, medical marijuana enterprises are primarily cash-based operations, making them targets for crime and theft. The regulations set forth herein are intended to take into account these issues and thereby take steps to protect public safety and welfare of the community at large.~~

- ~~(2) It is further the intent of this section to protect the health, safety, and general welfare of persons and property by limiting land uses related to marijuana cultivation to the district that is most compatible with this use. Additional regulations in this section are intended to provide reasonable restrictions within a zoning district so that this use does not compromise the health, safety, and general welfare of persons in the district, or other uses allowed in the district.~~
- ~~(3) While the MMMA generally allows a primary caregiver to grow medical marijuana on his/her own property in accordance with the Act, there are negative impacts and circumstances that could be deemed a nuisance including, but not limited to, the inadequacy of the property or home for safe growing of medical marijuana, and noxious odors from medical marijuana plants and growing that impact neighboring residents in violation of Township ordinances. Therefore, providing for and regulating medical marijuana cultivation facilities allows primary caregivers to cultivate medical marijuana at a non-residential facility that is better suited for such use.~~

~~**(B) Medical Marijuana Definitions.** Some of the words and phrases defined below are also defined in the MMMA, MCL 333.26421 et seq, as amended. If the definition of a word or phrase set forth below conflicts with the definition in the MMMA or if a term is not defined below but is defined in the MMMA, then the definition in the MMMA shall apply. The words and phrases below are defined as follows:~~

- ~~(1) **Marijuana.** That term as defined in Section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106, as amended.~~
- ~~(2) **Medical Use.** The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.~~
- ~~(3) **Primary Caregiver.** A person who is at least 21 years old and who has agreed to assist with a patient's medical use of marijuana and who has never been convicted of a felony involving illegal drugs.~~

- (4) ~~**Qualifying Patient.** A person who has been diagnosed by a physician as having a debilitating medical condition.~~
 - (5) ~~**Registry Identification Card.** A document issued by the Michigan State Department of Community Health that identifies a person as a registered qualifying patient or registered primary caregiver.~~
 - (6) ~~**Medical Marihuana Cultivation Facility (“Cultivation Facility”).** A building other than the personal residence of a primary caregiver where one or more primary caregivers are growing medical marihuana in compliance with the MMMA. A medical marihuana cultivation facility may also be referred to as growing facility. A “medical marihuana cultivation facility” shall not include a primary caregiver or a qualifying patient growing medical marihuana at his/her personal residence in accordance with the Michigan Medical Marihuana Act and all applicable Township ordinances including, but not limited to, ordinances prohibiting noxious odors.~~
 - (7) ~~**Medical Marihuana Dispensary (“Dispensary”).** A building, part of a building, a facility, a club or other set up where primary caregivers who are legally registered by the Michigan Department of Community Health (MDCH) may lawfully assist qualifying patients to whom the primary caregiver is connected through the state registration process and who are also legally registered by the MDCH with the medical use of marihuana in accordance with the Michigan Medical Marihuana Act, as amended. A “dispensary” shall not include a primary caregiver assisting a qualifying patient with whom he/she is connected through the Michigan Department of Community Health’s registration process with the medical use of marihuana in the qualifying patient’s residence in accordance with the Michigan Medical Marihuana Act.~~
 - (8) ~~**Plant.** Any marihuana plant with not more than one readily observable root formation.~~
 - (9) ~~**Unit.** A portion of a building that is separate from the remainder of the building by a fireproof wall, and accessible only through an exterior door.~~
- ~~(C) **Medical Marihuana Dispensaries Prohibited.** Medical marihuana dispensaries are prohibited in all districts.~~
- ~~(D) **Special Site Design and Use Standards.**~~
- (1) ~~**Indoor Growing.** The growing of medical marihuana at a cultivation facility shall be indoors only and shall not be visible from any point outside the medical marihuana cultivation facility.~~
 - (2) ~~**Drive-Through Prohibited.** The medical marihuana cultivation facility shall not be permitted to have drive-through facilities.~~
 - (3) ~~**Setback From Protected Areas.** The lot lines of a cultivation facility shall be no less than one thousand (1,000) feet from the nearest lot lines of the following: a religious institution, a public park, a residential zoning district, a residential land use, a child care~~

Article 5: Development Standards for Specific Uses

facility, a public or private educational facility including but not limited to pre-schools, nurseries, elementary, secondary and high schools. The setback distance shall be measured as a straight line from the nearest points of the lot lines.

- (4) ~~**Maximum Number of Cultivation Facility Buildings Per Lot.**~~ There shall be not more than one (1) building housing a medical marijuana cultivation facility per lot.
- (5) ~~**Setback From Other Cultivation Facilities.**~~ The lot lines of a cultivation facility shall be at least one thousand (1,000) feet from the lot lines of another cultivation facility, as measured from the edges of the property on which the use is located.
- (6) ~~**State and Local Licensing.**~~ Medical marijuana cultivation facilities shall comply with all applicable state and local licensing regulations. Initial and annual proof of such compliance shall be a condition of special land use approval.
- (7) ~~**On-Site Consumption Prohibited.**~~ No smoking, inhalation, or other consumption of marijuana shall take place on the premises of a medical marijuana cultivation facility.
- (8) ~~**On-Site Transfer Prohibited.**~~ Any person-to-person transfer of marijuana is prohibited at a cultivation facility. All transfers of medical marijuana between persons shall take place off-site only and in accordance with the MMMA and this Ordinance.
- (9) ~~**Retail Sales Prohibited.**~~ Retail sales, including sales of products customarily incidental to the use of medical marijuana, is prohibited at medical marijuana cultivation facilities.
- (10) ~~**Indoor Activities Only.**~~ All activities of medical marijuana cultivation facilities shall be conducted indoors.
- (11) ~~**Outdoor Storage Prohibited.**~~ Outdoor storage is prohibited.
- (12) ~~**State and Local Compliance.**~~ Medical marijuana cultivation facilities shall comply with all applicable provisions of this Ordinance, all other Township ordinances, regulations, and codes, and the MMMA. This section preempts any other section of this Ordinance when there is a conflict between this section and another section. This section does not preempt the Michigan Medical Marijuana Act.
- (13) ~~**Maximum Units and Maximum Plants Per Unit.**~~ The maximum number of individual plants permitted within a single unit shall not exceed seventy-two (72) plants, and there shall be no more than six (6) primary caregivers or units in any building housing a medical marijuana cultivation facility.
- (14) ~~**Security.**~~ A security system shall be installed in each unit of a medical marijuana cultivation facility which shall include monitoring cameras with audio capability which are operating continuously. Recordings and data from the security system shall be kept a minimum of three hundred and sixty five (365) days. The recordings shall be made available to law enforcement pursuant to a lawfully issued subpoena or search warrant.

- (15) ~~**Odors.**~~ Odors generated by the medical marijuana cultivation facility shall be contained within the building or the portion of building used by the medical marijuana cultivation facility. The primary caregiver's proposed method of addressing odors generated through use of air filters or air scrubbers must be demonstrated and found to be satisfactory to the Township.
- (16) ~~**Access to Minors Prohibited.**~~ No minors under the age of eighteen (18) are permitted on the site.
- (17) ~~**Limited Accessibility to the Site.**~~ The medical marijuana cultivation facility shall not be accessible to anyone but the primary caregiver lawfully growing medical marijuana in the cultivation facility and lawful visitors to the site, which include contractors working on the site and representatives of the Township administering or enforcing an ordinance or law.
- (18) ~~**Parking.**~~ Off-street parking shall be provided consistent with that of "Industrial Establishments, Assembly, Processing" set forth in Section 9.102(E)(1) of Off-Street Parking Requirements of this Ordinance.
- ~~(E) **Access & Identification.**~~ Each primary caregiver growing medical marijuana in a medical marijuana cultivation facility shall assign an identifying number to each qualifying patient for whom that primary caregiver intends to grow and cultivate medical marijuana including the primary caregiver if the primary caregiver is also a qualifying patient. The primary caregiver shall keep a list identifying the registry identification card of the qualifying patient to whom a number is assigned which shall be made available to law enforcement pursuant to a lawfully issued subpoena or search warrant.
- (1) ~~**Separate Grow Areas.**~~ The primary caregiver shall keep the marijuana plants grown for each qualifying patient of the primary caregiver separate from the marijuana plants grown for any other qualifying patient. Each qualifying patient's plants shall be kept in a separate enclosed locked facility to which only the primary caregiver has access. The identifying number of the qualifying patient for whom the medical marijuana is grown and cultivated shall be prominently and permanently displayed on each enclosed locked facility.
- (2) ~~**Access Log.**~~ Each primary caregiver shall keep a written log including the identifying number, date and time of every person entering the medical marijuana cultivation facility, which shall be made available to law enforcement pursuant to a lawfully issued subpoena or search warrant. Each primary caregiver shall also keep a written log including the date and time marijuana was removed by the licensed caregiver from the enclosed locked facility and the amount of marijuana removed.
- (3) ~~**Correct and Accurate Records.**~~ The primary caregiver shall certify under oath that the written records kept are correct and accurate.

~~(F) **Inspections.**~~

Article 5: Development Standards for Specific Uses

- ~~(1) **Initial Inspection.** A cultivation facility shall be subject to the same inspections as all other buildings and uses as required by this Ordinance and the Charter Township of Van Buren Code of Ordinances.~~
 - ~~(2) **Inspections.** The cultivation facility may be inspected annually by the Township to confirm that it is being operated in compliance with the MMMA and any Township ordinance. The cultivation facility may be inspected more frequently at the discretion of the Township. Representatives of the Township for the on-site inspection include, but are not limited to, the Planning Director, Building Official(s), and Public Safety Department. The Township shall limit its inspection to only those issues associated with compliance with the MMMA and Township ordinances, and shall not make inquiry into the identity of any qualifying patient. The cultivation facility shall be available for inspection between the hours of 8:00 a.m. and 8:00 p.m. Eastern Time upon two (2) hours notice.~~
- ~~(G) **Application Requirements and Review.** In addition to the application for and review of a site plan in accordance with Article 12, Chapter 2 and a special land use permit for a medical marijuana cultivation facility in accordance with Article 12, Chapter 3, the following shall also be required:~~
- ~~(1) **Security Plan.** A security plan and floor plan shall be submitted with the special land use application. The security plan shall:
 - ~~(a) Identify the number and location of all monitoring cameras, the format in which all recordings are maintained, and where the recordings will be stored. The recording format shall be of a type capable of being reviewed by the Township.~~
 - ~~(b) The security plan shall identify the number of plants to be grown, the location of the secured locked facilities assigned to qualifying patients, the location where chemicals and fertilizers are stored, and the layout of the building which shall identify any other entities occupying the building. The security and floor plan shall be a confidential document kept by the Township and exempt from disclosure under the Freedom of Information Act unless required by the Act.~~~~
 - ~~(2) **Waste Disposal Plan.** A waste disposal plan shall be included with all applications for a medical marijuana cultivation facility, which shall detail plans for chemical disposal and plans for plant waste disposal. The Township Building Official shall determine whether the waste disposal plan meets all Township requirements and may require the applicant to provide proof the disposal plan satisfies county and state requirements.~~
 - ~~(3) **Proof of Ownership or Leasehold Interest.** Proof of an ownership or leasehold interest in the building housing the medical marijuana cultivation facility.~~
- ~~(H) **Medical Marijuana State Law.**~~
- ~~(1) **Medical Marijuana Act.** This Ordinance shall not limit an individual's rights under the MMMA. The MMMA supersedes this Ordinance where there is a conflict between the Act and this Ordinance.~~

- ~~(2) **Medical Marijuana Registered Qualifying Patient.** A qualified patient with a registry identification card may grow and use medical marijuana for his or her own use in accordance with the Michigan Medical Marijuana Act.~~
- ~~(3) **Medical Marijuana Registered Primary Caregiver.** A primary caregiver with a registry identification card may grow medical marijuana in accordance with the Michigan Medical Marijuana Act except that two or more primary caregivers with a registry identification card who seek to grow medical marijuana on the same site are subject to the requirements of this section.~~
- ~~(I) **Unlawfully Established Medical Marijuana Cultivation Facilities.** A medical marijuana cultivation facility which purports to have engaged in the cultivation of marijuana either prior to enactment of this Ordinance, or after enactment of said Ordinance but without having an approved site plan and special land use permit, shall be deemed to not be a legally established use, and therefore not entitled to legal nonconforming status under the provisions of this Ordinance.~~
- ~~(J) **Penalty.** Any violation of the site plan, special land use, or conditions under which the permit for operating a medical marijuana cultivation facility is granted shall subject to the penalty provisions of this Ordinance.~~

Section 5.126 Mini-Warehouse (Self Storage Facility)

- (A) The minimum lot area is three (3) acres.
- (B) Building separation between self-storage buildings on the same site shall be fifteen (15) feet, as measured from side-to-side or front-to-rear or equal to the building height, whichever is greater.
- (C) The total lot coverage of all structures may exceed the limits of the zoning district, but shall be limited to fifty (50) percent of the total lot area.
- (D) A sight-proof barrier shall be provided around the perimeter of the development. The barrier shall be located at the setback line and may consist of either the solid facades of the storage structures or a wall or fence. If a wall or fence is provided, it shall be a minimum of six (6) feet in height and shall be constructed of brick, stone, masonry units or wood products which are determined by the building inspector to be durable and weather resistant.
- (E) A ten (10) foot wide landscaped greenbelt (see Section 10.103(E)) shall be provided along all lot lines where they abut a street frontage or residential district.
- (F) Two (2) parking spaces shall be provided for the manager's residence plus one (1) parking space for each twenty-five (25) storage units, to be located at the office at the storage complex. In no instance shall less than five (5) parking spaces be provided on-site.
- (G) Internal driveway aisles shall be a minimum of twenty-four (24) feet in width.
- (H) All ingress and egress from this site shall be directly onto a collector or major thoroughfare.

September 22, 2017

Planning Commission
Charter Township of Van Buren
46425 Tyler Road
Belleville, Michigan 48111

Subject: Proposed Zoning Ordinance Text Amendments: Distribution Centers and Stormwater Ponds

Dear Commissioners:

We have recently reviewed a site plan application for Ashley Capital Crossroads North, located on the north side of Ecorse Road west of Haggerty Road. The 162-acre site is zoned M-T, and four (4) industrial buildings are proposed for a total gross floor area of 1,575,778 sq. ft. Because of the nature of the use, the 2 larger buildings proposed on the north side of the site are classified as Distribution Centers. During our review of the site plan, there were two (2) items raised regarding the Zoning Ordinance requirements:

- 1. Section 5.112 of the Zoning Ordinance requires off-street parking and loading areas, access drives, and paved surfaces accessory to a Distribution Center to be 80 feet from a residential district.** Ashley's proposed distribution center drives and parking areas are located 54 feet from the residential zones to the west and east. When the current Zoning Ordinance was adopted earlier this year, the Distribution Center setback standards remained the same as the previous Ordinance but new buffering standards were added for industrial-zoned properties that are adjacent to residential zoning districts. These buffering standards now require a 60-foot wide greenbelt buffer with a staggered double row of 8-foot high evergreen trees spaced 15 feet on center on a 6-foot high berm with a flat horizontal area at the crest of 3 feet in width. Additionally, the planting must achieve an opacity of 80% within 3 years and additional evergreen planting will be required if opacity is ever reduced below 80%. If the buffering standards of Article 10 of the Zoning Ordinance are appropriate, then we recommend amendment Section 5.112 as stated on the following page.
- 2. The proposed storm water ponds are located in a residentially-zoned area of Ashley's site.** While Ashley's stormwater ponds are located on Ashley's property, they are located on part of the property zoned R-1B. Customarily, an infrastructure component essential to support the industrial use can't be located on a residentially-zoned parcel. However, with recent County stormwater requirements that have resulted in larger ponds, the demand for industrial-zoned property is increasing just for the sake of having enough land for ponds. Over time, this may lead to industrial zoning requests in areas not supported for industrial use by the Master Plan. While the Zoning Ordinance does not explicitly prohibit a stormwater pond in a residential zone, we recommend that the Zoning Ordinance be amended to provide clarification going forward. There are benefits to allowing ponds in residential zones, which include ensuring an unbuilt buffer that is not zoned for industrial use. We recommend an amendment to Section 8.107 on page 3 of this letter.

The standards of Section 5.112 (Distribution Centers) are as follows. Proposed additions are underlined and proposed deletions are in ~~striketrough~~:

SECTION 5.112 DISTRIBUTION CENTERS

- (A) A building containing a distribution center shall be located not less than two hundred fifty (250) feet from any residential zoning district and five hundred (500) feet from any residential dwelling.
- (B) Any building containing a distribution center shall be located not less than four hundred fifty (450) feet from any public right-of-way, with all buildings conforming to all other minimum requirements. Off-street parking and loading shall be located relative to the building as otherwise required in this Ordinance.
- (C) Truck docks, overhead doors and trailer staging areas accessory to a distribution center shall be located not less than three hundred fifty (350) feet from and residential district. Truck docks, overhead doors, and trailer staging areas accessory to a distribution center shall be oriented away from, or shall be reduced in number and sufficiently screened where oriented toward, all residential districts and public rights-of-way. Where building layouts incorporate multiple buildings, buildings shall be designed and oriented such that truck docks, overhead doors and trailer staging areas in adjacent building face one another.
- (D) All other off-street parking and loading areas, access drives and paved surfaces accessory to such a use, shall be located not less than ~~eighty (80)~~ sixty (60) feet from any residential district; which must include a greenbelt buffer required in Section 10.103(E).

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The standards of Section 8.107 (Stormwater Basins) are as follows. Proposed additions are underlined and proposed deletions are in ~~strikethrough~~:

SECTION 8.107 STORMWATER BASINS

(A) Location. Stormwater basins and related landscaping may be located in any zoning district and are not required to be in the same zoning district as the site from which it receives water.

(AB) Engineering Standards. Stormwater basins shall comply with the Township's engineering standards.

(BC) Design. Stormwater basins, including detention and retention basins, shall be designed as an integral part of the overall site plan. To the extent possible, such basins shall be configured and incorporated into the natural topography. Where this is not practical, the basin shall have an irregular shape to emulate a naturally formed or free form depression.

(CD) Safety. In the interest of the public health, safety, and welfare, basin designs shall incorporate features to discourage unauthorized access. The following methods of restricting access shall be incorporated into the design of stormwater basins:

(1) Fencing. Decorative fencing sufficient to restrict outside access to the stormwater basin shall be provided around the entire perimeter of the stormwater basin. Decorative black wrought iron-appearing fence is preferred, although the Planning Commission may approve decorative fence alternatives that it finds to be more compatible with the site's surroundings. Chain link and other non-decorative fences are specifically prohibited.

(2) Alternatives. In locations that are not readily accessible to populated areas, or that are contained within large sites, remote from developed areas, the Planning Commission may waive or modify the requirement for fencing, upon a finding that sufficient protections, including but not limited to vinyl-coated black chain link fence, graduated side slopes, vegetative and barrier plantings, safety shelves and other features, have been designed into the basin to reasonably protect the public. Notwithstanding, the fencing requirement shall not be waived in locations where steep side slopes increase the potential for slipping into the pond. Following are standards for several protective techniques which are among the alternatives that the Planning Commission may consider when determining if the fencing requirement may be waived for a site:

(a) Shelf and Graduated Side Slopes. A minimum six (6) foot wide shelf at a depth of one (1) foot below the permanent water level shall be provided around the entire perimeter of the basin.

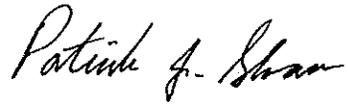
(3) Landscaping. In addition to the landscaping requirements of this Ordinance, a minimum ten (10) foot wide landscape buffer shall be provided around the perimeter of the basin, measured from the top of bank elevation. The landscape buffer shall be planted so that it is sufficient to discourage access to the basin.

(DE) Mosquito Control. Stormwater basins designed to permanently hold water shall incorporate measures to limit mosquito growth, including but not limited to aerators and selective plantings.

(EF) Access for Maintenance. Reasonable and practical access shall be provided to stormwater basins to allow for periodic sedimentation removal and proper maintenance of related structures, pumps, mechanical filtration systems, and related ancillary equipment. The access shall be a minimum of fifteen (15) feet wide, be unpaved, and provide a grass paver type of subsurface stabilization to support heavy equipment. The access location shall be indicated clearly on the proposed site plan, and the landscape plan shall be designed to prevent obstruction of the access by trees and shrubs. Access shall be located adjacent to a street, drive aisle or paved parking area where practical.

We look forward to reviewing these proposed Zoning Ordinance amendments with you at an upcoming meeting.

Respectfully submitted,
McKENNA ASSOCIATES

A handwritten signature in black ink that reads "Patrick J. Sloan". The signature is written in a cursive, flowing style.

Patrick J. Sloan, AICP
Senior Principal Planner

PLANNING & ZONING APPLICATION

Case number 17-031

Date Submitted 9/22/17

APPLICANT INFORMATION

Applicant Upland Homes, Inc Phone (313)319-6754
Address 1168 Autumnvlew Dr Fax _____
City, State Rochester, MI Zip 48307
E:mail kuntzman99@comcast.net Cell Phone Number (313)319-6754
Property Owner _____ Phone _____
(if different than applicant)
Address _____ Fax _____
City, State _____ Zip _____
Billing Contact Philip Kuntzman Phone _____
Address Same as Above - All Fax _____
City, State _____ Zip _____

SITE/ PROJECT INFORMATION

Name of Project Country Walk Subdivision
Parcel Id No. VI25-83- Project Address _____
Attach Legal Description of Property
Property Location: On the _____ Side of _____ Road; Between _____ Road
and _____ Road. Size of Lot Width _____ Depth _____
Acreage of Site _____ Total Acres of Site to Review _____ Current Zoning of Site _____
Project Description: _____

Is a re-zoning of this parcel being requested? _____ YES (if yes complete next line) NO
Current Zoning of Site _____ Requested Zoning _____

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? _____ YES (if yes complete next line) NO
Section of Zoning Ordinance for which you are applying _____
Is there an official Woodland within parcel? _____ Woodland acreage _____
List total number of regulated trees outside the Woodland area? _____ Total number of trees _____
Detailed description for cutting trees _____

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

Philip Kuntzman
Print Property Owners Name
Philip A. Kuntzman
Signature of Property Owner

9/22/17
Date

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and data are in all respects true and correct.

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public, _____ County, Michigan My Commission expires _____, 20____.
Rev 1/22/06

Lot#	Approximate size	Notes	engineering reference #	Address	
10 Side Entry	70' x 120'	Irregular	187	42962 Lexington Ct	
11	70' x 120'		188	42984 Lexington Ct	
16 Side Entry	75' x 120'		193	43013 Colonial Road	
17 Side Entry	75' x 120'		194	42991 Colonial Road	
18 Side Entry	70' x 120'		195	42977 Colonial Road	
19	70' x 120'		196	42955 Colonial Road	
20	83' x 120'	Irregular	197	42937 Colonial Road	
30	70' x 122'		207	42663 Colonial Road	
31	70' x 122'		208	42641 Colonial Road	
32	70' x 122'		209	42619 Colonial Road	
33	70' x 122'		210	42587 Colonial Road	
34	70' x 122'		211	42563 Colonial Road	
35	70' x 122'	Irregular, larger	212	42541 Colonial Road	
36 Side Entry	70' x 120'	Irregular, larger	213	42499 Colonial Road	
37	70' x 120'		214	42475 Colonial Road	
43	70' x 150'		220	13707 Chester Ct	
44	70' x 150'		221	13679 Chester Ct	
45	70' x 150'		222	13651 Chester Ct	
50 Side Entry		pie shaped	no basement	227	13527 Chester Ct
51 Side Entry		pie shaped	no basement	228	13564 Chester Ct
55	61' x 120'			232	13676 Chester Ct
56	61' x 120'			233	13704 Chester Ct
57	61' x 120'			234	13732 Chester Ct
58 Side Entry	80' x 120'	corner lot		235	42466 Colonial Road
59	77' x 120'	slightly irregular		236	42492 Colonial Road
60 Side Entry	83' x 120'	slightly irregular		237	42534 Colonial Road
61	70' x 120'			238	42578 Colonial Road
62	70' x 120'			239	42606 Colonial Road
63 Side Entry	78 x 120'	Irregular, premium		240	42630 Colonial Road
81	61' x 120'			258	13573 Cambridge Ct
82	61' x 120'	Irregular, larger		259	13555 Cambridge Ct
83 Side Entry	53' x 125'	Irregular pie, larger		260	13521 Cambridge Ct
109 Side Entry	76' x 125'	corner lot		286	13558 Stamford Road
110 Side Entry	76' x 125'	corner lot		303	13604 Stamford Road
112 Side Entry	70' x 125'		larger W/O	305	13658 Stamford Road
113	69' x 125'		larger W/O	306	13680 Stamford Road
114	69' x 125'		larger W/O	307	13706 Stamford Road
125		corner lot, larger		288	13534 Cambridge Ct
127	65' x 125'	Irregular, larger		290	13556 Cambridge Ct
128	65' x 125'	Irregular, larger		291	13624 Cambridge Ct
129	65' x 125'	Irregular, larger		292	13656 Cambridge Ct
131	80' x 122'	corner lot		294	13730 Cambridge Ct



Memo

DATE: October 20, 2017
TO: Upland Homes
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: SPR 17-031 Site Plan Amendment for Upland Homes regarding Architectural Elevations in Country Walk Subdivision.

The applicant, Upland Homes, is requesting architectural approval for additional home plans and façade elevations for residential dwellings in the Country Walk development. There is an existing Planned Residential Development (PRD) Agreement in place for the property which was approved in 2002 and amended in 2005 which had previously expired. There were several homes completed in the development prior to the expiration of the PRD. A Memorandum of Understanding (MOU) between Van Buren Township, the Country Walk Three Homeowners Association, and Blue Country Walk, LLC was executed in July 2015 which outlined the responsibilities of the parties with regards to the completion of the development and required compliance with the PRD agreement.

These plans are subject to the PRD agreement, the MOU, and the standards of the Zoning Ordinance, specifically section 4.54 which addresses specific architectural standards in these types of development.

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

Comments

1. Site Plan

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

The submitted plans depict the widths and depths of the provided plans. The provided plans have sufficient width that will fit within the setbacks on the parcels in Country Walk Subdivision. There are a few models with widths that will not fit on the smaller lots, but the applicant is purchasing some larger parcels as well, so there will be no issues.

2. Floor Area

The PRD agreement requires that the square footages of homes for the 536 units in the subdivision will average at least 1,750 square feet. According to the provided plan the square footage of the proposed elevations of single family dwellings will range from 1,447 square feet to 2,842 square feet. Due to the PRD agreement requiring the square footages of the homes to average 1,750 square feet, it is allowable for the Township to approve a building elevation which is less than 1,750 square feet. Since the majority of the elevations exceed this, I do not believe that approving the smaller elevations will risk violating this standard of the PRD agreement. Staff will evaluate what is existing in the development and ensure that the entire development maintains this requirement.

The previously identified deficiencies have been corrected. Staff has no further issues with this item.

3. Façade Elevations

The Zoning Ordinance and the PRD agreement have specific requirements to ensure that the Township's "Substantially Different" architectural design standard is met. Section j(ix) of the PRD agreement specifically requires that the "Substantially Different" requirement be met by varying the following two (2) criteria:

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

The Zoning Ordinance requires that this substantially different requirement be maintained from neighboring lots within three (3) lots of the proposed parcel and within three (3) lots of the property across the street. I have preliminarily reviewed the proposed elevations and offer the following:

Roof Pitch

The applicant has depicted the roof pitch for the specified homes, but as they range between 5/12 and 7/12, they do not vary enough to use them as a criterion where they can be considered substantially different. Based on this we will have to utilize the location of major design feature criteria to meet this requirement.

Location of Major Design Features

There are 39 different combinations of home style and variation in elevation. In order to meet the substantially different requirement an applicant would need to provide a total of eight (8) different elevations which are "substantially different" from one another. See the comparison schedule, there are at least eight (8) different elevations which meet the "substantially different" requirement. Therefore this item has been met.

4. Building Materials

Section i(1) of the PRD agreement requires that all 416 detached units feature brick to the belt on the front and side elevations and requires that on specific lots brick will be required on the rear elevation as well.

The following deficiency has been noted in the elevation drawings with regards to this item:

- A. The 2842 Colonial elevation does not have a side or a rear elevation included in the packet. These will need to be provided depicting brick to the belt on the side and potentially the rear elevation.

5. Side Entry Garages

The PRD agreement requires that at least 30% of the single family detached units have side entry garages and specifically indicates which lots are required to have side entry garages. The language in the PRD Amendment states:

“6.1.11. Side entry garages are required on at least 30% of single-family detached units. The following 125 single-family detached units will have side-entry garages.
1-4, 15, 16, 34, 36, 47-49, 58-60, 66-68, 70, 75, 76, 82, 86, 92, 93, 96-110, 115, 117, 120, 121, 128, 130, 135-137, 149-151, 153, 159, 164, 165, 171, 173, 177, 178, 185-187, 192-195, 198, 200, 204, 213, 218, 225-228, 235, 237, 240, 244, 247-250, 253, 254, 260, 261, 266, 274, 286-288, 294, 295, 297, 303, 305, 308, 311-313, 317-321, 323, 324, 326, 327, 330, 363, 368, 369, 381, 390, 398, 400, 406, 407, 411, 413-416.”

The proposed elevations offer sufficient options for side entry garages. Therefore this requirement has been met.

Recommendation

Staff recommends that the Planning Commission postpone decision on this application until the applicant can provide the following information so we can ensure the elevations can meet the requirements of the PRD agreement:

1. Correct the following deficiencies with regards to the façade materials:
 - a. The 2842 Colonial elevation does not have a side or a rear elevation included in the packet. These will need to be provided depicting brick to the belt on the side and potentially the rear elevation.

Alternatively, if the applicant can provide the requested information and it is compliant with the applicable standards, staff can make the following 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 Country Walk development in order to allow Upland Homes to construct homes consistent with the provided plans which depict elevations to be constructed in phase 3 and phase 4 of the

Country Walk development. This approval should be based upon the staff review letter dated October 20, 2017 and conditioned upon the following:

1. Township Planning Staff shall review each application for a new single family home in Country Walk Phase 3 and Phase 4 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 PRD agreement for the Country Walk Development

Elevation Comparison Schedule for 17-031 Country Walk Elevations by Upland Homes

	Width	Depth	Floor Area	Brick:Front	Brick:Side	Brick:Rear	Side Entry
1447 Ranch - Side Entry	40	50.67	1447	Not Labeled	Y	Y	Y
1447 Ranch - Front Entry	40	50.67	1447	Not Labeled	Y	Y	N
2407 Colonial - Front Entry	40.67	51.67	2407	Not Labeled	Y	Y	N
2407 Colonial - Side Entry	40.67	51.67	2407	Not Labeled	Y	Y	Y
2842 Colonial - Front Entry	49.5	52.67	2842	Not Labeled	No Elevations Provided	No Elevations Provided	N
1483 Bi-Level - Front Entry	40.67	37.33	Unclear	Y	Y	Y	N
1706 Ranch - Side Entry	43.67	54.33	1706	Not Labeled	Y	Y	Y
1706 Ranch - Front Entry	43.67	54.33	1706	Not Labeled	Y	Y	N
2159 Colonial - Front Entry	40.67	51.67	2159	Not Labeled	Y	Y	N
2159 Colonial - Side Entry	40.67	51.67	2159	Not Labeled	Y	Y	Y

Elevation Comparison Schedule for 17-031 Country Walk Elevations by Upland Homes

Upland Home	1447 Ranch - Side Entry			1447 Ranch - Front Entry			2407 Colonial - Front Entry			2407 Colonial - Side Entry			2407 Colonial - Side Entry			2892 Colonial - Front Entry			1488 Bi-Level - Front Entry			1708 Ranch - Side Entry			1708 Ranch - Side Entry			2158 Colonial - Front Entry			2158 Colonial - Side Entry					
	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C	A	B	C			
1447 Ranch - Side Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1447 Ranch - Front Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2407 Colonial - Front Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2407 Colonial - Side Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2892 Colonial - Front Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1488 Bi-Level - Front Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1708 Ranch - Side Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1708 Ranch - Side Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2158 Colonial - Front Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
2158 Colonial - Side Entry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Upland Home
 1708 Ranch - Side Entry
 2158 Colonial - Front Entry
 2158 Colonial - Side Entry

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

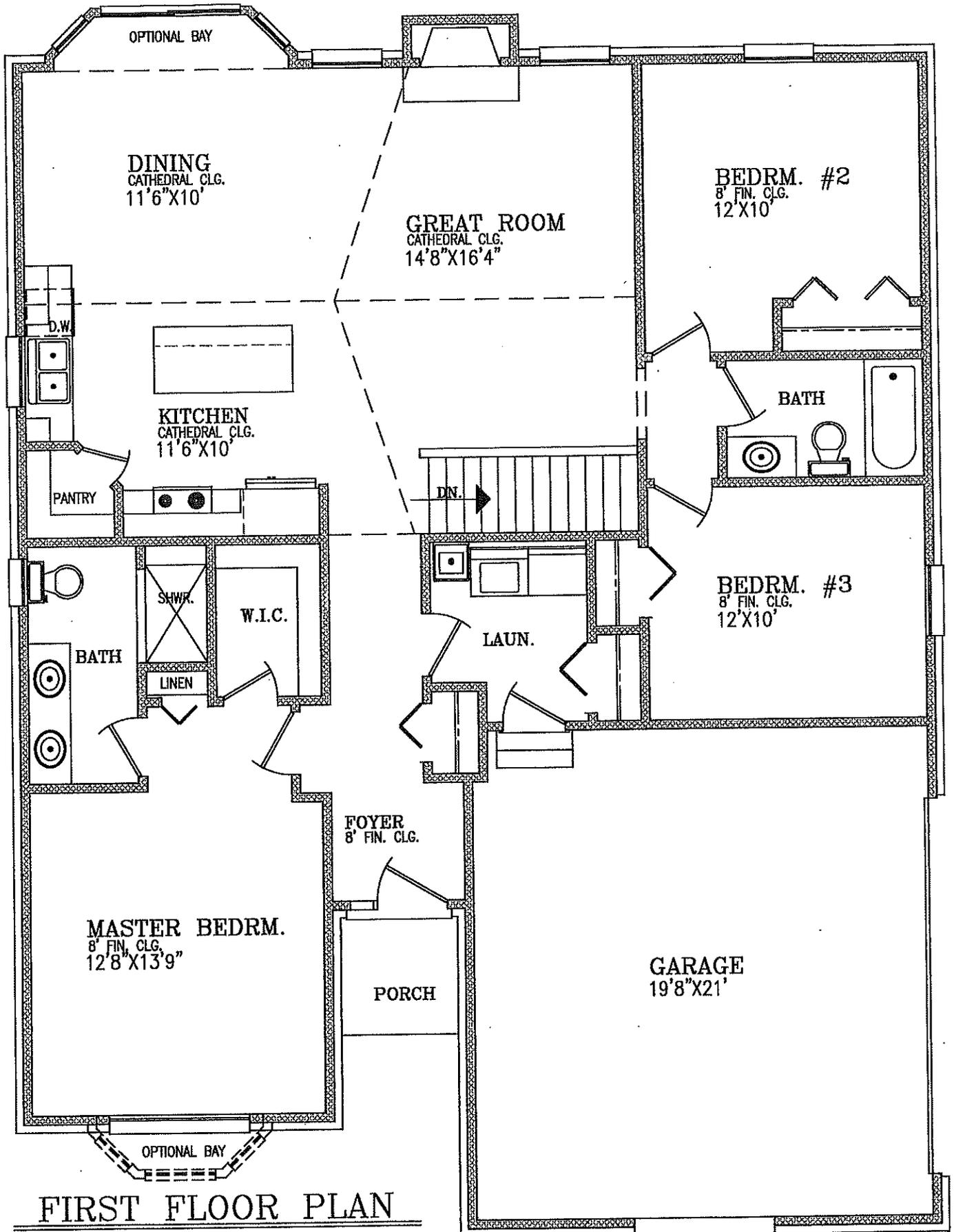
Plan#: 1447 (Ranch) - Side Entry

40'-0" Wide X 50'-8" Deep

RECEIVED

OCT 11 2017

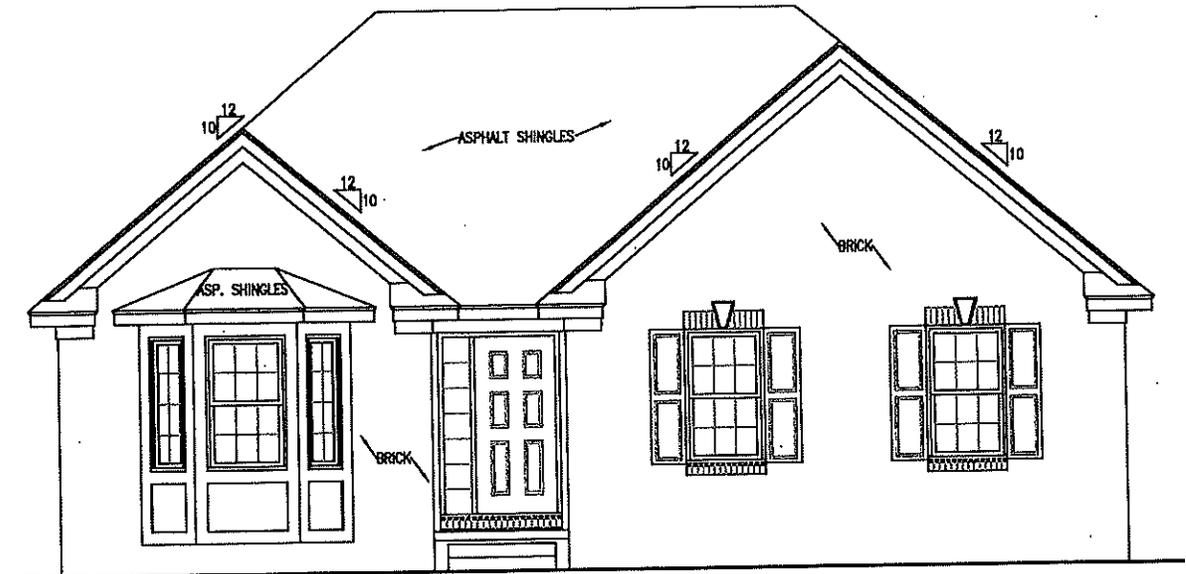
BY:.....



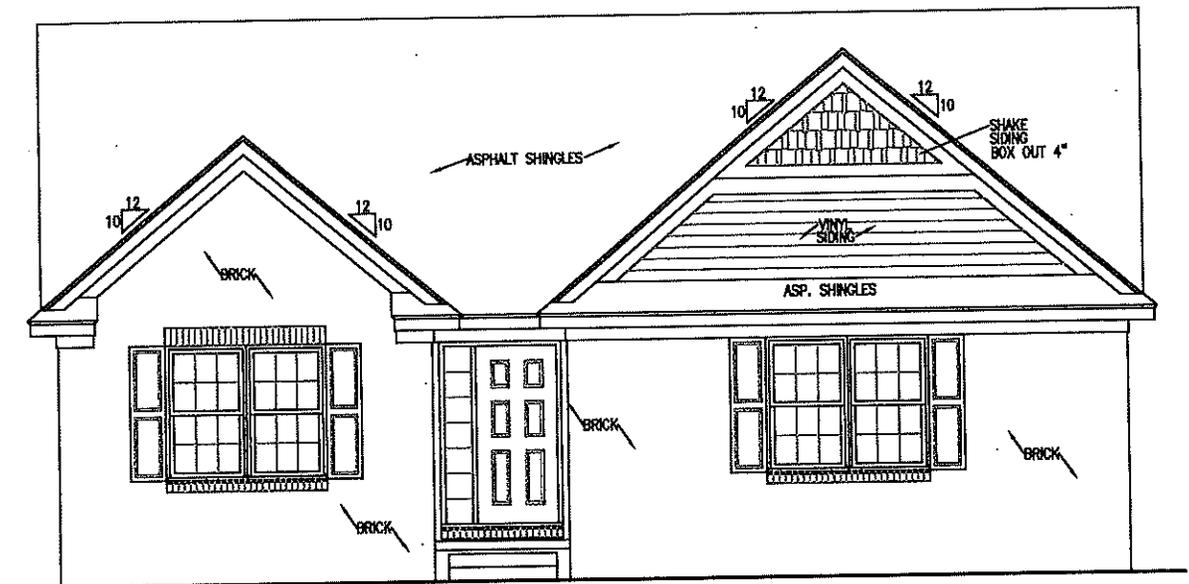
FIRST FLOOR PLAN

AREA

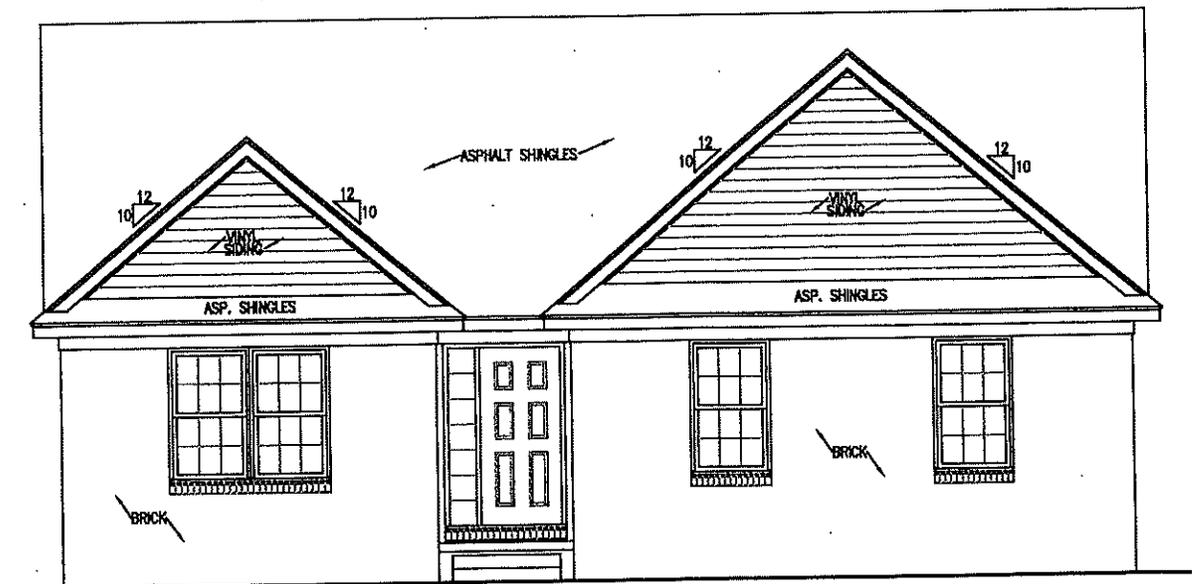
FIRST FLOOR - 1,447 SQ. FT.

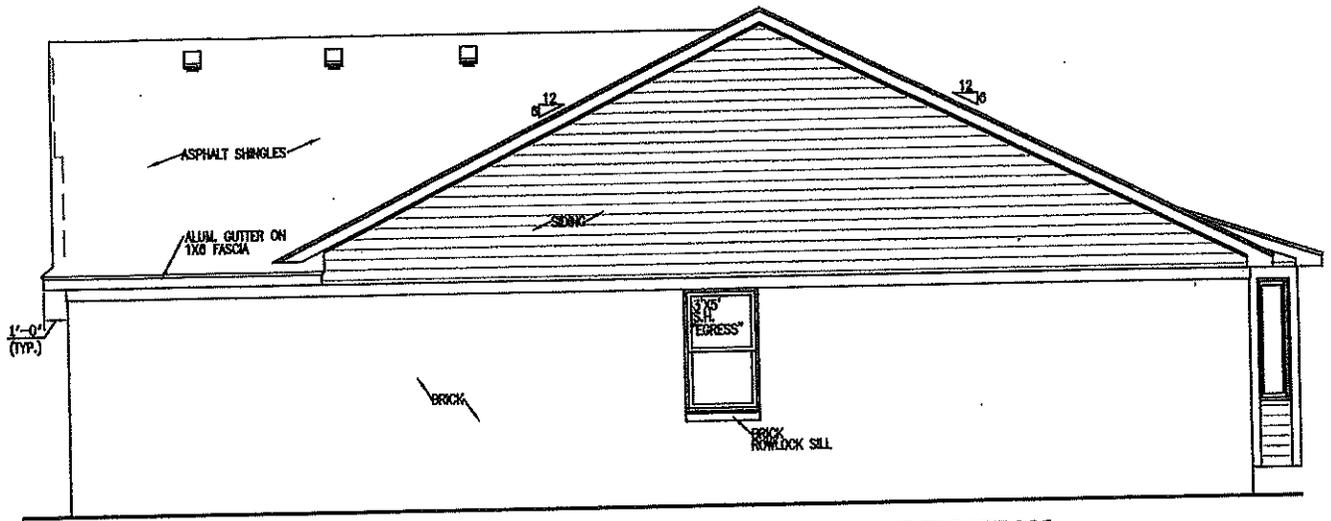


Elevation "C"

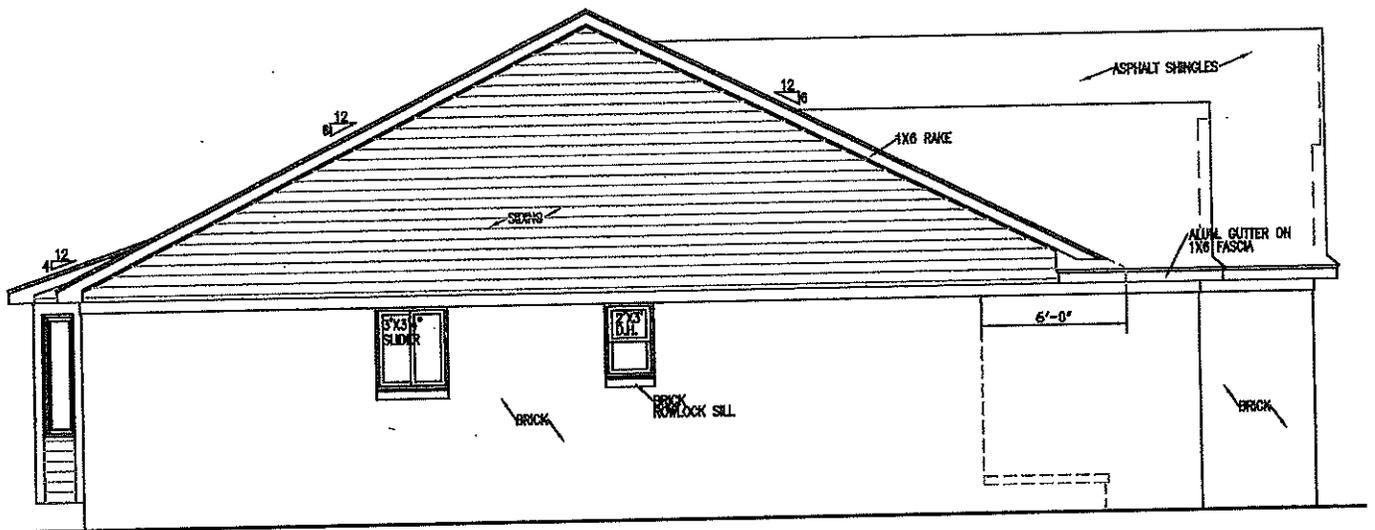


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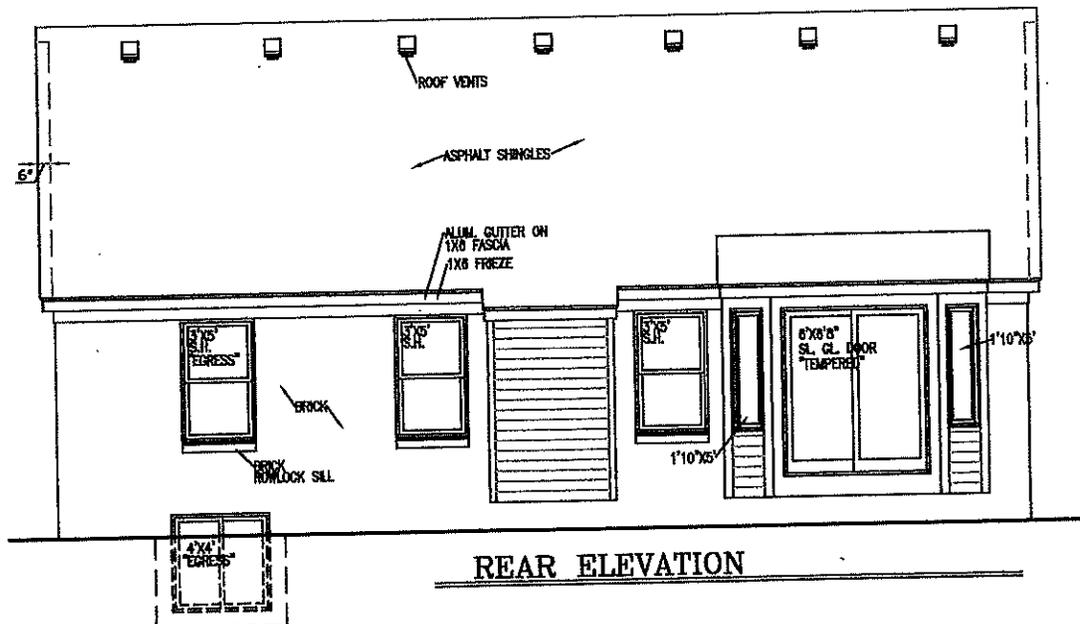




RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

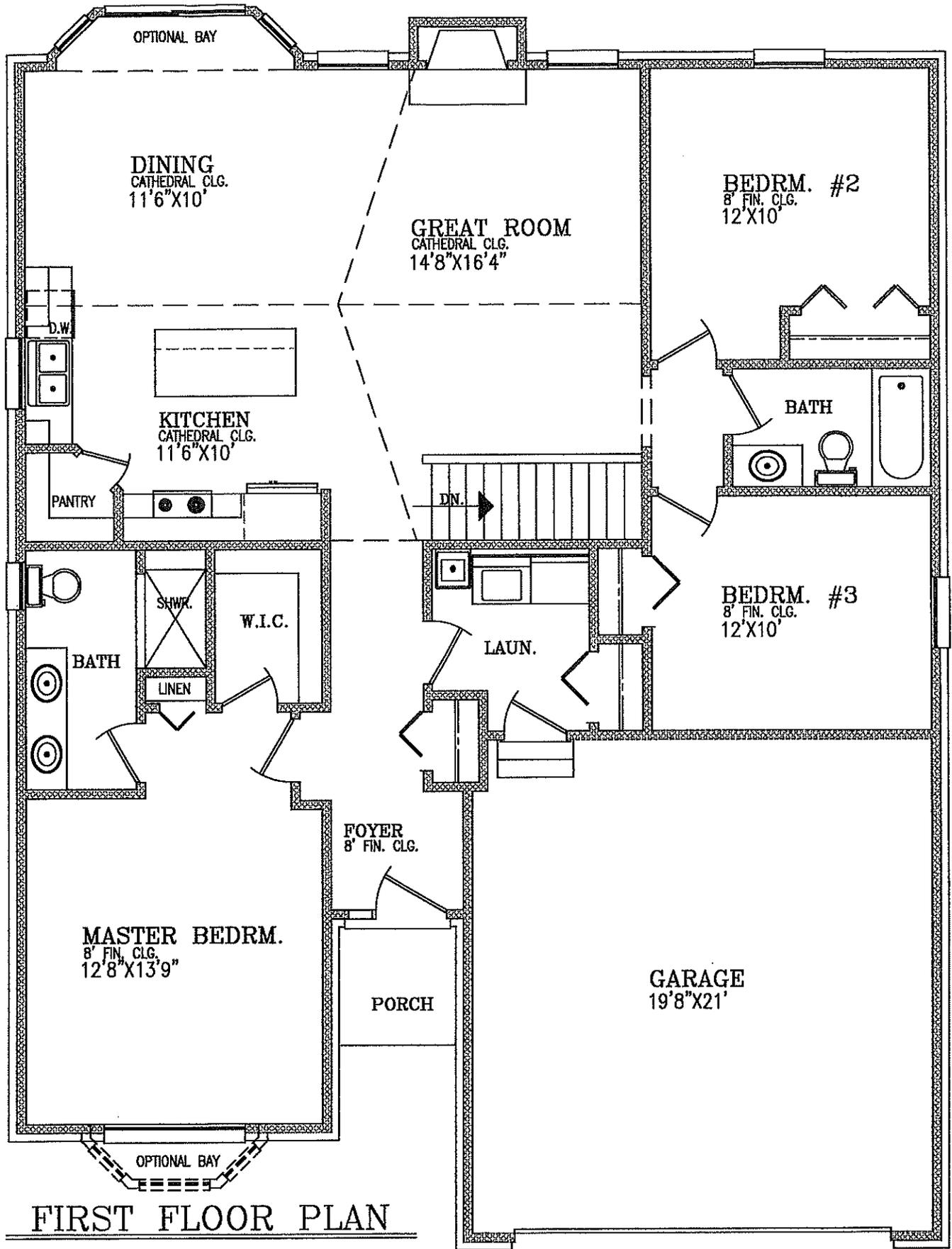
Plan#: 1447 (Ranch) - Front Entry

40'-0" Wide X 50'-8" Deep

RECEIVED

OCT 11 2017

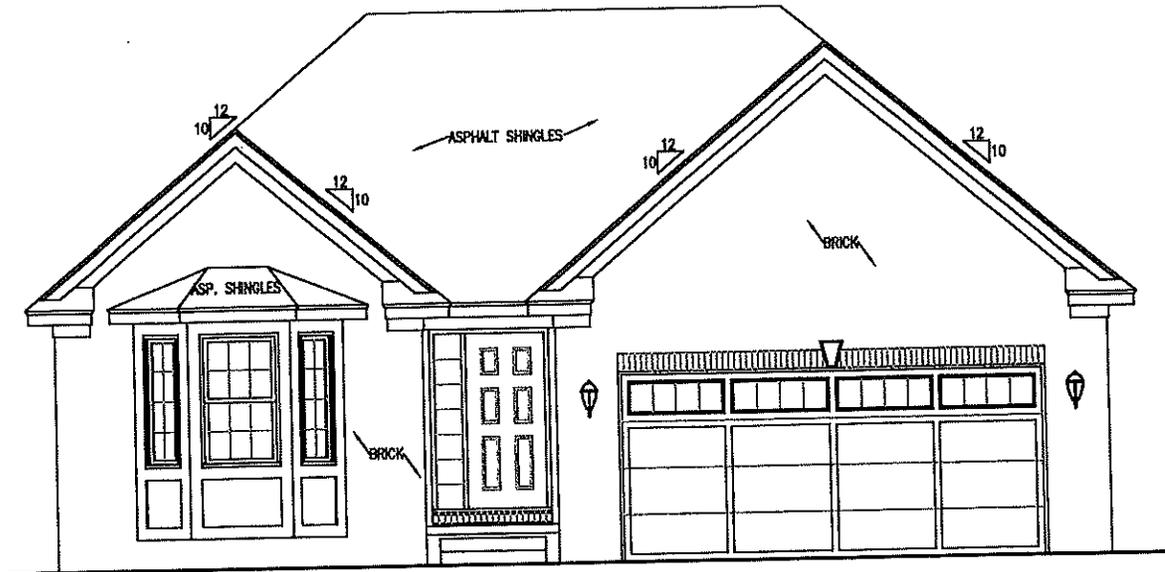
BY: _____



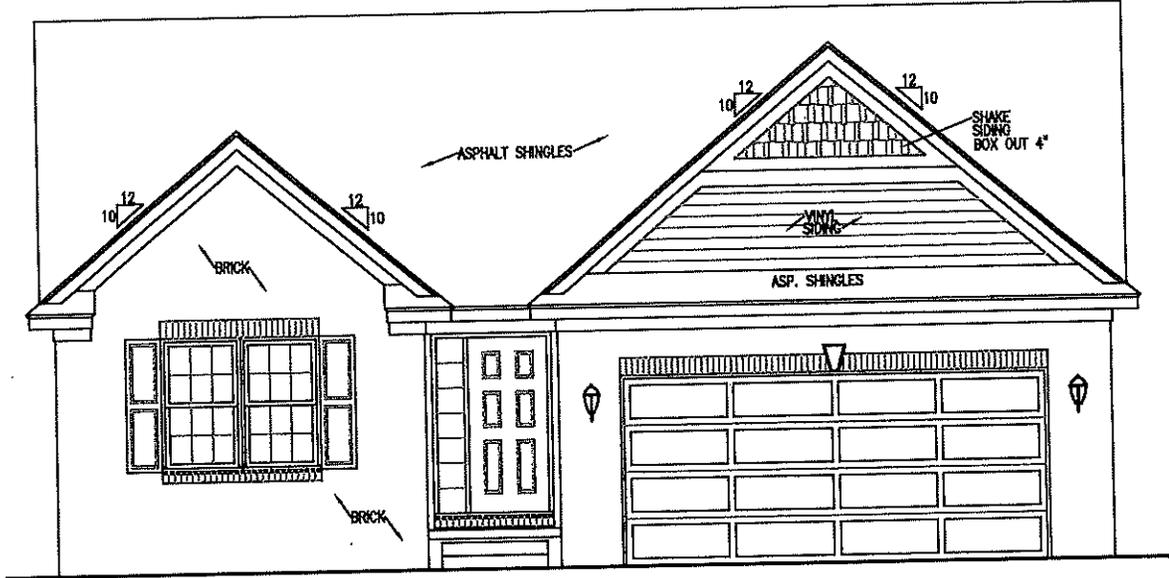
FIRST FLOOR PLAN

AREA

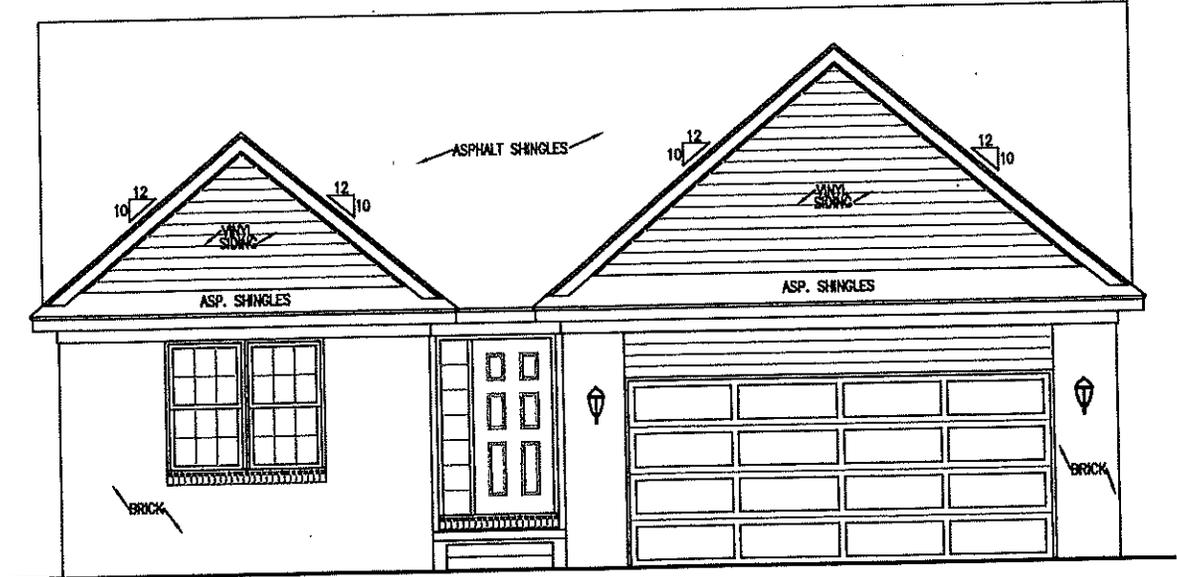
FIRST FLOOR - 1,447 SQ. FT.



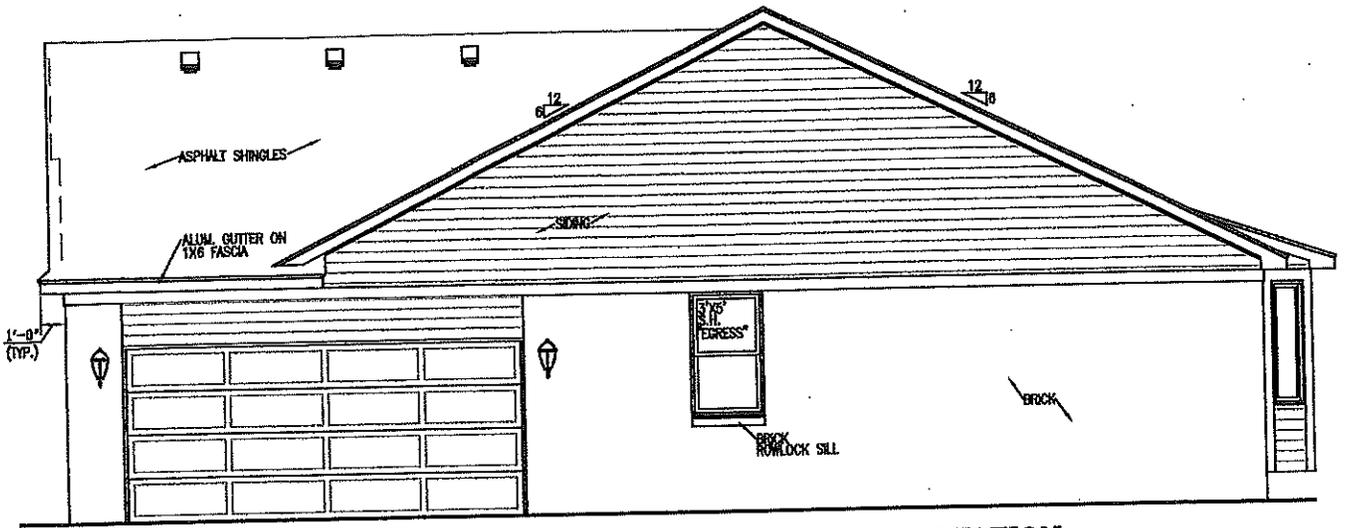
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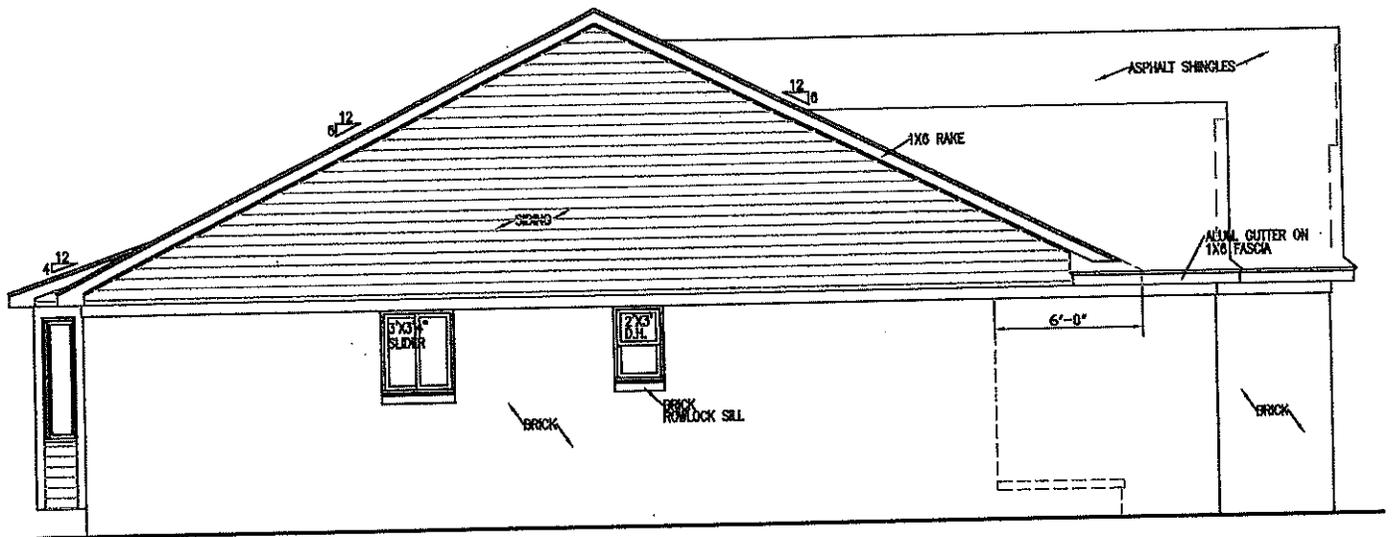
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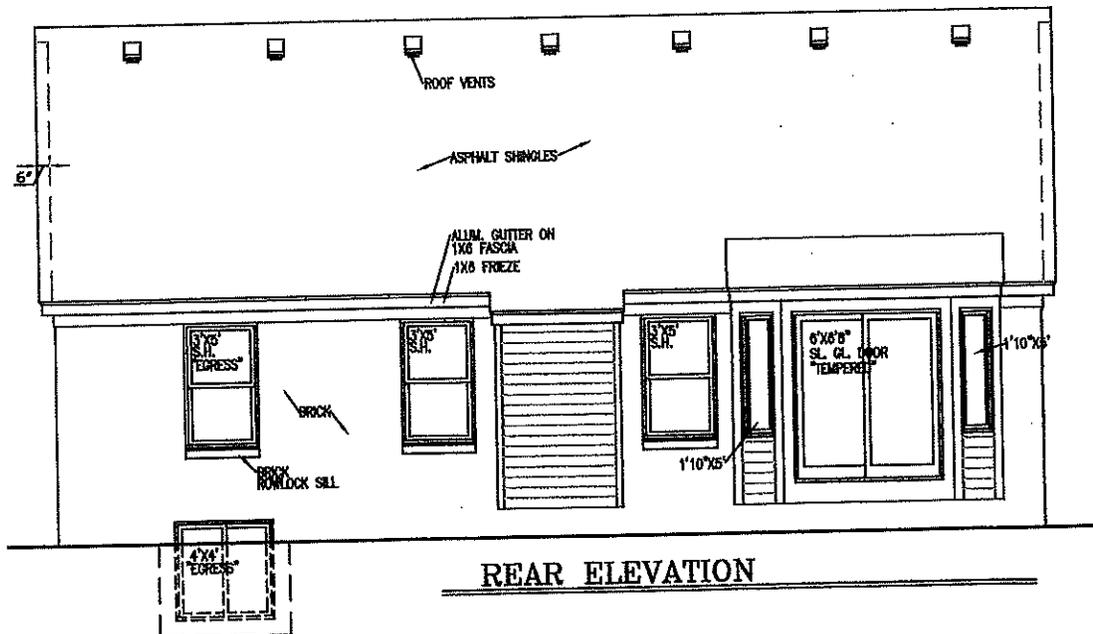
Elevation "A"



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

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1168 Autumnview Dr.
Rochester, MI 48307
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Architectural Elevations For:

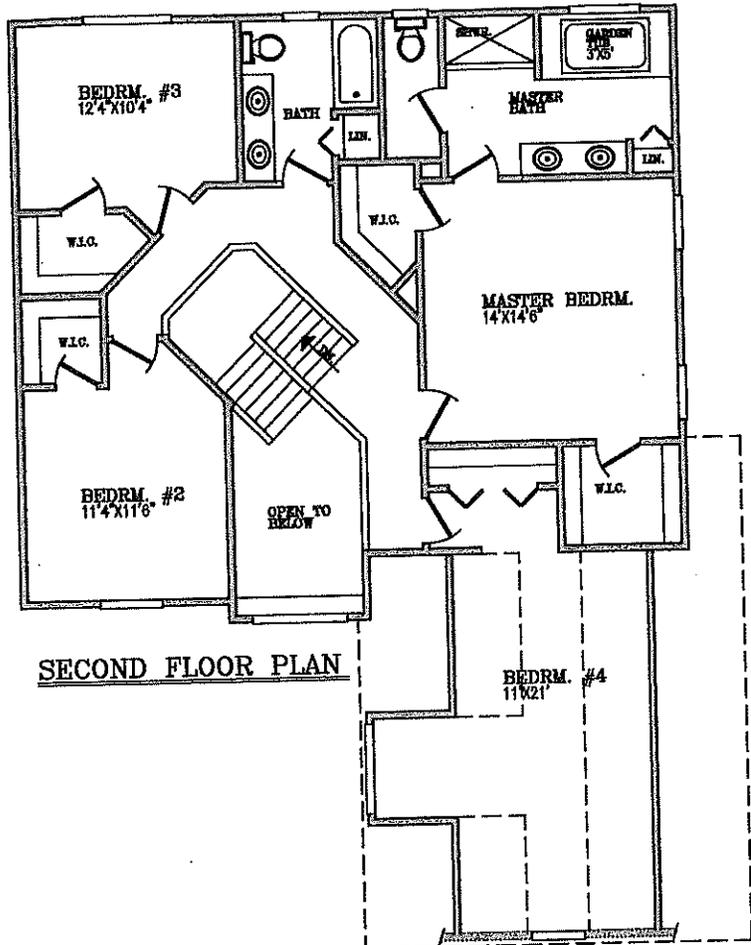
Plan#: 2407 (Colonial) - Front Entry

40'-8" Wide X 51'- 8" Deep

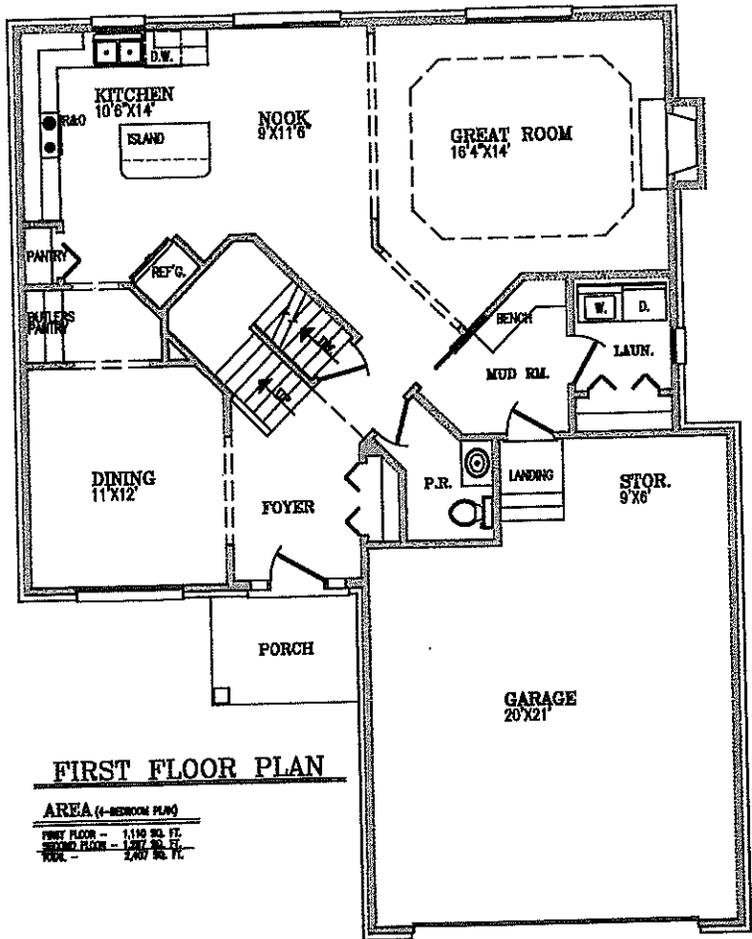
RECEIVED

OCT 11 2017

BY: _____



SECOND FLOOR PLAN



FIRST FLOOR PLAN

AREA (4-BEDROOM PLAN)

FIRST FLOOR -	1,110 SQ. FT.
SECOND FLOOR -	1,207 SQ. FT.
TOTAL -	2,307 SQ. FT.



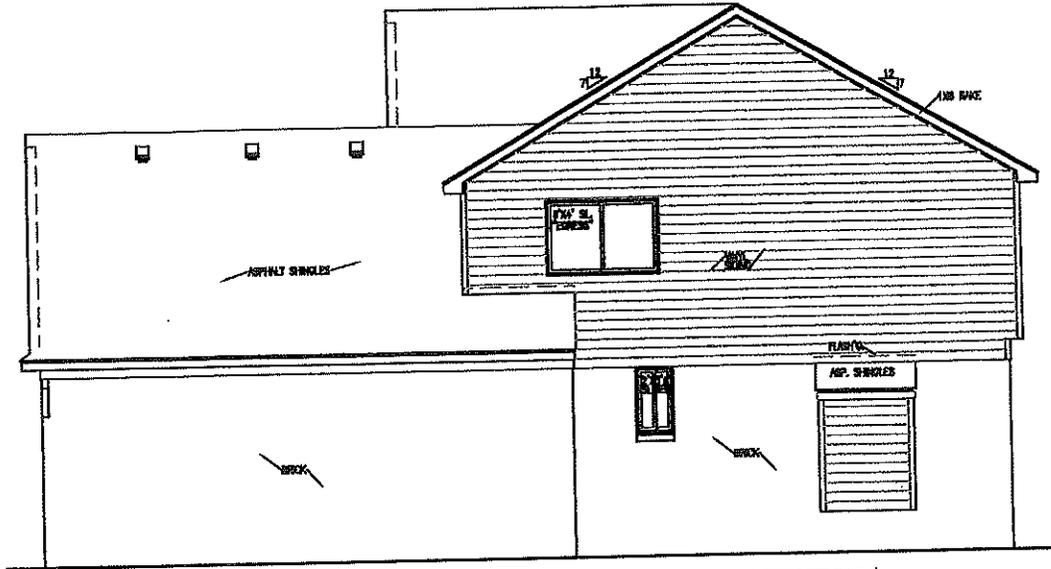
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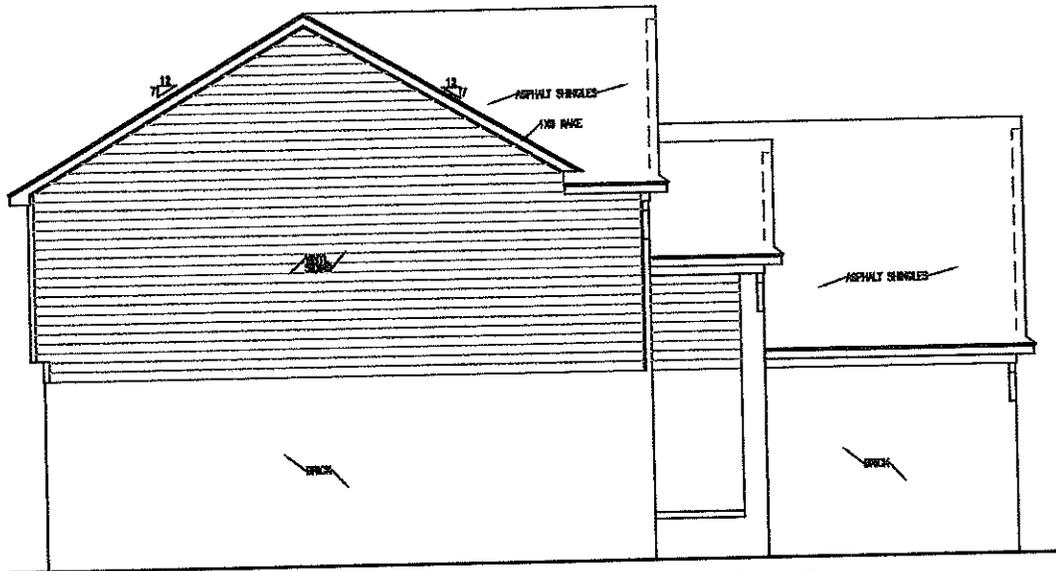
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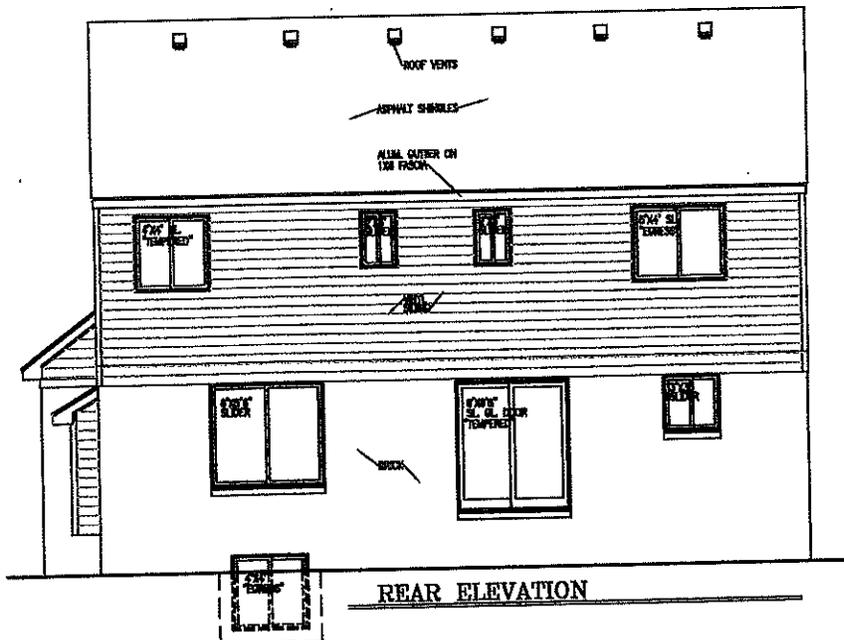
Elevation "A"



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

Country Walk Subdivision
Van Buren Charter Township

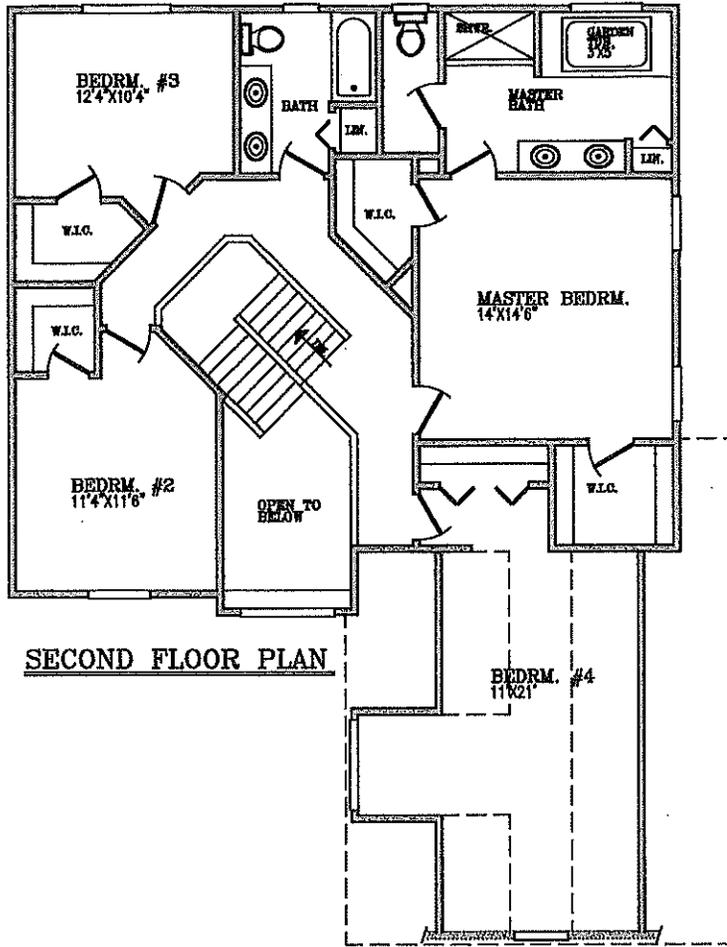
Planning Commission Applicant:

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Rochester, MI 48307
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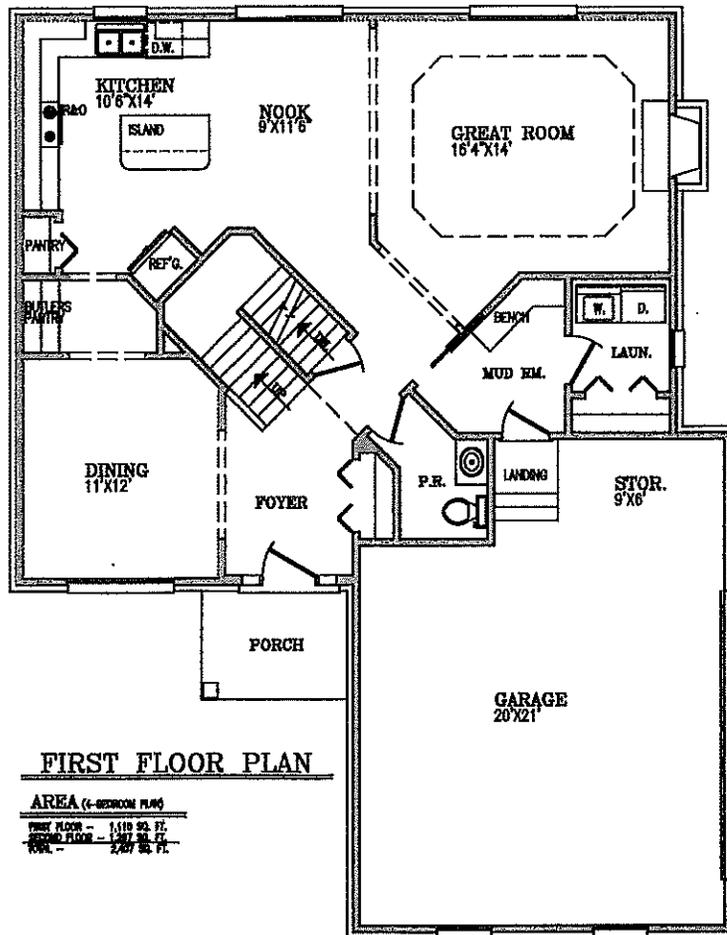
Architectural Elevations For:

Plan#: 2407 (Colonial) - Side Entry

40'-8" Wide X 51'- 8" Deep



SECOND FLOOR PLAN



FIRST FLOOR PLAN

AREA (← SEE PLAN)

FIRST FLOOR -	1,119 SQ. FT.
SECOND FLOOR -	1,287 SQ. FT.
TOTAL -	2,407 SQ. FT.

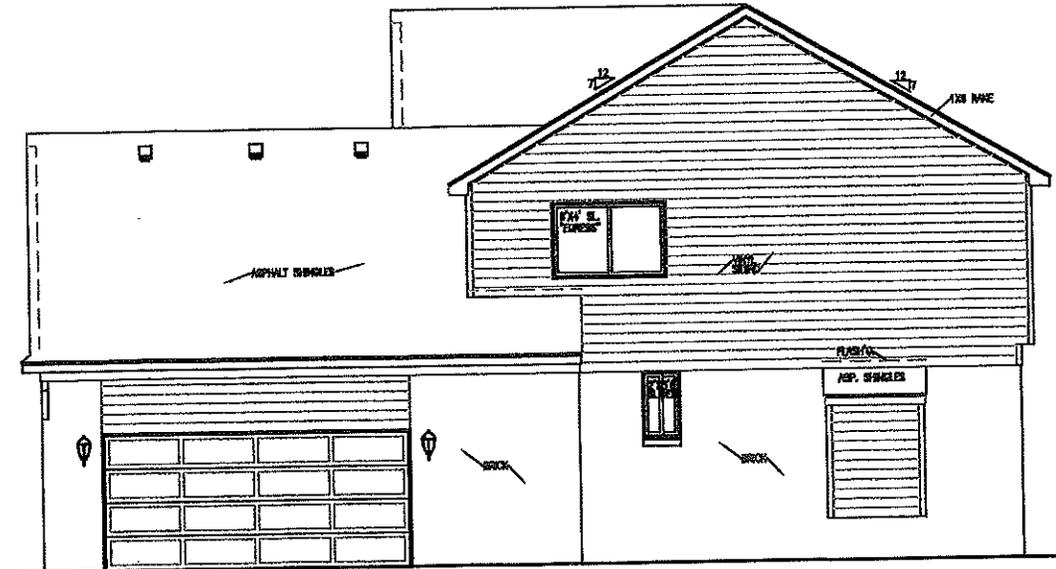


Elevation "C"

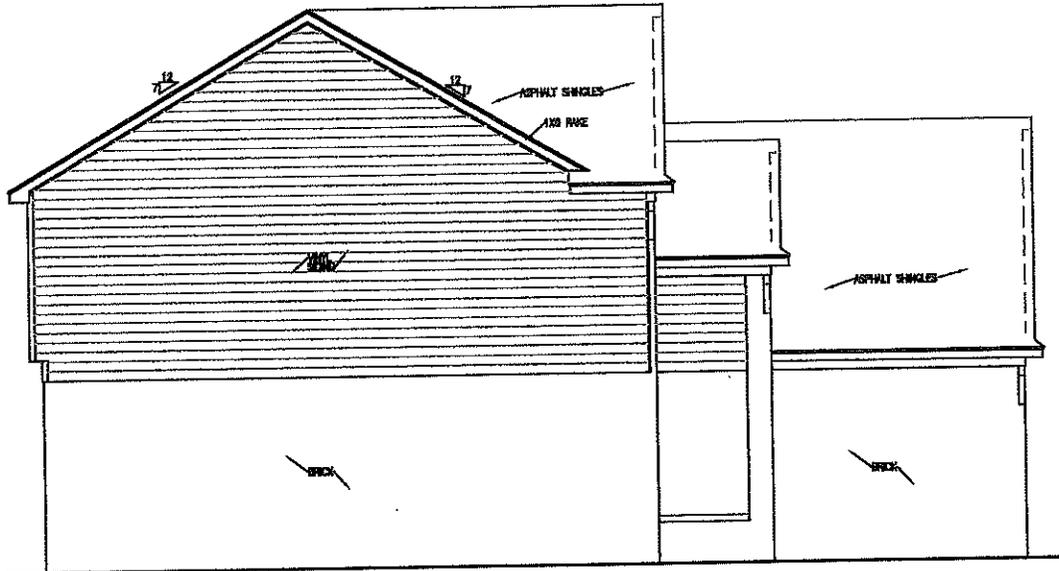


Elevation "B"

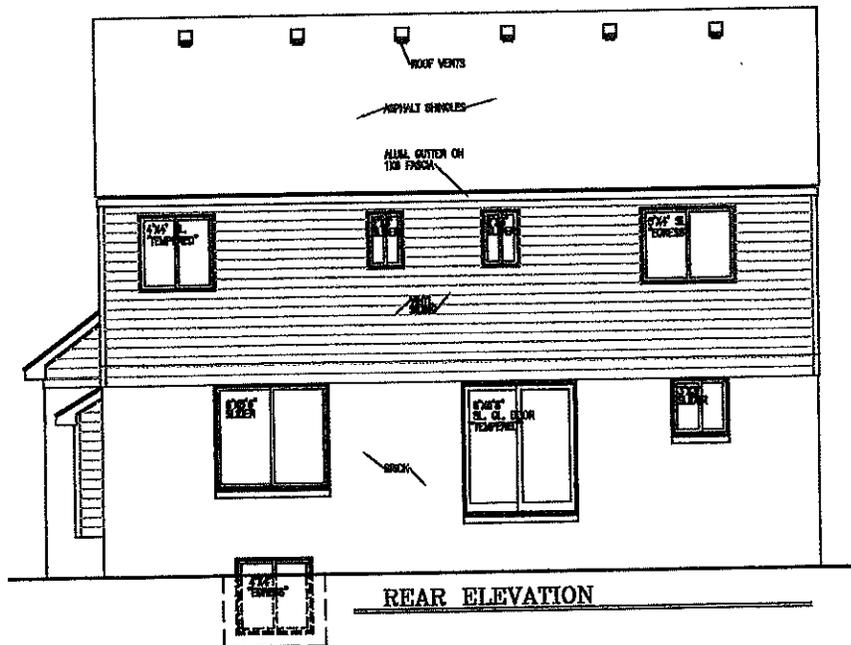




RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

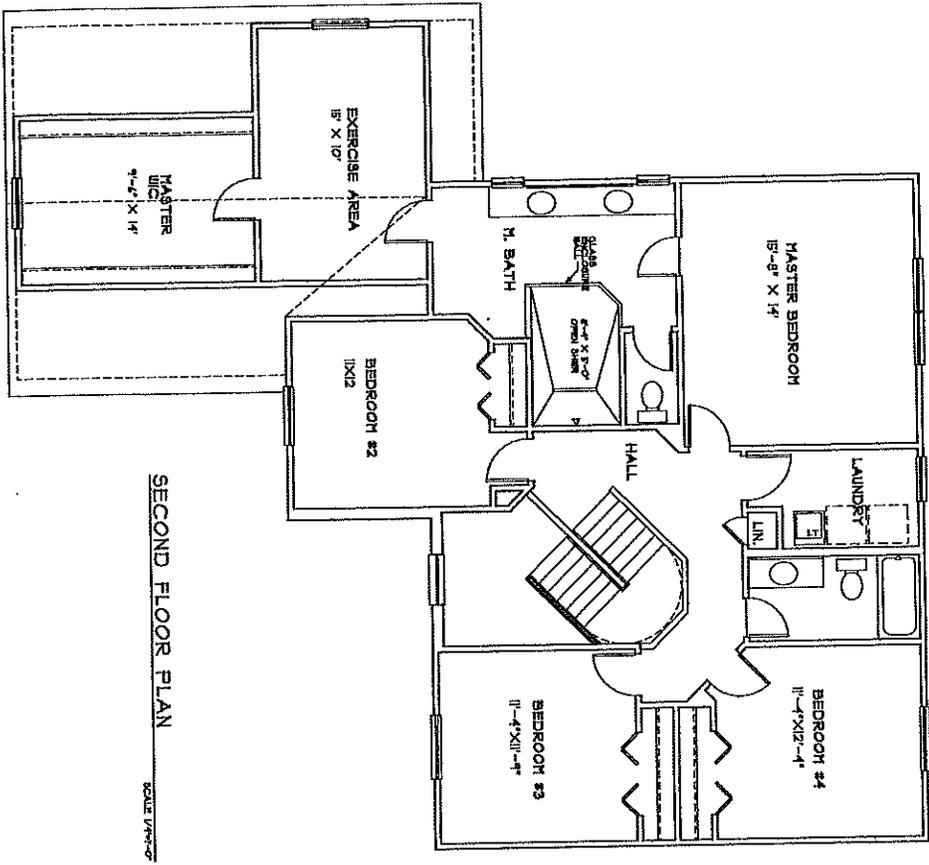
Plan#: 2842 (Colonial) - Front Entry

49'-6" Wide X 52'- 8" Deep

RECEIVED

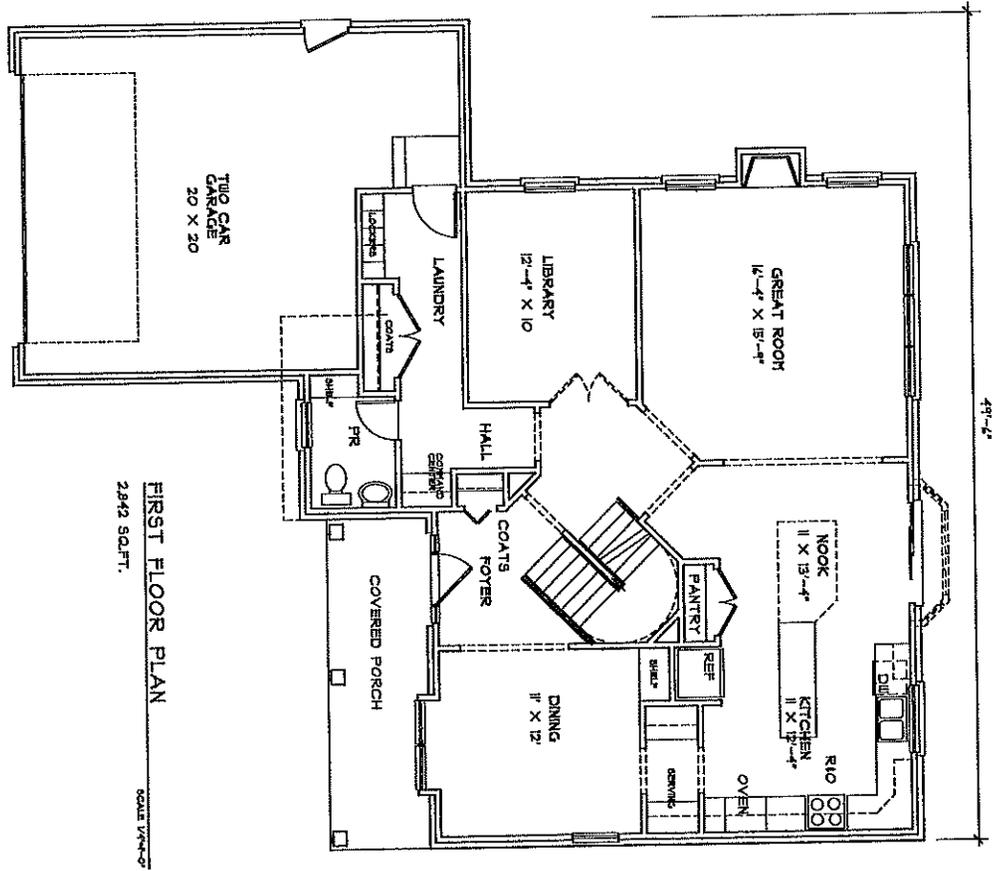
OCT 11 2017

BY: _____



SECOND FLOOR PLAN

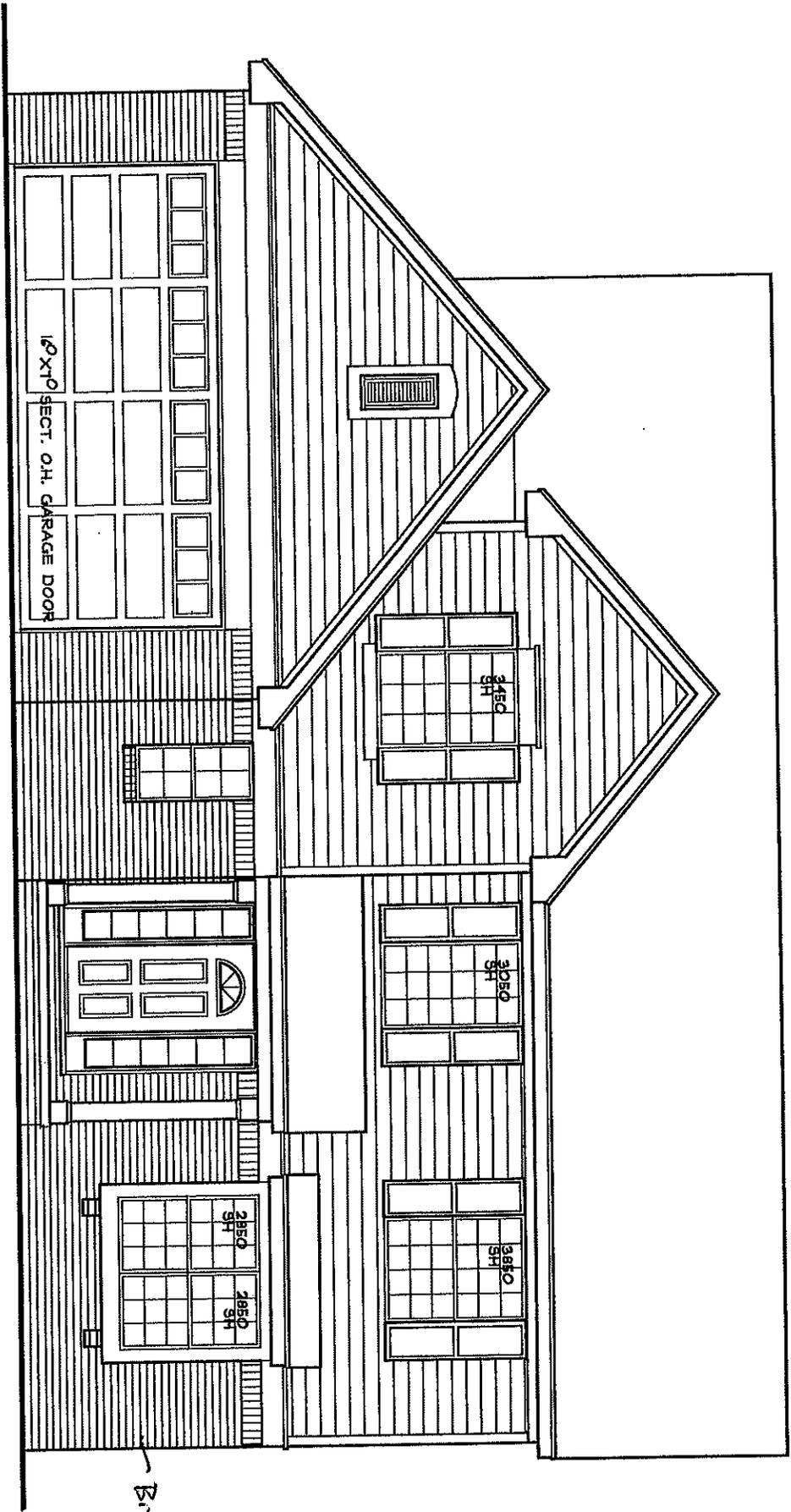
SCALE 1/4" = 1'-0"



FIRST FLOOR PLAN

2842 SQ. FT.

SCALE 1/4" = 1'-0"



18x10 SECT. O.H. GARAGE DOOR

3450 SH

3250 SH

3050 SH

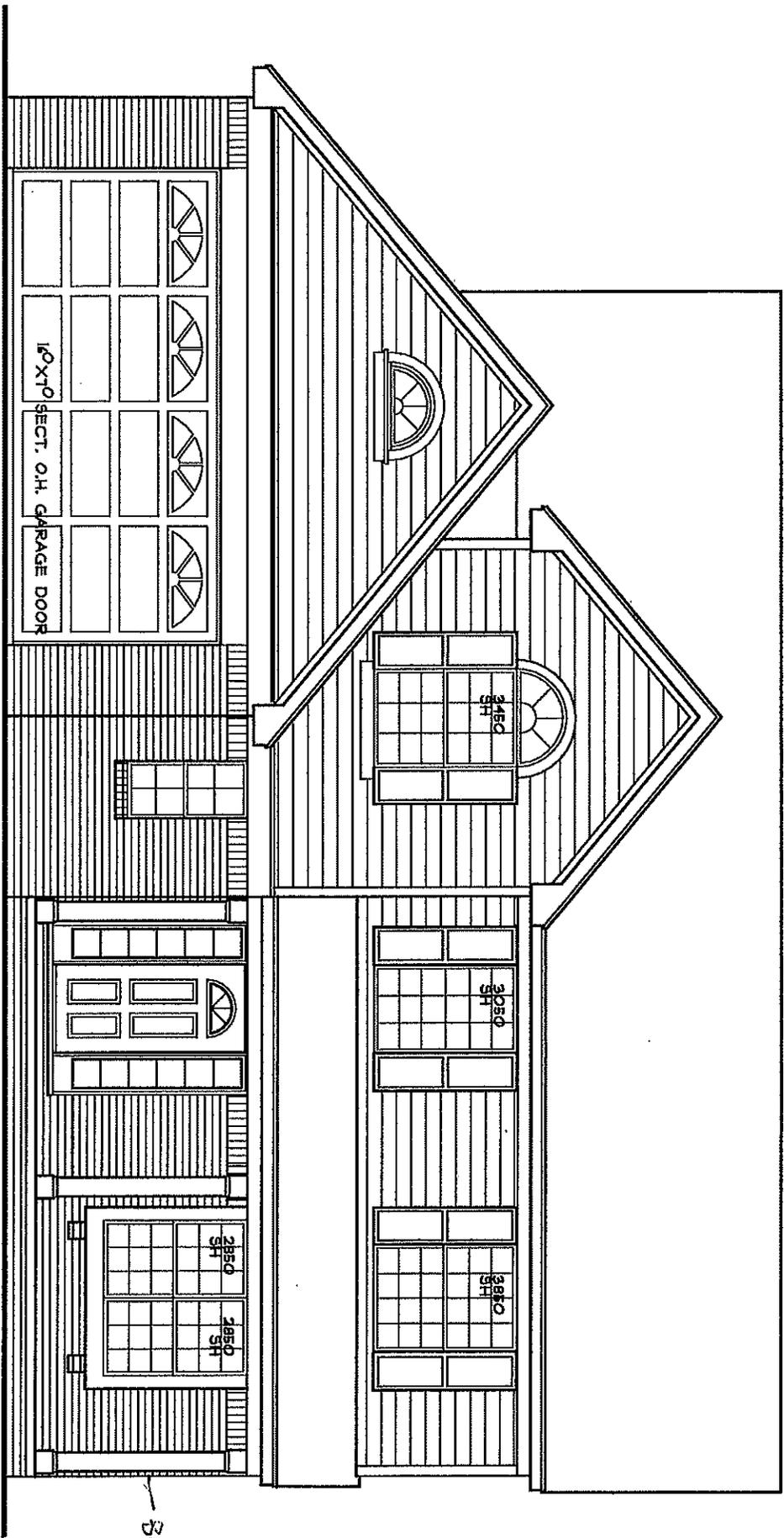
2850 SH

2650 SH

FRONT ELEVATION

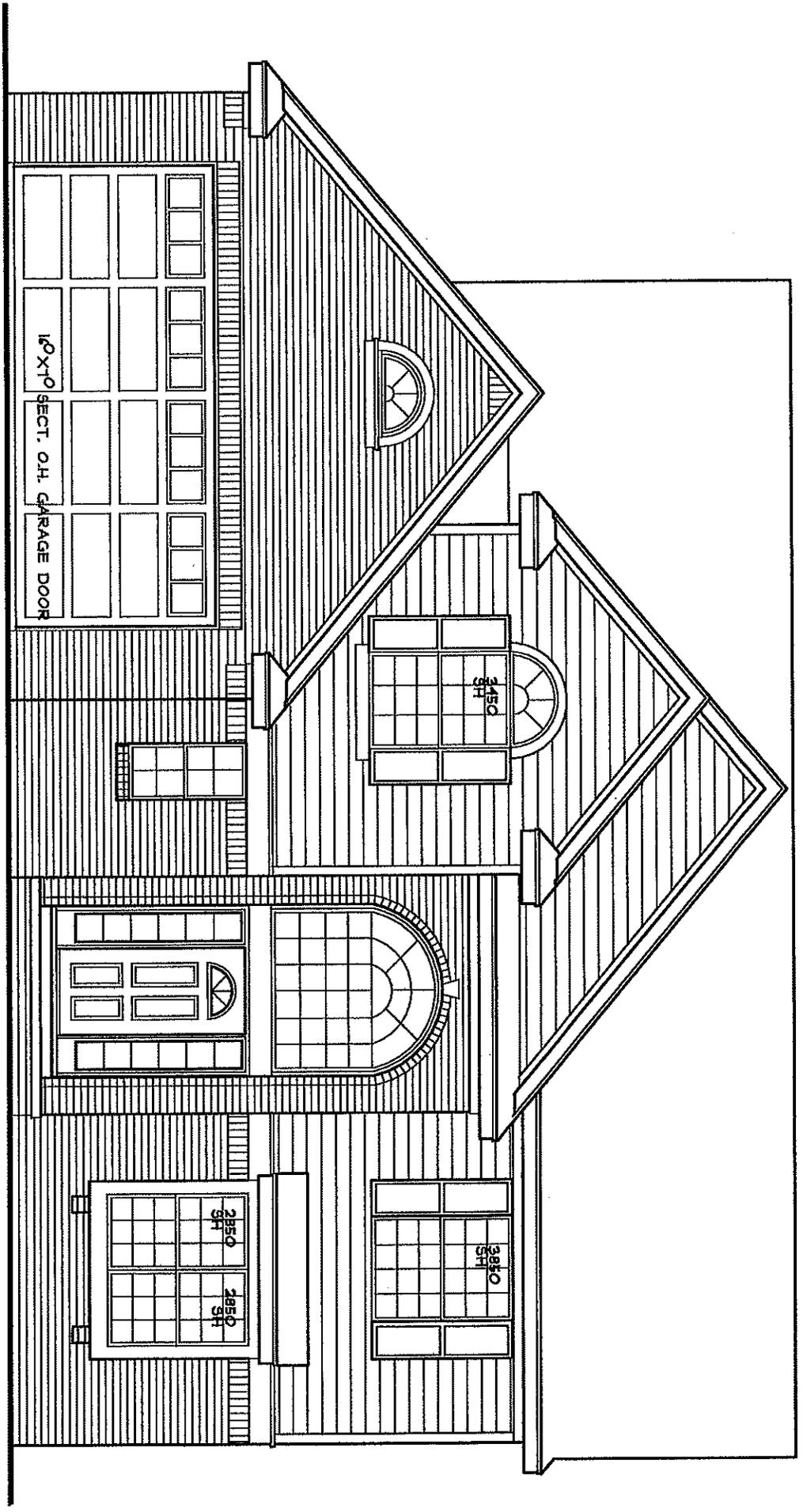
A

BRICK



FRONT ELEVATION

B



FRONT ELEVATION

C

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

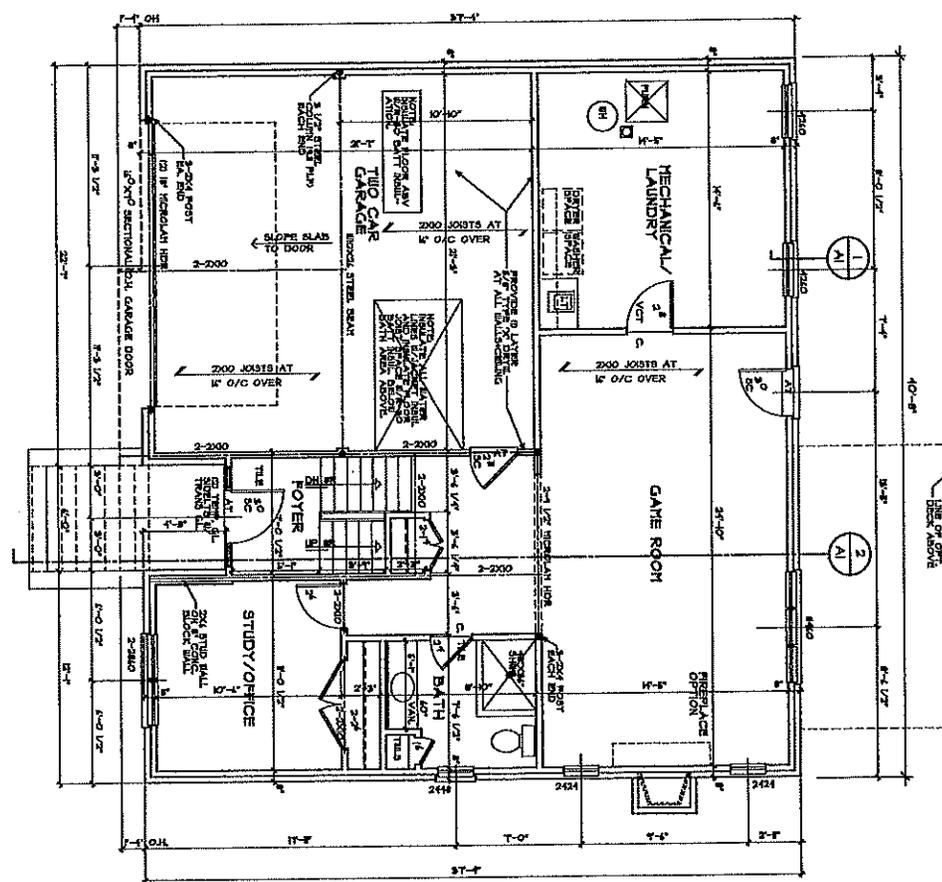
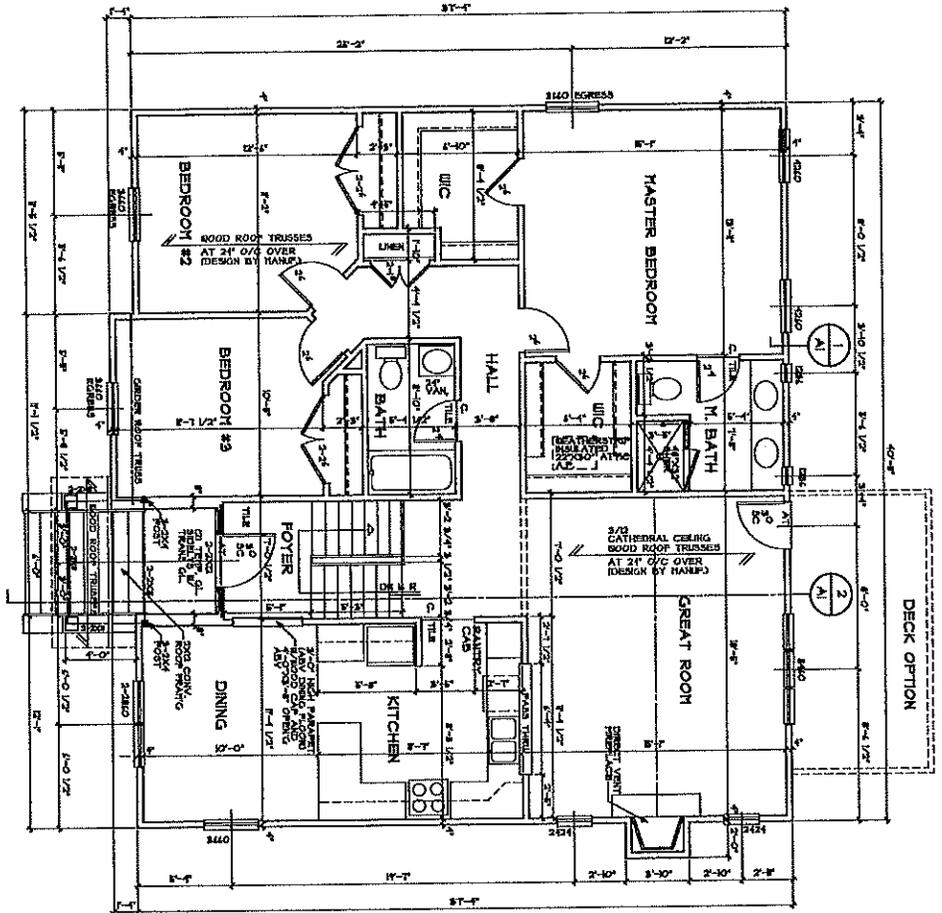
Plan#: 1483 (Bi-Level) - Front Entry

40'-8" Wide X 37'-4" Deep

RECEIVED

OCT 11 2017

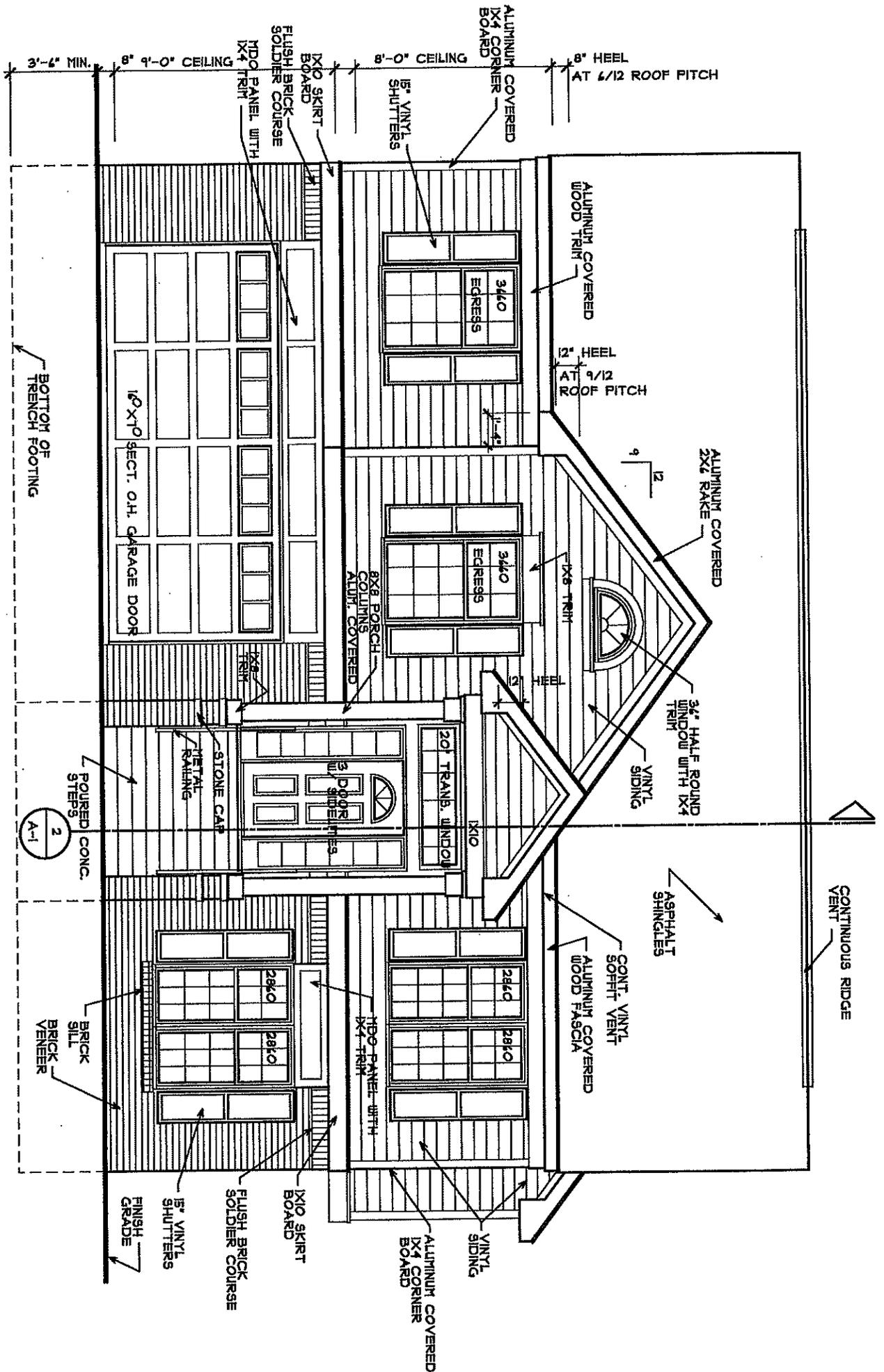
BY: _____



1483 SF

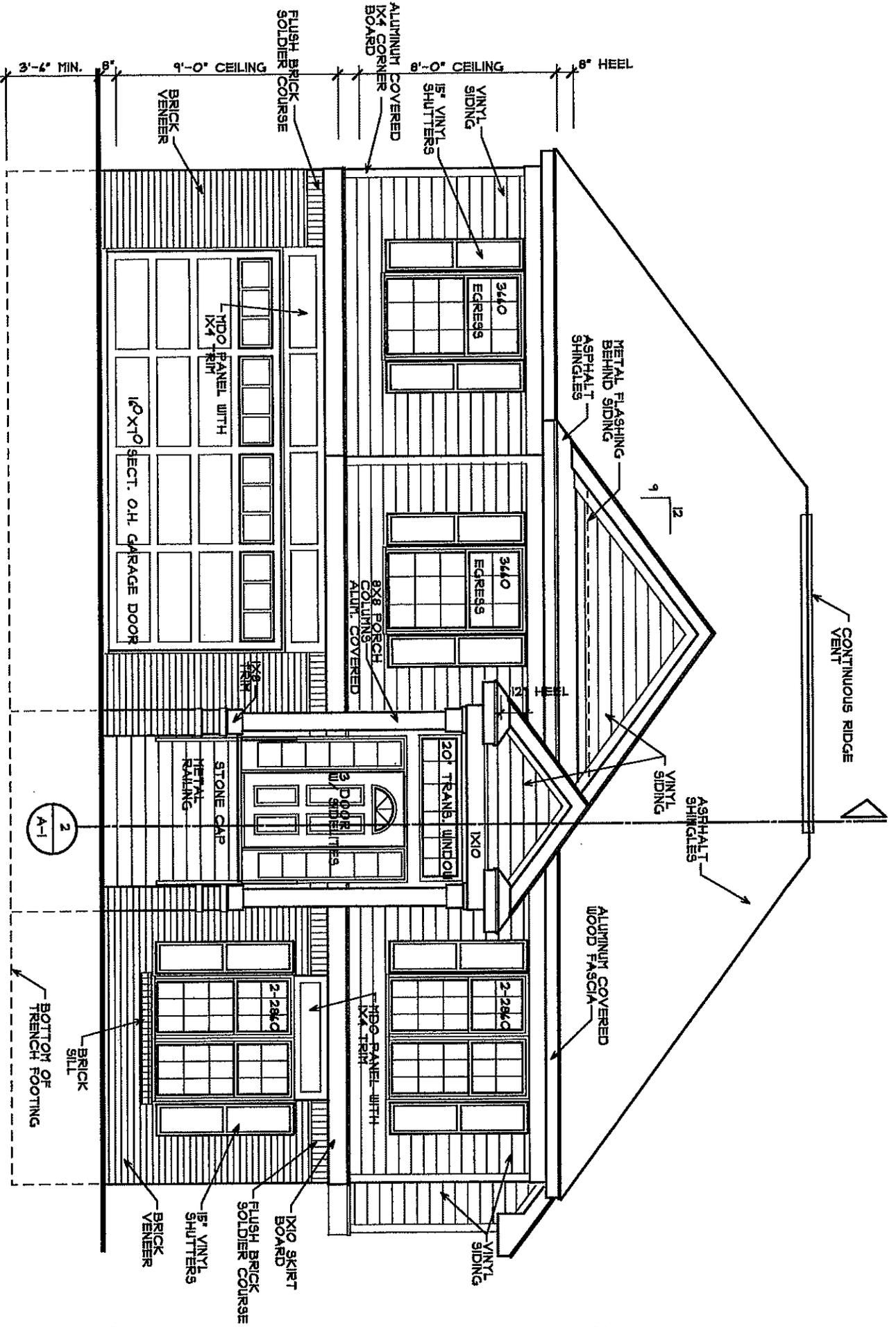
UPPER LEVEL PLAN - 1483 SF
SCALE 1/8"=1'-0"

LOWER LEVEL PLAN
SCALE 1/8"=1'-0"



FRONT ELEVATION A

SCALE 1/4"=1'-0"

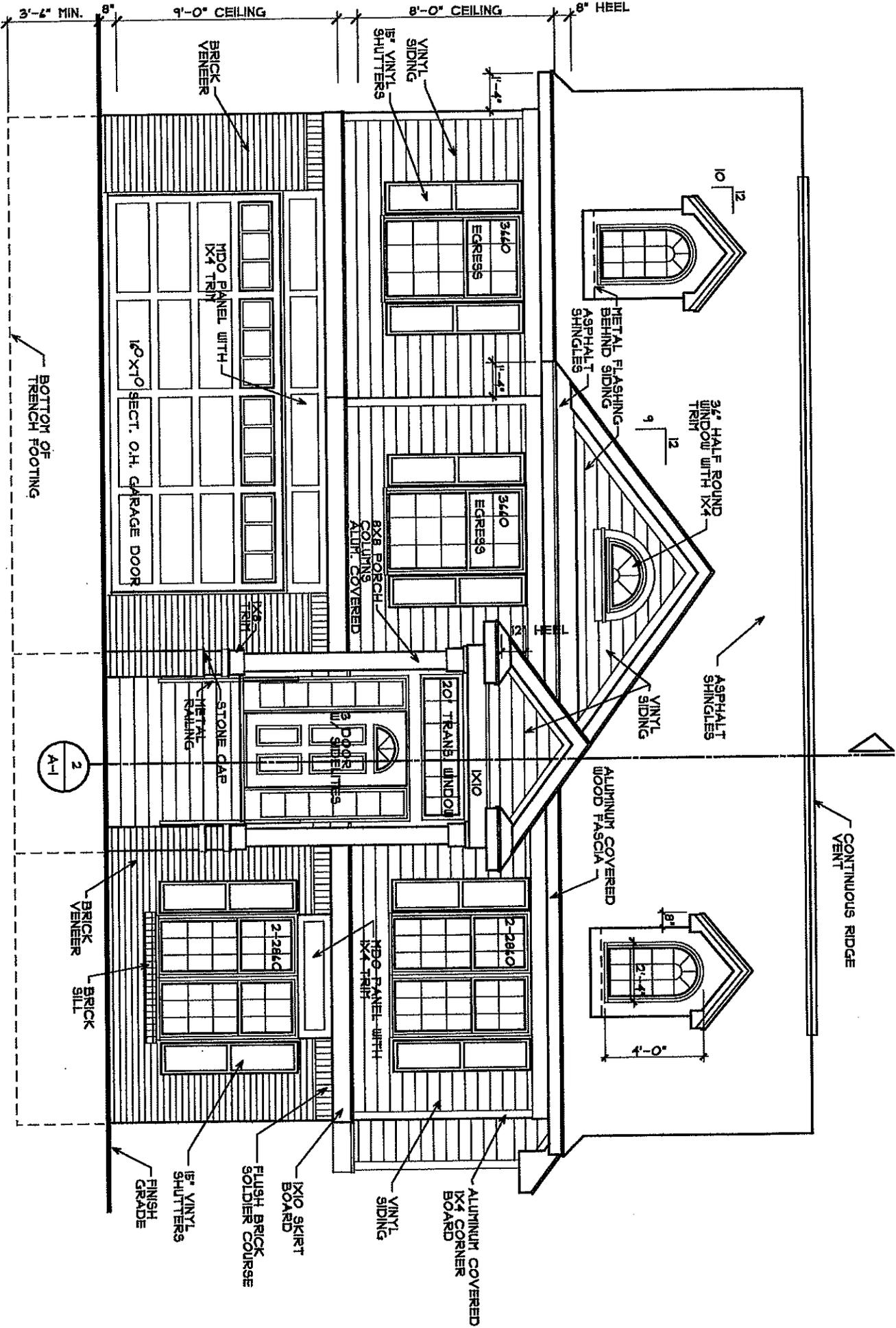


FRONT ELEVATION B

SCALE 1/4"=1'-0"



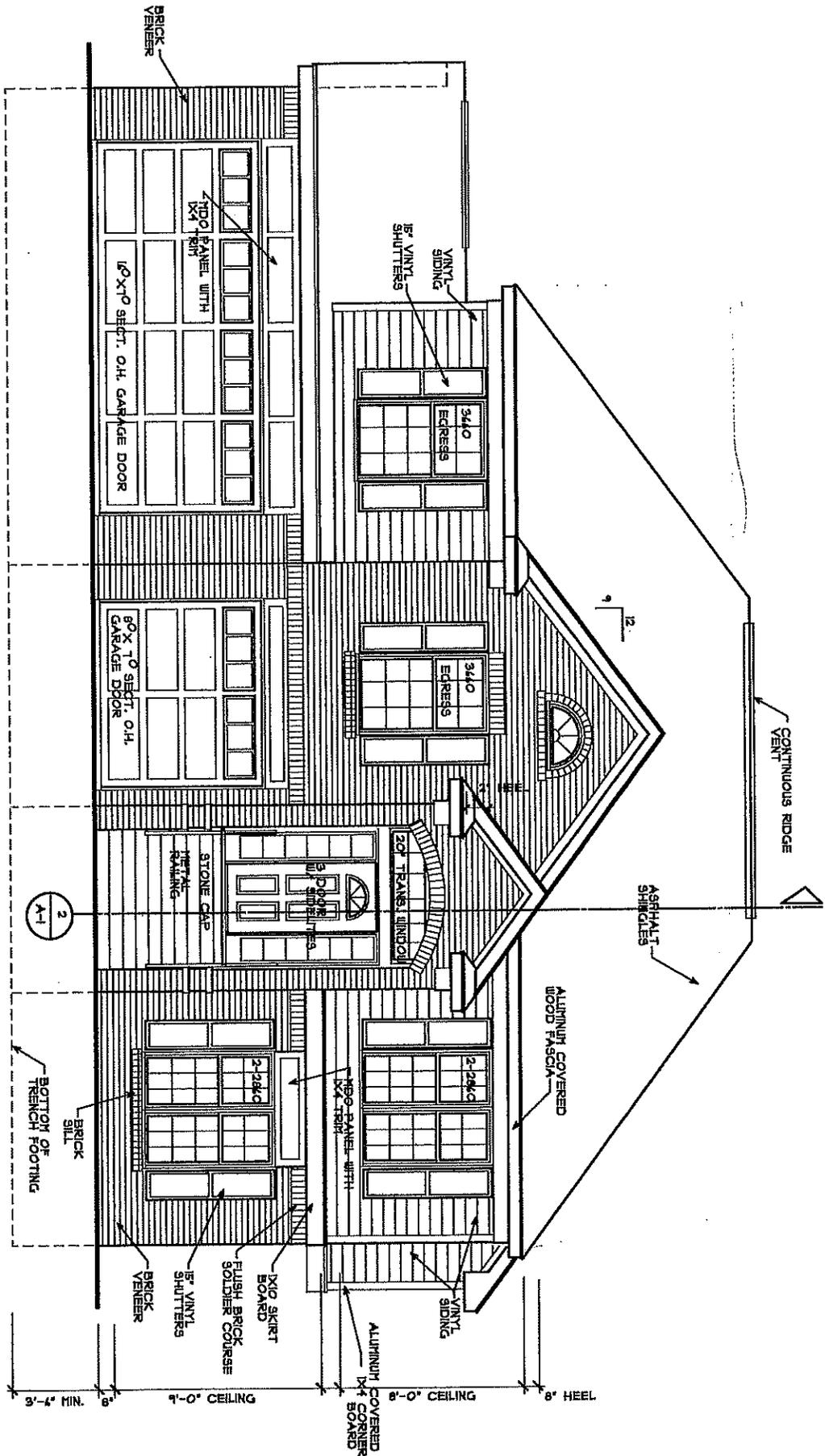
BOTTOM OF TRENCH FOOTING



FRONT ELEVATION C

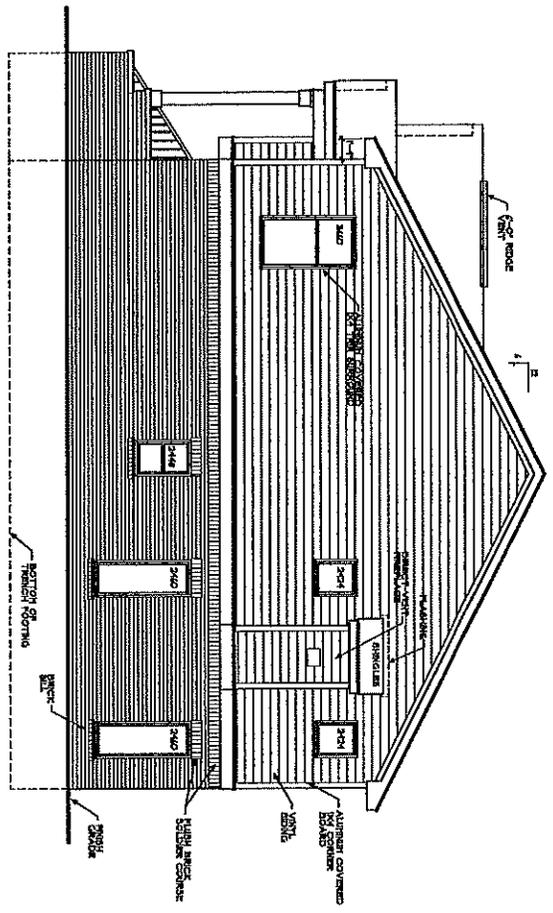
2
A-1

SCALE 1/4"=1'-0"

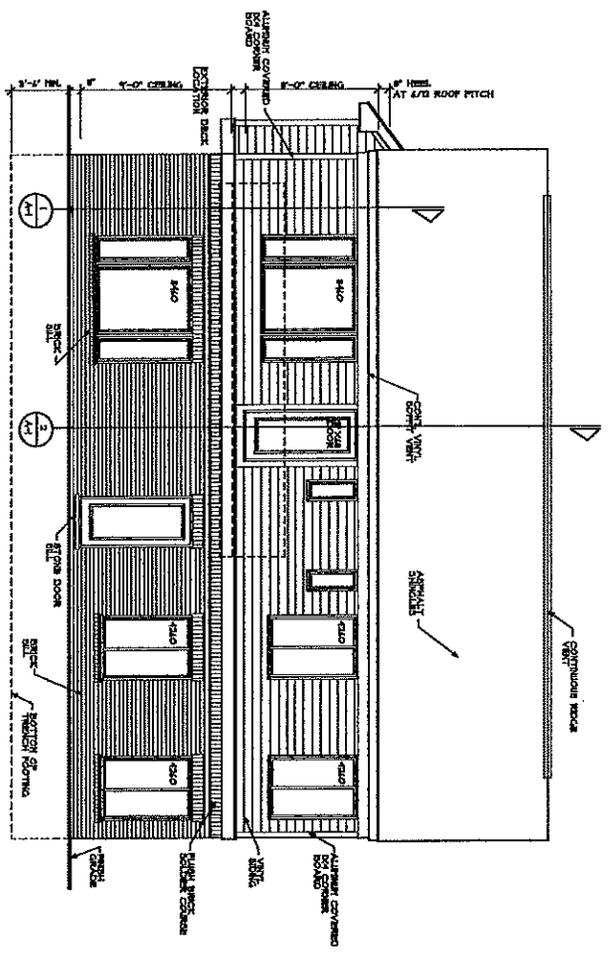


FRONT ELEVATION D

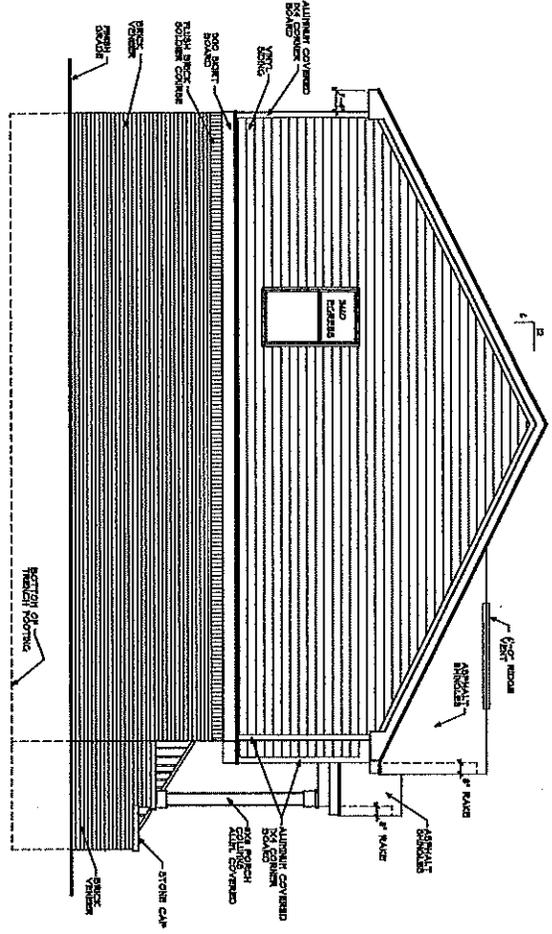
SCALE 1/4"=1'-0"



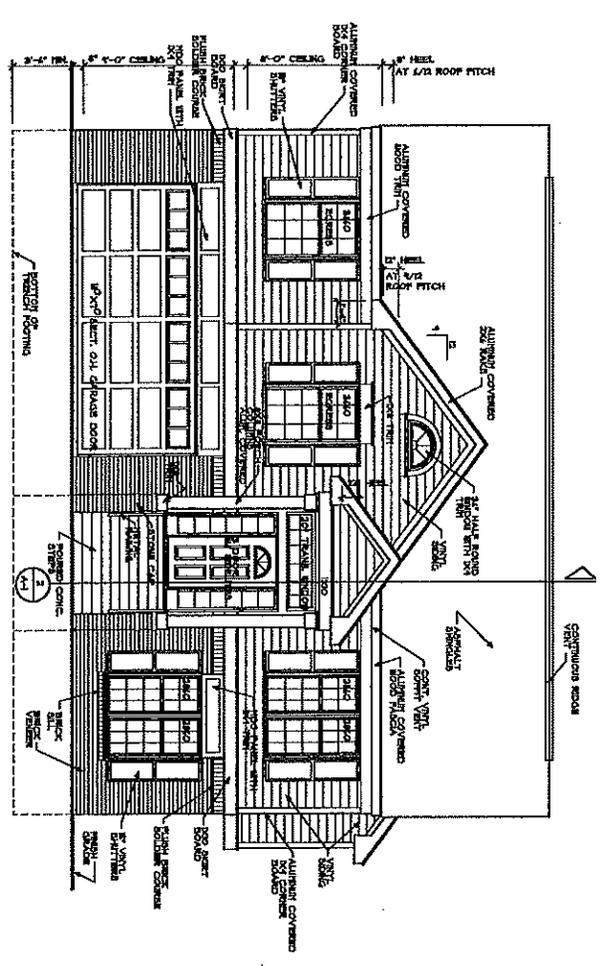
RIGHT SIDE ELEVATION
SCALE 1/4"=1'-0"



REAR ELEVATION
SCALE 1/4"=1'-0"



LEFT SIDE ELEVATION
SCALE 1/4"=1'-0"



FRONT ELEVATION A
SCALE 1/4"=1'-0"

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

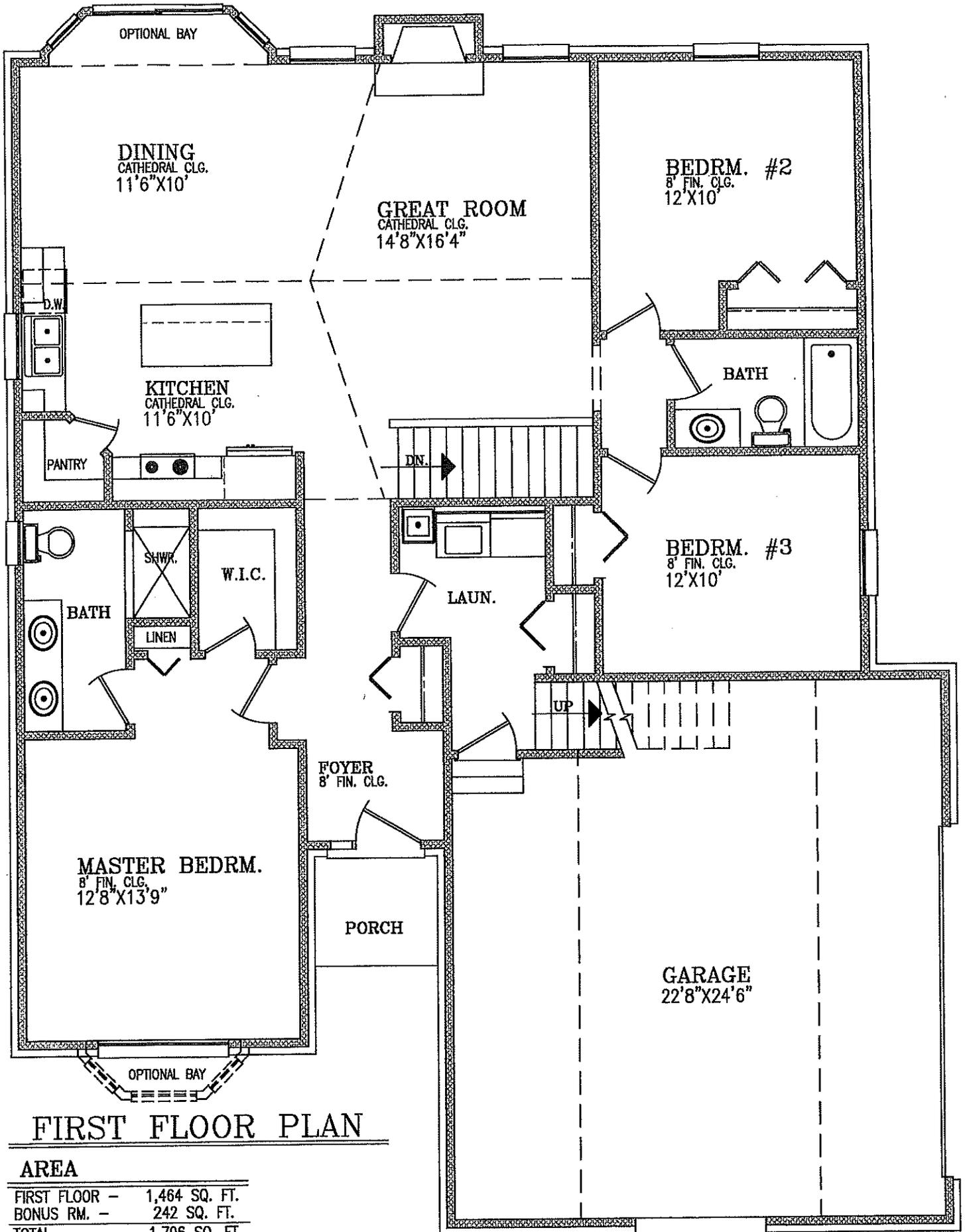
Plan#: 1706 (Ranch) - Side Entry

43'-8" Wide X 54'- 4" Deep

RECEIVED

OCT 11 2017

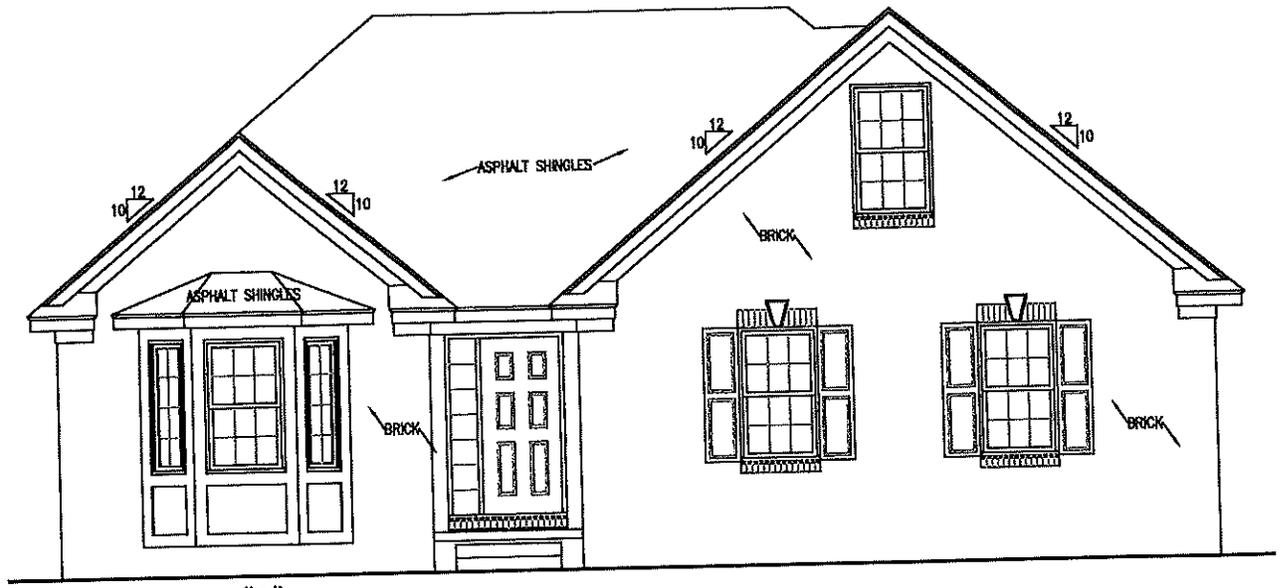
BY: _____



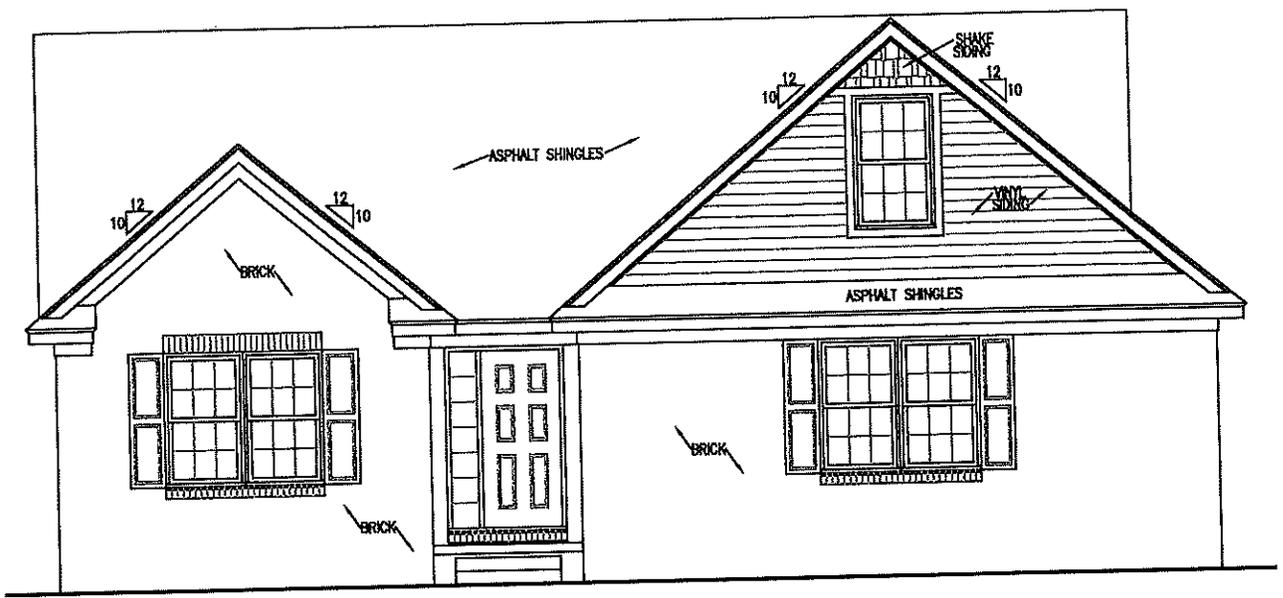
FIRST FLOOR PLAN

AREA

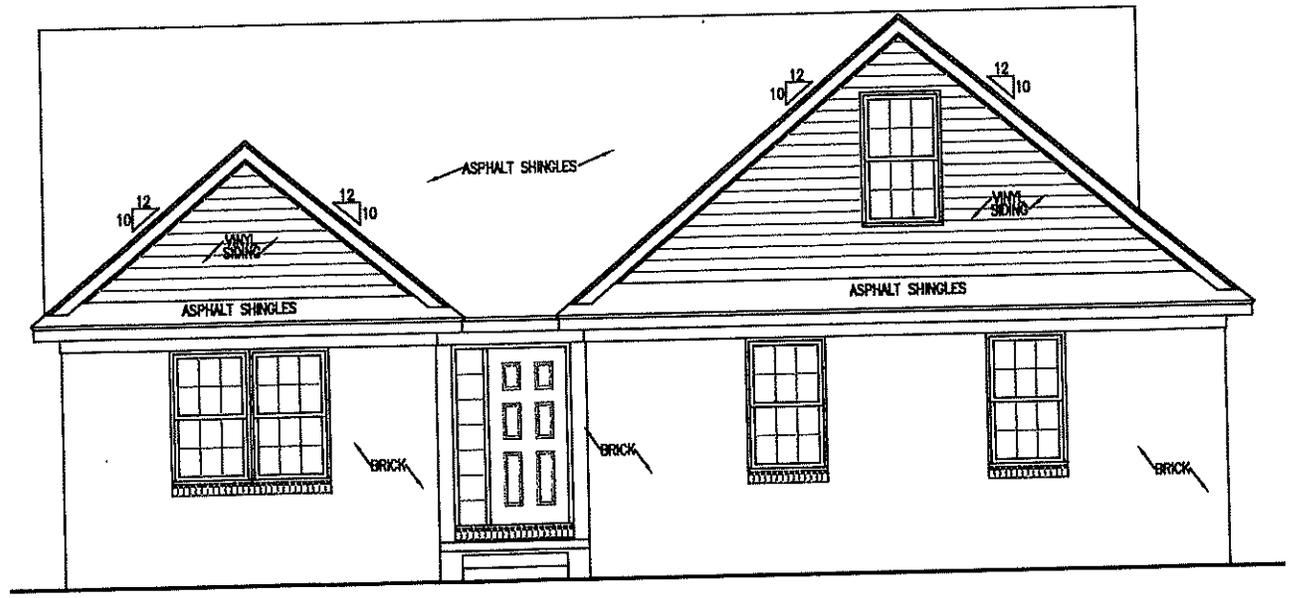
FIRST FLOOR -	1,464 SQ. FT.
BONUS RM. -	242 SQ. FT.
TOTAL -	1,706 SQ. FT.

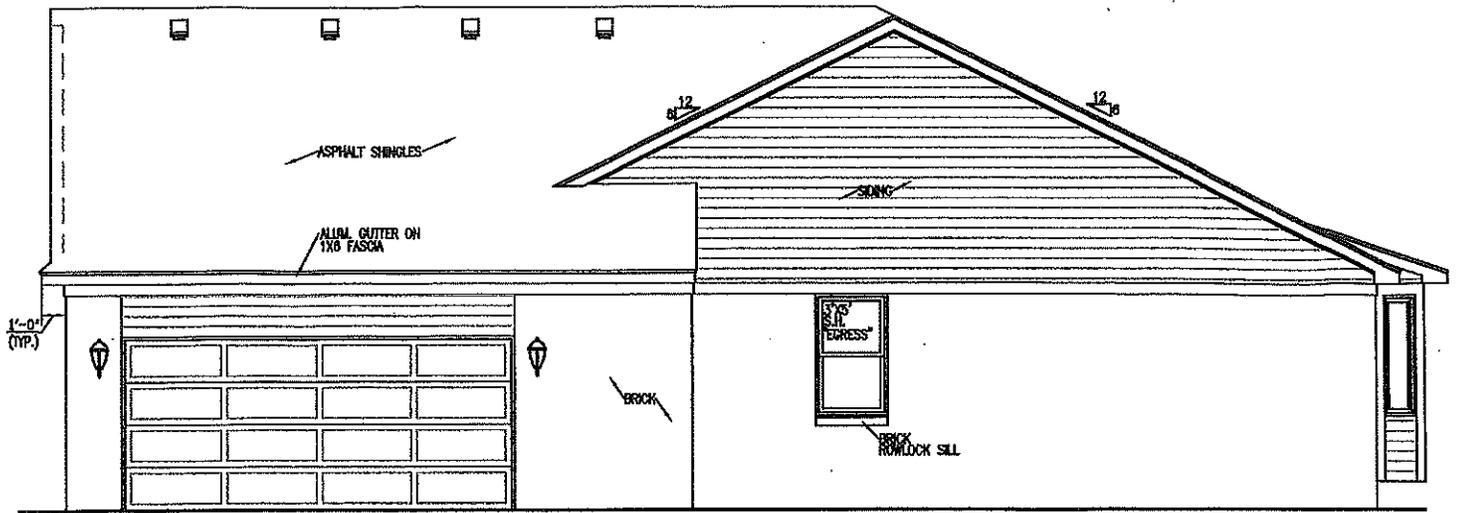


Elevation "C"

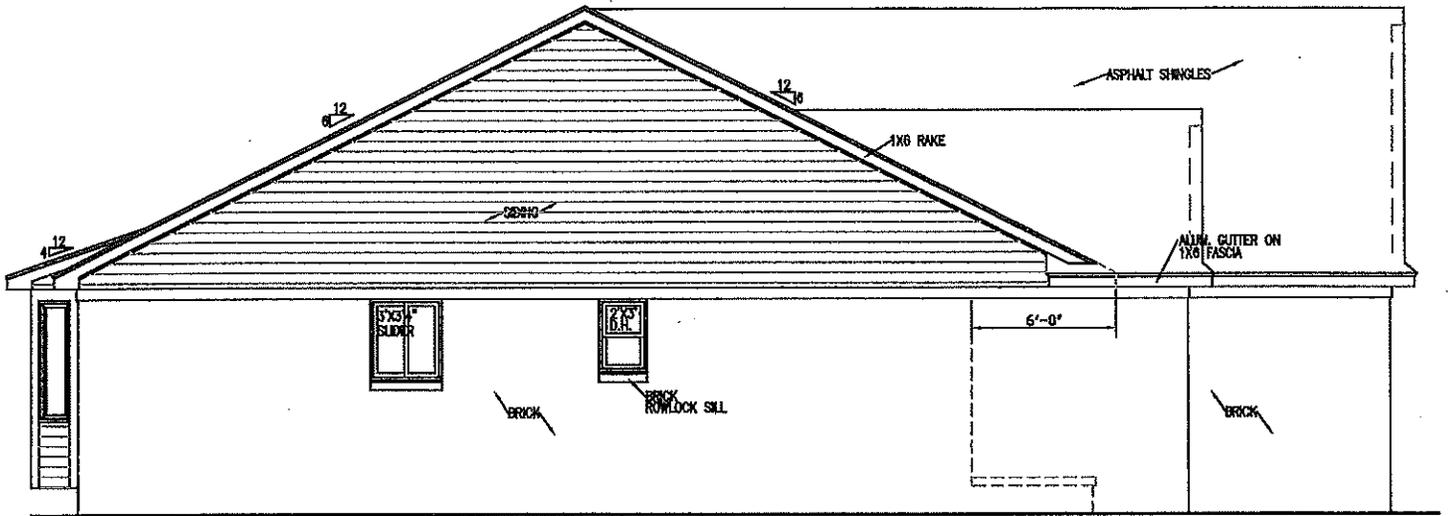


Elevation "B"

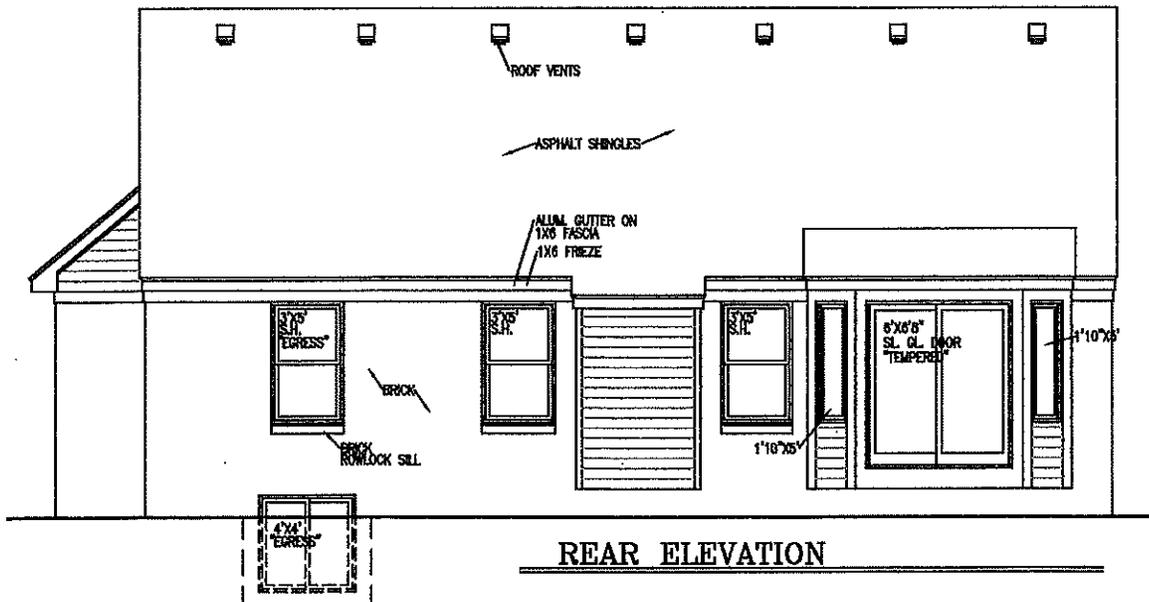




RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

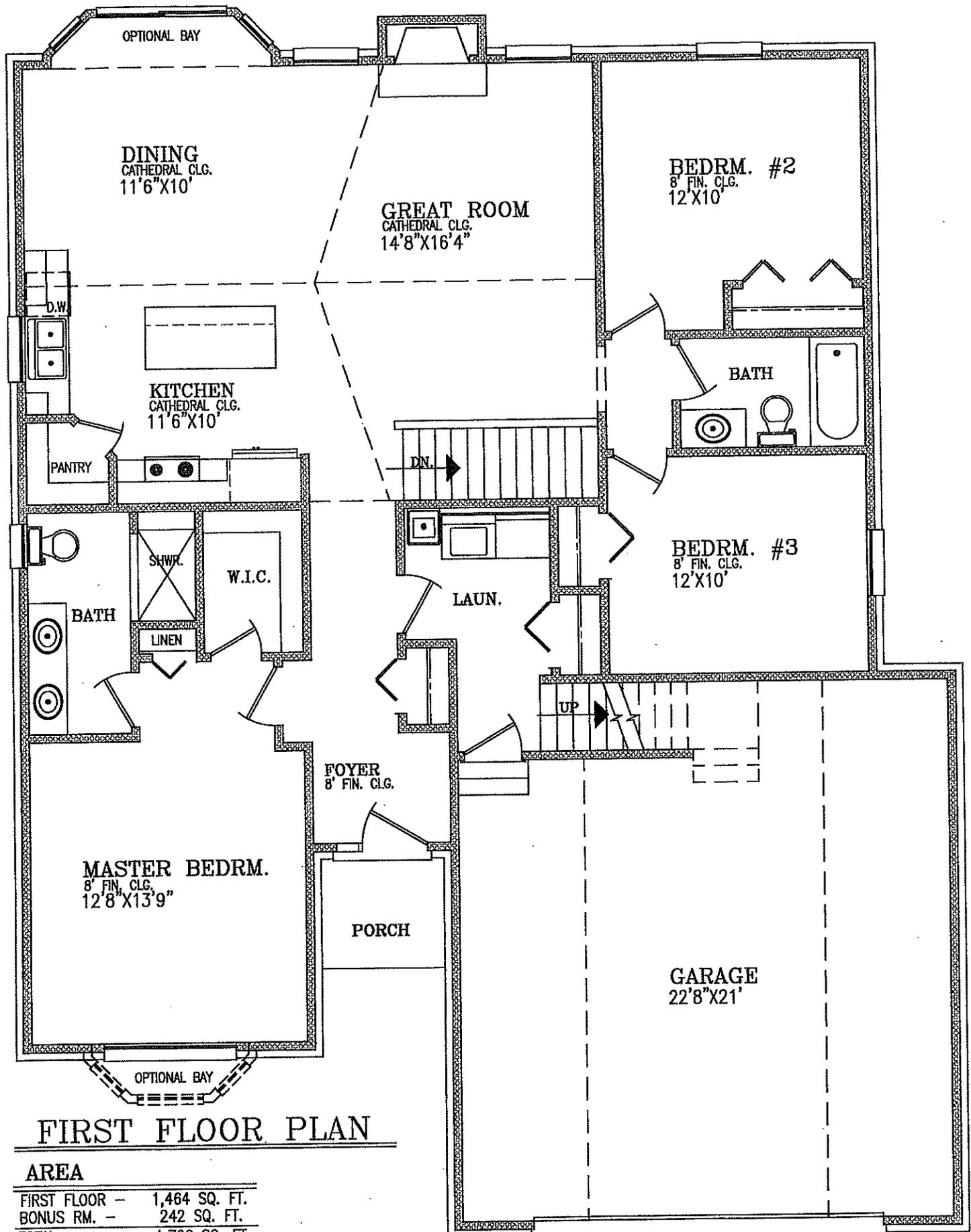
Plan#: 1706 (Ranch) - Front Entry

43'-8" Wide X 54'- 4" Deep

RECEIVED

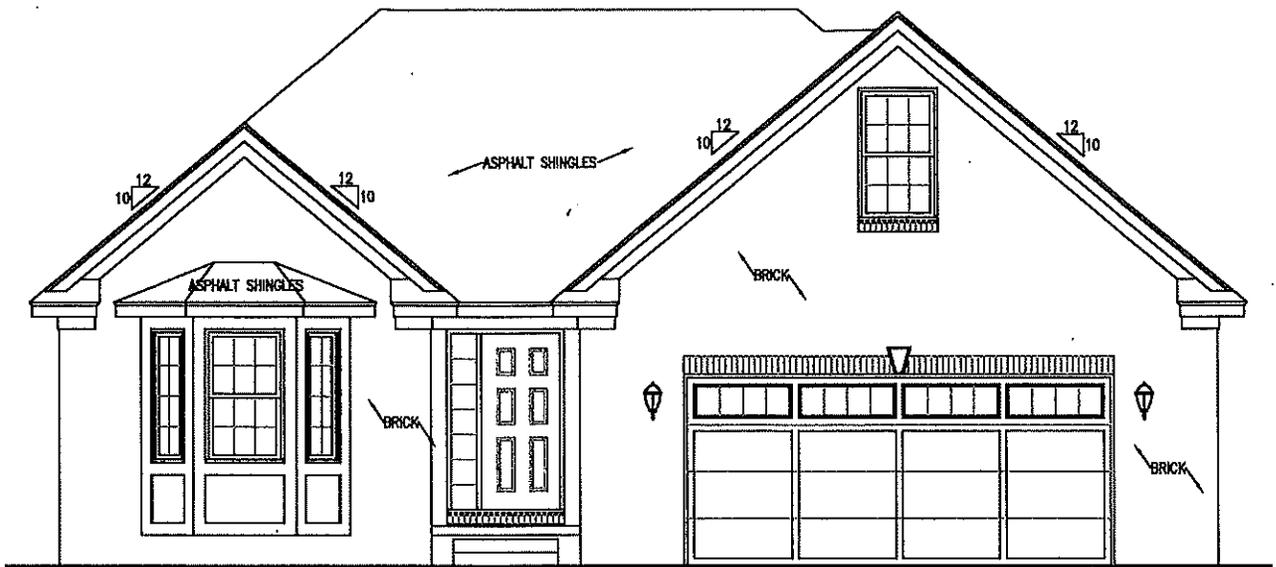
OCT 11 2017

BY: _____

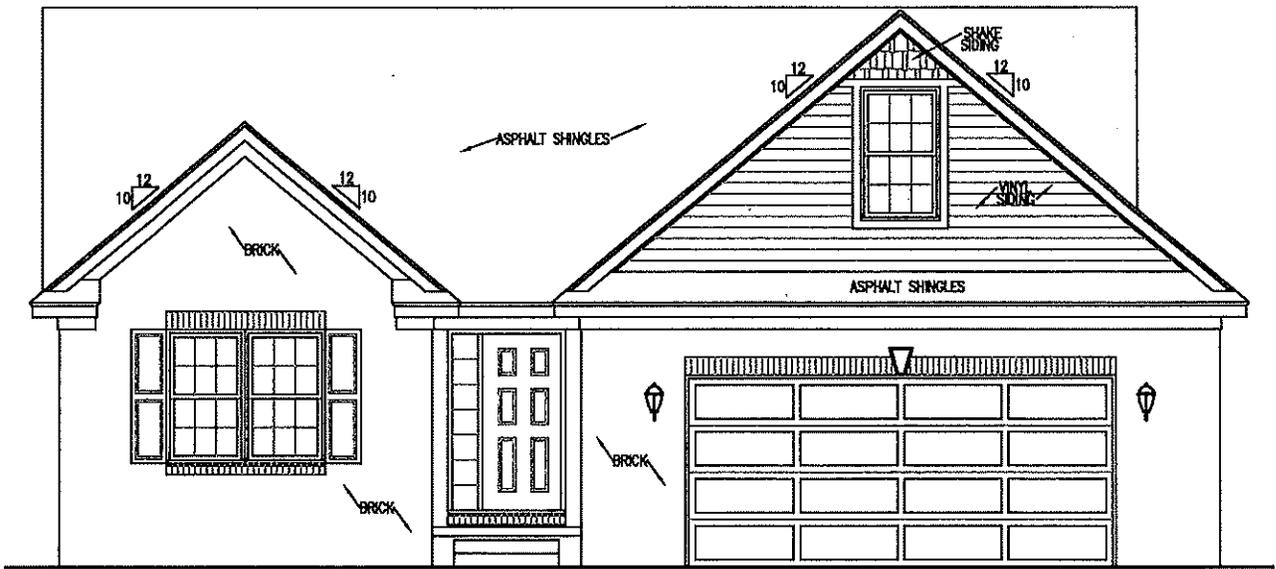


FIRST FLOOR PLAN

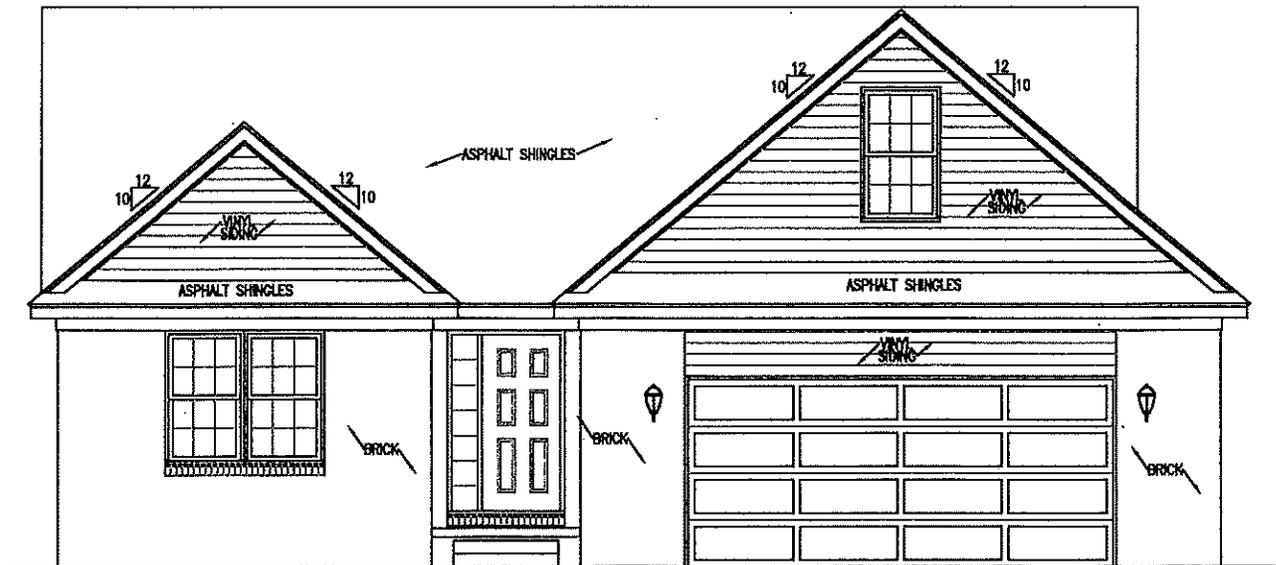
AREA	
FIRST FLOOR -	1,464 SQ. FT.
BONUS RM. -	242 SQ. FT.
TOTAL -	1,706 SQ. FT.



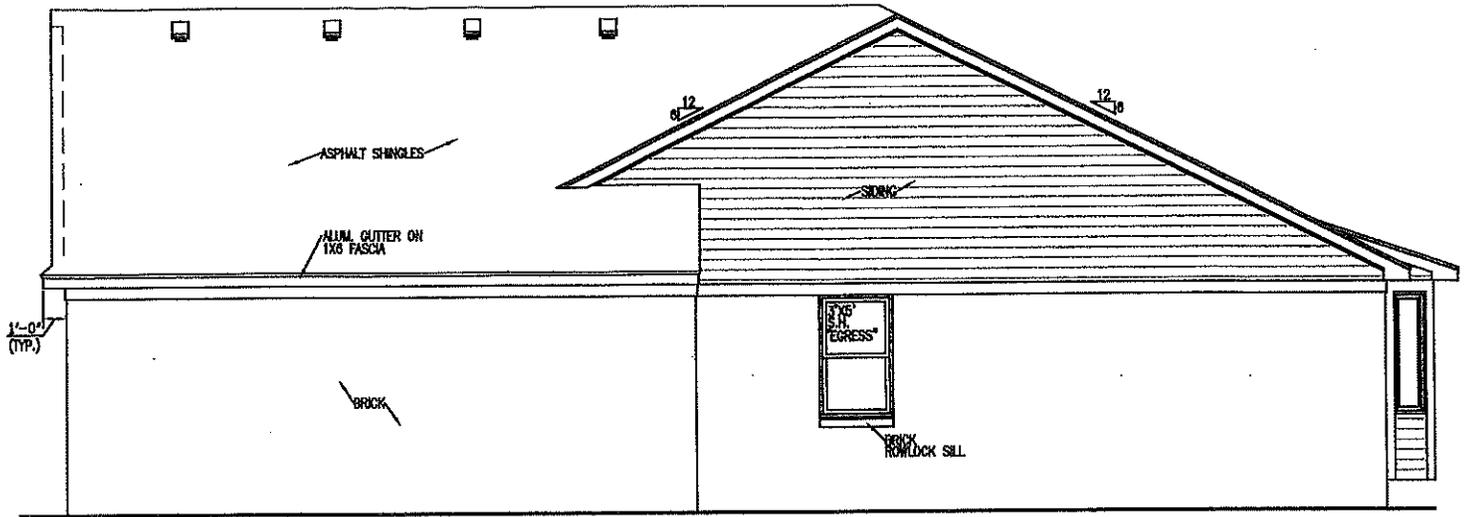
Elevation "C"



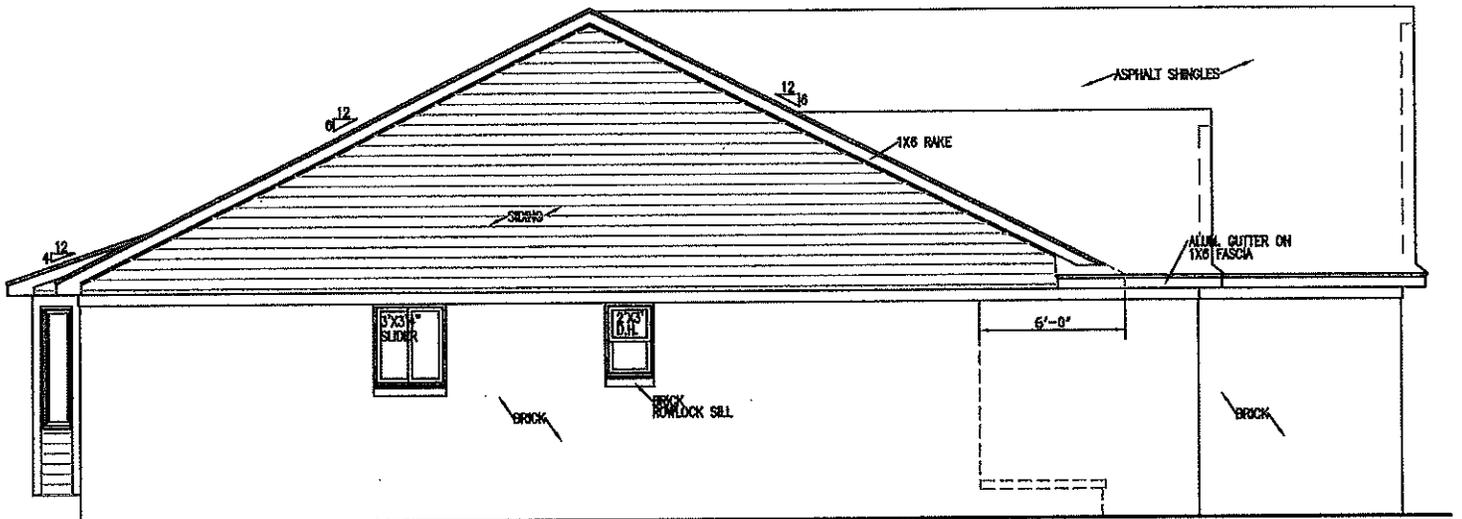
Elevation "B"



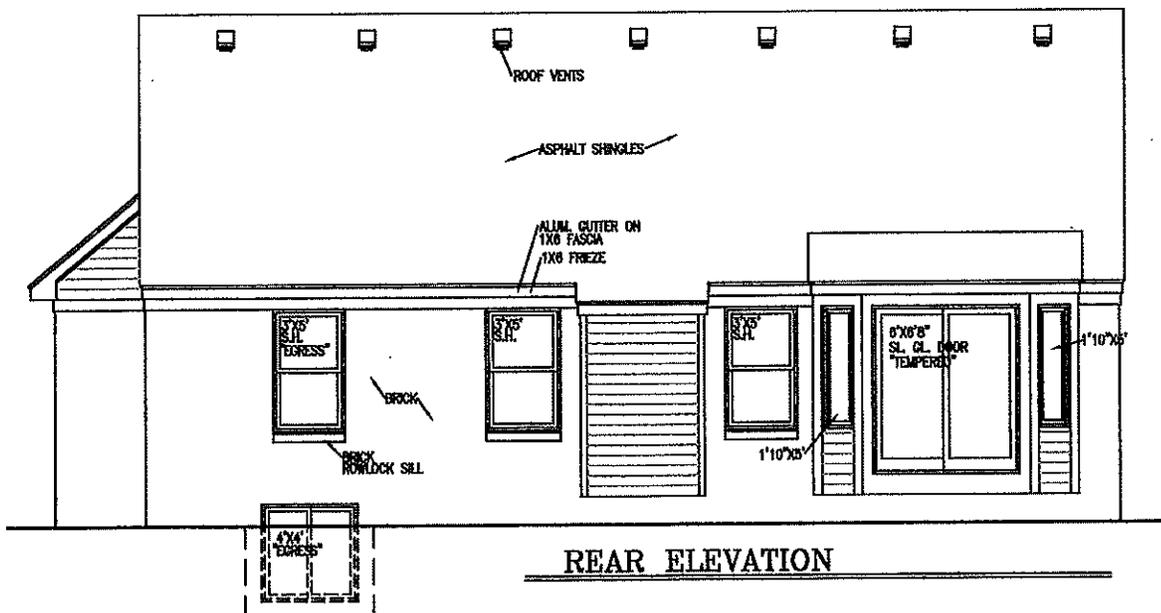
Elevation "A"



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

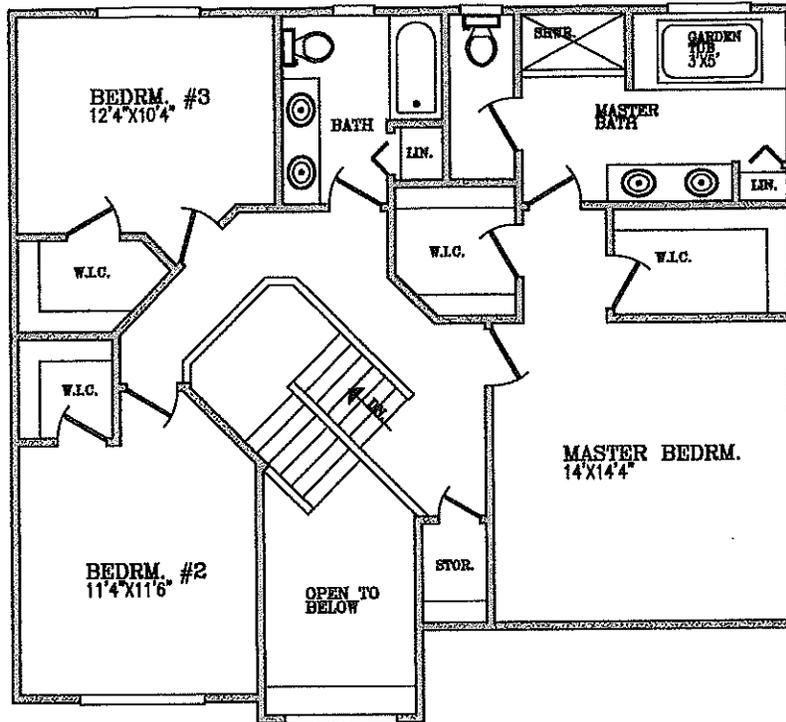
Plan#: 2159 (Colonial) - Front Entry

40'-8" Wide X 51'- 8" Deep

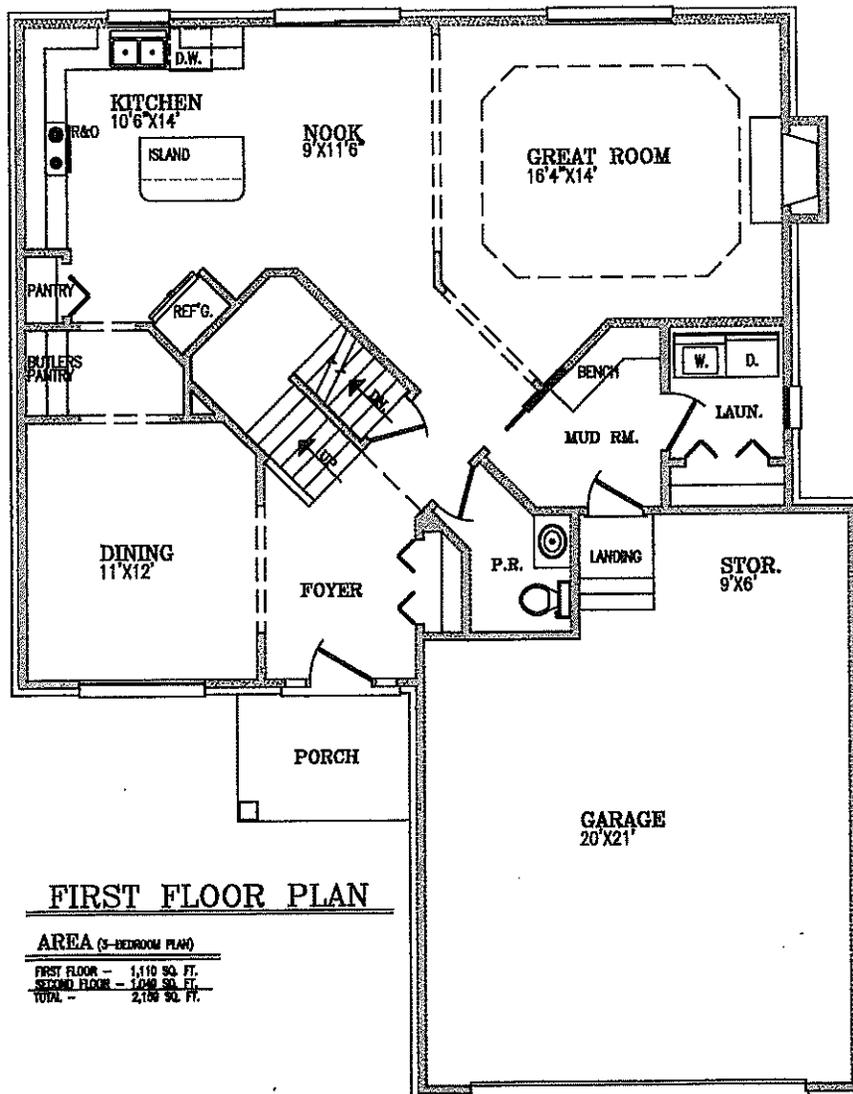
RECEIVED

OCT 11 2017

BY: _____

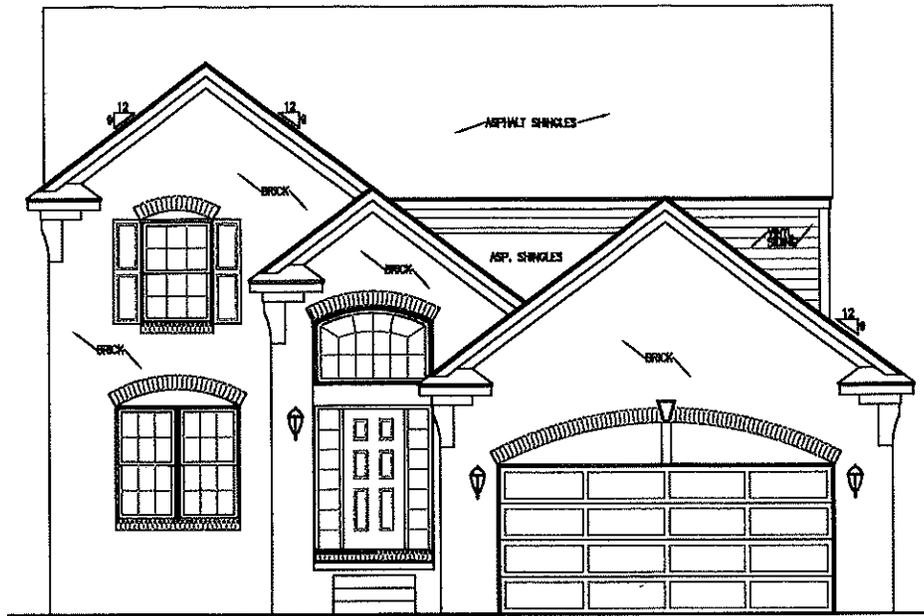


SECOND FLOOR PLAN



FIRST FLOOR PLAN

AREA (3-BEDROOM PLAN)	
FIRST FLOOR -	1,110 SQ. FT.
SECOND FLOOR -	1,024 SQ. FT.
TOTAL -	2,134 SQ. FT.



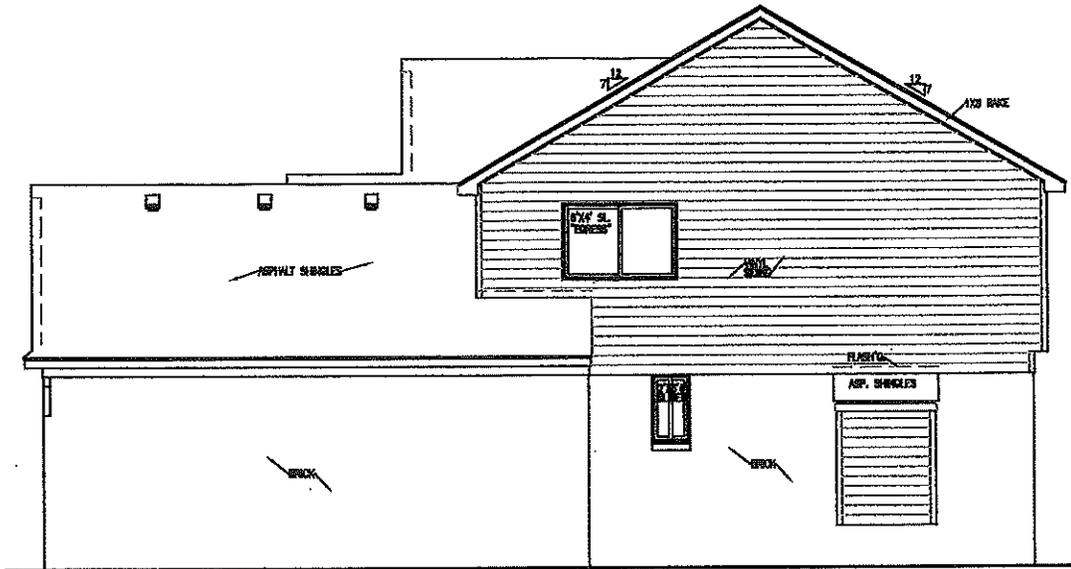
Elevation "C"



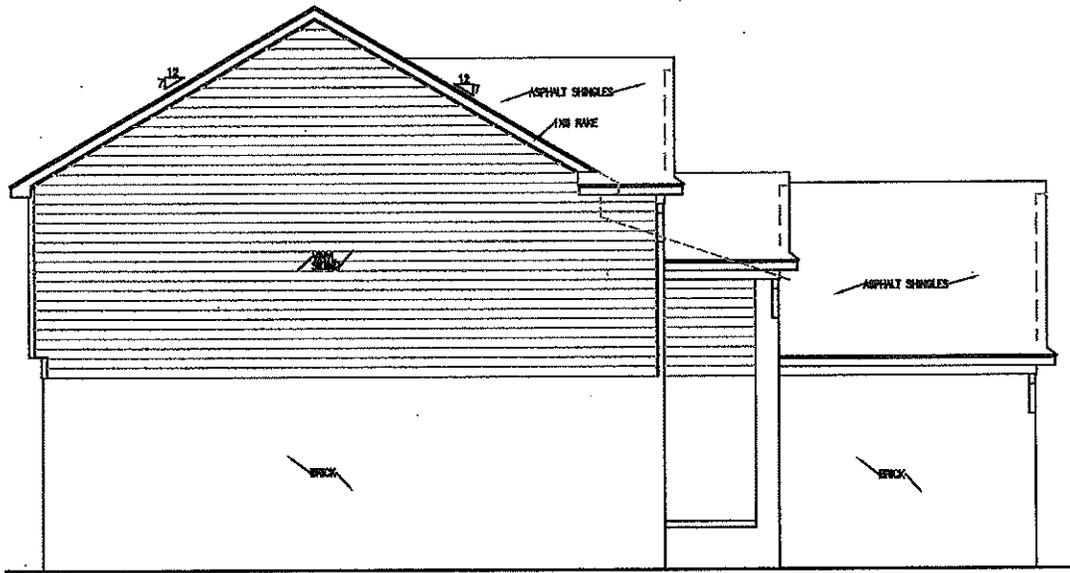
Elevation "B"



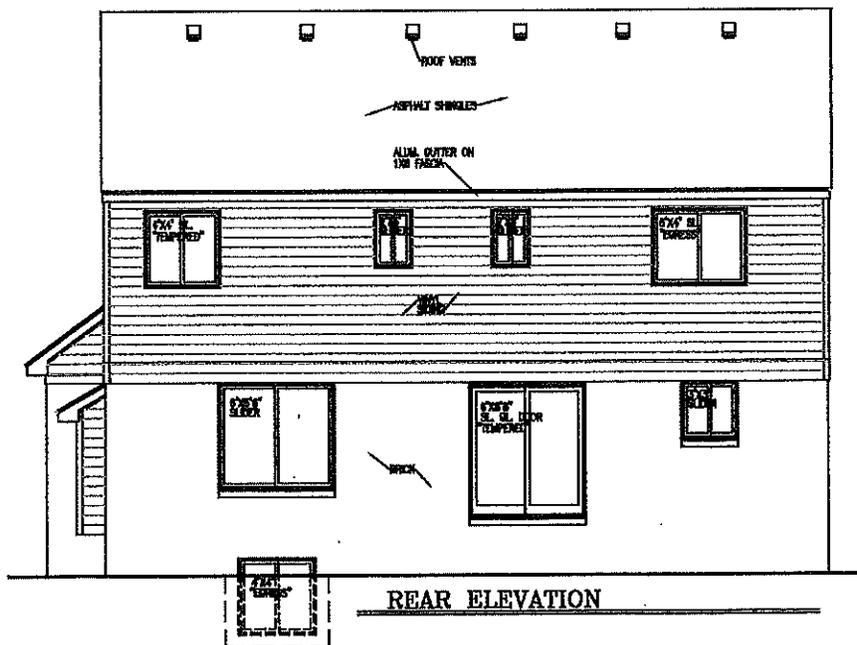
Elevation "A"



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

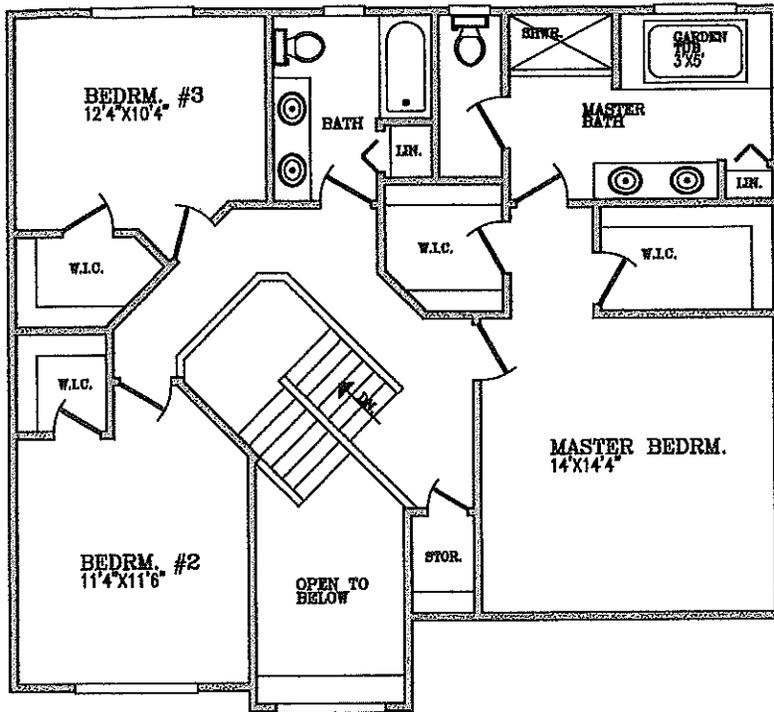
Plan#: 2159 (Colonial) - Side Entry

40'-8" Wide X 51'- 8" Deep

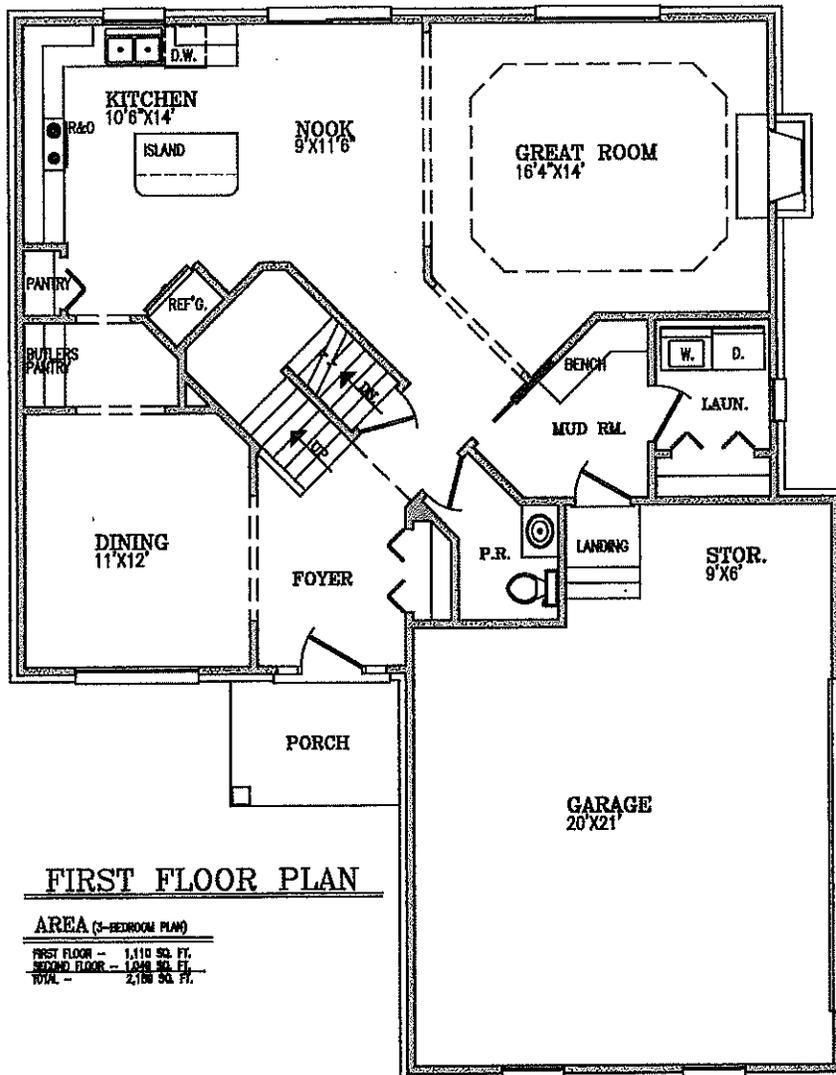
RECEIVED

OCT 11 2017

BY: _____

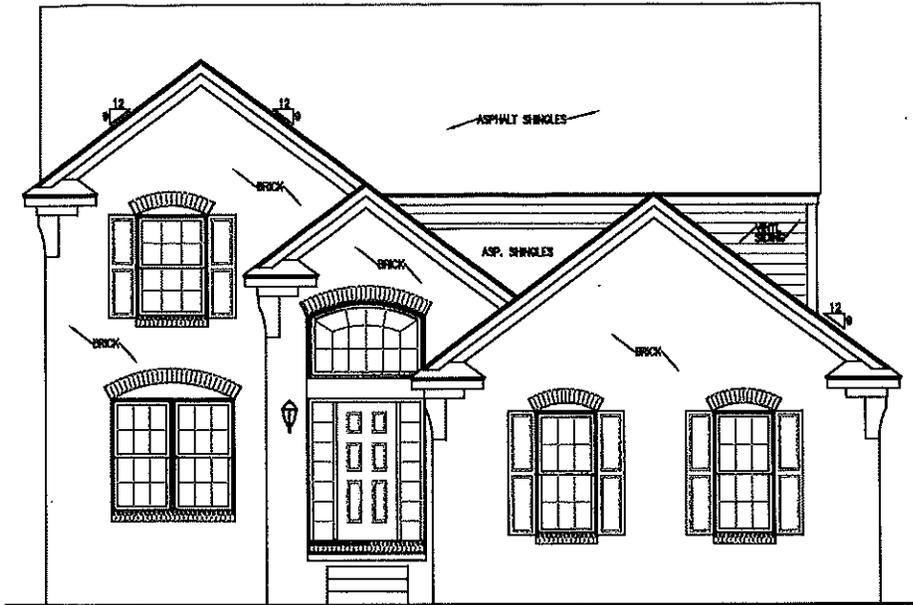


SECOND FLOOR PLAN



FIRST FLOOR PLAN

AREA (3-BEDROOM PLAN)	
FIRST FLOOR -	1,110 SQ. FT.
SECOND FLOOR -	1,048 SQ. FT.
TOTAL -	2,158 SQ. FT.



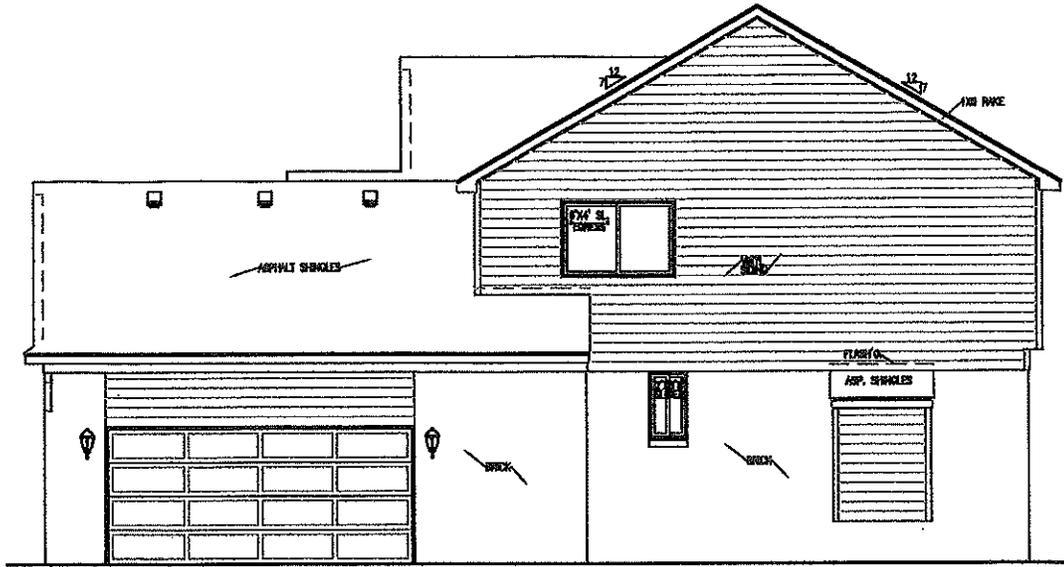
Elevation "C"



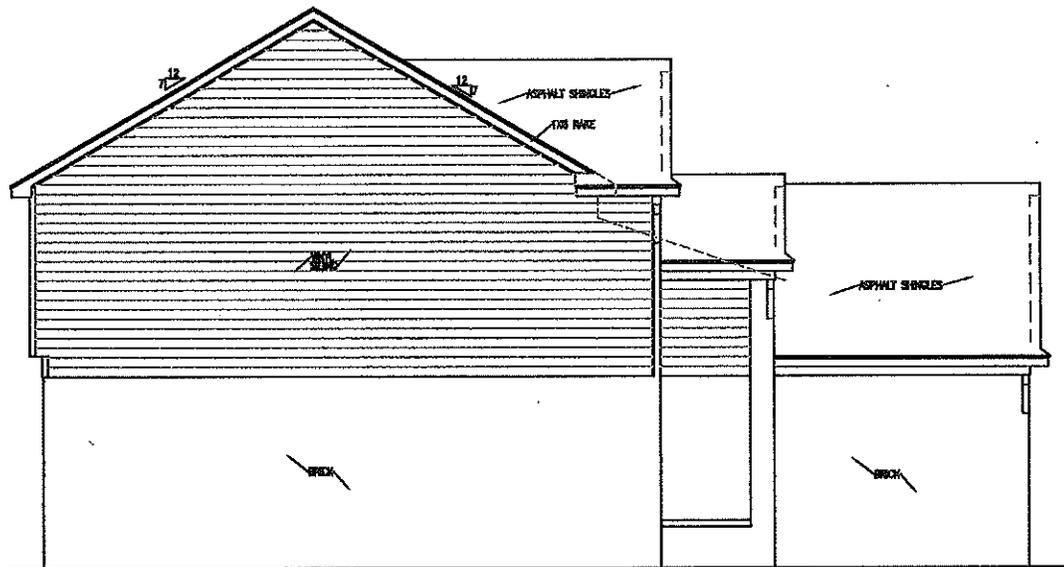
Elevation "B"



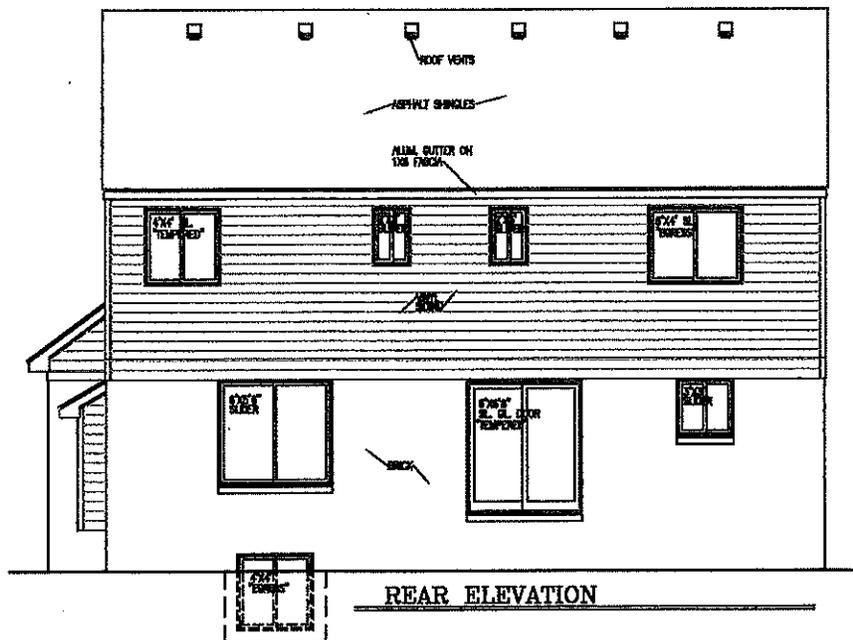
Elevation "A"



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



REAR ELEVATION

PLANNING & ZONING APPLICATION

Case number 17-024

Date Submitted 7-17-17

APPLICANT INFORMATION

Applicant Ben Griffin Phone (313) 565-2800
Address 24442 Michigan Avenue Fax (313) 565-6182
City, State Dearborn, Michigan Zip 48124
E:mail benjaygriffin46@gmail.com Cell Phone Number (734) 756-2195
Property Owner Harold Smith Trustee and Authorized Owners Phone (734) 482-0360
Representative
Address 50015 Michigan Avenue Fax
City, State Belleville, Michigan Zip 48111
Billing Contact Ben Griffin Phone (313)565-2800
Address 24442 Michigan Avenue Fax (313)565-6182
City, State Dearborn, Michigan Zip 48124

SITE/PROJECT INFORMATION

Name of Project Smith Rezoning
Parcel Id No. See attached Project Address 50015 Michigan avenue
Attach Legal Description of Property
Property Location: On the South Side of Michigan Avenue Road; Between Denton Road
and Rawsonville Road. Size of Lot Width 4,000 feet Depth 1,800 feet
Acreage of Site 75.57 acres Total Acres of Site to Review 75.57 Current Zoning of Site R-1C Single Family Residential
Project Description: Amend Master Plan from Low Density Single Family B (15,000 Sq. Ft.) to Light Industrial and Rezone from R-1C Single Family Residential to M-1 Light Industrial
Is a re-zoning of this parcel being requested? YES YES (if yes complete next line) NO
Current Zoning of Site R-1C Single Family Residential Requested Zoning M-1 Light Industrial

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? YES (if yes complete next line) NO
Section of Zoning Ordinance for which you are applying _____
Is there an official Woodland within parcel? _____ Woodland acreage
List total number of regulated trees outside the Woodland area? _____ Total number of trees
Detailed description for cutting trees

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the

Signature of Property Owner:

Harold W. Smith

Harold Smith, Trustee and Authorized Owners' Representative

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this 7th day of June 2017 Amy L. Wess Notary Public,
Wayne County, Michigan My Commission expires 3-20-18, 2018 Amy L. Wess

Rev 1/12/06

AMY L. WESS
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Mar 20, 2018
ACTING IN COUNTY OF Oakland

Ben Griffin
24442 Michigan Avenue
Dearborn, Michigan 48124

June 28, 2017

Ron Akers
Director Planning & Economic Development
46425 Tyler Road
Van Buren Township, Michigan 48111

Re: Various Parcels c/k/a "Smith Farm" (the subject property)

Dear Mr. Akers,

Please accept this letter and the attached rezoning application as our formal request to rezone the approx. 75-acre tract referenced above -- located on the south side of Michigan Avenue, between Denton and Rawsonville Roads -- from R-1C Single Family Residential to M-1 Light Industrial. We understand this would require that the Master Plan be amended from Low Density Single Family Residential B (15,000 Sq. Ft.) to Light Industrial, and that the amended Master Plan and Zoning Map would include a residential protection (buffer zone) along the east boundary of the property.

In the section below, we have summarized the land use patterns in the vicinity, and have given our justification for the proposed rezoning.

The subject property currently consists of nine parcels and has been farmed by the same family for over 100 years. All utilities (sewer, water, gas, electric) are in the right-of way adjacent to the site. The land uses for the areas adjoining the subject property are as follows:

To the north is 4,000 feet of frontage on Michigan Avenue (US-12), a state divided highway.

To the south is the active Norfolk Southern Rail line and General Motors Service Parts Operations (distribution center).

To the east is The Denton Cemetery and single family residential.

To the west is Michigan Avenue (US-12).

The property is surrounded on three sides (north, south and west) by Michigan Avenue (US-12) and the Norfolk Southern Railroad. We believe this makes the site non conducive for current residential development and that impacts on the established residential neighborhood to the east would be mitigated by the required residential protection (buffer zone).

We feel that this is an appropriate location for an M-1 Light Industrial zone -- and that the requested rezoning will not alter the essential character of the area. Therefore, we feel that the recommendation of the Planning Department and Planning Commission in support of the requested rezoning (and Master Plan amendment) will observe, and be consistent with, the spirit of the Ordinance.

A handwritten signature in black ink, appearing to read 'Ben Griffin', with a long horizontal stroke extending to the right.

Ben Griffin



Michigan Metal Recycling, Inc.
Advance Custom Paint

Rawsonville Rd

MS
MS

Old Michigan Ave

Sylvia Dr

Maurice Dr

Parks Dr

Outer Dr

Old Michigan Ave

Sines Drain

Dellors St

Victoria St

Brandt St

Richard Run

Park Estates Dr

Winchester St

Winchester St

Sines Drain

Michigan Ave

Denton Cemetery

USA Demolition

Western St

GM Service Parts Operations

Ernst Rd

Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:00 AM

Parcel: 83 021 99 0001 000
Owner's Name: SMITH, HAROLD
Property Address: 50061 MICHIGAN AVE
BELLEVILLE, MI 48111
Liber/Page: 203044453 **Created:** / /
Split: / / **Active:** Active
Public Impr.: Gravel Road, Water, Sewer, Electric, Gas
Topography: Level

Current Class: 101.AGRICULTURAL IMPROVED
Previous Class: 101.AGRICULTURAL IMPROVED
Gov. Unit: 83 VAN BUREN TOWNSHIP
MAP #
School: 82430 83-VAN BUREN
Neighborhood: 03007 AGRICULTURAL

Mailing Address:

SMITH, HAROLD
50015 MICHIGAN AVE
BELLEVILLE MI 48111

Description:

06A1A PART OF E 1/2 OF SEC 6 T3S R8E BEG AT CEN 1/4 COR SEC 6 TH N87DEG 57M E 82.21FT TH S0DEG 08M 47S W 508.07FT TH N77DEG 39M E 1339.47FT TH N1DEG 22M 30S W 1353.15FT AND N1DEG 06M 03S W 488.90FT TH S57DEG 00M W 225.42FT TH S1DEG 06M 30S E 286.3FT TH S88DEG 53M 30S W 125FT TH N1DEG 06M 30S W 205.37FT TH S57DEG 00M W 1274.19FT TH S1DEG 28M 23S E 699.30FT POB 47.04 AC

Most Recent Sale Information

Sold on 11/19/2002 for 0 by SMITH, JESSE ESTATE.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 203044453

Most Recent Permit Information

Permit PB15-0469 on 07/22/2015 for \$0 category Res. Add/Alter/Repair.

Physical Property Characteristics

2018 S.E.V.: Tentative	2018 Taxable: Tentative	Lot Dimensions:
2017 S.E.V.: 156,100	2017 Taxable: 105,176	Acreage: 47.04
Zoning: R1C	Land Value: 192,864	Frontage: 0.0
PRE: 100.000	Land Impr. Value: 0	Average Depth: 0.0

Improvement Data

of Residential Buildings: 1

Year Built: 1888

Occupancy: Single Family

Class: C

Style: 1.75 STORY

Exterior: Alum., Vinyl

% Good (Physical): 56

Heating System: Forced Air w/ Ducts

Electric - Amps Service: 100

of Bedrooms: 0

Full Baths: 1 Half Baths: 0

Floor Area: 1,894

Ground Area: 1,180

Garage Area: 672

Basement Area: 1,012

Basement Walls:

Estimated TCV: 83,898

of Agricultural Buildings: 6

Estimated TCV: 33,104

Cmts:

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:01 AM

Parcel:	83 021 99 0002 000	Current Class:	401.RESIDENTIAL REAL
Owner's Name:	SMITH, HAROLD-WILLIAM	Previous Class:	401.RESIDENTIAL REAL
Property Address:	50015 MICHIGAN AVE BELLEVILLE, MI 48111	Gov. Unit:	83 VAN BUREN TOWNSHIP
Liber/Page:	97275554	MAP #	
Split:	//	School:	82430 83-VAN BUREN
Public Impr.:	Gravel Road, Water, Sewer, Gas	Neighborhood:	007 DENTON AREA
Topography:	Level		
Mailing Address:		Description:	
SMITH, HAROLD-WILLIAM		06A1B PART OF NE 1/4 SEC 6 T3S R8E BEG S57DEG 00M W 225.42FT FROM INTERSECTION OF S'LY LINE OF MICHIGAN AVE	
50015 MICHIGAN AVE		WITH W LINE OF CEMETRY ROAD TH S1DEG 06M 30S E 286.53FT TH S88DEG 53M 30S W 125FT TH N1DEG 06M 30S W	
BELLEVILLE MI 48111		205.37FT TH N57DEG 00M E 149.02FT POB 0.71 AC	

Most Recent Sale Information

Sold on 07/08/1997 for 0 by .

Terms of Sale: 09-NO CONSIDERATION

Liber/Page: 97275554

Most Recent Permit Information

Permit PB15-0378 on 06/09/2015 for \$0 category Res. Add/Alter/Repair.

Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	60,200	2017 Taxable:	47,708	Acreage:	0.71
Zoning:	R1C	Land Value:	24,850	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

of Residential Buildings: 1
Year Built: 1930
Occupancy: Single Family
Class: C
Style: 1.50 STORY
Exterior: Alum., Vinyl
% Good (Physical): 71
Heating System: Forced Heat & Cool
Electric - Amps Service: 100
of Bedrooms: 0
Full Baths: 1 Half Baths: 0
Floor Area: 1,526
Ground Area: 1,188
Garage Area: 640
Basement Area: 676
Basement Walls:
Estimated TCV: 93,895

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:01 AM

Parcel:	83 022 01 0003 004	Current Class:	102.AGRICULTURAL VACANT
Owner's Name:	SMITH, HAROLD	Previous Class:	102.AGRICULTURAL VACANT
Property Address:	MICHIGAN AVE BELLEVILLE, MI 48111	Gov. Unit:	83 VAN BUREN TOWNSHIP
Liber/Page:	206332805	MAP #	
Split:	//	School:	82430 83-VAN BUREN
Public Impr.:	None	Neighborhood:	03007 AGRICULTURAL
Topography:	None		
Mailing Address:		Description:	
SMITH, HAROLD		06C3B1 THE SE TRIANGULAR PART OF LOT 3 MEAS 122.0 FT ON THE E LINE AND 143.85 FT ON THE S LINE OF SAID LOT	
50015 MICHIGAN		DENTON FARMS SUB T3S R8E L40 P4 WCR	
BELLEVILLE MI 48111			

Most Recent Sale Information

Sold on 02/27/2006 for 0 by MOORE, FRANK C - RICHARD J ET AL.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 206332805

Most Recent Permit Information

None Found

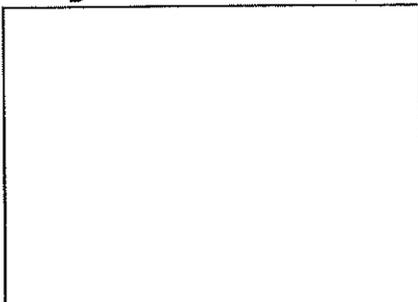
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	400	2017 Taxable:	400	Acreage:	0.20
Zoning:	R1C	Land Value:	820	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:04 AM

Parcel:	83 022 01 0004 003	Current Class:	102.AGRICULTURAL VACANT
Owner's Name:	SMITH, HAROLD	Previous Class:	102.AGRICULTURAL VACANT
Property Address:	MICHIGAN AVE BELLEVILLE, MI 48111	Gov. Unit:	83 VAN BUREN TOWNSHIP
Liber/Page:	206332805	MAP #	
Split:	//	School:	82430 83-VAN BUREN
Public Impr.:	None	Neighborhood:	03007 AGRICULTURAL
Topography:	None		
Mailing Address:		Description:	
SMITH, HAROLD		06C4B1 THE S PART OF LOT 4 MEAS 122.0 FT ON THE W LINE AND 230.13 FT ON THE E LINE OF SAID LOT DENTON FARMS	
50015 MICHIGAN AVE		SUB T3S R8E L40 P4 WCR	
BELLEVILLE MI 48111			

Most Recent Sale Information

Sold on 02/27/2006 for 0 by MOORE, FRANK C - RICHARD J ET AL.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 206332805

Most Recent Permit Information

None Found

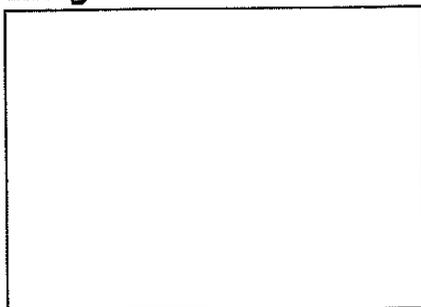
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	1,100	2017 Taxable:	1,100	Acreage:	0.55
Zoning:	R1C	Land Value:	2,255	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:04 AM

Parcel: 83 022 01 0005 005
Owner's Name: SMITH, HAROLD
Property Address: MICHIGAN AVE
BELLEVILLE, MI 48111
Liber/Page: 206332805 **Created:** //
Split: // **Active:** Active
Public Impr.: None
Topography: None

Current Class: 102.AGRICULTURAL VACANT
Previous Class: 102.AGRICULTURAL VACANT
Gov. Unit: 83 VAN BUREN TOWNSHIP
MAP #
School: 82430 83-VAN BUREN
Neighborhood: 03007 AGRICULTURAL

Mailing Address:

SMITH, HAROLD
50015 MICHIGAN AVE
BELLEVILLE MI 48111

Description:

06C5A2A 5B2 THE S PT OF LOT 5 MEAS 230.13FT ON THE W LINE AND 356.93FT ON THE E LINE OF SAID LOT 1.15 AC
DENTON FARMS SUB T3S R8E L40 P4 WCR

Most Recent Sale Information

Sold on 02/27/2006 for 0 by MOORE, FRANK C - RICHARD J ET AL.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 206332805

Most Recent Permit Information

None Found

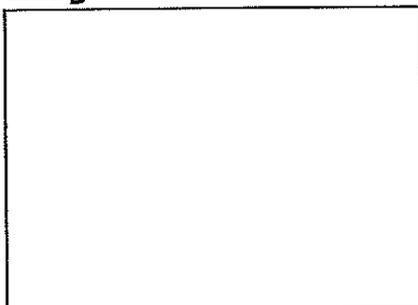
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	2,400	2017 Taxable:	2,400	Acreage:	1.15
Zoning:	R1C	Land Value:	4,715	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:05 AM

Parcel:	83 022 01 0006 001	Current Class:	102.AGRICULTURAL VACANT
Owner's Name:	SMITH, HAROLD	Previous Class:	102.AGRICULTURAL VACANT
Property Address:	MICHIGAN AVE BELLEVILLE, MI 48111	Gov. Unit:	83 VAN BUREN TOWNSHIP
Liber/Page:	206332805	MAP #	
Split:	//	School:	82430 83-VAN BUREN
Public Impr.:	None	Neighborhood:	03007 AGRICULTURAL
Topography:	None		
Mailing Address:		Description:	
SMITH, HAROLD		06C6A THE S PART OF LOT 6 MEAS 356.93 FT ON THE W LINE AND 458.01 FT ON THE E LINE OF SAID LOT DENTON FARMS	
50015 MICHIGAN AVE		SUB T3S R8E L40 P4 WCR	
BELLEVILLE MI 48111			

Most Recent Sale Information

Sold on 02/27/2006 for 0 by MOORE, FRANK C - RICHARD J ET AL.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 206332805

Most Recent Permit Information

None Found

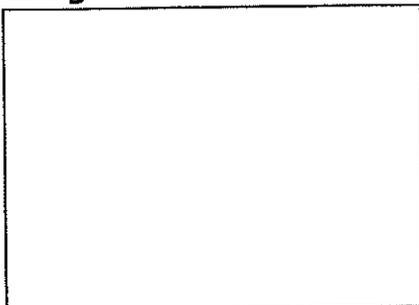
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	2,800	2017 Taxable:	2,800	Acreage:	1.37
Zoning:	R1C	Land Value:	5,617	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:05 AM

Parcel: 83 022 01 0007 001
Owner's Name: SMITH, HAROLD
Property Address: MICHIGAN AVE
BELLEVILLE, MI 48111
Liber/Page: 206332805 **Created:** //
Split: // **Active:** Active
Public Impr.: None
Topography: None

Current Class: 102.AGRICULTURAL VACANT
Previous Class: 102.AGRICULTURAL VACANT
Gov. Unit: 83 VAN BUREN TOWNSHIP
MAP #
School: 82430 83-VAN BUREN
Neighborhood: 03007 AGRICULTURAL

Mailing Address:

SMITH, HAROLD
50015 MICHIGAN AVE
BELLEVILLE MI 48111

Description:

06C7A THE S PART OF LOT 7 MEAS 458.01 FT ON THE W LINE AND 567.19 FT ON THE E LINE OF SAID LOT DENTON FARMS
SUB T3S R8E L40 P4 WCR

Most Recent Sale Information

Sold on 02/27/2006 for 0 by MOORE, FRANK C - RICHARD J ET AL.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 206332805

Most Recent Permit Information

None Found

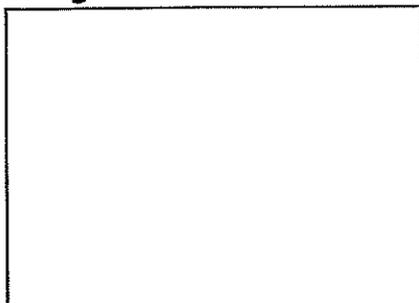
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	4,100	2017 Taxable:	4,100	Acreage:	2.00
Zoning:	R1C	Land Value:	8,200	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/01/2017 10:05 AM

Parcel: 83 022 01 0008 003
Owner's Name: SMITH, HAROLD
Property Address: MICHIGAN AVE
BELLEVILLE, MI 48111
Liber/Page: 206332805 **Created:** //
Split: // **Active:** Active
Public Impr.: None
Topography: None

Current Class: 102.AGRICULTURAL VACANT
Previous Class: 102.AGRICULTURAL VACANT
Gov. Unit: 83 VAN BUREN TOWNSHIP
MAP #:
School: 82430 83-VAN BUREN
Neighborhood: 03007 AGRICULTURAL

Mailing Address:

SMITH, HAROLD
50015 MICHIGAN AVE
BELLEVILLE MI 48111

Description:

06C8A1 THE S PART OF LOT 8 MEAS 567.19 FT ON THE W LINE AND 645.62 FT ON THE E LINE OF SAID LOT DENTON FARMS SUB T3S R8E L40 P4 WCR

Most Recent Sale Information

Sold on 02/27/2006 for 0 by MOORE, FRANK C - RICHARD J ET AL.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 206332805

Most Recent Permit Information

None Found

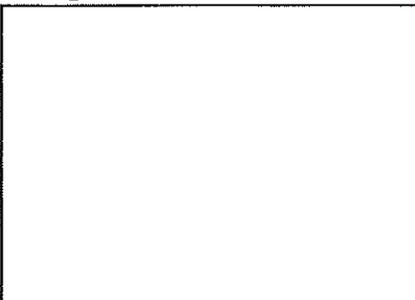
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	3,600	2017 Taxable:	3,288	Acreeage:	1.74
Zoning:	R1C	Land Value:	7,134	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



Real Estate Summary Sheet

Information herein deemed reliable but not guaranteed

06/06/2017 9:19 AM

Parcel: 83 023 99 0005 000
Owner's Name: SMITH, HAROLD
Property Address: MICHIGAN AVE
BELLEVILLE, MI 48111

Current Class: 102.AGRICULTURAL VACANT
Previous Class: 102.AGRICULTURAL VACANT
Gov. Unit: 83 VAN BUREN TOWNSHIP
MAP #:
School: 82430 83-VAN BUREN
Neighborhood: 03007 AGRICULTURAL

Liber/Page: 206332805 **Created:** //
Split: // **Active:** Active

Public Impr.: None
Topography: None

Mailing Address:

SMITH, HAROLD
50015 MICHIGAN AVE
BELLEVILLE MI 48111

Description:

06P2 FT OF W 1/2 OF SEC 6 BEG S2DEG 29M 20S W 998.21FT AND N77DEG 29M 08S E 1011.13FT FROM W 1/4 COR OF SEC 6 TH N77DEG 35M 05S E 1849.85FT TH N0DEG 08M 44S E 508.07FT TH S87DEG 57M W 1044.57FT TH SWLY 1085.11FT POB 20.81 AC

Most Recent Sale Information

Sold on 02/27/2006 for 0 by SMITH, ALVIRA ESTATE.

Terms of Sale: 19-MULTI PARCEL SALE

Liber/Page: 206332805

Most Recent Permit Information

None Found

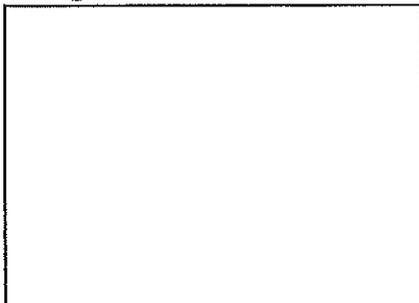
Physical Property Characteristics

2018 S.E.V.:	Tentative	2018 Taxable:	Tentative	Lot Dimensions:	
2017 S.E.V.:	42,700	2017 Taxable:	30,872	Acreage:	20.81
Zoning:	R1C	Land Value:	85,321	Frontage:	0.0
PRE:	100.000	Land Impr. Value:	0	Average Depth:	0.0

Improvement Data

None

Image



August 1, 2017

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

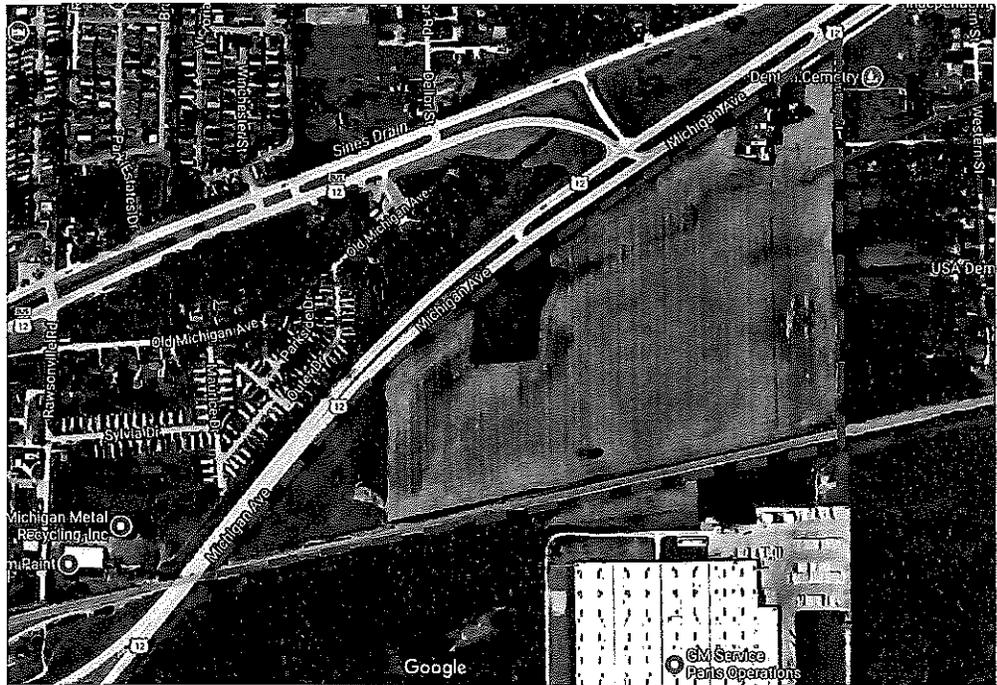
Subject: VBT-17-024 RZ; Review of Ben Griffin Application to Amend the Charter Township of Van Buren Zoning Map

Dear Commissioners:

We have reviewed the application by Ben Griffin ("applicant") on behalf of Harold Smith Trustee and Authorized Owners ("owner") to rezone the following 9 parcels from R-1C (Single Family Residential) to M-1 (Light Industrial), which are also illustrated in the map below. These 9 parcels are located in a triangular area bounded on the north side by Michigan Ave., on the south side by Conrail railroad, and on the east side by a single-family residential area:

- 83-021-99-0001-000
- 83-021-99-0002-000
- 83-022-01-0003-004
- 83-022-01-0004-003
- 83-022-01-0005-005
- 83-022-01-0006-001
- 83-022-01-0007-001
- 83-022-01-0008-003
- 83-023-99-0005-000

Figure 1. Subject Site Location



Subject Site

Source: Google

The application also includes a request to amend the Master Plan Future Land Use classification of the subject site from Low Density Single Family B (15,000 sq. ft.) to Light Industrial. The Master Plan was originally adopted in 1989 and amended in 1999 (Single Family Residential Plan), 2000 (Ecorse-Haggerty Corridor Plan), 2001 (Grace Lake Area Plan), 2007 (South Side Master Plan), and 2010 (Belleville Road District Plan). Our comments on and analysis of this request follows.

Planning and zoning law provides that government has a legitimate interest in maintaining compatibility of surrounding areas, protecting and preserving natural resources, and ensuring adequate infrastructure such as roads, water supply and sanitary sewage disposal. Adoption of a master plan and imposition of zoning restrictions to accomplish those interests, as well as to avoid overcrowding, preserve open space, and protect the aesthetics of an area of land are consistent with the Michigan Planning Enabling Act (P.A. 33 of 2008) and Michigan Zoning Enabling Act (P.A. 110 of 2006).

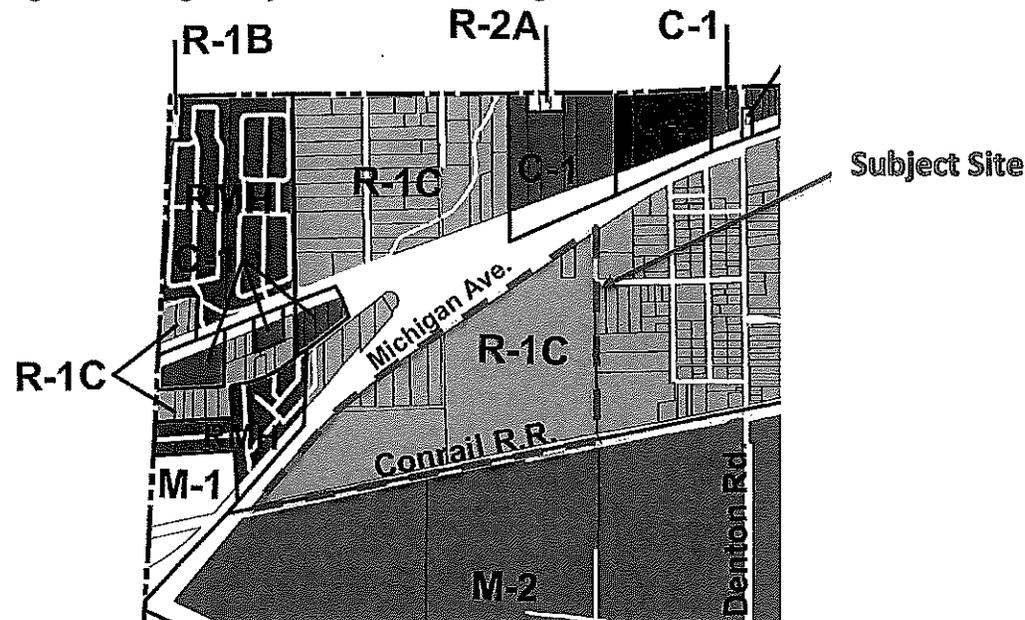
DESCRIPTION

The table below summarizes the existing land use, zoning, and master plan designations in and around the subject site, according to the Master Plans and Zoning Ordinance.

	Existing Land Use	Zoning	Future Land Use Classification
Subject Site	Agriculture/Large Lot Single Family Residential	R-1C (Single Family Residential)	Low Density Single Family B – 15,000 sq. ft.
North	Manufactured Housing Park	R-1C (Single Family Residential), RMH (Mobile Home Park), and C-1 (General Business)	Low Density Single Family B – 15,000 sq. ft. and Medium Density Single Family B – 8,400 sq. ft.
South	Industrial (GM Service Parts Operations) and vacant	M-2 (General Industrial)	Heavy Industrial
East	Single-family residential and cemetery	R-1C (Single Family Residential)	Low Density Single Family B – 15,000 sq. ft.
West	Manufactured Housing Park and industrial uses (Advance Custom Paint and Michigan Metal Recycling)	RMH (Mobile Home Park) and M-1 (Light Industrial)	Medium Density Single Family B – 8,400 sq. ft.

Specifically, the zoning of the subject site and surrounding areas are in the following figure:

Figure 2. Zoning of Subject Site and Surrounding Area



Source: Charter Township of Van Buren Zoning Map

REZONING STANDARDS

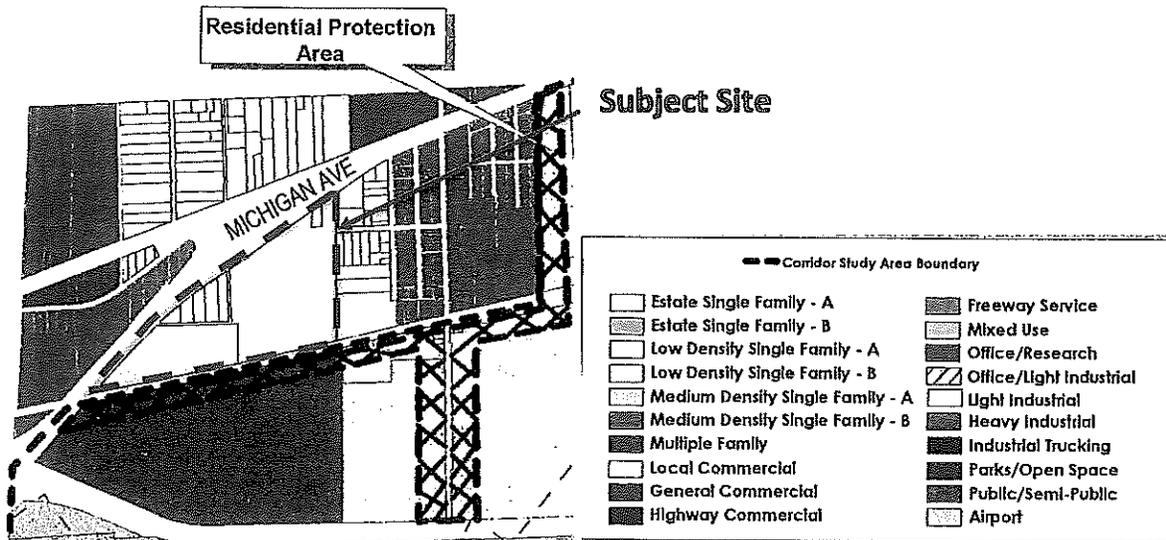
Article 12, Chapter 5 of the Zoning Ordinance includes the procedures and standards for reviewing Zoning Ordinance amendment applications. Section 12.504(A) through (K) includes specific standards of review for the Planning Commission and Township Board of Trustees to consider prior to taking action on an amendment application. These standards are as follows:

- (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.*

The Michigan Zoning Enabling Act requires a zoning ordinance to be based upon the Master Plan. Although the Master Plan was originally adopted in 1989, it has been amended in 1999 (Single Family Residential Plan), 2000 (Ecorse-Haggerty Corridor Plan), 2001 (Grace Lake Area Plan), 2007 (South Side Master Plan), and 2010 (Belleville Road District Plan).

In 1999, the adoption of the Single Family Residential Plan changed the Future Land Use from Medium Density/Single Family Residential (3-6 units per acre) to Low Density Single Family – B (±15,000 sq. ft. lots – approximately 3 units per acre). Most recently, the 2000 Ecorse and Haggerty Road Corridor Plan added Residential Protection Areas to many areas of the township, including industrial areas that abutted residential areas in the northwest part of the township.

Figure 3. Planned Future Land Use of Subject Site and Surrounding Area



Source: Charter Township of Van Buren Master Plan, Ecorse and Haggerty Road Corridor Plan, 2000

While the proposed rezoning of the site is not supported by the Master Plan as it is currently adopted, the following conditions should be considered to determine whether the M-1 zoning district is appropriate for the site:

- *Is the size and location of the current areas zoned M-1, M-T, and M-2 sufficient for meeting the demand for industrial land uses in this area of Van Buren Township?* The northern part of Van Buren Township is an attractive location for industrial development because of the area’s proximity to I-94 and I-275 and availability of infrastructure. Although there is approximately 1,000 acres of vacant land located between Ecorse Road and the northern Township line that is zoned M-1, M-T, and M-2, most of this land is under consent judgment (with restricted uses), planned for development already, or reserved by the current owner for future use or expansion. Without

knowing the intentions of every owner of industrial-zoned land between Ecorse Road and the northern Township line, we cannot determine whether there is a sufficient supply of M-1, M-T, and M-2 zoned land to meet the demand for industrial land uses in this area of Van Buren Township.

- *Are there any areas of the Township that are not currently zoned M-1, M-T, or M-2 but have an industrial future land use classification on the current Future Land Use Map?* While there are a few areas of the township that meet this classification, most of these areas are too small, are already developed for another use, or have prohibitive natural features such as wetlands. The most viable areas that are not currently zoned M-1, M-T, or M-2 but have an industrial future land use classification are:
 - A 55-acre site at the southwest corner of Van Born Road and Morton Taylor Road that is currently zoned R-1B but is classified as Light Industrial on the Future Land Use Map. However, the southern and northern portions of this site have wetlands, so development could be prohibitive.
 - A 12.5-acre site at the northeast corner of Tyler Road and Haggerty Road that is currently zoned AG and C-1 but is classified as Office/Light Industrial on the Future Land Use Map.

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

The Purpose and intent of Section 1.102 of the Zoning Ordinance includes imposing regulations and restrictions governing the location and construction of structures and buildings to be used for business, industry, residence, social purposes, and other specified purposes. To that end, there are provisions for zoning districts, setbacks, building height, land use, parking and loading, access management, landscaping and screening, and environmental performance. While there are many areas of the township where M-1 zoning districts abut R-1 zoning districts, this does not necessarily mean that all M-1 land uses are compatible with all R-1 land uses. However, because the size of the site is 75.57 acres, there is sufficient area for reasonable industrial land uses while still meeting the other requirements of the Zoning Ordinance with respect to landscape buffering and environmental performance.

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

If the site is rezoned to M-1, the access would likely be from Michigan Avenue only because a railroad crossing to the south would be difficult to obtain and access to the residential road network to the east would be unnecessary. With access on Michigan Avenue, traffic would have easy access to I-94 to the west and I-275 to the east. While upgrades to a future intersection at Michigan Avenue may be necessary, this is a site plan matter that can be deferred.

(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.*

While we are not aware of any constraints on the water and sewer systems that would prevent service to the subject site, we will defer to the Van Buren Township Department of Public Services.

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

We are not aware of any errors in the Zoning Ordinance or Zoning Map, so a rezoning cannot be granted on the grounds that there is an error to correct.

When the current Zoning Ordinance was adopted in 2017, the only change to the Zoning Map was the adoption of the Belleville Road Overlay District. This does not mean that a rezoning cannot be justified; it simply means that no other zoning district changes were considered as part of the amendment process at that time.

Over the last few years, Van Buren Township has experienced a high demand for new industrial development and expansions of existing industrial land uses. Recently approved industrial site plans include L&W Engineering, Bayloff Industries, Constellium, Contractor’s Steel, Costco, Ashley Capital, Denski Warehouse, Maysen Polymer, and Continental Canteen. If the growth of industrial development continues at its current pace, we can expect future applications to rezone land to an industrial zoning district. This prospect raises questions regarding whether it is appropriate to rezone more of the township to an industrial district and, if so, what areas of the township are appropriate for future industrial zoning? We believe these questions are best addressed through a Master Plan amendment process rather than a rezoning process at the present time. At the least, the Master Plan amendment process should address the current inventory of land planned for industrial use, the potential demand for industrial development, and which areas of the township are suitable for future industrial development, if any.

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

In general, exclusionary zoning is a prohibition of a land use when there is a demonstrated need for the use in the community. If the site is rezoned from R-1C to M-1, there are many available areas of the township where uses in the R-1C district can be established. Conversely, if the site is not rezoned from R-1C to M-1, there are many areas of the township that are currently zoned M-1, M-T, and M-2 that can be developed for industrial use. However, as previously stated, we do not know the availability of these areas based on the intentions of the owners.

(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.

Currently, the majority of the site is agricultural and relatively flat. According to the Michigan Department of Environmental Quality (MDEQ) Wetlands Map Viewer, there are some minor wetland areas (hydric soils) in the southeastern corner and in an unfarmed area along Michigan Avenue. According to FEMA, there are no floodplains on the site. Therefore, we are not aware of any major physical, geological, hydrological, or other environmental constraints that would prevent the site from being developed for a permitted use in the M-1 zoning district. However, at the time of site plan review, more detailed site information will be required.

(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.

The permitted uses and special land uses of the M-1 zoning district are listed in the following table:

PERMITTED USES	SPECIAL LAND USES
<ul style="list-style-type: none"> • Wholesale Sales • Warehousing (excluding Distribution Centers) • Manufacturing and Processing (Light) • Laboratories, Minor • Laboratories, Major • Retail Dry Cleaning Plants and Laundries • Public utility buildings, telephone exchange buildings, electric transformer stations and substations and gas regulator stations and including storage yards, when necessary to serve the immediate vicinity. • Accessory Outdoor Industrial Storage • Accessory structures and uses customarily incidental to the above permitted uses • Indoor Recreation 	<ul style="list-style-type: none"> • Automobile Wash Establishment, Automatic • Drive-In Theaters • Private Clubs • Recreational Vehicle Storage Yards • Regulated Uses (Tattoo establishments, pawnshops, pool and billiard halls, and massage parlors) • Outdoor Storage of Building or Contracting Equipment and Supplies • Instructional Services, Outdoor • Truck Repair and Maintenance Facility, Minor • Accessory Caretaker Dwelling

The area of focus for this standard is the impact that the proposed M-1 zoning district will have on the R-1C-zoned area to the east (Denton Neighborhood). Although it is difficult to predict how one of the above uses could impact an adjacent residential area, there are many areas of the township where industrial zones abut residential zones without creating a nuisance. To minimize the impacts of industrial uses on adjacent residential zones, the Zoning Ordinance includes the following provisions:

- Section 8.102 (Standards Applicable to Specific Uses and Districts) includes environmental provisions for industrial-related land uses in the M-1, M-T, M-2, and AP zoning district for drainage, dust, dirt, fly ash, electromagnetic radiation, fire and explosive hazards, flammable liquids, floodplains, watercourses, wetlands, gases, glare, heat, radioactive materials, industrial sewage waste, light, noise, odors, roads, smoke, vibration, and water quality.
- Section 8.105 (Exterior Lighting) requires full cutoff light fixtures, maximum illumination levels, light trespass limits, and a maximum fixture height of 35 feet.
- Section 10.103(E) (Landscaping Design Standards; Greenbelt Buffering) requires an M-1 zoning district to maintain the following buffer when it is adjacent to a R-1 zoning district: A 60-foot wide buffer with a staggered double row of evergreen trees spaced 15 feet on center on a 6-foot high berm with a flat horizontal area at the crest to be at least 3 feet in width. The planting shall be in a manner where the evergreen trees provide 80% opacity within 3 years of planting, measured from the top of the berm. After 3 years, if this opacity is not achieved then additional evergreen trees and/or shrubs shall be planted to achieve 80% opacity at the time of their planting. A 6-foot high masonry wall or opaque fence may be installed in lieu of the required berm and trees.
- Article 9 (Parking, Loading, and Access Management) includes requirements for driveway spacing and offsets. Article 9 also allows the Planning Commission to require a Traffic Impact Study for any development proposal, which would include existing and projected traffic conditions as well as peak-hour operational conditions at driveways and road intersections.

While the impact of a proposed use in the M-1 district cannot be anticipated, note that Distribution Centers are prohibited. A distribution center is defined in the Zoning Ordinance as a warehouse that is greater than 250,000 sq. ft. or any building over 25,000 sq. ft. that is designed to accommodate the simultaneous loading or unloading of more than 1 truck per 8,000 sq. ft. Therefore, if the site is zoned M-1, no warehouse on the site could exceed 250,000 sq. ft. or have more than 1 bay door per 8,000 sq. ft. These types of restrictions tend to minimize the number of truck trips, but there is no way to anticipate the traffic impact until a traffic impact study is prepared by an applicant.

Finally, the impact that the proposed M-1 zoning will have on surrounding property values is not an analysis that we are qualified to make. We would defer to a certified professional qualified to make such an analysis or appraisal.

- (l) ***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.***

If the site is rezoned to M-1, the boundaries of this requested district would be reasonable in relationship to the surrounding zoning district to the south, which is zoned M-2. However, we are concerned about the relationship with the Denton Neighborhood site to the east (zoned R-1C) and the site to the north (zoned R-1C, RMH, and C-1 on the north side of Michigan Avenue). Although there are many areas of the township where an industrial zoning district abuts a residential zoning district, this area was not specifically addressed in the 2000 Ecorse and Haggerty Road Corridor Plan, which proposed 300-400-foot deep Residential Protection Areas around the planned industrial areas east and south of the Denton Neighborhood area. If the Master Plan were to be amended to classify

the Future Land Use of the site as Light Industrial and a 300-400-foot deep Residential Protection Area was included on the north and east sides of the site, then the boundaries of the proposed M-1 zoning of the site would be reasonable in relationship to the surrounding zoning districts to the north and east.

Finally, if the site is rezoned to M-1, the size of the site will be sufficient to meet the Zoning Ordinance standards for lot coverage, setbacks, height, parking, and landscaping.

(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.*

Because the site has not yet been developed for residential use despite its convenient location on Michigan Avenue, a residential zoning district might not be the most appropriate district for the site. At the same time, we would not recommend the M-T (Industrial Transportation) and M-2 (General Industrial) districts for this site because of the potential impacts on the adjacent residential neighborhood to the east. The remaining viable zoning districts would be the commercial districts, the Office/Technology district, and the M-1 (Light Industrial) district. These districts can vary considerably, so it is difficult to determine which is/are the most appropriate. We believe this question is best addressed through a Master Plan amendment process rather than a rezoning process at the present time. This recommendation is underscored by the fact that the Michigan Zoning Enabling Act requires a Master Plan to have a Zoning Plan that includes an explanation of how the land use categories on the Future Land Use map relate to the districts on the Zoning Map. Therefore, the Master Plan amendment process should reveal one or more viable zoning districts for the subject site.

(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.*

Because there is no specific use noted on the application, we cannot comment on the appropriateness of the possible uses in the M-1 zone. However, because the R-1C and M-1 zoning districts are dissimilar, it would be inappropriate to amend the list of permitted or special land uses in the R-1C district to accommodate an industrial use, as such an amendment would apply to all R-1C-zoned areas of the township.

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

Because the site is adjacent to the M-2 zoning to the south, M-1 zoning to the west across Michigan Avenue, and will have frontage along Michigan Avenue to the north, proposed M-1 zoning of the site will not create an isolated zone. The proximity of the site to the abutting R-1C district to the east raises questions about whether the proposed M-1 zone would be compatible with the adjacent R-1C zone (Denton Neighborhood). There are many areas of the township where an industrial zoning district abuts a residential zoning district, so the M-1 zone and R-1C zone are not incompatible if the standards of the Zoning Ordinance are met. However, the 2000 Ecorse and Haggerty Road Corridor Plan proposed 300-400-foot deep Residential Protection Areas around the planned industrial areas east and south of the Denton Neighborhood area. Although this Plan did not propose an industrial zoning district for the subject site, it is reasonable to conclude that a Residential Protection Area would have been placed on the north and east sides of this site if it had been planned for an industrial zoning district. Therefore, if the Master Plan is amended to classify the site as Light Industrial, we recommend that a Residential Protection area be added along the north and east sides of the site. At the same time, given the value of the area fronting Michigan Avenue, a commercial use within this area may also be appropriate as a buffer between the road and the industrial use(s).

RECOMMENDATION

At this time, the application to rezone the subject site from R-1C to M-1 does not meet the following standards of Section 12.504(A) through (K) of the Zoning Ordinances:

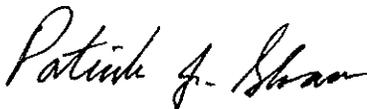
1. Section 12.504(A). The proposed rezoning is not consistent with the goals, policies, and objectives of the Master Plan and its subsequent amendments. Although many conditions have changed since the Master Plan was adopted, we cannot determine whether these changed conditions justify rezoning the site to M-1 based on the information currently available.
2. Section 12.504(E). Although Van Buren Township has experienced a high demand for new industrial development and expansions of existing industrial land uses, we cannot determine whether it is appropriate to rezone more of the township to an industrial district and, if so, which areas of the township are appropriate for future industrial zoning.
3. Section 12.054(I). We cannot determine whether the boundaries of the requested rezoning district would be reasonable in relationship to surrounding zoning districts. If the Master Plan were to be amended to classify the Future Land Use of the site as Light Industrial, we would recommend a 300-400-foot deep Residential Protection Area along the north and east sides of the site to meet this standard. At the same time, a commercial use within the 300-400-foot deep frontage along Michigan Avenue may also be appropriate as a buffer between the road and the industrial use(s).
4. Section 12.054(J). While the R-1C district may not be the most appropriate zoning district for this site, we cannot determine whether a commercial district or the Office/Technology district would be more appropriate than the proposed M-1 district.
5. Section 12.054(L). The proposed M-1 zoning of the site has the potential to be incompatible with the abutting R-1C district to the east (Denton Neighborhood). There are many areas of the township where an industrial zoning district abuts a residential zoning district, so the M-1 zone and R-1C zone are not incompatible if the standards of the Zoning Ordinance are met. However, the 2000 Ecorse and Haggerty Road Corridor Plan proposed 300-400-foot deep Residential Protection Areas around the planned industrial areas east and south of the Denton Neighborhood area. Although this Plan did not propose an industrial zoning district for the subject site, it is reasonable to conclude that a Residential Protection Area would have been placed on the north and east sides of this site if it had been planned for an industrial zoning district.

Resolving these standards would be best addressed through a Master Plan amendment process rather than a rezoning process at the present time. Additionally, the applicant has stated in the application that an amendment to the Master Plan is requested. For these reasons, we recommend that the Planning Commission defer action on the rezoning application pending a review of the Master Plan pursuant to the Michigan Planning Enabling Act. At the least, the Master Plan amendment process should address the current inventory of land planned for industrial use, the potential demand for industrial development, which areas of the township are suitable for future industrial development, if any, whether the Residential Protection Area around the Denton Neighborhood Area should be expanded, and whether there are more appropriate zoning districts for the subject site than M-1.

If the Planning Commission is interested in pursuing an amendment to the Master Plan to address the applicant's request and the issues noted above, we recommend adopting a motion to that effect.

Respectfully Submitted,

McKENNA ASSOCIATES



Patrick J. Sloan, AICP
Senior Principal Planner



Charter Township of Van Buren

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Paul D. White

October 20, 2017

Ben Griffin
Dearborn Real Estate
24442 Michigan Avenue
Dearborn, MI 48124

RE: Case 17-024 Master Plan Amendment Harold Smith Farm Future Land Use Projected Timeline

Mr. Griffin,

The following is a projected timeline for the amendment to the Township's Future Land Use Map if everything is approved in a timely manner by the required boards and commissions:

October 25, 2017: Introduction to the Planning Commission. Planning Commission considers submitting notice of intent to plan.
October 30, 2017: Notice of Intent to Plan Sent Out
November 8, 2017: Planning Commission acts to submit the proposed plan amendments to the Township Board.
November 20, 2017: Township Board work study.
November 21, 2017: Township Board approves plan distribution.
November 27, 2017: Notices for 42 day comment period sent out.
January 10, 2018: Planning Commission moves to decide to hold a public hearing.
February 14, 2018: Planning Commission holds public hearing. Votes to adopt Master Plan amendment.
March 5, 2018: Township Board Workstudy
March 6, 2018: Township Board decision.
March 9, 2018: Notice of adoptions sent out.
April 11, 2018: Public Hearing for Rezoning of property. Recommendation made by the Planning Commission.
April 30, 2018: Township Board Workstudy
May 1, 2018: Township Board 1st reading of Ordinance amendment
May 15, 2018: Township Board 2nd reading.

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

PLANNING & ZONING APPLICATION

RECEIVED

Case number 17-029

Date Submitted 8/28/17

AUG 28 2017

APPLICANT INFORMATION

Applicant Van Buren Township Downtown Development Authority Phone 734.699.8900 BY:
Address 46425 Tyler Rd. Fax 734.699.8958
City, State Van Buren Charter Township, MI Zip 48111
E-mail sireland-DDA@vanburen-mi.org Cell Phone Number
Property Owner (if different than applicant) Phone
Address Fax
City, State Zip
Billing Contact Susan Ireland Phone 734.699.8900 x9201
Address 46425 Tyler Rd. Fax 734.699.8958
City, State Van Buren Charter Township, MI Zip 48111

SITE/PROJECT INFORMATION

Name of Project VAN BUREN TOWNSHIP DDA 2016 PLACEMAKING PROJECT
Parcel Id No. V125-83-058-99-0010-000, 058-99-0012-000 Project Address 10151 Belleville Rd.

Attach Legal Description of Property

Property Location: On the EAST Side of Belleville Road; Between Tyler Road
and Interstate 94 Road. Size of Lot Width Aprox. 300' Depth Aprox. 292'
Acreage of Site 1.61 Total Acres of Site to Review 1.61 Current Zoning of Site RI-B

Project Description: Construction of new DDA facility. Connect to existing garage structure. Renovate existing 'Workshop'
Demolish existing storage facility and build new with public restrooms. Site renovations including new paths connecting to
adjacent properties, new landscaping, new picnic pavilion, new sculpture garden and new parking lot.

Is a re-zoning of this parcel being requested? NO YES (if yes complete next line) NO
Current Zoning of Site Requested Zoning

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? NO YES (if yes complete next line) NO
Section of Zoning Ordinance for which you are applying

Is there an official Woodland within parcel? NO Woodland acreage N/A
List total number of regulated trees outside the Woodland area? Total number of trees Refer to sheet WP-1
Detailed description for cutting trees Refer to sheet WP-1

If applicable application MUST be accompanied with a Tree Survey or statement of no trees, which incorporates all the
requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

V.B. Downtown Development Authority

Print Property Owners Name

Susan Ireland

Signature of Property Owner

Aug. 28, 2017

Date

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all
respects true and correct.

Subscribed and sworn before me this day of 20
Notary Public, County, Michigan My Commission expires 20
Rev 1/12/06



VAN BUREN TOWNSHIP DDA 2016 PLACEMAKING PROJECT

10151 BELLVILLE RD., VAN BUREN CHARTER TOWNSHIP, MI 48111

LEGAL DESCRIPTION OF PROPERTY

THAT PART OF THE NORTHWEST QUARTER OF SECTION 15, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE (S.05°53'29"E.) ALONG THE WEST LINE OF SAID SECTION, 1788.52 FEET TO THE POINT OF BEGINNING;

THENCE PROCEEDING (N.88°56'28"E.) 292.51 FEET;

THENCE (S.05°50'31"E.) 299.56 FEET;

THENCE (S.88°56'28"W.) 292.25 FEET TO A POINT ON SAID WEST LINE;

THENCE (N.05°53'29"W.) 30.00 FEET;

THENCE (N.88°05'03"E.) 145.89 FEET;

THENCE (N.05°53'29"W.) 117.28 FEET;

THENCE (S.88°56'28"W.) 146.06 FEET;

THENCE (N.05°53'29"W.) 150.12 FEET TO THE POINT OF BEGINNING, CONTAINING 1.61 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY FOR BELLEVILLE ROAD OVER THE WESTERLY 33.00 FEET THEROF. SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY IF ANY, OF RECORD.



Charter Township of Van Buren

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October 20, 2017

Carol Thompson
Chairperson
Van Buren Township Planning Commission
46425 Tyler Road
Van Buren Township, MI 48111

RE: Site Plan Review SPR # 17-029 DDA Placemaking Project

Ms. Thompson,

1. **Zoning and Use.** The site is zoned R1-B (Single Family Residential) district. The proposed use is for a placemaking facility for the Van Buren Township Downtown Development Authority (DDA). This facility includes a public park and offices for use of the DDA and the business located in the district. The R1-B district allow "Local governmental buildings and similar uses" as a permitted use in the district. As this facility is to be owned and operated by the DDA the use is permitted and can be approved by the Planning Commission.
2. **Required Information.** Please see attached the Site Plan Review Checklist for additional information required. The following items are required to be added to the site plans upon further review:
 - a. A note needs to be added to the site plan which indicates how trash will be handled onsite.
 - b. A note stating, "Owner agrees to seasonal maintenance program and will replace all diseased, dead or damaged plants, replenish mulch, control weeds, fertilize and prune beginning upon completion of construction of landscaping."
3. **Lot.** The site plan depicts the property as one parcel even though it is comprised of three (3) separate parcels. Staff recommends that the properties be combined into one (1) parcel. This should be a condition of final site plan approval.
4. **Dimensional Requirements.** For the R1-B zoning district the minimum setback requirements are as follows: Front – 30'; Side (one) – 10'; Side (total of 2) – 25'; Rear – 35'. The provided setbacks are: Front – 35'; Side (one) – 10'; Side (total of 2) - +100'; Rear – 23'. Based on a review of the plans the project appears compliant with all setback, height and lot coverage requirements.
5. **Belleville Road Overlay.** The site is located in the Belleville Overlay district, and due to this the site is subject to the standards of chapter three (3) of the Zoning Ordinance. Based on my review of this section staff offers the following comments:
 - a) **Architecture and Building Details.** The proposed building appears consistent with the Zoning Ordinance requirements. It meets the 50%+ brick/stone requirement as required by the Zoning Ordinance.



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- b) **Parking Lot Lighting.** The Zoning Ordinance requires that the parking lot lighting have raised bases if they are outside of a median or landscape island. The provided detail is sufficient to comply with the Zoning Ordinance.
- c) **Landscaping.** The additional landscaping requirements include perennial beds planted in 20% of the required landscape frontage. This has been provided and is compliant with the Zoning Ordinance.
6. **Accessory Buildings.** There are several detached accessory buildings which are existing and proposed to be constructed on-site. Staff has reviewed these accessory buildings based on the minimum allowable lot coverage, setbacks, and other height and bulk requirements. Based on this review all of the buildings are within the height, lot coverage, and setback requirements provided by the Zoning Ordinance.
7. **Exterior Lighting.** The Zoning Ordinance exempts light fixtures placed by a governmental agency on public property. Due to this staff has no comments on the proposed lighting.
8. **Access and Circulation.** The Fire Marshall has review the access to the office building and has raised no issues with it. Otherwise the parking lot has a fairly standard commercial curb cut. Staff has no issues with the access and circulation.
9. **Sidewalks.** Sidewalks are provided adequately on site.
10. **Parking and Loading.**
- a. **Space Dimensions.** The dimensions of the space appear to be consistent with 54-74 degree parking, but the angle of the diagonal parking is not provided on the plans. This will need to be provided. The Zoning Ordinance requires the parking spaces to be double striped and there is a note on the plans which addresses this.
- b. **Number of Spaces.** The provided calculations show the required parking for the main office building. This calculation is 1 space per 300 s.f. for a total of 7 spaces. There are no calculations provided for the park. This calculation is listed in the Zoning Ordinance as 1 space per 6 feet of benches. Currently there are 14 benches proposed with 1 space per bench and 2 hexagon tables with 4 seats each. Based on this additional calculation the minimum required parking is as follows:
- i. 7 spaces for office (1 space per 300 sq ft)
 - ii. 16 spaces for park (1 space per 6 ft of bench or 1 space per 4 seats)
 - iii. Total required = 23 parking spaces. Total provided spaces = 22 spaces
- There is a note on the plans which indicate an additional 11 parking spaces through a shared parking agreement. The actual shared parking agreement will need to be provided to the Township for documentation and the Planning Commission will need to include the shared parking arrangement in their motion.
- c. **Barrier Free.** 2 barrier free spaces are provided which is sufficient. The DDA should provide a handicap parking arrangement closer to their building. We have discussed



Charter Township of Van Buren

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restriping the closer parking spaces in the real estate office parking lot to be barrier free spaces. This should be detailed on the plan.

- d. **Shared Parking.** Shared parking agreements should be recorded with the real estate office and shared parking agreements should be required for special events on the property. The Township will require a copy of the shared parking agreement between the two properties be provided.
- e. **Loading.** No loading spaces are required.

11. Landscaping and Screening. The following items are required for landscaping.

- a. **Frontage Landscaping.** The applicant has provided a calculation for frontage landscaping which meets the criteria of the Zoning Ordinance. This standard has been met.
- b. **Parking Lot Landscaping.** The landscaping plans show the calculation for the amount of parking lot landscaping and tree plantings required, but do not show the amount of parking lot landscaping which has been provided. The amount of parking lot landscaping provided will need to be shown on the landscape plans.
- c. **Open Space Landscaping.** The calculation for open space landscaping has been provided and is compliant with the Zoning Ordinance.
- d. **Greenbelt Buffering.** The Zoning Ordinance requires a 20 foot wide buffer with one tree planted per 20 linear feet on the east, north and south sides of the property. The applicant has provided a 6' vinyl fence between the main building and the apartments on the south and east side which would meet this requirement from the building. The remainder of the required buffer areas are where the park portion of the site abuts adjacent commercial or multifamily residential. Due to this I recommend that the Planning Commission waive the buffering requirement for the portion of the property which is adjacent to the public park. As a park you want to encourage use and with the existing screening measures on the adjacent property and the green space the park will provide I anticipate that the intent of the Ordinance is sufficiently met.
- e. **Mechanical and Utility Equipment Screening.** The proposed mechanical equipment is sufficiently screened due to the 6' privacy fence located on the southern property line.
- f. **Stormwater Basin Landscaping.** The proposed landscaping in the bio-swales are consistent with this section of the Zoning Ordinance.
- g. **Minimum Size of Plantings.** The proposed plantings will need to comply with the minimum planting standards in the Zoning Ordinance. Due to this the Deciduous Trees to be planted will be required to have a 3-inch minimum caliper. The plans show these plants as having a 2-inch minimum caliper. I would recommend that the plans be revised to reflect the proper size plants.

12. Tree Removal Permit. Public agencies are exempt from the tree removal guidelines of the Zoning Ordinance. Based on this staff has no additional comments.

46425 Tyler Road, Van Buren Twp., MI 48111-5217 Website: vanburen-mi.org

Telephone 734-699-8900 Fax 734-699-5213



Charter Township of Van Buren

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- 13. Dumpster.** No dumpster enclosure has been provided. As mentioned above a note on the plan which indicates how trash will be handled will be sufficient to alleviate any concerns.
- 14. Signs.** The Zoning Ordinance exempts signs erected on Township owned property by the Township. Based on this the proposed sign is exempt from our Zoning Ordinance. Staff does recommend that the sign should be a monument type sign and it should be of a similar size to those monument signs in the vicinity of the site.

Recommendation

Based on the above mentioned comments staff recommends granting preliminary site plan approval for case# 17-029 to the DDA Placemaking Project, based on the analysis and findings in Township staff report dated 10-20-17, the FTCH letter dated 10-20-17, and the Fire Department letter dated 10-3-17. This preliminary approval shall be conditioned upon the following:

1. The applicant shall revise the site plan for final site plan approval to add the following required information:
 - a. A note needs to be added to the site plan which indicates how trash will be handled onsite.
 - b. A note stating, "Owner agrees to seasonal maintenance program and will replace all diseased, dead or damaged plants, replenish mulch, control weeds, fertilize and prune beginning upon completion of construction of landscaping."
2. The applicant shall combine all of the parcels into one (1) parcel upon final site plan approval.
3. The applicant shall provide a parking detail which depicts the degree of the angle of the parking spaces.
4. The applicant shall provide a copy of the shared parking agreement between the real estate office and the DDA.
5. The applicant shall explore adding a barrier free handicap parking space in the real estate office parking lot, closes to the office building.
6. The applicant shall update their parking lot landscaping calculations to depict the amount of parking lot landscaping provided on the plans.
7. The Planning Commission waives the green belt buffering requirements on the east and north property line for the above mentioned reasons.
8. The applicant shall revise the depicted planting sizes in the landscape plans for final site plan approval to be compliant with the minimum standards in Section 10 of the Zoning Ordinance.
9. The Planning Commission recommends that the applicant review the size and placement of the monument sign to ensure it is consistent with the monument signs on the adjacent properties.



Charter Township of Van Buren

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Paul D. White

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



October 20, 2017

Charter Township of Van Buren
46425 Tyler Road
Van Buren, MI 48111

Attention: Ms. Carol Thompson, Chairperson
Van Buren Township Planning Commission

Re: Downtown Development Authority
Construction Plan Approval – Review No. 1
2016 Placemaking Project
10151 Belleville Road, Van Buren, MI 48111
Van Buren Township Case No. 17-019

Dear Ms. Thompson:

At the request of Van Buren Township, Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) has reviewed the Construction plan package dated October 3, 2017, for the proposed Downtown Development Authority (DDA), 2016 Placemaking Project, which is located at 10151 Belleville Road, Van Buren, MI 48111. The proposed project involves:

- Construction of new DDA facility, new storage facility with public restrooms, pavilion, and parking lot.
- Connection to existing garage structure.
- Renovation of existing workshop.
- Demolition of existing storage facility.
- Site renovation with new landscaping.

General

- All elevations shall be on NGVD 29 datum. Elevations are on NAVD 88 datum and conversion factor to NGVD 29 datum of 0.5 feet has been provided.
- Soil borings indicating the existing ground water elevation must still be provided.
- Two bench marks shall be indicated per sheet.
- A note indicating the proposed building will not have a basement shall be provided for buildings without basement.
- Van Buren Township standard details shall be included on the plans.
- Van Buren Township standard engineering notes shall be provided on the drawings.

Water Main Service

Water service to the site is proposed to be provided by a separate 8-inch water main, showing a connection to the existing 8-inch water main located just south of the south property line, north of the Westlake Circle.

A proposed 12 foot easement is shown centered on the proposed 8-inch water main, which is necessary to connect to an offsite water main. A water main easement will need to be dedicated relative to this connection.

Revisions Required:

- Gate well shall not be located in the driveway.
- Hydrant shall be located at least 10 feet from driveways. Provide dimension on the plan from proposed hydrant to proposed driveway.



- The 1-inch water service lead shall be type-K copper, between the proposed storage building and the proposed restroom building.

Sanitary Sewer Service

The applicant has corrected the existing sanitary sewer pipe diameter along the Belleville Road from 8-inch to 12-inch. It is noted the applicant added a manhole over the existing sanitary sewer and replaced the 6-inch sanitary sewer lead with 8-inch public sanitary sewer.

- The 8-inch sanitary public sewer shall be a minimum 10-inch sanitary public sewer in diameter. A proposed 20 foot easement (10 feet beyond the manhole) shall be shown centered on the proposed 10-inch sanitary public sewer.
- All existing sewer inverts shall be field measured and so noted on the plans.
- Sanitary sewer design shall be indicated on the plans.
- Cleanouts shall be provide at intervals no greater than 100 feet and shall not be located in the in driveway and sidewalk.
- Sanitary sewer notes shall be added to the plans.

Stormwater Management

- The proposed stormwater discharge outlet for this development is to connect to an existing 12-inch offsite private storm sewer system. Supporting documentation and/or calculations must be provided to indicate that the existing private storm sewer system can accept the stormwater discharge flow from this development, with the proposed detention basin and restrictive flows being sized accordingly. The connection route to the existing private off-site storm sewer system must include an easement or other agreement mechanism granting use of the storm sewer as a discharge outlet and allowing for maintenance of the offsite system.
- A proposed 20 foot easement is shown centered on the property line and is located on and offsite. One separate easement (two total) will need to be dedicated for each property as necessary.
- All catch basins and manholes with an inlet pipe shall have minimum diameter of 48 inches. Accordingly, the Bio-Retention forebay area manhole shall be a minimum diameter of 48 inches.
- The catch basins and structures shall be labeled on the plans and profiles to correspond with the storm sewer sizing calculations.
- The water table depths must be determined to verify potential impacts to the underground detention system. Soil borings indicating the existing ground water elevation must still be provided.
- The proposed parking lot drainage is directed into a bio-retention forebay. Special consideration should be given to how the drainage will enter the forebay (i.e. curb cuts, sheet flow, etc.) to prevent the erosive impacts from concentrated flow and incorporated into the engineering plans. Curb and gutter details must be provided for this area.
- Hydraulic grade line for ten-year storm event shall be indicated at each manhole and catch basin on storm sewer profile.
- Frame and cover model numbers shall be provided for all structures.
- Storm sewer of different sizes shall be set such that the 0.8 depth point for each pipe shall be at same elevation.

Site Access

- Work in Wayne County Rights-of-Way will require a permit.



Soil Erosion and Sedimentation Control Plan

- Soil Erosion and Sedimentation Control details and details for the proposed earth changes in accordance with the Charter Township of Van Buren, Engineering Standard Manual, April 2014, Chapter II – Plan Requirements, D. Soil Erosion and sedimentation Control Plan Requirements shall be included on the drawings.

FTCH would like to note that we recommended Preliminary Plan approval in our letter dated August 31, 2017.

However, at this time, we are **not** recommending approval the Construction Plans, dated October 3, 2017, subject to comments noted above.

If you have any questions regarding this project, please contact me at 248.324.4791 or dpotter@ftch.com.

Sincerely,
FISHBECK, THOMPSON, CARR & HUBER, INC.

A handwritten signature in black ink, appearing to read 'Katerina Kollar', is positioned to the left of the typed name.

Katerina Kollar, PE – FTCH

A handwritten signature in black ink, appearing to read 'David L. Potter', is positioned to the right of the typed name.

David L. Potter, PE – FTCH

ag2
Email

- cc: Mr. Ron Akers, Director Planning and Economic Development
Mr. Matthew Best, Deputy Director Planning and Economic Development
Mr. James Taylor, Director of Public Works

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

Van Buren Fire Department
46425 Tyler Rd
Belleville, MI 48111



10-03-2017

Department Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: 17-029
DDA Belleville Rd site

To whom it may concern:

I have reviewed the site plan drawing and have the listed the following items for comment.

Project Overview:

The proposal is to build multiuse building and renovation of other buildings on the site.

Please note that **all** applicable **NFPA** codes NFPA 1, and 101 apply, as adopted by the Township of Van Buren. These should be referenced when moving forward with this project.

1. ~~Hydrant will need to be located near maintenance drive to DDA building and existing garage~~
2. Must maintain 16 ft. width all the way to existing garage. Plan now shows required width.
3. ~~New parking lot, needs to show turning radius,~~
4. Knox Box for the DDA building and a Knox lock for the gate will also be required
5. This building is not sprinkled, thus any interior door will not be allowed to have door stops on them.
6. Address is required on site sign.

Review and approval by the Authority Having Jurisdiction shall not relieve the applicant of the responsibility of compliance with these codes.

Plans are approved with remaining items addressed during construction and before C/O issued.

Respectfully submitted,

David C 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.

RECEIVED

PLANNING & ZONING APPLICATION

MAY 19 2017

Case number _____

Date Submitted _____

BY: _____

APPLICANT INFORMATION

Applicant Parallel Infrastructure Phone 248-650-8000
 Address c/o J A Grant Fax _____
 City, State 1116 N Main Rochester Zip 48307
 E-mail jrc@parallelglobal.com Cell Phone Number _____
 Property Owner _____ Phone _____
 Address (if different than applicant) Patrick Cruden Fax _____
 City, State 4330 Ecorse Rd, Billerica MI Zip _____
 Billing Contact Jonathan R. Grant Phone 248-650-8000
 Address 1116 N Main Fax _____
 City, State Rochester MI Zip 48307

SITE PROJECT INFORMATION

Name of Project B Tower wireless facility
 Parcel Id No. V125-83-012-99-0026-000 Project Address 43430 Ecorse
 Attach Legal Description of Property
 Property Location: On the W Side of Ecorse Road; Between W. Exposition Freeway Road and _____ Road. Size of Lot Width 220 Depth 132.12
 Acreage of Site 2.02 Total Acres of Site to Review _____ Current Zoning of Site R-1B
 Project Description: Construct a 125' Tall Monopole for wireless wireless

Is a re-zoning of this parcel being requested? _____ YES (if yes complete next line) NO
 Current Zoning of Site R-1B Requested Zoning _____

SPECIAL PERMITS INFORMATION

Does the Proposed Use Require Special Approval? _____ YES (if yes complete next line) NO
 Section of Zoning Ordinance for which you are applying 4.24 B
 Is there an official Woodland within parcel? NO Woodland acreage _____
 List total number of regulated trees outside the Woodland area? _____ Total number of trees _____
 Detailed description for cutting trees: _____

If applicable application MUST be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

Jonathan R. Grant P-33749
 Print Property Owner's Name
Patrick Cruden AMY T. MILLER
 Signature of Property Owner Atty NOTARY PUBLIC
 County of Wayne
 My Comm. Expires 10/21/2020
 Acting in the County of Wayne
 Date 5-13-17

STATE OF MICHIGAN
 COUNTY OF WAYNE
 I, the undersigned, being duly sworn, depose and say that the foregoing statements and answers hereon contained and accompanied information and date are in all respects true and correct.
 Subscribed and sworn before me this 13 day of May, 2017
Christopher Notary Public, Wayne County, Michigan My Commission expires 10/21, 2020
 Rev 11/26

February 20, 2017

To: Van Buren Township Planning Commission, 46425 Tyler Road, Van Buren
Twp., MI 48111

PI Telecom Infrastructure V, LLC ("PI") is an owner and developer of communications towers, and is in the business of leasing vertical real estate.

As such, and through strategic relationships with numerous wireless carriers licensed by the FCC, PI will actively market the proposed wireless telecommunications facility to licensed carriers for collocation. We commit to responding to all requests, negotiate in good faith and charge reasonable market rate for rent.

The proposed wireless telecommunications facility will be designed to accommodate a minimum of 3-4 wireless carriers as per current engineering standards and average carrier equipment loading. This will allow the carriers to provide wireless service to the local community and traveling public without the need for the development of additional tower structures in the immediate area.

Please feel free to contact me at (248) 302-1875 or via e-mail at beth.powers@pitower.com if I can provide any additional information.

Very truly yours,

PI Telecom Infrastructure V, LLC

Beth Powers

Beth Powers
Region Manager



909 Lake Carolyn Parkway | Suite 260 | Irving, TX 75039
T: 972-707-5250 | parallelinfrastructure.com

Sprint
Attention: Inbound Colocation Manager
6200 Sprint Parkway
Overland Park, Kansas 66251
2/22/17

RE: Parallel Infrastructure Tower Site MI-Van Buren-Creedon, PIMI052 located at 43430 Ecorse Road, Belleville, MI 48111
Latitude - 42° 15' 08.66" N / 42.25241
Longitude - 83° 28' 07.49" W / -83.46875

Pursuant to the requirements of Section 4.24b Wireless Communication Facilities of the Van Buren Township Ordinance, Parallel Infrastructure is hereby providing you with the notice of our intent to develop a new telecommunications facility located at the address listed above. In general, we plan to construct a new 125' monopole tower for providing Wireless Communication Services.

The purpose of this letter is to inform you of an opportunity to collocate on this tower in lieu of pursuing a new facility in the area. Please contact us at your convenience should you have any questions or interest in installing equipment at this facility.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth Powers", written over a white background.

Powers, Beth
Midwest Director
Parallel Infrastructure

(248) 302-1875
Beth.Powers@PITowers.com



909 Lake Carolyn Parkway | Suite 260 | Irving, TX 75039
T: 972-707-5250 | parallelinfrastructure.com

ATT
Attention: Inbound Colocation Manager
4016 Watson Blvd
Warner Robins, GA 31093
2/22/17

RE: Parallel Infrastructure Tower Site MI-Van Buren-Creedon, PIMI052 located at 43430 Ecorse Road, Belleville, MI 48111
Latitude - 42° 15' 08.66" N / 42.25241
Longitude - 83° 28' 07.49" W / -83.46875

Pursuant to the requirements of Section 4.24b Wireless Communication Facilities of the Van Buren Township Ordinance, Parallel Infrastructure is hereby providing you with the notice of our intent to develop a new telecommunications facility located at the address listed above. In general, we plan to construct a new 125' monopole tower for providing Wireless Communication Services.

The purpose of this letter is to inform you of an opportunity to collocate on this tower in lieu of pursuing a new facility in the area. Please contact us at your convenience should you have any questions or interest in installing equipment at this facility.

Sincerely,

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Powers, Beth
Midwest Director
Parallel Infrastructure

(248) 302-1875
Beth.Powers@PITowers.com



909 Lake Carolyn Parkway | Suite 260 | Irving, TX 75039
T: 972-707-5250 | parallelinfrastructure.com

T-Mobile
Attention: Inbound Colocation Manager
12920 SE 28th Street
Bellevue, WA 98006
2/22/17

RE: Parallel Infrastructure Tower Site MI-Van Buren-Creedon, PIMI052 located at 43430 Ecorse Road, Belleville, MI 48111
Latitude - 42° 15' 08.66" N / 42.25241
Longitude - 83° 28' 07.49" W / -83.46875

Pursuant to the requirements of Section 4.24b Wireless Communication Facilities of the Van Buren Township Ordinance, Parallel Infrastructure is hereby providing you with the notice of our intent to develop a new telecommunications facility located at the address listed above. In general, we plan to construct a new 125' monopole tower for providing Wireless Communication Services.

The purpose of this letter is to inform you of an opportunity to collocate on this tower in lieu of pursuing a new facility in the area. Please contact us at your convenience should you have any questions or interest in installing equipment at this facility.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth Powers", written over a white background.

Powers, Beth
Midwest Director
Parallel Infrastructure

(248) 302-1875
Beth.Powers@PITowers.com

February 9, 2017

Ms. Jennifer Brown
Parallel Infrastructure

RE: Proposed 125' Sabre Monopole for MI-Van Buren-Creedon, MI

Dear Ms. Brown,

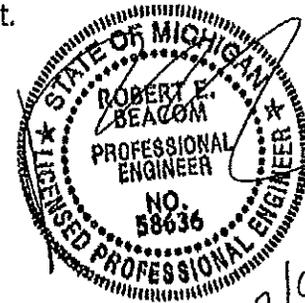
Upon receipt of order, we propose to design and supply the above referenced Sabre monopole for a Basic Wind Speed of 89 mph (115 mph Ultimate) with no ice and 40 mph with 1" radial ice, Structure Class II, Exposure Category C and Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. **Please note that this letter only applies to the above referenced monopole designed and manufactured by Sabre Towers & Poles.** The fall radius for the monopole design described above is less than 37.5 feet.

Sincerely,

Robert E. Beacom, P.E., S.E.
Senior Design Engineer





VZW 86 MP Colo

AT&T MP 105

VZW 980 MP Colo

VZW 798 Proposed Location

DTE Transmission Tower

VZW 153 MP Colo

ATC MP 150

VZW 976 MP Colo

CCI MP 125

October 6, 2017

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

Subject: Verizon Wireless Telecommunications Tower; Special Land Use Review #2

Location: 43430 Ecorse Road; West side of Morton Taylor Road, north of Ecorse Road

Dear Planning Commissioners:

Plans for a new monopole wireless telecommunications tower, an equipment shelter, and other appurtenances have been submitted for a site located on the west side of Morton Taylor Road, north of Ecorse Road (parcel 83-012-99-0028-000). The applicant, Jonathan R. Crane, on behalf of Verizon Wireless, proposes to construct a monopole tower and other structures within a 75' x 75' leased area in the northwestern portion of the site. Per the site plan, the monopole will have a height of 125 feet to the top antenna platform and lightning rod will add a maximum of 4 feet, resulting in a total height of 129 feet.

The site is zoned R-1B Single Family Residential District, which permits wireless communication facilities [Section 3.106 (C)] via special land use. Further Section 5.143 (B)(1)(a) allows for WCF's subject to standards noted in Section 5.143 (D).

The applicant appeared for a public hearing before the Planning Commission on September 13, 2017 and was granted preliminary site plan approval subject to all outstanding issues and items being satisfactorily addressed and with the direction that the special land use request will be revisited at the time of final site plan approval. We have reviewed the site plan and special land use applications for compliance with the regulations of Van Buren Township Zoning Ordinance, Planning Commission conditions of preliminary site plan approval, and sound planning and zoning principles. Our site plan comments are addressed in our letter dated October 6, 2017, and we offer the following comments on the special land use application:

Procedure for Reviewing New Wireless Telecommunications Facilities

In 2012, an amendment to the Michigan Zoning Enabling Act was adopted that restricted the ability of local governments to regulate wireless telecommunications facilities (i.e., cellular towers). For new towers, the Act requires the City to act on the application not more than 90 days after the application is deemed administratively complete. The application dated May 13, 2017, was accepted by the Township (subsequent to request for additional information which was submitted) on August 1, 2017. As a result, the Planning Commission must take action by November 1, 2017.

Special Land Use Review Comments

Section 12.306 of the Zoning Ordinance sets forth nine (9) criteria for the Planning Commission to consider when reviewing special land use proposals. Following is our review of each criterion:

1. **The special land use will promote the use of land in a socially and economically desirable manner for persons who will use the proposed land use or activity, for landowners and residents who are adjacent thereto, and for the Township as a whole.** The subject site is a large vacant piece of land which appears like an open field. The proposed tower is to be located in the northwest corner of the site with existing tree line to the north and west on abutting parcels.

The application packet includes a letter from the tower manufacturer regarding its stability and possible collapse. The applicant stated at the last Planning Commission meeting that the proposed tower is designed to collapse onto itself, and in the event of a structural failure, the tower will fall within the lease area boundaries. The site and all abutting parcels are zoned R-1B residential and it is anticipated that in the future these properties will be developed for single family residential uses. The parcels to the north of the subject site are not as large and are significantly long and narrow. The presence of a wireless tower on the property and its possible fall zone may have an adverse impact on the development potential of these parcels with regard to site design, location of homes, and marketability.

2. **The special land use is necessary for public convenience at that location.** In response to a request from the Township for written justification on the need for a tower at this location, the applicant in a letter July 27, 2017 has stated the location of other facilities and locations in the vicinity that would not work for their needs. A map of the proposed location and other facilities shows an ITC transmission tower within half mile and several other towers within a 2+ mile radius. This same ITC corridor includes transmission towers with WCF's built on them (e.g., north of Michigan Ave. and just north of Belleville Lake). However, Mr. Crane stated at the September 13th public hearing that this is not a practice of Verizon due to the structural questions of the transmission towers. Per the propagation maps distributed at the Planning Commission meeting, the location of the proposed tower covers a gap in coverage that is deemed significant by the applicant. The applicant further states that an ideal location would have been further west but they are restricted due to FAA rules and the Willow Run Airport. The applicant should clarify what is the limit further west beyond which a tower cannot be placed.
3. **The special land use is compatible with adjacent uses of land.** As previously stated, the zoning on all adjacent properties is R-1B. The existing land use is single family residential to the east, vacant residential to the north and west and a church to the south. The subject property has a single family dwelling with accessory structures at the southeast corner of the property (intersection of Ecorse and Morton Taylor Roads). While the proposed tower at this time is not in close proximity to any dwelling, it may impact future residential development on the subject site and abutting vacant parcels.
4. **The special land use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.** The proposed tower and accessory structures will be secured by a 6-foot high galvanized chain link fence. Based on the applicant presentation and a letter from the applicant's engineer that the fall zone for the tower will be contained within the lease area boundaries, we don't anticipate any adverse impacts on public health, safety, and welfare. Per the propagation maps distributed at the Planning Commission meeting, the location of the proposed tower covers a gap in coverage in an area that currently has poor to moderate coverage, and is necessary to provide service to customers in the area that cannot be accommodated elsewhere.
5. **The special land use can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area.** Such facilities typically do not require the use of water or sewer; however, the site plan indicates a 1,000-gallon propane tank within the lease area. Sheet Z2 notes that the propane tank is to be used for the operation of the

emergency generator only. The note on Sheet Z stating "no hazardous material will be stored on the site at any time" should be deleted since propane is a combustible fuel and therefore hazardous.

6. **The special land use will not cause injury to the value of other property in the neighborhood in which it is to be located.** As previously noted, the location of a tower on a vacant developable piece of land may have impacts on their development potential for residential purposes.
7. **The special land use will consider the natural environment and help conserve natural resources and energy.** The tower is not expected to generate dust, fumes, smoke, odor, vibration, or detectible noise. The equipment shelter canopy is intended to have downward directed and shielded lights on its underside. The tower will not have a light. The visual aesthetics of the facility are mitigated by existing wooded areas to the north and west. The revised plan indicates a single row of 4'-6' Arborvitae or other evergreen species to be planted 10 feet on center around the fenced lease area and includes a notation "if required". Plantings are required and, as proposed, would not create a visual screen for a very long time. At a minimum, the proposed large shrubs/trees must have a height of 6' at the time of planting placed 5 feet on center or as an alternative, we would support planting a double row of 8-foot high evergreen trees spaced 15 feet on center along the perimeter of the facility. While the applicant has included a notation on maintenance of the landscaping, the plantings are located outside the lease area, which is a concern for its long term viability. The landscape buffer should be included in the lease area or a maintenance easement created.
8. **The special land use is within the provisions of uses requiring special approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located, and meets applicable site design standards for special approval uses.** These items are addressed throughout this letter and in our accompanying site plan review letter dated October 4, 2017. While issues related to a fall-zone plan, landscaping and other notational details requested in this letter and our site plan review letter remain to be addressed, other considerations to determine compliance with the requirements of the Zoning Ordinance as well as sound planning and zoning principles have been submitted and are adequate.
9. **The special land use is related to the valid exercise of the Township's zoning authority and purposes which are affected by the proposed use or activity.** Consideration of a special land use for the location of a new wireless facility to determine its impact upon neighboring property or public facilities is within the purview of the Planning Commission and Township Board of Trustees and a valid exercise of the Township's police power.

Specific Approval Criteria for all WCSF's [Section 5.143 (F)]. A new WCF shall not be approved unless it can be demonstrated by the applicant that there is a need for the new WCF which cannot be met by placing WCA on an existing WCSF or on other structures, or replacement of an existing WCSF. Information concerning the following factors shall be provided by the applicant and considered by the Planning Commission in determining that such a need exists:

- (a) Insufficient structural capacity of existing WCSF's or other suitable structures and the feasibility of reinforcing or replacing an existing WCSF;
- (b) Unavailability of suitable locations to accommodate system design or engineering on existing WCSF or other structures;
- (c) Radio frequency interference or other signal interference problems at the existing WCSF or other structures.
- (d) Other factors which demonstrate the reasonable need for the new WCSF;

- (e) The denial of the application for the proposed WCF will result in unreasonable discrimination among providers of fundamentally equivalent personal wireless communication or services and/or will have the effect of prohibiting the provision of personal wireless communication services;
- (f) The refusal of owners or parties who control the WCSFs or other structures to permit a WCA to be attached to such WCSFs or structures

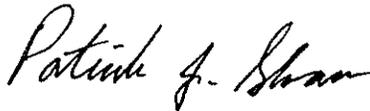
As previously noted, the applicant submitted propagation maps at the PC meeting to demonstrate an existing gap in coverage in the area of the proposed tower location. Per the applicant, collocation on any of the available ECF's in the vicinity will not address the gap coverage issue. The applicant has stated that they preferred a location further west but were unable to accommodate that due to FAA regulations for distance. Any documentation to support this statement must be provided. Finally, the applicant has stated that numerous unsuccessful attempts were made to reach the pastor at the church located to the south of the subject site. Any documentation to support this would also be beneficial since a church property is better suited for a new WCF than a vacant single-family residential parcel with future development potential pursuant to the Zoning Ordinance recommendations.

Recommendations

At this time, most of the conditions of special land use have been met; however, a few items of information relating to landscaping, maintenance, and documentation of unavailability of abutting sites needs to be submitted. It is therefore our recommendation that the Planning Commission defer action on this item to the October 25th Planning Commission meeting.

Respectfully submitted,

McKENNA ASSOCIATES



Patrick J. Sloan, AICP
Senior Principal Planner



Vidya Krishnan
Senior Planner

October 6, 2017

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

Subject: Verizon Wireless Telecommunications Tower; Site Plan Review #2

Location: 43430 Ecorse Road; West side of Morton Taylor Road, north of Ecorse Road

Dear Planning Commissioners:

Plans for a new monopole wireless telecommunications tower, an equipment shelter, and other appurtenances have been submitted for a site located on the west side of Morton Taylor Road, north of Ecorse Road (parcel 83-012-99-0028-000). The applicant, Jonathan R. Crane, on behalf of Verizon Wireless, proposes to construct a monopole tower and other structures within a 75' x 75' leased area in the northwestern portion of the site. Per the site plan, the monopole will have a height of 125 feet to the top antenna platform and lightning rod will add a maximum of 4 feet, resulting in a total height of 129 feet.

The site is zoned R-1B Single Family Residential District, which permits wireless communication facilities [Section 3.106 (C)] via special land use. The site is currently used as a single-family residence and a farm. We have reviewed the site plan and special land use application in accordance with the regulations of the Van Buren Township Zoning Ordinance and sound planning and zoning principles. Our special land use comments are addressed in a letter dated September 7, 2017 under separate cover.

The applicant appeared before the Planning Commission on September 13, 2017 and was granted preliminary site plan approval subject to all outstanding issues and items being satisfactorily addressed and special land use being revisited with final site plan review. We have reviewed the site plan for compliance with the regulations of the Van Buren Township Zoning Ordinance, the Planning Commission's conditions of preliminary site plan approval, and sound planning and zoning principles:

Procedure for Reviewing New Wireless Telecommunications Facilities

In 2012, an amendment to the Michigan Zoning Enabling Act was adopted that restricted the ability of local governments to regulate wireless telecommunications facilities (i.e., cellular towers). For new towers, the Act requires the municipality to act on the application not more than 90 days after the application is deemed administratively complete. The application dated May 13, 2017, was accepted by the Township (subsequent to request for additional information which was submitted) on August 1, 2017. As a result, the Planning Commission must take action by November 1, 2017. A public hearing on the special land use application was held at the September 13, 2017 Planning Commission meeting. Because of this 90-day time constraint imposed by the Act, the Planning Commission – not the Township Board of Trustees – is the approving authority for WCF's.

Review Comments – Section 5.143(D) of the Zoning Ordinance sets forth the specific requirements for site plan review of wireless communication facilities as follows:

1. **Zoning District Requirements.** Section 5.143(B)(1)(A) of the Zoning Ordinance permits WCF's in the R-1B district, subject to site plan review and special land use review. While Section 5.143(D)(1) recommends that they be placed on property owned and used by government entities, educational institutions, utility companies, cemeteries, parks and recreational facilities, or religious and other institutional entities, they can be located with other land uses if all of the standards of the Zoning Ordinance are met. The proposed tower is located on a property used single-family residential and agriculture.
2. **Lot Area Requirements.** Minimum required parent lot size is 2 acres. The subject site has an area of approximately 20 acres with proposed lease area dimensions of 75' x 75' (5,625 sq. ft.).
3. **Setbacks.** Section 5.143(D)(3) requires a WCF to meet the setback requirements for the district. The required front, side and rear yard setbacks are 30', 10' and 25' combined and 35', respectively. The proposed structures within the WCF lease area comply with the setbacks.
4. **Landscape Requirements.** The Zoning Ordinance requires a landscape buffer around the WCF that will create a visual screen by planting evergreen shrubs leaf-to-leaf, to create a hedge that shall reach a height of at least 6 feet at maturity. There are currently no residences to the north or west that will be able to see the equipment; however, this could change at any time. Also, Section 5.143(D)(4) requires the base of the facility to be screened from any right-of-way or adjacent property regardless of the use or zoning district. The revised plan indicates a single row of 4'-6' Arborvitae or other evergreen species to be planted 10 feet on center around the fenced lease area and includes a notation "if required". Plantings are required and, as proposed, would not create a visual screen for a very long time. At a minimum, the proposed large shrubs/trees must have a height of 6' at the time of planting placed 5 feet on center or as an alternative, we would support planting a double row of 8-foot high evergreen trees spaced 15 feet on center along the perimeter of the facility. While the applicant has included a notation on maintenance of the landscaping, the plantings are located outside the lease area, which is a concern for its long term viability. The landscape buffer should be included in the lease area or a maintenance easement created. Proposed plant species and size at time of planting must also be added to the plans.
5. **Fencing.** The revised site plan indicates a 6 foot high galvanized chain link fence around the lease area. The previously proposed barbed wire has been removed from the plans. At its last meeting, the Planning Commission found the fence design to be acceptable.
6. **Signs.** The site plan notes that no commercial advertising will be permitted on the tower or premises. The plan also notes that the only signage includes will be emergency contact information.
7. **Personnel Prohibition.** A WCF shall have no personnel on premises except as necessary for maintenance and repair. The plan notes that there shall be no employees on a permanent basis on the site.
8. **Off-Street Parking.** Per the ordinance, at least one (1) off-street parking must be provided for service vehicles. The site plan indicates a gravel turn around on the east side of the tower at the edge of the access easement, which can serve as parking.
9. **Equipment Storage Shelter.** The Zoning Ordinance allows for an equipment storage shelter with a maximum height of 15 feet and in compliance with all zoning requirements. The plan indicates an equipment shelter "canopy" with a height of 14.75' covering a 11.5' x 19.5' concrete pad. Since the

shelter is an unenclosed canopy, the requirement for screening as noted in Comment 4 above is even more important.

10. Standards for WCSF's.

- a. **WCSF Design.** The WCSF is required to be of a monopole design with no shiny or metallic finish. The proposed tower is a monopole with a galvanized finish.
- b. **Height Limitation.** The ordinance permits a maximum tower height of 150 feet. With a proposed height of 129 feet, the tower complies.
- c. **Compliance with Structural Code.** The proposed tower meets this standard. A letter from the tower manufacturer certifies the structure.
- d. **Sign Provision.** No advertising signs are proposed.
- e. **Compliance with Federal Regulations.** The site plan notes that the tower shall comply with all FAA and FCC regulations.
- f. **Replacement of Existing WCSF.** Not applicable.

11. Structural Integrity [Section 5.143(E)(2)]. We will defer to the Township Engineer regarding the structural integrity of the design.

12. Lighting. According to the plans, the only light proposed is an underside canopy lighting for the equipment shelter. Fixture details have been noted and the plan states that the fixture will be timer controlled, downward directed and shielded. The plan notes that no lights are proposed on the tower unless required by the FAA.

13. Collocation [Section 5.143(E)(5)]. As required, the applicant has submitted a letter stating their intent to allow for collocation on the tower. A letter dated 2/20/17 notes that the tower will be designed to carry a total of 3-4 carriers. Antennas of three (3) possible entities are shown located on the tower, on the site plan.

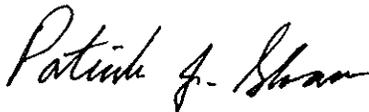
14. Site Justification [Section 5.143(E)(3)]. As required by the ordinance the applicant has submitted a map of all known WCF's in the vicinity of the proposed location and a written justification on the need for a monopole at this specific site. The propagation maps submitted at the PC meeting appeared to indicate the need for coverage in the area of the proposed tower. According to said maps, the new tower will provide coverage in an area that has poor to moderate coverage at this time. The availability of the tower for future colocators should enable other wireless providers to cover similar gaps in their coverage, if needed.

Recommendation

At this time, landscape screening and maintenance must be addressed pursuant to the Zoning Ordinance requirements. Additionally, as noted in our accompanying Special Land Use letter of October 6, 2017, more information is required regarding documentation of unavailability of abutting or nearby sites. Therefore, while we recommend that the Planning Commission defer action on this item to the October 25th Planning Commission meeting, we will recommend final site plan approval for the proposed monopole tower if all of the required information can be provided by that time.

Respectfully submitted,

McKENNA ASSOCIATES



Patrick J. Sloan, AICP
Senior Principal Planner



Vidya Krishnan
Senior Planner



October 7, 2017

Charter Township of Van Buren
46425 Tyler Road
Van Buren, MI 48111

Attention: Ms. Carol Thompson, Chairperson
Van Buren Township Planning Commission

Re: Site Plan Review No. 2
MI-Van Buren – CREEDON; Site Number: PIMI052
Morton Taylor Road, Belleville, MI 48111
Van Buren Township Case No. 17-018

Dear Ms. Thompson:

At the request of Van Buren Township (Township), Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) has reviewed the Site Plan dated September 26, 2017, for the proposed Verizon Wireless No. 798 Tower, MI-Van Buren – CREEDON; Site No.: PIMI052, which is located on Morton Taylor Road, Belleville MI 48111 north of Ecorse Road. The project involves the new construction of Verizon Wireless No. 798 Tower and access drive.

General

- A copy of approved permit from the Wayne County Department of Public Services Road Division for work within Morton Taylor Rights-of-Way shall be provided.
- All elevations shall be on NGVD 29 datum.
- Soil borings indicating the ground water elevation shall be provided.
- Notes shall be included on the plan:
 - All construction shall conform to the current standards, specifications and general conditions of the township.
 - The Developer is responsible for resolving any drainage problems on adjacent property which are the results of the Developer's actions.
- A "MISS DIG" note shall be provided on each sheet.
- Two bench marks shall be indicated on each sheet.
- A detail Engineer's Cost Estimate shall be submitted.

Water Main Service

- Municipal water main is not proposed for this project.

Sanitary Sewer Service

- Municipal sanitary sewer is not proposed for this project.

Storm Water Management

- The proposed site is subject to overland flow coming to and through it from the south and possibly from the east. Historical aerial photographs and local soil maps indicate that this area contains a depression and is subject to periodic inundation. As such, the applicant must identify the stormwater watershed tributary to this area and provide a storm water conveyance system, perhaps a culvert, to allow the overland flow coming to it from the south and east, to continue to flow to the property north and northwest of the subject project. It is incumbent upon the applicant to confirm the direction and capacity of the storm water outlet. The applicant must provide a survey prepared and submitted by a licensed Michigan Surveyor, which indicates the drainage outlet from the subject property. Storm water conveyance calculations that mitigate



the proposed project construction must be prepared and submitted as prepared by a licensed Michigan Professional Engineer.

- The inlet and outlet of culvert on Morton Taylor Road shall have flared end sections with necessary erosion control, as required by the Wayne County Department of Public Services Road Division. A profile of the existing ditch and proposed culvert at the entrance to the site shall be provided. The culvert shall have adequate cover. Specify lengths and Class of the proposed concrete culvert.

Site Access

- Tower will be accessed thru 30 feet wide access/utility easement via 20 feet wide gravel access road with turnaround. Dimensioned drawing of the turnaround detail shall be provided, in accordance with the Township Fire Department requirements.
- Drive approach and access road grades shall be provided every 50 feet. The drive approach shall be constructed so the drainage is not adversely affected by the drive approach.
- It should be indicated if the trees are located onsite.
- Tree removal and tree protection fence shall be indicated on the plans.
- Any tree trimming shall be indicated.

Soil Erosions and Sedimentation Control

- Soil Erosion and Sedimentation Control Plan shall be provided per the Township, Engineering Standards and Manual, Chapter II. Plan Requirements, D. Soil Erosion and Sedimentation Control Plan Requirements. A permit must be acquired from Wayne County, if applicable.

We are not recommending the Planning Commission grant final site plan approval at this time, subject to comments noted above.

If you have any questions regarding this project, please contact me at 248.324.4791 or dpotter@ftch.com.
Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

A handwritten signature in black ink, appearing to read 'David L. Potter', is positioned above the typed name.

David L. Potter, PE, CSI-CCCA – FTCH

ag2

Email

cc: Mr. James Taylor, Director of Public Works

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

Van Buren Fire Department
46425 Tyler Rd
Belleville, MI 48111



October 3, 2017

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

Re: Verizon (MI-Van Buren-Creedon)
43430 Ecorse Rd
Van Buren, MI 48111

To whom it may concern:

I have reviewed the revised site plan drawn by Parallel Infrastructure, 7411 Fullerton St, suite 110, Jacksonville, FL 32236. They were received in the building department on August 29th 2017; we were given a copy to review on 10-3-2017, for the above referenced project.

Project Overview:

The plans indicated a single monopole 125ft tall, with a 1000lbs propane tank on site. NFPA 1 2012 and NFPA 101 2012 are the adopted fire codes for Van Buren Township.

1. Fire department access box (Knoxbox padlock), still required to be placed on gate for access by VBFD.

NFPA 1-18.2.2.1

- ~~2. Fire Department access road shall have an unobstructed width of not less than 20ft.~~

NFPA 1- 18.2.3.4.1.1

- ~~3. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface (asphalt).~~

NFPA 1-18.2.3.4.2

- ~~4. The turning radius of a fire a fire department access road shall be as approved by the AHJ.~~

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.

NFPA 1-18.2.3.4.3.1

5. ~~Dead-end fire department access roads in excess of 150ft in length shall be provided with approved provisions for the fire apparatus to turn around. Turning radius for Van Buren Fire Department apparatus is 45ft. If 3 point turn is kept as in the submitted plans, it will need to be extended to meet requirements. Speaking to Stephen Hunt, he indicated radius is sufficient to handle our turning requirements.~~

NFPA 1-18-2.3.4.4

A digital cad layout of the site will be required prior to this department approving a final C of - O.

Review and approval by the Authority Having Jurisdiction shall not relieve the applicant of the responsibility of compliance with these codes.

If you have any questions about this plan review report, please feel free to contact me at (313)410-0302.

Respectfully submitted,

David McNally

Van Buren Fire Department
Fire Marshal



Memo

TO: VBT Planning Commission

FROM: Ron Akers, AICP
Director of Planning and Economic Development

RE: Discussion on Township Master Plan/Formation of Master Plan Subcommittee

DATE: October 20, 2017

The Township Board of Trustees approved an agreement with McKenna & Associates at their regular meeting on October 17, 2017 to complete an update of the Township Master Plan. Patrick Sloan, from McKenna & Associates will be bringing a tentative timeline and work schedule to the October 25 Planning Commission meeting for your consideration. I will request that the Planning Commission form a subcommittee to guide the development of the Master Plan and its process similar to how we moved forward with the Zoning Ordinance update. I look forward to further discussion on this agenda item.



Memo

TO: VBT Planning Commission

FROM: Ron Akers, AICP
Director of Planning and Economic Development

RE: Joint Commission/Committee Meeting – November 30, 2017

DATE: October 20, 2017

Please be advised that the Township will have a joint commission/committee meeting for all of the boards and commissions for the Township. The event will be conducted on November 30, 2017 around 7 p.m. and invitations will go out shortly. This event will be open to the public and details will be provided soon.