

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, April 25, 2018 – 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 March 14, 2018.

CORRESPONDENCE:

PUBLIC HEARING:

UNFINISHED BUSINESS:

NEW BUSINESS:

ITEM #1: CASE 18-003 – TEMPORARY LAND USE APPROVAL

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

LOCATION: The property is located at 8705 Belleville Road, Van Buren Township, MI 48111 which is on the east side of Belleville Road, north of Tyler Road.

ACTION ITEMS:

- A. Presentation by the applicant
- B. Presentation by Township staff.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the Temporary Land Use permit.

GENERAL DISCUSSION:

ADJOURNMENT:

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
MARCH 14, 2018
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:32 p.m.

ROLL CALL:

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

Excused: Franzoi.

Staff: Director Akers and Secretary Harman.

Planning Representatives: None.

Audience: Nine (9).

APPROVAL OF AGENDA:

Motion Kelley, Boynton second to approve the agenda of March 14, 2018 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Boynton, Jahr second to approve the regular meeting minutes of February 28, 2018 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 ZONING ORDINANCE AMENDMENT – DETACHED ACCESSORY BUILDING REGULATIONS

TITLE: TO CONSIDER AMENDING THE TEXT OF THE VAN BUREN CHARTER TOWNSHIP ZONING ORDINANCE 5-2-17(2) BY MODIFYING THE REQUIRED SETBACKS FOR DETACHED ACCESSORY BUILDINGS GREATER THAN 768 SQUARE FEET AND FOR DETACHED ACCESSORY BUILDINGS IN COMMERCIAL OR INDUSTRIAL ZONING DISTRICTS; MODIFYING THE APPROVAL PROCESS FOR NON-RESIDENTIAL DETACHED ACCESSORY BUILDINGS IN NON-RESIDENTIAL DISTRICTS; MODIFYING THE REQUIREMENT FOR DETACHED ACCESSORY BUILDINGS TO HAVE CONCRETE FLOORS AND RATWALLS IN THE AGRICULTURAL DISTRICT; AND MODIFYING THE LOT COVERAGE REQUIREMENTS BY CREATING AN EXCEPTION FOR DETACHED SHEDS 120 SQUARE FEET IN AREA OR LESS IN RESIDENTIAL AND AGRICULTURAL DISTRICTS.

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

Director Akers gave the presentation referencing his staff memo dated 12-22-17. Over the past several months issues were raised regarding the accessory structure standards of the zoning ordinance. Director Akers presented examples of the issues raised and proposed changes to the accessory structure standards of the zoning ordinance. The proposed changes are:

- A. **Minimum Setbacks.** New Language: In all other districts, except as otherwise specified: A detached accessory building shall meet the same setbacks required for principal buildings in the district.

- B. **Approval Process for Accessory Buildings, which Exceed the Lot Coverage Requirements in Non-Residential Districts.** New Language: The approval process for a detached accessory building that exceeds the lot coverage limits shall be the same as the approval process for the principal use to which the detached building is accessory.
- C. **Concrete Floor and Rat Wall in Agricultural Districts.** Remove language: on an agricultural zoned lot with a lot area less than 2.5 acres.
- D. **Detached Shed Exemptions.** New language: In residential and agricultural districts, one (1) detached accessory building of up to one hundred twenty (120) square feet may be permitted in addition to the permitted lot coverage as described in Section 7.202(A). No permit shall be needed for an accessory building of one hundred twenty (120) square feet or less, but the accessory building will still be required to meet the setback, height and location standards in Section 7.202(A) and all other applicable standards of this ordinance.

No comments from the Commission or the audience.

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

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 DENISTY SINGLE FAMILY B TO LIGHT INDUSTRIAL.

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

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

Applicant Ben Griffin gave the presentation. The applicant 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. Mr. Griffin is aware of the neighborhood to the east and a 400-foot landscape buffer will be integrated into the property in the event of future development.

Director Akers explained the amendment process, if the Planning Commission decides to move forward with the amendment they can choose to adopt the amendment and forward it to the Township Board for final approval. Director Akers asked McKenna Associates to review the property for light industrial rezoning; they identified the Harold Smith Farm as a property that may be suitable for the future land use classification. A 300-400 foot buffer will protect the neighboring residential area including a berm with planted trees and no drive access or pavement in the buffer area.

Two (2) Residents discussed concerns about noise, the residential buffer area, the berm and type of trees planted, size of the trees, the location of the entrance for future development, truck traffic on

Denton Road, the types of business that qualify as light industrial and keeping the quality of life for the residents of Denton Village.

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

NEW BUSINESS:

ITEM # 1 18-001 – TEMPORARY LAND USE APPROVAL

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

LOCATION: THE PROPERTY IS LOCATED AT 2095 RAWSONVILLE ROAD, VAN BUREN TOWNSHP, MI 48111. THIS SITE IS LOCATED IN THE PARKING LOT OF THE LAKEWOOD SHOPPING PLAZA.

Richard Tapper of Phantom Fireworks gave the presentation. Phantom Fireworks is requesting a temporary land use permit to conduct a temporary outdoor fireworks tent sale from June 22nd through July 4th with operating hours of 10:00 a.m. – 10:00 p.m. This is Phantom Fireworks seventh season at the Lakewood Shopping Plaza, the tent and storage will remain in the same location as previous years.

Director Akers presented his staff review letter dated 2-9-18 recommending approval based on three (3) conditions:

1. That the applicant obtains approval from the Van Buren Township Fire Marshall.
2. That the applicant provide the Township with a current Consumer Fireworks Retail Facility: Non-Permanent License prior to the establishment of the temporary use.
3. That all proposed signage comply with the Zoning Ordinance.

Director Akers presented the Fire Department temporary land use approval letter dated 1-17-18.

Commissioner discussed fire extinguisher locations and the possibility of one by the cash register. The applicant informed the Commission there are a minimum of three (3) workers on the site at all times and would be able to access any of the existing extinguishers. No questions from the audience.

Motion Kelley, Boynton second to grant Phantom Fireworks a temporary land use permit to conduct a temporary outdoor fireworks tent sale from June 22 – July 4 based on the analysis and conditions in the staff review letter dated 2-9-18. Motion Carried. (Letter Attached)

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

The Commission discussed the action to adopt the amendment.

Motion Boynton, Jahr second to adopt an amendment to the future land use map for the Harold Smith Farm to change the future land use designation from Low Density Single Family B to Light Industrial, the property is located at 50015 Michigan Avenue, on the south side of Michigan Avenue, east of Ecorse Road and west of Denton Road, approximately 75 acres and recommend to the Township Board of Trustees for approval.

Roll Call:

Yeas: Jahr, Boynton, Kelley, Atchinson, Budd and Thompson.

Nays: None.

Absent: Franzoi.

Motion Carried.

ITEM # 3 ZONING ORDINANCE AMENDMENT – DETACHED ACCESSORY BUILDING REGULATIONS

TITLE: TO CONSIDER AMENDING THE TEXT OF THE VAN BUREN CHARTER TOWNSHIP ZONING ORDINANCE 5-2-17(2) BY MODIFYING THE REQUIRED SETBACKS FOR DETACHED ACCESSORY BUILDINGS GREATER THAN 768 SQUARE FEET AND FOR DETACHED ACCESSORY BUILDINGS IN COMMERCIAL OR INDUSTRIAL ZONING DISTRICTS; MODIFYING THE APPROVAL PROCESS FOR NON-RESIDENTIAL DETACHED ACCESSORY BUILDINGS IN NON-RESIDENTIAL DISTRICTS; MODIFYING THE REQUIREMENT FOR DETEACHED ACCESSORY BUILDINGS TO HAVE CONCRETE FLOORS AND RATWALLS IN THE AGRICULTURAL DISTRICT; AND MODIFYING THE LOT COVERAGE REQUIREMENTS BY CREATING AN EXCEPTION FOR DETACHED SHEDS 120 SQUARE FEET IN AREA OR LESS IN RESIDENTIAL AND AGRICULTURAL DISTRICTS.

No comments from the Commission or the audience.

Motion Kelley, Budd second to recommend the Zoning Ordinance Amendment for Detached Accessory Building Regulations to the Township Board of Trustees for approval.

Roll Call:

Yeas: Atchinson, Budd, Kelley, Boynton, Jahr and Thompson.

Nays: None.

Absent: Franzoi.

Motion Carried.

GENERAL DISCUSSION:

Commissioner inquired if there is an update regarding Ashley Capital. Director Akers gave a brief update; Ashley Capital is in the resubmittal process with Wayne County regarding the traffic study and will return to the Planning Commission once comments are received from the County.

ADJOURNMENT:

Motion Boynton, Kelley second to adjourn at 8:23 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



CHARTER TOWNSHIP OF VAN BUREN
 APPLICATION FOR
 TEMPORARY LAND USE/SPECIAL EVENT
 46425 TYLER ROAD
 BELLEVILLE, MI 48111

DATE: 3-7-18

BUSINESS NAME: Atchinson Ford Sales, Inc.

CONTACT PERSON: Craig Atchinson PHONE # 734-697-9161

SUPERVISOR FOR SITE: _____ PHONE # _____

EVENT TITLE: _____

TYPE OF EVENT: _____ DATE(S): _____

LOCATION OF EVENT: _____

ADDRESS OF LOCATION: 8705 BELLEVILLE RD.

PROPERTY OWNER REPRESENTATIVE: _____ PHONE # _____

ARE SIGNS PROPOSED FOR ADVERTISING: ___ YES NO IF YES, INCLUDE LOCATIONS & DETAILS

OTHER PARKING VEHICLES

IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS (ATTACHED)

NOTES:
 IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, VIBRATION ARE EXPECTED BEYOND THE PROPERTY BOUNDRIES PLEASE EXPLAIN IN SEPARATE LETTER.

ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.

PROCESSING FEE \$ _____ BOND FEE \$ _____ TOTAL \$ _____


 (SIGNATURE OF APPLICANT)

3-7-18
 (DATE SIGNED)

 (APPROVED BY)

 (DATE SIGNED)



9800 Belleville Road • BELLEVILLE, MICH. 48111 • (734) 697-9161 • www.atchinson.net

Ron Akers
Director of Planning and Economic Development
Van Buren Township
46425 Tyler Rd.
Van Buren Township, MI 48111

Please accept this letter as Atchinson Ford's business intentions for property located at 8705 Belleville Road. Atchinson Ford is willing to either lease or purchase the property to park our lease turn-in vehicles, and new vehicle inventory overage.

My understanding is this property is not zoned for such use, at this time. I'm willing to vacate the property should an investor come along that wants to develop the property to something that meets the current zoning criteria and a better development of the property.

Atchinson Ford would like to work with the Planning Commission to receive a Temporary Land Use Permit. Should a Temporary Land Use Permit be granted to Atchinson Ford, we would be willing to put an investment into the property to make sure it is maintained better than it is today. Should Atchinson Ford only obtain a lease on the property, please understand that I'm only willing to put a minimal investment into the property. If Atchinson Ford purchases the property, I would be willing to put in more of an investment.

Property Usage:

Our business is growing at a tremendous rate. We need more space for parking new inventory vehicles and to park lease turn-in vehicles. Vehicles will be brand-new inventory or lease turn-in being the oldest vehicle 3 years.

For security purposes we would park vehicles closest to Belleville Road and utilizing the pavement that is present at the property.

Should Atchinson Ford purchase 8705 Belleville Road we would be willing to keep the property on the market should a more suitable tenant come along.

Should you have any questions, if this letter doesn't contain everything you've requested, please don't hesitate to contact me directly at 734-968-6608.

Thank You,

A handwritten signature in black ink, appearing to read "Craig N. Atchinson", written over a white background.

Craig N. Atchinson
Atchinson Ford Sales, Inc.



Memo

TO: Van Buren Township Planning Commission
FROM: Ron Akers, AICP - Director of Planning and Economic Development
RE: Review of Temporary Land Use Request #TLU18-003 – Atchinson Ford Vehicle Parking
8705 Belleville Road

DATE: April 21, 2018

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

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

1. Adequacy of parking and access

The site is currently unoccupied and has an existing gravel parking area that encompasses nearly the entire width of the site. This area was original designed for the placement of manufactured and modular homes as the prior use of the site was a sales area for these types of homes. While some maintenance will need to be done on this gravel parking area it is currently existing and unused. Based on this the applicant has sufficient area to park vehicles on the site without creating negative externalities. Regarding adequate access, the applicant is working with the Township Fire Marshall to ensure that the parking of vehicles will not create a situation where emergency vehicle access is limited by the storage of cars. If approval is recommended, it will be recommended conditioned upon approval of the parking areas by the Township's Fire Marshall. As of writing this review we have not received his letter, but he has indicated it will be provided prior to the meeting.

2. Adequate drainage

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

3. Compatibility with surrounding land uses

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

proposing a condition that the parking/storage of vehicles be setback 20 feet from the north property boundary. The reason why we are proposing 20 feet is to be consistent with the distance required for vegetative buffers in the landscaping section of our Zoning Ordinance. Lastly, the current condition of the site is fairly poor as the site has been abandoned for some time. I have discussed this issue with the applicant and they have indicated that their intention is to clean up the site, provide maintenance for the gravel parking area, and park new and newer year vehicles on the site. It is due to this that the condition of the site will improve as it will under go maintenance and regular use.

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

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

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

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

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

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

6. Adequate utilities

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

7. Trash disposal and site clean-up

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

8. Sanitary facilities

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

9. Hours of operation

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

10. Outdoor light and signs

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

11. Other licenses and permits required

The Van Buren Township Fire Marshall will need to approve the layout of the parking areas. This will be recommended as a condition of approval.

12. Potential noise, odor, dust, and glare

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

13. Fire lanes, fire protection, and security

The Van Buren Fire Marshall shall review the application for adequacy of fire lanes and fire protection. As I have indicated above any recommendations for approval will be conditioned upon satisfying the Fire Marshal. The site has an existing fence around it. This should limit the unauthorized access of this area.

14. Off-site impacts of traffic volumes

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

15. Necessity of performance bond to ensure prompt removal

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

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

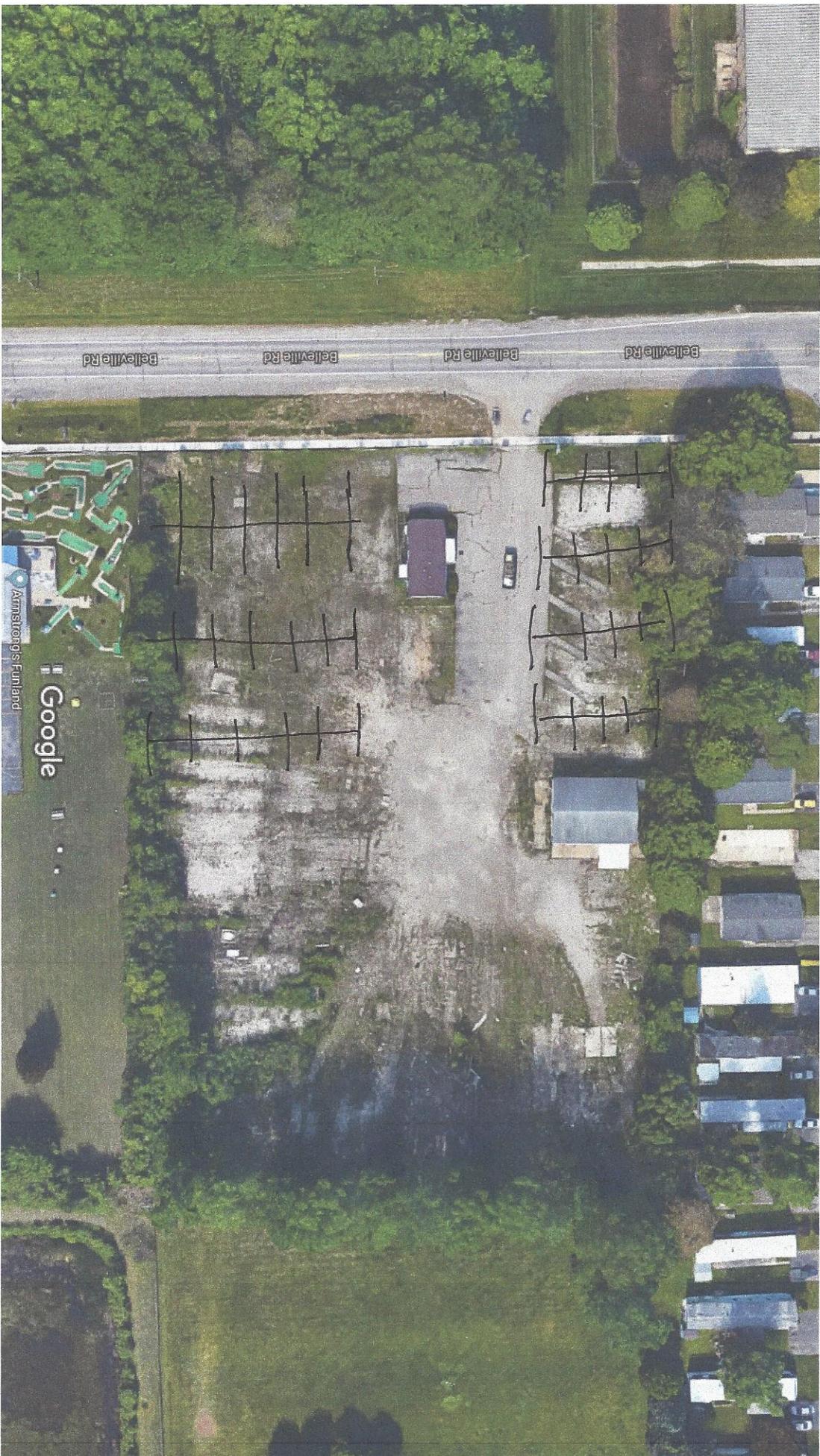
There are no additional concerns, so long as the applicant obtains approval from the Township's Fire Marshall.

Recommendation

Based on this review dated April 21, 2018, I recommend approval of this application subject to the following conditions:

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

5. The hours of operation for the temporary vehicle parking area shall mirror the hours of operation for the Atchinson Ford dealership.
6. That any exterior lighting or signs be reviewed and approved by the Director of Planning & Economic Development for consistency with the Zoning Ordinance, prior to their installation.
7. That the temporary land use permit is valid for a period of one year ending May 1, 2019.



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