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www.waterfordmi.gov

**DEVELOPMENT SERVICES
DEPARTMENT**

Jeffrey M. Polkowski AICP
Superintendent of Planning &
Zoning Division

Dave Hills
Superintendent of Building
Division

MEMORANDUM

Date: March 3, 2022
To: Honorable Township Board Members
From: Jeffrey Polkowski, Superintendent of Planning and Zoning
RE: Rezoning Case No. 2022-Z-002 – Rezone 4667 Dixie Hwy from HT-2 to C-3
Location: S side of Dixie Hwy, w/ of Frembes Rd
Applicant: VB Dixie Highway LLC

Current Zoning: HT-2, High Tech Industrial

Proposed Zoning: C-3, General Business

Master Plan: Community Business

The applicant is seeking to rezone the property from HT-2, High Tech Industrial and Office to C-3, General Business. No specifics were given as to the reason for the request though the C-3 district generally has a substantially more inclusive use list and Staff speculates that the rezoning was requested to make the property more marketable. A proposed use is not required to be declared when seeking a rezoning. The subject parcel is defined as Community Business within the Master Plan. The proposed zoning is in-line with the objectives of the Master Plan.

Staff is supportive of this zoning change as it moves the trend for this region from an industrial to commercial focus. Those undesirable uses that are allowed within the C-3 zoning district typically require Special Approval and may be further reviewed by the Planning Commission.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on February 22, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the February 22, 2022 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning to C-3 General Business, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the March 28, 2022 meeting.

However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

Staff will be available at Monday's meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

Planning & Zoning Department

REZONING REVIEW

February 22, 2022 Meeting

Report by S. Alef on 2-16-2022

Application Number	PRSA 22-01-04	Action Requested	Rezoning Approval
		Staff Recommendation	Approval
Request	Rezone from HT-2, High Tech Industrial and Office to C-3, General Business		
Project Name	N/A		
Proposed Use(s)	Existing Entertainment Activity Center (Virtual Baseball)		
Address	4667 Dixie Hwy	Parcel Number	13-10-176-108
Owner	Edward and Debra Santangelo 196 Pinehurst Pointe Dr. St Augustine, FL 32092	Applicant	VB Dixie Highway LLC
Property Information			
General Location	S side of Dixie Hwy, w/ of Frembes Rd		
Frontage	120 ft. on Dixie Hwy	Property Size	1.47 acres
Current Zoning	HT-2, High Tech Indust. & Office	Proposed Zoning	C-3, General Business
Master Plan Designation	<p>Community Business</p> <p>The intent of the Community Business designation is to provide suitable locations for the general retail, service, and comparison shopping needs of the general population base. The commercial land uses covered by this designation are generally located along major roads, due to the higher volumes of traffic generated by these uses. Generally, the location of these uses is characterized by either a shopping center, or as an integrated or planned cluster of establishments served by one or more common parking areas, and which generate greater volumes of vehicular and pedestrian traffic. Because of the variety of business uses covered by this designation, special attention should be focused on site layout, building design, vehicular circulation, and coordination of site features between adjoining sites. In accordance with the intent of this designation, community commercial uses and sites should be:</p> <ul style="list-style-type: none"> Designed as part of a planned shopping center or in coordination with development on adjoining commercial sites Located away, or substantially buffered, from residential areas Served by a major road, as identified in the Master Plan Designed to enhance and maintain a more pedestrian friendly environment and to foster a physical development pattern that is well planned and aesthetically appealing from both abutting thoroughfares and from within the District <p>Commercial uses that may create a potential negative impact upon the natural and surrounding environment should be discouraged, or restricted, through the use of extensive screening and landscaping to minimize any potential environmental impact. Examples of such uses are automotive related services, outdoor storage and merchant retail, motor vehicle sales, and warehouses.</p>		
Current Use	Existing Entertainment Activity Center (Virtual Baseball)		
Zoning History	1950: Manufacturing 1 1963: M-1, Light Industrial 2011: HT-2, High Tech Industrial and Office		
Surrounding Development			
North	(Across Dixie Hwy) C-2, Small Business		
South	R-1A, Single-Family Residential		
East & West	HT-2, High Tech Industrial and Office		

Request Summary

The applicant is seeking to rezone the property from HT-2, High Tech Industrial and Office to C-3, General Business. No specifics were given as to the reason for the request though the C-3 district generally has a substantially more inclusive use list.

Master Plan Conformity

The subject parcel is defined as Community Business within the Master Plan. The proposed zoning is in-line with the objectives of the Master Plan.

Zoning District Evaluation

The subject property exceeds the minimum dimensional requirements for a C-3 zoning lot which is less than what is required for HT-2. Impervious surfaces appear to be approximately 87%.

There is a nonconforming pole sign and the property. Landscaping appears to meet the requirements of the approved site plan 0172-B but is considered nonconforming to current standards and appears somewhat unkempt.

Planning Commission Approval Recommendation Guidelines

The following is a summary of Section 4-009.3 of the Zoning Ordinance and the Planning Commission's approval recommendation guidelines that have been established for rezoning application requests:

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make its recommendations to the Township Board based upon the evidence presented to it in each specific case with respect to the following matters:

- A. The requested zoning change is consistent with the adopted Master Plan, as amended.

Staff Comment: The rezoning request is consistent with the Master Plan.

- B. The requested zoning change is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.

Staff Comment: The majority of the surrounding properties in the immediate area are HT-1 and HT-2 to the east and C-3 to the west. The Township has recognized this area as an area of future consideration for more commercialized down-town type environment and than industrial uses may not be the best fit for the area.

- C. The subject zoning lot's physical suitability to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.

Staff Comment: The subject lot meets zoning requirements.

- D. The trend of development in the general area of the subject zoning lot is consistent with the requested zoning change.

Staff Comment: The majority of land to the west is zoned commercial. This would continue the general trend toward the east.

- E. The Township and other public agencies possess the capacity to provide all utility and public services that would be required for the range of uses permitted under the proposed zoning classification.

Staff Comment: Public utilities are available to the site and the Township along with other related public service agencies possess the capacity to provide all utility and public services to the property.

- F. The requested zoning change and the resulting range of uses permitted under the proposed zoning classification will not result in any significant environmental impacts.

Staff Comment: While there is some overlap in uses between the two districts, the general trend this request would enact would be toward more traditional commercial uses.

G. Whether the amendment will be detrimental to the public interest.

Staff Comment: It is unlikely that this zoning change will be detrimental.

Summary / Conclusions

Staff is supportive of this zoning change as it moves the trend for this region from an industrial to commercial focus. Those undesirable uses that are allowed within the C-3 zoning district typically require Special Approval and may be further reviewed by the Planning Commission.

Recommendation and Planning Commission Action

Following the required public hearing, the Planning Commission shall provide a recommendation to the Township Board on the rezoning request. In making this recommendation, the Planning Commission shall consider the approval recommendation guidelines referenced above. Staff has attached a motion template for your use in formulating your recommendation.

Upon your review, if you have any questions or require additional information prior to Tuesday's meeting, please contact this office.

**MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. 22-01-04,
Proposed Zoning Map Amendment to Rezone From:
HT-2, High Tech Industrial and Office to C-3, General Business**

Motion:

I move to forward a favorable/unfavorable **[Strike One]** recommendation in Case No. 22-01-04 on to the Township Board, to rezone the southern portion of the subject property of this application from HT-2, High Tech Industrial and Office to C-3, General Business based on the following findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

Findings:

- A. The requested zoning change **is/is not [Strike One]** consistent with the adopted Master Plan as amended.
- B. The requested zoning change **is/is not [Strike One]** is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.
- C. The subject zoning lot **is/is not [Strike One]** physically suitable to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.
- D. The trend of development in the general area of the subject zoning lot **is/is not [Strike One]** consistent with the requested zoning change.
- E. The Township and other public agencies **do/do not [Strike One]** possess the capacity to provide all utility and public safety services that would be required for the range of land uses permitted under the proposed zoning classification.
- F. The requested zoning change and the resulting range of uses permitted under the proposed zoning classification **will/will not [Strike One]** result in any significant environmental impacts.
- G. The proposed zoning amendment **will/will not [Strike One]** be detrimental to the public interest.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-Z-002

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The portion of the parcel of property that is assigned tax parcel number 13-34-427-030, legally described below, with current address of 3130 Dixie Highway, is rezoned from **HT-2, High Tech Industrial and Office District, to C-3, General Business District** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on _____.

CHARTER TOWNSHIP OF WATERFORD

Date

Kimberly Markee, Township Clerk

LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE 2022-Z-002

T3N, R9E, SEC 10 FAIRPLAINS SUB LOTS 25 & 26 EXC THAT PART
TAKEN FOR RD 9-28-11 FR 073 & 074

SECTION 3-805. HT-2, HIGH TECH INDUSTRIAL AND OFFICE DISTRICT

The regulations in the subsections below shall apply to properties in the HT-2 High Tech Industrial and Office Zoning District:

3-805.1. Purpose and Intent. The HT-2 zoning district is intended to implement the goals of the High Tech Services and Light Industrial land use designations as described in Chapter 8 of the Waterford Township Master Plan-2003-2023 and identified on the Future Land Use Maps as well as implement Master Plan Goal Four, *To Create an Economic Climate Conducive to the Attraction, Retention, and Expansion of Business within Waterford*, Objective 4.4, *Improve the Physical Appearance and Functional Character of the Commercial Corridors*, and Goal Seven, *To Retain, Enhance, and Promote Waterford's Unique Character, Sense of Community, and Identity*, by permitting a mixture of technical, light industrial, and extensive service and office uses on zoning lots properly scaled and designed for such uses, ensuring that such uses occur on large zoning lots with an emphasis on streetscape aesthetics and walkability and providing for the following with such uses: clusters of free-standing buildings; a linear landscape pattern along major arterial streets; improved nonmotorized pathways and traffic calming; coordinated street furniture throughout the district; and storage of vehicles, equipment, and materials restricted to within enclosed buildings. This zoning district is intended to ensure that effective setbacks and landscape buffers are established so that the quality of life in adjacent residential areas is not adversely affected.

3-805.2. Conformance to Regulatory Standards. All zoning lots, uses, buildings, and structures within this zoning district shall comply with *Section 3-900* and *3-901* and the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, Health and Sanitation, and Water and Sewers**. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in this zoning district shall require approval through the applicable site plan review procedure in accordance with *Section 4-004*.

3-805.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the HT-2 district:

- A. Technological establishments (*See Technological Establishments in Section 1-007*).
- B. Office establishments (*See Office Establishments in Section 1-007*).
- C. Medical establishments (*See Medical Establishments in Section 1-007*).
- D. Commercial service establishments (*See Commercial Service Establishments in Section 1-007*).
- E. Public utility facilities and public utility hardware (*See Public Utility in Section 1-007*).
- F. Cultural facilities (*See Cultural Establishments in Section 1-007*).
- G. Institutional facilities (*See Institutional Facilities in Section 1-007*).
- H. Religious facilities (*See Religious Facilities in Section 1-007*).
- I. Licensed medical marihuana safety compliance facilities that comply with the applicable regulations in *Section 2-604*. (*See MEDICAL MARIHUANA USES AND DEFINED TERMS in Section 1-007*).
- J. Electric Vehicle Charging Stations (*See Electric Vehicle Charging Stations in Section 1-007*). (Effective 5/4/2021)

3-805.4. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the HT-2 district, subject to the review and approval of the use in accordance with *Section 4-006* and any conditions hereinafter imposed for each such use:

- A. Craft factories, food processing factories, metal products factories, and pharmaceutical factories (*See Manufacturing Establishments in Section 1-007*), which may include a factory outlet (*See Use in Section 1-007*) when reviewed and identified as part of an approved final site plan, provided that the proposed use and site plan receives a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration by the Planning Commission under this Section.
- B. Vehicle repair facilities (*See Vehicle Repair Facilities in Section 1-007*).
- C. Commercial storage establishments (*See Commercial Storage Establishments in Section 1-007*).
- D. Outdoor storage as an accessory use for the uses listed in subsections A through C above, provided that all outdoor storage areas associated with such a use shall be located to the rear of the principal building. The Planning Commission may stipulate a reasonable increase of setback requirements to that of a more intensive zoning district as well as additional screening and barriers when the subject zoning lot abuts a residential zoning district.

3-805.5. Planned Unit Developments. Planned unit developments consisting of mixed uses that incorporate one or more of the uses listed in *Section 3-805.3* with one or more of the uses listed in *Section 3-805.4*, *Section 3-706.3*, *Section 3-404.3.A*, and/or dwelling units located above commercial uses, subject to the review and approval of the development in accordance with *Section 4-005*, are permitted.

SECTION 3-705. C-3, GENERAL BUSINESS DISTRICT

The regulations in the subsections below shall apply to properties in the C-3 General Business Zoning District:

3-705.1. Purpose and Intent. The C-3 zoning district is intended to implement the goals of the Community Business land use designation as described in Chapter 8 of the Waterford Township Master Plan-2003-2023 and identified on the Future Land Use Maps as well as implement Master Plan Objective 4.4, *Improve the Physical Appearance and Functional Character of the Commercial Corridors*, by permitting the development of a broad range of general commercial uses on zoning lots properly scaled and designed to serve broad areas of the Township. This zoning district is intended to limit the intensity of commercial development through the height and usable floor area restrictions specified within **Section 3-900** and **3-901**, and ensure that effective setbacks and landscape buffers are established so that the quality of life in adjacent residential areas is not adversely affected. To ensure effective vehicular and pedestrian accessibility, this zoning district shall be primarily located with access along major arterial streets, and may be located with access along minor arterial streets where the zoning lot and use are properly scaled. This zoning district may serve as a transitional zone between light industrial or extensive business zoning districts and existing single-family residential zoning districts.

3-705.2. Conformance to Regulatory Standards. All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Section 3-900** and **3-901** and the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, Health and Sanitation, and Water and Sewers**. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in this zoning district shall require approval through the applicable site plan review procedure in accordance with **Section 4-004**.

3-705.3. Permitted Principal Uses. The following uses shall be permitted as principal permitted uses in the C-3 district:

- A. Convenience stores, department stores, drug stores, limited merchandise stores, merchandise display stores, specialty retail stores, and supermarket establishments (*See Retail Establishments in Section 1-007*) without outdoor sales display areas.
- B. Shopping centers (*See Retail Establishments in Section 1-007*) without outdoor sales display areas.
- C. Animal grooming establishments, banquet and food preparation establishments, building systems repair establishments, commercial school establishments, household service repair establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, personal service establishments, and pet shop establishments (*See Commercial Service Establishments in Section 1-007*).
- D. Drop-off dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
- E. Professional medical care offices and medical clinics (*See Medical Establishments in Section 1-007*).
- F. Office establishments (*See Office Establishments in Section 1-007*).
- G. Restaurant establishments (*See Restaurant Establishments in Section 1-007*) without outdoor dining patios or drive-thru facilities. (Amended 11/30/2021)
- H. Entertainment rental establishments and rent-to-own establishments (*See Rental Establishments in Section 1-007*).
- I. Entertainment activity centers and theaters (*See Entertainment Establishments in Section 1-007*).
- J. Hotels and motels (*See Hotel And Motel in Section 1-007*).
- K. Fitness centers and health/recreation facilities (*See Recreational Facilities in Section 1-007*).
- L. Antique stores, used book shops, consignment shops, and thrift shops (*See Resale Establishments in Section 1-007*).
- M. Veterinary clinics (*See Veterinary Establishments in Section 1-007*). A veterinary clinic may include customary pens or cages which are permitted only within the clinic building and limited to overnight observation and shall only be incidental to such clinic use.
- N. Funeral home establishments (*See Funeral Home Establishments in Section 1-007*).
- O. Precious metal and gem dealers (*See Section 1-006*) in conformance with Section 2-602.
- P. Public utility facilities and public utility hardware (*See Public Utility in Section 1-007*).
- Q. Licensed medical marihuana provisioning centers that comply with the applicable regulations in **Section 2-604**. (*See MEDICAL MARIHUANA USES AND DEFINED TERMS in Section 1-007*).
- R. Electric Vehicle Charging Stations (*See Electric Vehicle Charging Stations in Section 1-007*). (Effective 5/4/2021)
- S. Outfitters (*See Outfitters in Section 1-007*). (Effective 8/17/2021)

3-705.4. Permitted Uses after Wellhead Protection Compliance. The following uses shall be permitted as principal permitted uses in the C-3 district, subject to receiving a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration through the applicable site plan review procedure in accordance with **Section 4-004**:

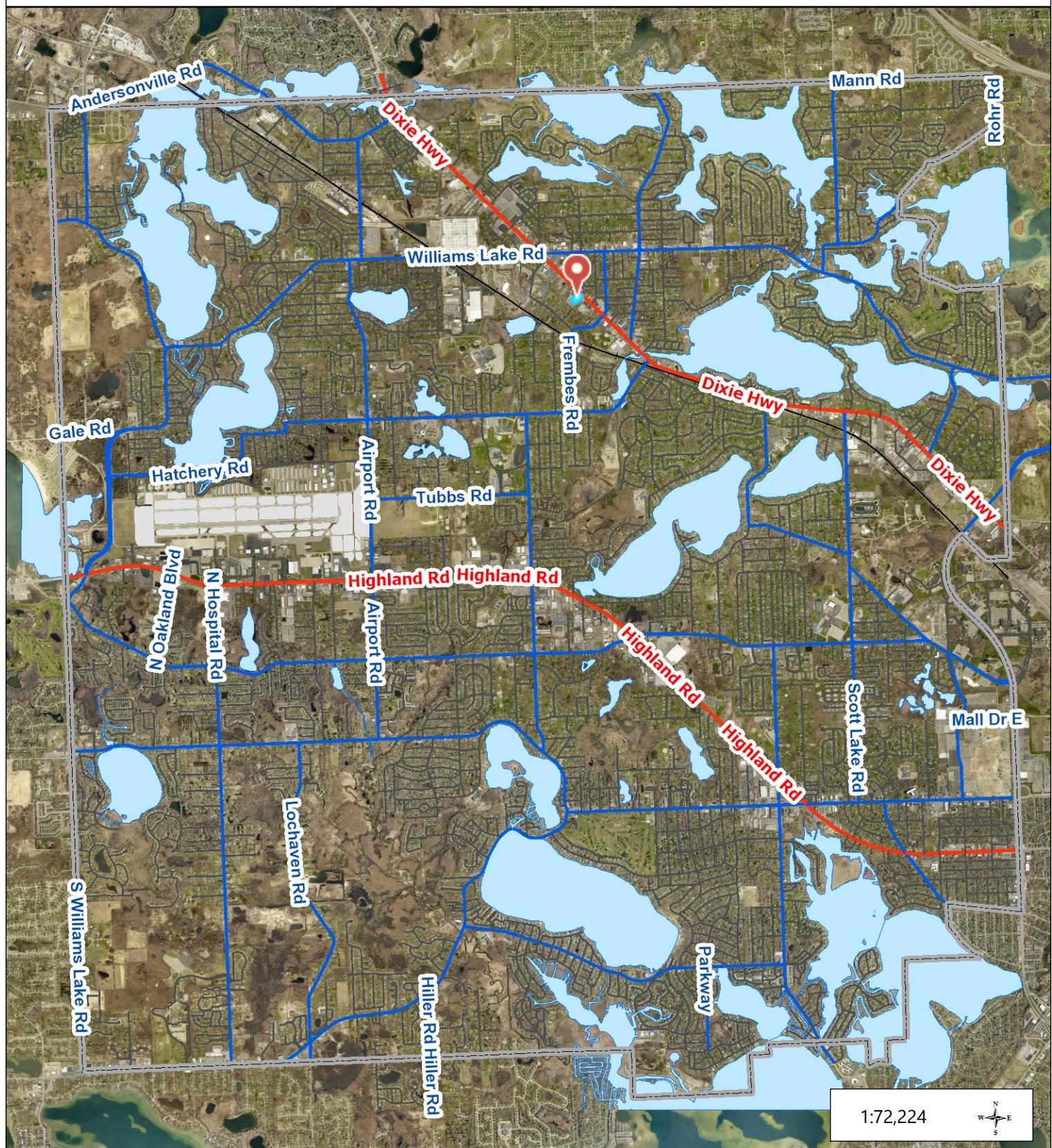
- A. Landscaping maintenance establishments (*See Commercial Service Establishments in Section 1-007*).
- B. Local dry-cleaning and commercial dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).

- C. Minor vehicle service facilities and general vehicle service facilities (*See Vehicle Repair Facilities in Section 1-007*).
- 3-705.5. Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the C-3 district, subject to the review and approval of the use in accordance with **Section 4-006** and any conditions hereinafter imposed for each such use:
- A. Cultural facilities (*See Cultural Establishments in Section 1-007*).
 - B. Institutional facilities (*See Institutional Facilities in Section 1-007*).
 - C. Religious facilities (*See Religious Facilities in Section 1-007*).
 - D. Hospitals (*See Medical Establishments in Section 1-007*).
 - E. Elder care facilities (*See Elder Care Facilities in Section 1-007*). (Effective 3/2/2021)
 - F. Vehicle (car) wash establishments (*See Commercial Service Establishments in Section 1-007*).
 - G. Veterinary hospitals (*See Veterinary Establishments in Section 1-007*). A veterinary hospital may include customary pens or cages as an accessory use on the zoning lot, provided that they are an identified part of an approved site plan.
 - H. Vehicle lease or rental agencies (*See Vehicle Lease Or Rental Agency in Section 1-007*). An approved site plan for a vehicle rental agency office shall incorporate plan details for all zoning lots utilized for outdoor vehicle inventory storage, and provide and maintain current information on all storage locations of its inventory, ensuring that zoning lots shall not exceed Zoning Ordinance requirements for inventory storage.
 - I. The uses permitted under **Sections 3-705.3.A** and **3-705.3.B** with outdoor sales display areas (*See Use in Section 1-007*).
 - J. Restaurant establishments (*See Restaurant Establishments in Section 1-007*) with outdoor dining patios conducted in areas structurally attached to and/or located directly adjacent to or upon the principal building used for restaurant establishments. The Planning Commission shall review and may stipulate requirements for reasonable restrictions on the hours of operations, additional screening and fencing, service area accessibility, waste material containers and disposal of waste materials, effective pedestrian circulation, seating capacity, additional required parking, and future review to ensure conformance with such stipulations and the performance standards established in this Zoning Ordinance.
 - K. Pawnshops and second-hand dealers (*See Section 1-006*) in conformance with **Section 2-602**.
 - L. Substance abuse care centers and transitional medical care facilities (*See Medical Establishments in Section 1-007*).
 - M. Sport recreation facilities, golf driving ranges, and skateboard parks (*See Recreational Facilities in Section 1-007*).
 - N. Competitive commercial adventure game facilities (*See Entertainment Establishments in Section 1-007*).
 - O. Massage schools (*See Section 1-006*) in conformance with **Section 2-602**.
 - P. Commercial storage establishments (*See Commercial Storage Establishments in Section 1-007*), provided that all outdoor storage areas associated with such a use shall be located to the rear of the principal building. The Planning Commission may stipulate a reasonable increase of setback requirements to that of a more intensive zoning district as well as additional screening and barriers when the subject zoning lot abuts a residential zoning district.
 - Q. Light equipment rental establishments (*See Rental Establishments in Section 1-007*) and new vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*) conducted entirely within the principal building with no outdoor display or storage.
 - R. Kennel (*See Kennel in Section 1-007*). (Effective 5/4/2021)
 - S. The following uses shall be considered for special approval, provided that the proposed use and site plan receives a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration by the Planning Commission under this Section.
 - (1) On zoning lots with a net lot area exceeding one (1) acre, light equipment rental establishments (*See Rental Establishments in Section 1-007*) and new vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*) with outdoor display or storage.
 - (2) Commercial fueling establishments (*See Commercial Fueling Establishments in Section 1-007*).
 - (3) Propane filling facilities as an ancillary use (*See Use in Section 1-007*) for permitted uses identified in **Sections 3-705.3.A** and **3-705.3.B**.
 - (4) Major vehicle service facilities (*See Vehicle Repair Facilities in Section 1-007*).
 - T. Restaurant establishments (*See Restaurant Establishments in Section 1-007*) with drive-thru facilities. (Amended 11/30/2021)



PRSA 22-01-04

Location Map



12,037.3

0

6,018.65

12,037.3 Feet

1:72,224



SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

DISCLAIMER: Information depicted hereon is for reference purposes only. It was compiled from the best available resources which have varying degrees of accuracy. This map is not a legally recorded map nor a survey and is not intended to be used as such. The Charter Township of Waterford assumes no responsibility for error that arise from this map.



PRSA 22-01-04

Aerial Map



376.2

0

188.08

376.2 Feet

1:2,257



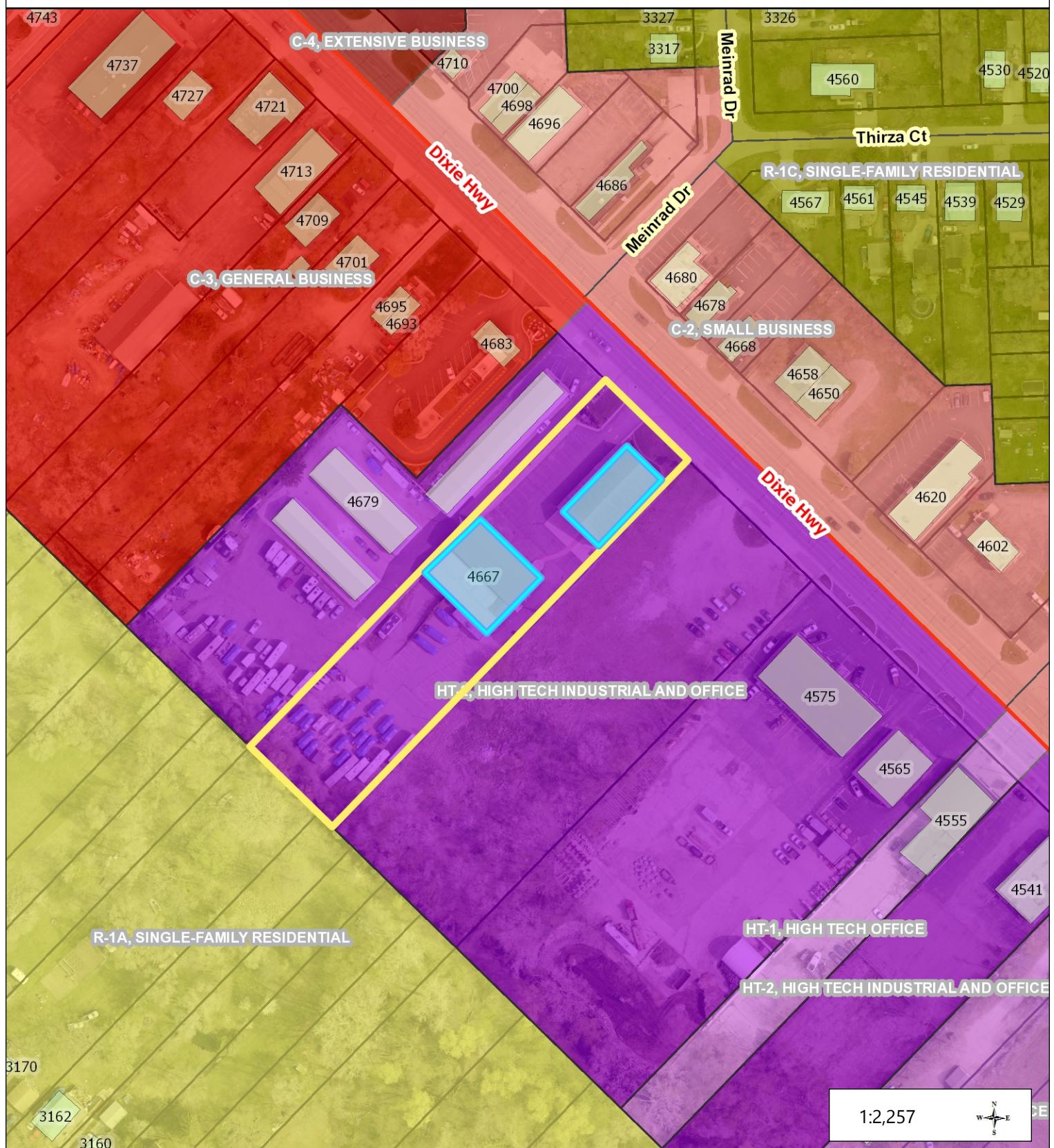
SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

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PRSA 22-01-04

Zoning Map



376.2

0

188.08

376.2 Feet

1:2,257

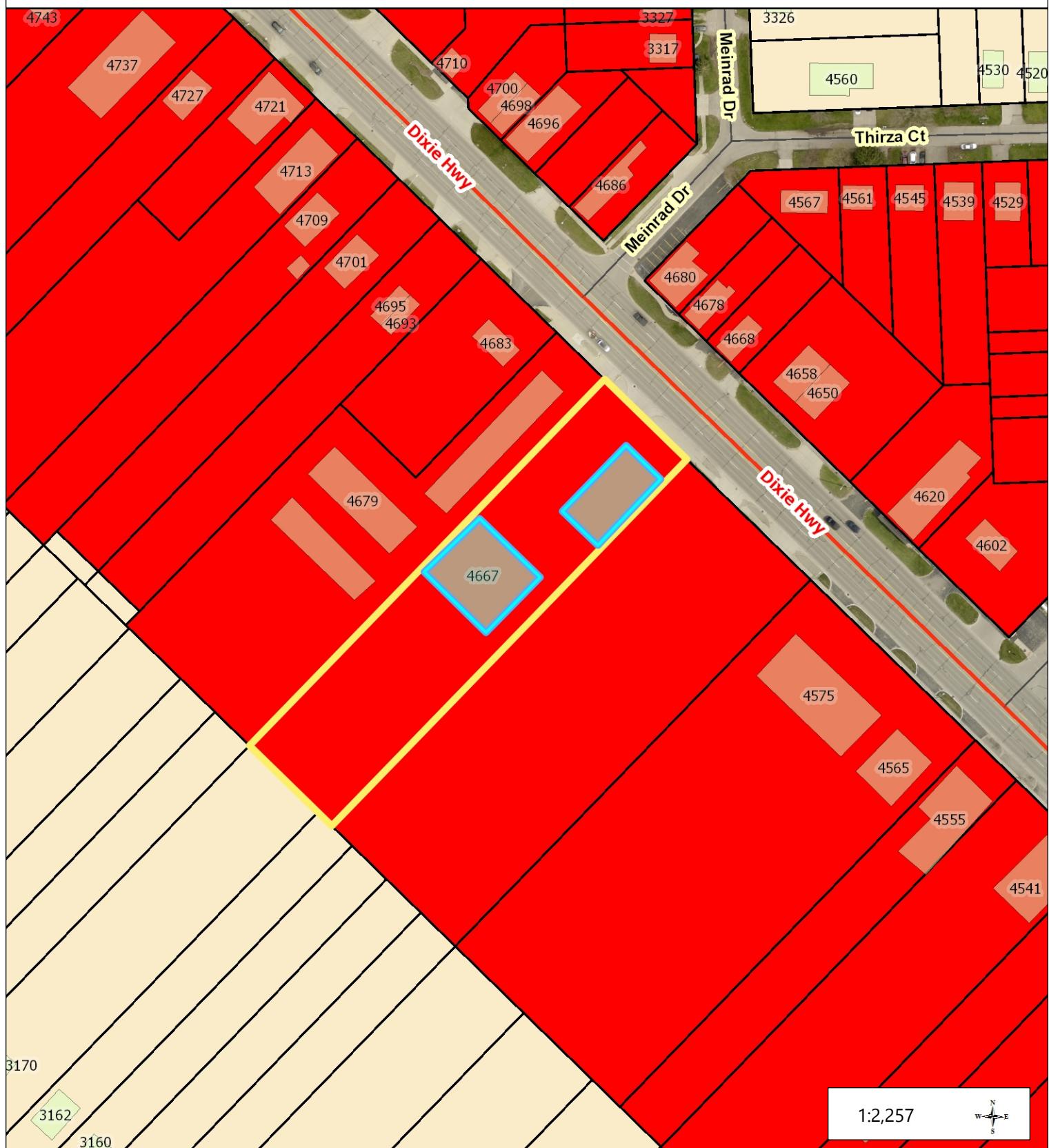


SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

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PRSA 22-01-04 Master Plan Map



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SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

CHARTER TOWNSHIP OF WATERFORD
APPLICATION FOR REZONING/TEXT AMENDMENT

Development Services Department
5200 Civic Center Drive
Waterford, MI 48329-3773
(248) 674-6250

Staff Use Only ✓
Fee Paid _____ 22-01-04
Case No. Assigned _____
Public Hearing Date 2-22-22

Applicant Name: VB DIXIE HIGHWAY LLC

Applicant Address: 4667 Dixie Highway Waterford MI 48329
Street Address *City* *State* *ZIP Code*

Applicant Contact Information: 904-940-0900 904-212-2425 smfoster09@gmail.com

Text Amendment _____

Property Rezoning 1667 Dixie Highway, West Seneca, NY 14224

Site Address/General Location: 4667 Dixie Highway, Waterford, MI 48329

Parcel ID No.: W-13-10-176-108 Total Site Acreage: 1.47

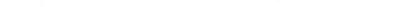
Existing Zoning (*check applicable district*):

R-1/1A/1B/1C R-1D R-1E R-M1 R-M2 PL CR O-1 O-2
 C-1 C-3 C-4 C-UL C-UB HT-1 HT-2 M-1 M-2

Proposed Zoning (check applicable district):

R-1/1A/1B/1C R-1D R-1E R-M1 R-M2 PL CR O-1 O-2
 C-1 C-3 C-4 C-UL C-UB HT-1 HT-2 M-1 M-2

For Property Rezoning Requests, all persons having ownership interest in above-referenced property must sign this document to authorize the filing of the application. Ownership interest includes owners, all parties in land contracts, and all parties in purchase agreements. Additional signature pages may be attached for owners exceeding two in number.

		<u>TYPE OF OWNERSHIP</u>		
	<u>NAME (Print)</u>	<u>ADDRESS</u>	<u>INTEREST</u>	<u>SIGNATURE</u>
1.	Edward Santangelo	7650 Devins Ridge Clarkston MI	50% Member	
2.	Debra Santangelo	7650 Devins Ridge Clarkston MI	50% Member	

CERTIFICATION

I do hereby swear all of the statements, signatures, descriptions and exhibits herewith submitted are true and accurate to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization. Edward Santangelo 7650 Devins Ridge Clarkston MI 48348 248-613-1596 Feb.17.1949 S535189000126

Name (Please Print) Address Telephone Contact Birth Date Drivers License #

Name (Please Print) Address Telephone Contact Birth Date

1 6

State of Michigan

County of On

County of SAN JUAN

My Commission Expires: 01-01-2023

Signature Edward Snitagle

Subscribed and sworn to before me this 19 day of January, 2022

Joseph Scanlon
Notary Public, State of Michigan
County of Oakland
My Commission Expires 01/04/2025
Acting in the County of Oakland

**Charter Township of Waterford
Planning Commission/Zoning Board of Appeals
Consent to Property Inspection**

Development Services Department
5200 Civic Center Drive
Waterford, MI 48329-3773
(248) 674-6250

I (WE), the undersigned have made application to the Charter Township of Waterford for land use matters to be considered and decisions made by the:

- Planning Commission
 Zoning Board of Appeals

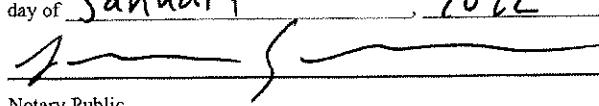
that will affect use of our property identified below. In order to enable the members of such decision-making body to make an informed decision on our request, I (WE), do hereby consent to allow the members of the decision-making body to inspect the subject property up to the date of the meeting of the decision-making body at which such body issues its final decision on MY (OUR) request, provided that such inspections are limited to:

- gathering information specific to the requested action,
- typical hours of daily human activity, unless specified otherwise below, and
- the following restrictions:

4667 Dixie Highway, Waterford MI 48329
Address of Subject Property
1310176108
Parcel I.D. Number(s)

Joseph Scanlon
Notary Public, State of Michigan
County of Oakland
My Commission Expires 01/04/2025
Acting in the County of Oakland

**NOTE: Any and all persons having ownership interest in the above described property
MUST sign this application in the presence of a notary.**

Subscribed and sworn to before me this 19
day of January, 2022

Notary Public

My commission expires: 01-04-2025
State of Michigan, County of Oakland

Property Owner: Ed Scanlon
Driver's License No.: S535189000126
Birth Date: February 17, 1949
Property Owner: Deb Scanlon
Driver's License No.: S535139585762
Birth Date: October 3, 1957

Additional signature pages may be attached for owners
exceeding two in number.

136317
 LIBER 43235 PAGE 468
 \$13.00 DEED - COMBINED
 \$4.00 REMONUMENTATION
 \$3,440.00 TRANSFER TX COMBINED
 07/26/2011 09:09:19 A.M. RECEIPT# 60820



PAID RECORDED - OAKLAND COUNTY
 BILL BULLARD JR, CLERK/REGISTER OF DEEDS

QUIT CLAIM DEED

The Grantors: Talmer Bank and Trust, formerly known as First Michigan Bank, a Michigan banking corporation
 whose address is: 525 Water Street, Port Huron, MI 48060

Quit Claims to: VB Dixie Highway, LLC, a Michigan limited liability company
 whose address is: 7650 Devins Road, Clarkston, MI 48348

The following described premises situated in the Township of Waterford, Oakland County, State of Michigan, to-wit:

LEGAL DESCRIPTION:

25015

Parcel 1: Lot 25, except that part in road, also the Southwesterly 297.11 feet of Lot 26, Fairplains Subdivision, according to the plat thereof as recorded in Liber 25 of Plats, page 15, Oakland County Records.

Parcel 2: The Northeasterly 252.89 feet of Lot 26 except that part in road, Fairplains Subdivision, according to the plat thereof as recorded in Liber 25 of Plats, page 15, Oakland County Records.

Commonly known as: 4667 – 4675 Dixie Highway, Waterford, MI 48329

Tax No. 13-10-176-073 and 13-10-176-074

Parcel 2

Parcel 1

For full consideration of: Four Hundred Thousand and 00/100 Dollars (\$400,000.00)

Subject to:

1. Building and use restrictions and easements of record.
2. Liens for any tax and/or assessment which become due and payable on or after the effective date hereof.



2011 JUL 22 AM 9:51

OK - MH

RECEIVED
 OAKLAND COUNTY
 REGISTER OF DEEDS

Attached to and becoming a part of Quit Claim Deed dated: July 19 2011 between Talmer Bank and Trust, formerly known as First Michigan Bank, a Michigan banking corporation as Seller(s) and VB Dixie Highway, LLC, a Michigan limited liability company as Purchaser(s).

Dated this 19 day of July, 2011.

Signed by:

Talmer Bank and Trust, fka First Michigan Bank

Deborah Cain

By: Deborah Cain, Associate Managing Director

STATE OF MICHIGAN)

ss

COUNTY OF ST. CLAIR)

The foregoing instrument was acknowledged before me this 19 day of July, 2011, by Deborah Cain, Associate Managing Director of Talmer Bank and Trust, fka First Michigan Bank.

Catherine M Plichta
Catherine M Plichta Notary Public
St. Clair County,
My Commission Expires: 9-1-2014
Acting in the County of: St. Clair

Drafted by:

Thomas D. Richardson, Esq.
111 N. Main Street
Ann Arbor, MI 48104

WHEN RECORDED RETURN TO:

Liberty Title Agency
3847 Pine Grove, Fort Gratiot, MI 48059
Liberty Title Agency File No.

Susan Foster

From: Susan Foster <sfoster@tranquilityfields.com>
Sent: Thursday, January 20, 2022 12:23 PM
To: Susan Foster
Subject: FW: Waterford Property Eligibility

From: Alef, Scott <SAlef@waterfordmi.gov>
Sent: Tuesday, April 13, 2021, 10:32 PM
To: Shay Russell
Subject: RE: Property Eligibility

Shay,

Based on the parcel dimensions, **this site could qualify for a rezoning up to C-3 without needing a variance. The planning department would be very supportive of this change.** You will need to submit an application for rezoning that can be found on the Township's website.

<https://www.waterfordmi.gov/DocumentCenter/View/1020/Application-for-Rezoning--Text-Amendment-PDF>



Scott Alef, MURP
Planner II
Planning & Zoning
5200 Civic Center
Dr.
Waterford MI 48329
p. 248-618-7471
f. 248-674-4097

salef@waterfordmi.gov
www.waterfordmi.gov

Certified Zoning
Administrator



Check us out on Facebook www.facebook.com/waterfordtownshipmi

From: Shay Russell <srussell@tranquilityfields.com>
Sent: Wednesday, March 24, 2021 2:45 PM
To: Alef, Scott <SAlef@waterfordmi.gov>
Subject: RE: Property Eligibility

Thank you Scott. Is there any way to get the property re-zoned to C-2, C-3, or C-4?

Sincerely,

Shay Russell
Executive Assistant
248-343-3903



From: Alef, Scott <SAlef@waterfordmi.gov>
Sent: Wednesday, March 24, 2021 2:38 PM
To: Shay Russell <srussell@tranquilityfields.com>
Subject: RE: Property Eligibility

Shay,

Here is the zoning certification you had requested. The property is zoned HT-2 and meets the setback requirements that allow only for Safety Compliance Facilities. To permit a Provisioning Center, the property would need to have C-2, C-3, or C-4 zoning.



Scott Alef, MURP
Planner II
Planning & Zoning
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Dr.
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p. 248-618-7471
f. 248-674-4097
salef@waterfordmi.gov
www.waterfordmi.gov



Certified Zoning
Administrator

From: Shay Russell [mailto:srussell@tranquilityfields.com]
Sent: Monday, March 1, 2021 5:13 PM
To: Alef, Scott <SAlef@waterfordmi.gov>
Subject: Re: Property Eligibility

Will do, thank you.

Sincerely,

Shay Russell
Executive Assistant
248-343-3903

From: Alef, Scott <SAlef@waterfordmi.gov>
Sent: Monday, March 1, 2021 5:09:14 PM
To: Shay Russell <srussell@tranquilityfields.com>
Subject: RE: Property Eligibility

Hi Shay,

I have logged the request as PZC 21-016. Please contact the Development Services Offices to pay the \$80 fee at 248-674-6238.



Scott Alef, MURP

Planner II

Planning & Zoning

5200 Civic Center

Dr.

Waterford MI 48329

p. 248-618-7471

f. 248-674-4097

salef@waterfordmi.gov

www.waterfordmi.gov



Certified Zoning

Administrator

From: Shay Russell [<mailto:srussell@tranquilityfields.com>]
Sent: Monday, March 1, 2021 5:04 PM
To: Alef, Scott <SAlef@waterfordmi.gov>
Subject: Re: Property Eligibility

I'm so sorry. Typing error. It is 4667 Dixie Hwy.

Sincerely,

Shay Russell
Executive Assistant
248-343-3903

From: Alef, Scott <SAlef@waterfordmi.gov>
Sent: Monday, March 1, 2021 4:55:15 PM
To: Shay Russell <srussell@tranquilityfields.com>
Subject: RE: Property Eligibility

Hello Shay,

This is not a valid address in my system. Please verify and let me know.



Scott Alef, MURP
Planner II
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f. 248-674-4097

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www.waterfordmi.gov



Certified Zoning
Administrator

From: Shay Russell [<mailto:srussell@tranquilityfields.com>]

Sent: Monday, March 1, 2021 4:06 PM

To: Alef, Scott <SAlef@waterfordmi.gov>

Subject: Property Eligibility

Good Afternoon Mr. Alef,

I am requesting the property at 44667 Dixie Hwy be reviewed for eligibility for a Medical Marijuana Provisioning Center. If it is not eligible, please let us know how we may be able to get it rezoned to allow for a provisioning center. Thank you for your time.

Sincerely,

Shay Russell
Executive Assistant
248-343-3903

