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5200 Civic Center Drive
Waterford, Michigan 48329-3773
Telephone: (248) 674-6238 Fax: (248) 674-4097
www.waterfordmi.gov

**DEVELOPMENT SERVICES
DEPARTMENT**

Jeffrey M. Polkowski AICP
Superintendent of Planning &
Zoning Division

Dave Hills
Superintendent of Building
Division

MEMORANDUM

Date: March 7, 2023
To: Honorable Township Board Members
From: Jeffrey Polkowski, Superintendent of Planning and Zoning
RE: Case No. 2023-Z-009
3310 Warren Dr rezone from HT-1 to M-1
Location: East side of Warren Dr, southwest of Dixie Hwy
Applicant: Warren Dr LLC

The applicant is proposing to rezone the property from HT-1, High Tech Office to M-1, Light Industrial, which was the property's historic zoning, and will be applying for a variance because of the property's size.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed rezoning at the regularly scheduled meeting on February 28, 2023 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the February 28, 2023 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested rezoning, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the March 27, 2023 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 zoning amendment.

Should you have any questions prior to Monday's meeting please do not hesitate to reach out to me.

*With us there are no
boundaries*

Planning & Zoning Department

REZONING REVIEW

February 28, 2023 Meeting

Report by Justin Daymon 02/16/2023

Application Number	PRSA 23-01-08	Action Requested	Rezoning Approval
		Staff Recommendation	Approval
Request	Rezoning from HT-1, High Tech Office to M-1, Light Industrial		
Project Name	N/A		
Proposed Use(s)	Landscaping Maintenance Establishment		
Address	3310 Warren Dr	Parcel Number	13-10-176-005
Owner	Warren Dr LLC 3310 Warren Dr Waterford, MI 48329	Applicant	Same
Property Information			
General Location	East side of Warren Dr, southwest of Dixie Hwy		
Property Size	0.76 acres		
Frontage	307 ft on Warren Dr		
Current Zoning	HT-1, High Tech Office	Proposed Zoning	M-1, Light Industrial
Master Plan Designation	General Industrial: The General Industrial designation is intended to accommodate primarily small to medium sized manufacturing, assembly, and fabrication operations. Large-scale industrial uses that create the highest level of environmental impact should be reviewed by the Planning Commission before such uses are permitted. Land uses in this designation should be located along major thoroughfares and along railroad lines. Outdoor storage should be permitted to meet the needs of such uses, yet should also be substantially screened, particularly when adjacent to non-industrial land uses and thoroughfares.		
Current Use	Landscaping Maintenance Establishment		
Zoning History	1950: Manufacturing-1 2011: HT-1, High Tech Office		
Surrounding Development			
North	HT-1, High Tech Office		
East	M-1, Light Industrial – existing nonconforming residence		
West	(across Warren Dr) M-2, General Industrial – Mack’s Auto Wholesale		

Request Summary

The applicant is proposing to rezone the property from HT-1, High Tech Office to M-1, Light Industrial which was the property's historic zoning, and will be applying for a variance because of the property's size.

Master Plan Conformity

The proposed rezoning is fully in line with the property's Master Plan designation.

Zoning District Evaluation

The property is not large enough to meet the standards for minimum lot area put forth by the Zoning Ordinance in Section 3-900. The M-1, Light Industrial zoning district has a minimum lot area of 43,560 sqft, but the property in question is approximately 33,050 sqft. The applicant intends to apply for a variance. The applicants' intended use of the property is in line with the proposed zoning (Section 3-404.3.).

Staff Comments:

1. Staff recommends approval of the rezoning request.

2. The applicant will be applying for a variance from the minimum lot size requirement of the Zoning Ordinance.

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 fully in line 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 requested zoning change is consistent with existing uses and zoning classifications. There is an existing landscaping maintenance establishment operating on the property, and the rezoning would bring this property into conformity.

- 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 (33,050 sqft) does not meet the required square footage (43,560 sqft) for the M-1 district. A variance will be required.

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

Staff Comment: The requested zoning change is consistent with the trend of development in the general area. The subject property and surrounding properties along both sides of Warren Dr heading north to Dixie Hwy have historically been zoned and/or used as industrial property.

- 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: Staff does not believe the requested zoning change and resulting range of uses will result in any significant environmental impacts.

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

Staff Comment: The rezoning would not be detrimental to the public interest.

Summary / Conclusions

The proposed rezoning would return the property to its historic zoning and bring the existing use into conformity.

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. 23-01-08,
Proposed Zoning Map Amendment to Rezone From:
HT-1, High Tech Office to M-1, Light Industrial**

Motion:

I move to forward a favorable/unfavorable **[Strike One]** recommendation in Case No. 23-01-08 on to the Township Board, to rezone the subject parcel #13-10-176-005 from HT-1, High Tech Office to M-1, Light Industrial 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. 2023-Z-009

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 13-10-176-005, legally described below, with current address of 3000 Sashabaw Rd, is rezoned from **HT-1, High Tech Office to M-1, Light Industrial** 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 March 27, 2023.

CHARTER TOWNSHIP OF WATERFORD

Date

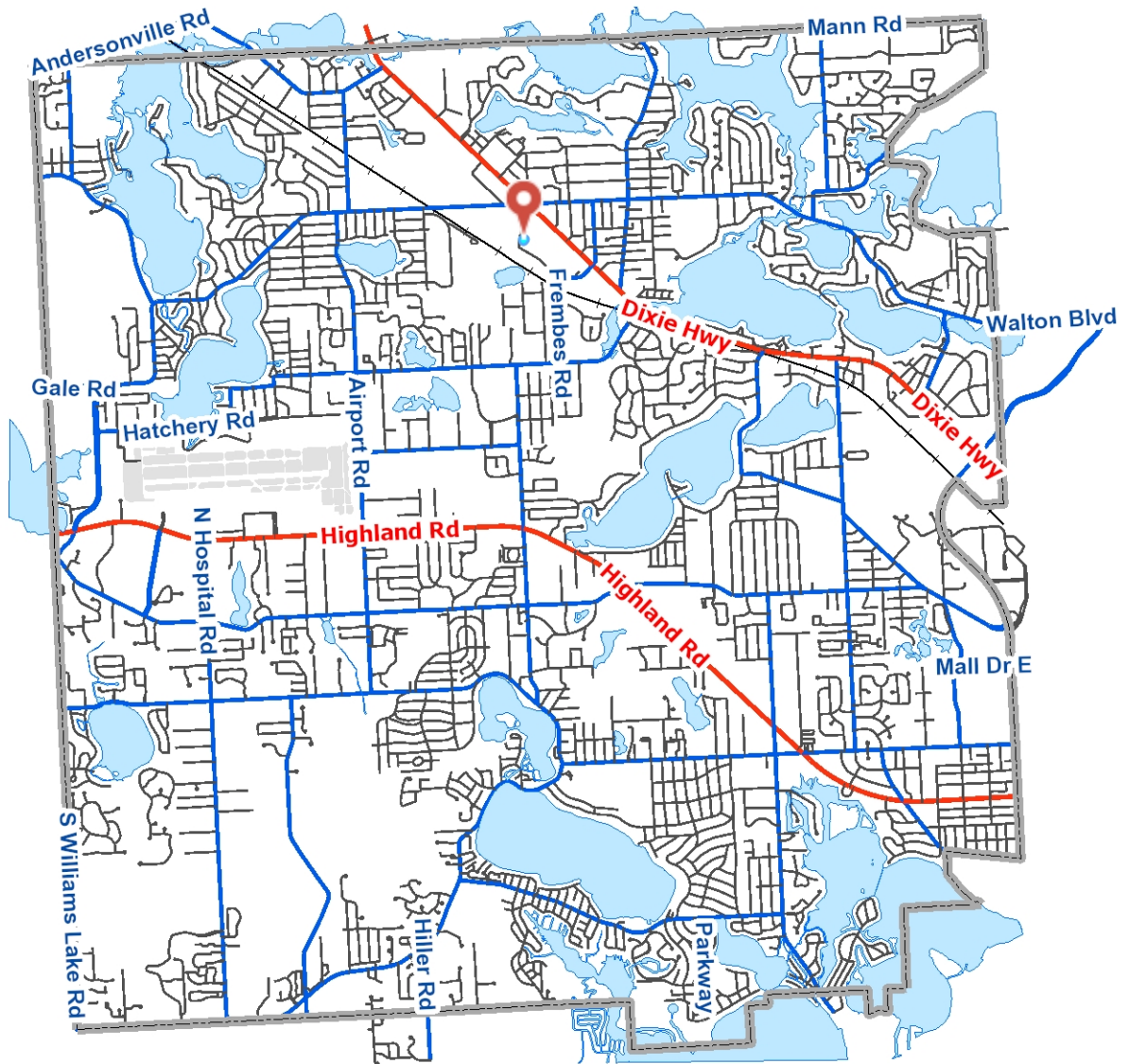
Kimberly Markee, Township Clerk

LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE 2023-Z-XXX

T3N, R9E, SEC 10 FAIRPLAINS SUB LOT 72



PRSA 23-01-08 Location Map



1:72,224



12,037.3 0 6,018.65 12,037.3 Feet

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 23-01-08

Aerial Map



1:4,514



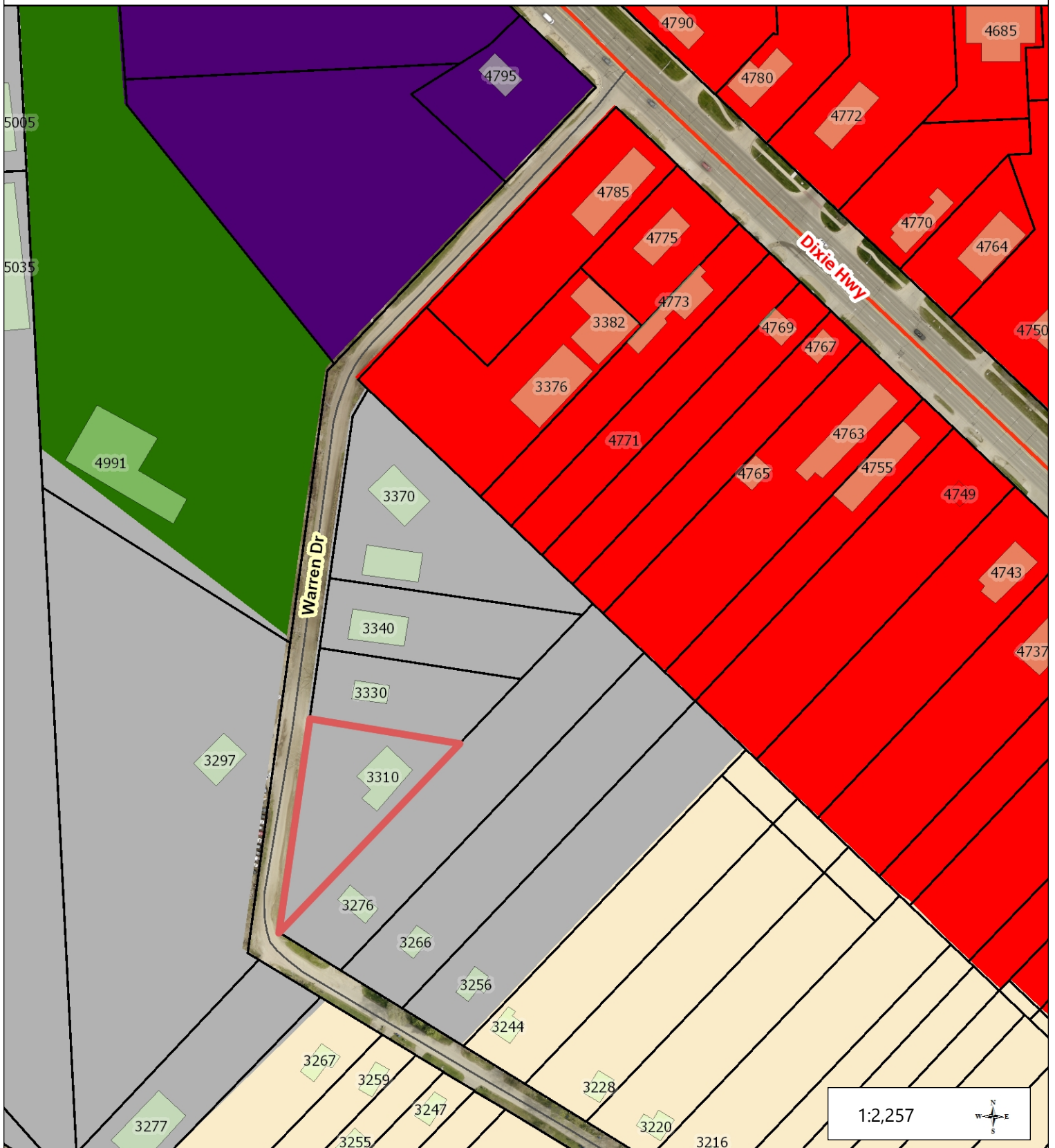
752.3 0 376.17 752.3 Feet

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

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PRSA 23-01-08 Aerial Map



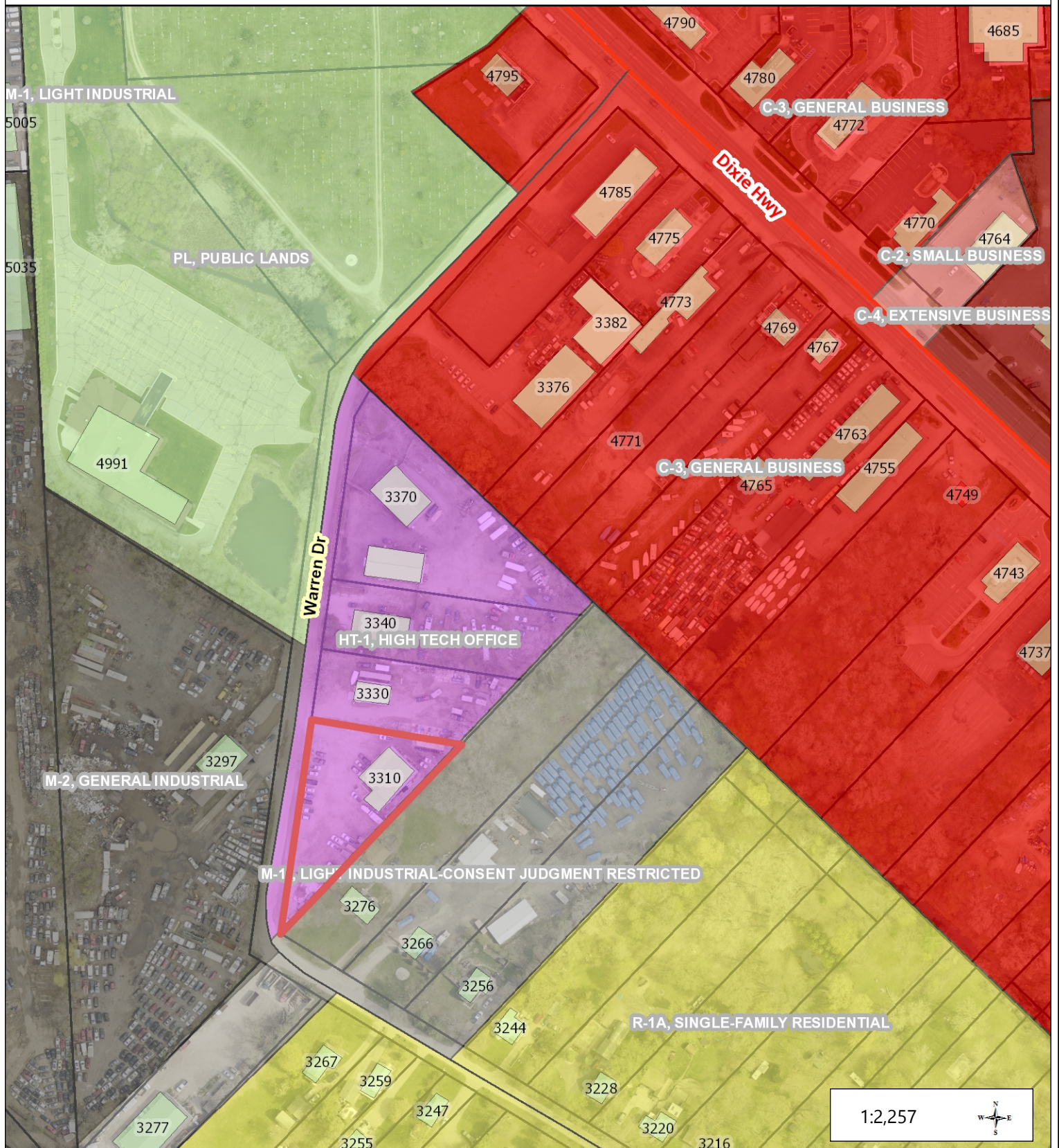
376.2 0 188.08 376.2 Feet

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

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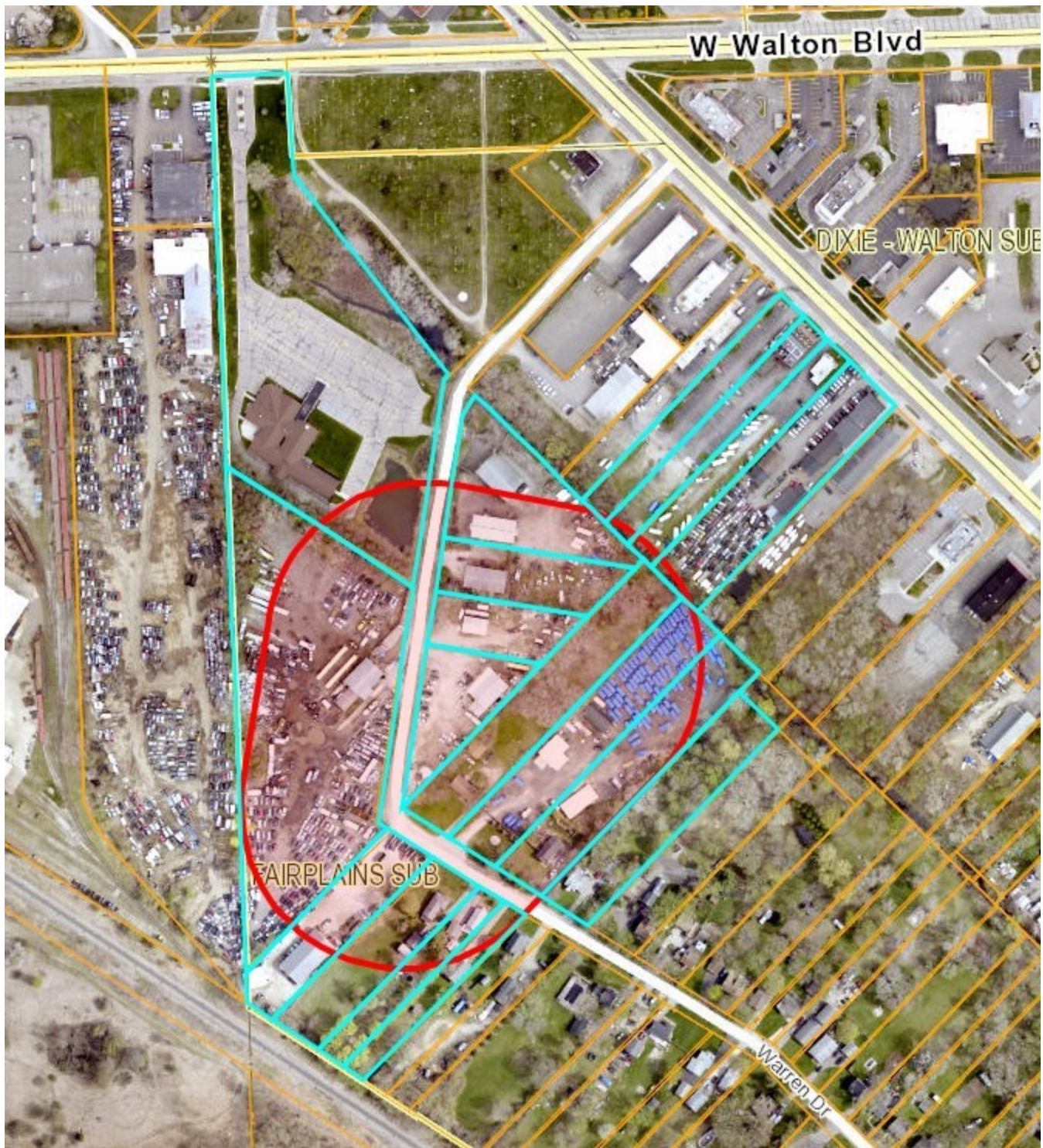
PRSA 23-01-08 Zoning Map



376.2 0 188.08 376.2 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI.
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Project Number	Extra Addresses	PIN	CVTTAXCODE	CVTTAXDESCRIPTION	NAME1	NAME2	POSTALADDRESS	POSTALCITY	POSTALSTATE	POSTALZIP5
PRSA 23-01-08	Agency Addresses				Thomas Pozolo, PE / MDOT	MDOT Oakland	800 Vanguard Dr	Pontiac	MI	48341
PRSA 23-01-08	Agency Addresses				Cheryl Bush, OC Intl. Airport	Oakland County	6500 Patterson Pkwy	Waterford	MI	48327
PRSA 23-01-08	Agency Addresses				The Road Commission for Oakland County		31001 Lahser Road	Beverly Hills, MI	48025	
PRSA 23-01-08	Review	PIN	CVTTAXCODE	CVTTAXDESCRIPTION	NAME1	NAME2	POSTALADDRESS	POSTALCITY	POSTALSTATE	POSTALZIP5
PRSA 23-01-08		1310176099	W	CHARTER TOWNSHIP OF WATERFORD EDWIN WEEKS		BEVERLY WEEKS	3244 WARREN DR	WATERFORD	MI	48329
PRSA 23-01-08		1310152004	W	CHARTER TOWNSHIP OF WATERFORD SARAH WHITENS			3255 WARREN DR	WATERFORD	MI	48329
PRSA 23-01-08		1310152003	W	CHARTER TOWNSHIP OF WATERFORD CHRISTINE L WOOD			3259 WARREN DR	WATERFORD	MI	48329
PRSA 23-01-08		1310152002	W	CHARTER TOWNSHIP OF WATERFORD MARY V HUBARTH			3267 WARREN DR	WATERFORD	MI	48329
PRSA 23-01-08	Review	1310176037	W	CHARTER TOWNSHIP OF WATERFORD CIRO SPIGNO		JERRY SPIGNO	3270 W HURON ST	WATERFORD	MI	48328
PRSA 23-01-08		1310152001	W	CHARTER TOWNSHIP OF WATERFORD GREAT LAKES LANDSCAPE			3277 WARREN DR	WATERFORD	MI	48329
PRSA 23-01-08		1310176005	W	CHARTER TOWNSHIP OF WATERFORD 3310 WARREN DRIVE LLC			3310 WARREN DR	WATERFORD	MI	48329
PRSA 23-01-08		1310176004	W	CHARTER TOWNSHIP OF WATERFORD DAN HART			3330 WARREN DR	WATERFORD	MI	48329
PRSA 23-01-08		1310176109	W	CHARTER TOWNSHIP OF WATERFORD LAWRENCE E DIXON JR			4763 DIXIE HWY	WATERFORD	MI	48329
PRSA 23-01-08	Review	1310176036	W	CHARTER TOWNSHIP OF WATERFORD CIRO SPIGNO		JERRY SPIGNO	4769 DIXIE HWY	WATERFORD	MI	48329
PRSA 23-01-08		1310101004	W	CHARTER TOWNSHIP OF WATERFORD CHURCH OF CHRIST			4991 WILLIAMS LAKE RD	WATERFORD	MI	48329
PRSA 23-01-08	Review	1310176006	W	CHARTER TOWNSHIP OF WATERFORD JOHN M BRESLER			5230 ELIZABETH LAKE RD	WATERFORD	MI	48327
PRSA 23-01-08	Review	1310176075	W	CHARTER TOWNSHIP OF WATERFORD ROBERT FREIBURGER			5789 SADDLEBAG LAKE RD	LAKE WALES	FL	33898
PRSA 23-01-08	Review	1310176038	W	CHARTER TOWNSHIP OF WATERFORD SCOTT DAVID			8070 RENE DR	WHITE LAKE	MI	48386
PRSA 23-01-08	Review	1310176007	W	CHARTER TOWNSHIP OF WATERFORD KIP L SUMMERS			870 LOCHAVEN RD	WATERFORD	MI	48327
PRSA 23-01-08	Review	1310176003	W	CHARTER TOWNSHIP OF WATERFORD JOHN ROGERS		REBECCA ROGE	8898 TACKLES DR	WHITE LAKE	MI	48386
PRSA 23-01-08	LAMS	1310176008		Summers, Kip L			3256 Warren Dr	Waterford MI	48329-3545	
PRSA 23-01-08	LAMS	1310176007		Summers, Kip L			3266 Warren Dr	Waterford MI	48329-3545	
PRSA 23-01-08	LAMS	1310176006		Bresler, John M			3276 Warren Dr	Waterford MI	48329-3545	
PRSA 23-01-08	LAMS	1310101009		Mack's Auto Wholesale			3297 Warren Dr	Waterford MI	48329-3546	
PRSA 23-01-08	LAMS	1310176003		Rogers, John		Rogers, Rebecca	3340 Warren Dr	Waterford MI	48329-3547	
PRSA 23-01-08	LAMS	1310176075		Freiburger, Robert			3370 Warren Dr	Waterford MI	48329-3547	
PRSA 23-01-08	LAMS	1310176038		David, Scott			4767 Dixie Hwy	Waterford MI	48329-3523	
PRSA 23-01-08	LAMS	1310176036		Spigno, Ciro		Spigno, Jerry	4771 Dixie Hwy	Waterford MI	48329-3523	

Notice is hereby given of a public hearing to be held by the Waterford Township Planning Commission on **Tuesday, February 28, 2022 at 6:00 p.m.** in the Auditorium at 5200 Civic Center Dr., Waterford, MI 48329, to hear the following request:

Case No. PRSA 23-01-08

Requesting: Rezoning of the property from HT-1, High Tech Office to M-1, Light Industrial
Property Location: 3310 Warren Dr
Property Zoned: HT-1, High Tech Office
Applicant: Warren Dr, LLC

Members of the public will only be able to speak during any public hearing that is held at the meeting and during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Commission to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Jeffrey M. Polkowski, AICP
Superintendent of Planning and Zoning
Charter Township of Waterford
5200 Civic Center Drive, Waterford, Michigan 48329
planning@waterfordmi.gov
Phone: (248) 674-6238

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Charter Township of Waterford
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**PLANNING DIVISION
APPLICATION FORM**



DEVELOPMENT SERVICES DEPARTMENT
5200 Civic Center Drive
Waterford, Michigan 48329-3773
Telephone: (248) 674-6238
Fax: (248) 674-4097
planning@waterfordmi.gov

Office Use Only			Date Received	1/18/2023
Related Application Numbers			Planning Fees	
PBUS: _____	PCR: _____	PRSA: 23-01-08	Engineering Fee	
PSP: _____	PZBA: _____		New Address Fee	

- I. Type of Request** *(select all that apply)*
- ☐ Business Registration ☐ Minor Site Plan ☐ Master Plan
☐ Change of Use ☐ Major Site Plan ☒ Rezoning
☐ Concept Plan ☐ Special Approval ☐ Text Amendment

Fees	
Business Registration	\$100
Change of Use	\$550
Concept Plan	\$550
Minor Site Plan	\$1,250
Major Site Plan	\$1,550
Special Approval	\$1,000
Master Plan Amendment	\$1,000
Rezoning / Text Amendment	\$1,200
Request for New Address (Fire)	\$75
<i>Additional fees may apply</i>	

II. Applicant Information

Applicant Name Warren Dr LLC, Corey LAKE		Contact Person Corey LAKE
Address 3310 Warren Dr.		City Waterford
State & ZIP MI 48329	Home/ Office Phone 248 682 0366	Cell Phone 248 202 1548
Email Address Corey		

III. Property Information

Legal Description ☐ Attached ☐ On Site Plan

All new buildings or unit splits are required to make a Request for New Address	Requires New Address? ☐ Yes ☐ No	Street Name Building Faces:	New Address Assigned (Obtain from Fire Department)	
Property Owner Warren Dr LLC	Property ID Number 13-10-176-005	Lot Number		
Owner Address 3310 Warren Dr.	Owner City WATERFORD	Owner State & Zip MI 48329	Current Zoning HT-1	Proposed Zoning
Property Address or General Location			Property Size (Acres)	Num. of Buildings
Frontage (feet and streets)			Zoning Use Section	Building Use Code
Proposed Use LAWN & Landscape Light Ind.		#Residential Units	#Vehicle Repair Bays	#Salon/Barber/Tattoo Stations

Business License Held By: *(Business Registration Only)*

☐ Individual *(Attach copy of any Assumed Name Certificate)*
☐ Partnership or LLC *(Attach a copy of Partnership or LLC Certificate)*
☐ Corporation *(Attach a copy of Articles of Incorporation)*

Fire Suppression Systems in Building ☐ Yes ☒ No *If yes select the type(s):*

☐ Sprinkler System-Fire ☐ Commercial Hood Suppression System ☐ FM 200 or Clean Agent (Computer Rooms)
☐ Fire Pump ☐ Paint Booth (Suppression) ☐ Fire Alarm
☐ Other (please describe): _____

**With us there are no
boundaries**

IV. Site Plan Designer Information *(only required if a site plan is submitted)*

Design Firm		Contact Person	
Address		City	
State & ZIP	Office Phone		Cell Phone
Email Address			

V. Narrative Outlining Scope and Reason for Request *(Additional pages may be attached)*

Property was re-zoned from Heavy Industrial
to Office High Tech

VI. Affidavit of Ownership and Consent to Property Inspection

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 and /or 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:

Property Address: _____

Property Parcel No: _____

All persons having ownership interest in above-referenced property must sign this document to authorize the filing of the application. Proof of ownership in the form of deed, land contract, letter of authority or tax bill is required.

Failure to obtain all ownership signatures may void any approvals. Ownership interest includes owners, all parties in land contracts, and all parties in purchase agreements. Additional signature pages may be attached for owners exceeding four in number.

	<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL</u>	<u>TYPE OF OWNERSHIP INTEREST</u>	<u>SIGNATURE</u>
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____

APPLICANT 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.

Corey LAKE 3310 Waverly Dr. 2482021848 06/17/1972
Name (Please Print) Address Telephone Contact Birth Date Drivers License #

Corey LAKE
Signature

Subscribed and sworn to before me this 18 day of January, 2023

Notary Public
State of Michigan
JANINE A. TREMONTI
County of Oakland
NOTARY PUBLIC - STATE OF MICHIGAN
My Commission Expires September 17, 2025
Acting in the County of Oakland