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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 16, 2023
To: Honorable Township Board Members
From: Jeffrey Polkowski, Superintendent of Planning and Zoning
RE: Rezone from C-4, Extensive Business to C-3, General Business
Location: In a proposed out-lot on the Meijer property south/southeast of the Meijer
Gas Station along Pontiac Lake Rd
Applicant: Kyle Wrentmore

The applicants seeks to rezone a portion of the subject parcel in order to proceed with their desired project. If the rezoning is approved, the applicant intends to apply for a lot split; creating an out-lot of said rezoned portion and build a carwash on the property. The lot is currently zoned C-4, Extensive Business, but their desired lot will not be large enough to qualify for the C-4 zoning district. Section 3-900 of the Zoning Ordinance requires that C-4 lots be a minimum of 87,120 sqft (2 acres). For this lot split to successfully be obtained, the site must be rezoned to a less intensive zoning district.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on December 13, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the December 13, 2022 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning C-3, General Business, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the April 10, 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 rezoning.

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

Planning & Zoning Department

REZONING REVIEW

December 13, 2022 Meeting

Report by Justin Daymon 12/01/2022

Application Number	PRSA 22-11-06	Action Requested	Rezoning Approval
		Staff Recommendation	Approval
Request	Rezone from C-4, Extensive Business to C-3, General Business		
Project Name	Meijer Out-lot Rezoning		
Proposed Use(s)	Vehicle Wash Establishment (Carwash)		
Address	4200 Highland	Parcel Number	13-22-277-014
Owner	Meijer, Inc. 4200 Highland Rd Waterford, MI 48328	Applicant	Kyle Wrentmore 607 Shelby St, Ste 300 Detroit, MI 48226
Property Information			
General Location	In a proposed out-lot on the Meijer property south/southeast of the Meijer Gas Station along Pontiac Lake Rd		
Property Size	1.01 acres - PROPOSED		
Frontage	Frontage is on private drives internal to the site		
Current Zoning	C-4, Extensive Business	Proposed Zoning	C-3, General Business
Master Plan Designation	<p>Central Community Business:</p> <p>This designation is exclusively intended for property in the geographic center of the Township, along the M-59 commercial corridor. It allows for a mixture of land uses including office, commercial, and residential. Since Waterford does not have a downtown area, the goal is to develop a central focal point for the community, with an emphasis on streetscape aesthetics and walkability. The highlighted area shown in Figure 8-2 should be redeveloped with a mixture of commercial, office, and residential land uses in a setting that includes the following characteristics: allowance for reduced front yard setbacks when building aesthetic provisions are met; small clusters of free-standing retail shops, restaurants, and offices; formal landscape plantings along M-59, creation of a linear landscape pattern; provision of infrastructure improvements to improve nonmotorized pathways and traffic calming; provision of town houses and above-store residential units at moderate density; and coordinated streetscape amenities throughout the designation area. Automotive related services, industrial uses, outdoor merchant retail, and other uses which tend to interfere with the continuity of retail frontage and hinder pedestrian circulation are discouraged.</p>		
Current Use	A landscaping island within the Meijer parking lot		
Zoning History	<p>1950 – Agricultural-1; Commercial-1 (along Highland Rd)</p> <p>1972 – AG-1, General Agriculture; C-3, Extensive Business (Northwestern portion); R-2, Multiple Family (Eastern portion); R-1A, Single Family (Southeastern portion)</p> <p>1975 – C-3, Extensive Business; R-1A, Single Family (Southeastern portion)</p> <p>2011 – C-4, Extensive Business</p>		
Surrounding Development			
North	C-4, Extensive Business – Meijer gas station		
East	C-4, Extensive Business – Meijer parking lot		
South	C-3, General Business – out-lot plaza: Flaming Wok, Hungry Howie's, Subway, Nail Salon		
West	C-3, General Business – Huntington Bank		

Request Summary

The applicants seeks to rezone a portion of the subject parcel in order to proceed with their desired project. If the rezoning is approved, the applicant intends to apply for a lot split; creating an out-lot of said rezoned portion and build a carwash on the property. The lot is currently zoned C-4, Extensive Business, but their desired lot will not be large enough to qualify for the C-4 zoning district. Section 3-900 of the Zoning Ordinance requires that C-4 lots be a minimum of 87,120 sqft (2 acres).

Master Plan Conformity

The breadth of uses allowed in the proposed C-3, General Business district (3-705) are largely in line with the Master Plan designation of Central Community Business. This designation may change in the near future when the new Master Plan is adopted, but the proposed zoning district is still likely to be in line with the future Master Plan.

Zoning District Evaluation

The current lot and the applicant's desired lot both meet the Zoning Ordinance's minimum lot area and width standards of the proposed zoning district (3-900).

Comments:

Planning:

1. Staff recommends approval of the rezoning request.

DPW:

1. Comments yet to be received.

Engineering:

1. Comments yet to be received.

Fire:

1. Comments yet to be received.

RCOC:

1. RCOC has no issue with the proposed rezoning.

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 property is entirely surrounded by C-3, General Business and C-4, Extensive Business districts.

- 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 intended lot is able to provide all dimensional and site 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 requested zoning change is consistent with the trend of development in the general area.

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: This rezoning request is a reduction in intensity and will not result in any significant environmental impacts.

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

The proposed zoning district is appropriate for the location and will be in line with the Master Plan and surrounding development.

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. 22-11-06,
Proposed Zoning Map Amendment to Rezone From:
C-4, Extensive Business to C-3, General Business

Motion:

I move to forward a favorable/unfavorable **[Strike One]** recommendation in Case No. 22-11-06 on to the Township Board, to rezone a portion of the subject parcel #13-22-277-014 from C-4, Extensive Business 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.

Staff does not propose any additional conditions.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2023-Z-010

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a portion of 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 13-22-277-014, legally described below, with current address of 4200 Highland Rd, is rezoned from **C-4, Extensive Business to C-3, General Business** 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 _____, 2023.

CHARTER TOWNSHIP OF WATERFORD

Date

Kimberly Markee, Township Clerk

LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE 2023-Z-XXX

Part of the East 1/2 of Section 22, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan described as: Commencing at the Southeast corner of Section 22; thence North 02°31'30" East 1009.78 feet (recorded as North 02°40'30" East 1007.06 feet), along the East line of Section 22; thence North 41°29'30" West 1215.68 feet (recorded as 1220.19 feet), along the centerline of Highland Road (120.00 feet wide); thence North 48°30'30" East 60.00 feet, to the Northeasterly line of Highland Road; thence North 41°29'30" West 872.42 feet, along the Northeasterly line of Highland Road; thence North 48°30'30" East 199.00 feet; thence North 41°29'30" West 85.76 feet, to the Point of Beginning; thence North 41°29'30" West 151.10 feet; thence 83.80 feet along the curve to the right, having a radius of 115.00 feet, a central angle of 41°45'05" and a chord bearing North 20°36'56" West 81.96 feet; thence North 82°27'36" East 98.90 feet; thence North 05°02'40" East 19.87 feet; thence South 84°55'21" East 150.95 feet; thence South 47°54'55" East 55.96 feet; thence South 25°03'27" East 58.50 feet; thence South 47°36'44" West 192.13 feet; thence 49.06 feet along the curve to the right, having a radius of 46.65 feet, a central angle of 60°14'52" and a chord bearing North 76°45'41" West 46.83 feet, to the Point of Beginning. Containing 1.0736 acres, or 46,767 sq. ft.,