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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**
Rob Merinsky, P.E.
Director
Brent A. Gibson
Superintendent of Building
Division
Jeffrey M. Polkowski AICP
Superintendent of Planning &
Zoning Division

MEMORANDUM

Date: December 29, 2020

To: Honorable Township Board Members

From: Jeffrey Polkowski, Superintendent of Planning and Zoning

RE: Rezoning Case No. 2021-Z-003 – Rezone PID 13-13-255-003
PID 13-13-255-004
PID 13-13-401-001

Location: W side of Telegraph Rd., S of Dixie Hwy.

Applicant: A&J Must CO. II LLC, 1250 Water Cliff Dr., Bloomfield Hills, MI 48302

Current Zoning: HT-2, High-Tech Industrial and Office

Proposed Zoning: M-1, Light Industrial

Master Plan: High Tech Services

The applicant is seeking to gain approval for a rezoning request from HT-2, High-Tech Industrial and Office to M-1, Light Industrial. While the applicant has submitted a conceptual site plan for review, this is not part of this rezoning review. This proposed conceptual site plan is in conjunction with Rezoning Case 2021-Z-002, a similar request to rezone another large HT-2, High-Tech Industrial and Office to M-1, Light Industrial. Both proposed rezoning would remove the HT-2 High-Tech Industrial and Office use from the area altogether.

The intent of this rezoning request is to construct a sizable Freight Hauling Establishment. The applicant for the proposed truck transfer terminal has forecasted that the proposed project would have an annual payroll of approximately \$7,100,000 per year and about 147 people employed at this location. With a projection of 80% of these employees at full time with an average wage of \$55,000 per year. The estimated construction project is estimated to be between 16 and 19 million dollars. The site is expected to have truck departures from 8:00 a.m. to 10:00 a.m. and returns from 9:00 p.m. to 10:00 p.m. on weekdays and will be closed on the weekends.

Because this site is entirely vacant, any development at all would require being granted Site Plan Approval by the Planning Commission. If the Board of Trustees approves this rezoning, the Planning Commission is expected to review the final site plan for the proposed Freight Hauling Establishment mentioned above.

Master Plan Designation

The Master Plan indicates that these parcels are designated as High Tech Services: The High Tech Services land use designation was created by Waterford Township staff to allow for the mixture of land uses including office, commercial, and clean industrial uses. This district would be performance based, meaning that the flexibility of mixed zoning\ classifications and regulations would be dependent upon the design of the project and the amenities offered for public use. These land uses should occur on large assemblages of parcels.

The requested change is consistent with the current Master Plan for the location and the surrounding properties. The general region for this area has been designated General Industrial and High Tech Services. Since the culmination of the High Tech Services Master Plan Designation in 2003, Township staff have found it to be an underperforming Future Land Use designation. The limited range of uses offered by the High-Tech zoning districts have caused many parcels in prime locations to be left vacant. With the increase in state and federal regulations over the past two decades, light industrial and technological oriented uses now function differently since the original creation of the 2003 Master Plan.

Township staff feels that a priority of the next Master Plan set to be drafted within the following two years would be to overhaul the HT-1 and HT-2 Zoning Districts in order to establish a zoning district that better fits the industrial fabric of Waterford Township while serving the needs of the community in a safe and unobtrusive manner.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on December 15, 2020 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the December 15, 2020 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning to M-1, Light Industrial, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the January 25, 2021 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

December 15, 2020

Application Number	PZ 20-11-03	Action Requested	Rezoning
		Staff Recommendation	Approval
Request	Rezone from HT-2, High-Tech Industrial and Office to M-1, Light Industrial		
Project Name	Alan Must Rezoning		
Proposed Use(s)	Intended for Freight Handling Facility (development plans not part of this application)		
Address	No address on file		
Parcel Number	13-13-255-003, 13-13-255-004, & 13-13-401-001		
Owner	A&J MUST COMPANY II LLC 1250 Water Cliff Drive Bloomfield Hills, MI 48302-1974	Applicant	Same
Property Information			
General Location	W side of Telegraph Rd., S of Dixie Hwy.		
Current Zoning	HT-2, High-Tech Industrial and Office		
Proposed Zoning	M-1, Light Industrial		
Property Size	16.7 acres combined		
Master Plan Designation	<p>High Tech Services The High Tech Services land use designation was created by Waterford Township staff to allow for the mixture of land uses including office, commercial, and clean industrial uses. This district would be performance based, meaning that the flexibility of mixed zoning classifications and regulations would be dependent upon the design of the project and the amenities offered for public use. These land uses should occur on large assemblages of parcels.</p> <p>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.</p>		
Frontage	148 feet on Williams Drive		
Current Use	Vacant wooded lot		
Site Plan / SLU History	No site plan history.		
Previous Zoning	<p>1950 – 1963: M-2, Manufacturing</p> <p>1963 - 1972: M-2, General Industry</p> <p>1972 – 2011: M-2, General Industry</p> <p>2011 – Present: HT-2, High-Tech Industrial and Office</p>		
Surrounding Development			
North	Various commercial uses along Dixie Hwy		
South	Waterford oaks County Park and Oakland County Municipal office buildings buffered by a CN North American Railroad		
East	Vacant wooded lot (PZ 20-11-02) and various Commercial uses along Telegraph Road		
West	various industrial uses along Dixie and Williams		

Project Summary

The applicant is seeking to gain approval for a rezoning request from HT-2, High-Tech Industrial and Office to M-1, Light Industrial. While the applicant has submitted a conceptual site plan for review, this is not part of this rezoning review. This proposed conceptual site plan is in conjunction with PZ 20-11-02, a similar request to rezone another large HT-2, High-Tech Industrial and Office to M-1, Light Industrial. Both proposed rezoning would remove the HT-2 High-Tech Industrial and Office use from the area altogether.

The intent of this rezoning request is to construct a sizable Freight Hauling Establishment. The applicant for the proposed truck transfer terminal has forecasted that the proposed project would have an annual payroll of approximately \$7,100,000 per year and about 147 people employed at this location. With a projection of 80% of these employees at full time with an average wage of \$55,000 per year. The estimated construction project is estimated to be between 16 and 19 million dollars. The site is expected to have truck departures from 8:00 a.m. to 10:00 a.m. and returns from 9:00 p.m. to 10:00 p.m. on weekdays and will be closed on the weekends. If the Board of Trustees approves this rezoning, the Planning Commission is expected to review and approve the final site plan of this proposed development.

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 requested change is consistent with the current Master Plan for the location and the surrounding properties. The general region for this area has been designated General Industrial and High Tech Services. Since the culmination of the High Tech Services Master Plan Designation in 2003, Township staff have found it to be an underperforming Future Land Use designation. The limited range of uses offered by the High-Tech zoning districts have caused many parcels in prime locations to be left vacant.

With the increase in state and federal regulations over the past two decades, light industrial and technological oriented uses now function differently since the original creation of the 2003 Master Plan. Township staff feels that a priority of the next Master Plan set to be drafted within the following two years would be to overhaul the HT-1 and HT-2 zoning districts in order to establish a zoning district that better fits the industrial fabric of Waterford Township while serving the needs of the community in a save and unobtrusive manner.

- 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: When rezoned in conjunction, PZ-20-11-03 and PZ 20-11-02 would be an immediate eastward expansion the M-/M-2 Light/General Industrial Districts off of Williams Drive. Additionally the Zoning district of HT-2, High-tech Industrial and Office is industrial in nature with the intent to implement the goals of the High Tech Services and Light Industrial land use designations by permitting a mixture of technical, light industrial, and extensive service and office uses on zoning lots properly scaled and designed for such uses.

- 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: At 16.7 acres combined, the subject property reaches far beyond the size threshold for a Light Industrial zoned property (minimum lot size for M-1 Light Industrial Zoning District is 1 acre. The physical location of the subject parcel is also well suited for Industrial uses as it offers access to Dixie Highway and Telegraph Road without being visually apparent from either street.

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

Staff Comment: The proposed rezoning is consistent with the trend of development in the area. Properties along the railroad just south of Dixie have been historically industrial in nature.

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: Though this project would clear a large proportion of trees on a wooded lot, the application to rezone and ultimately utilize the subject property for an industrial use will not be detrimental to the public interest or neighboring properties in the immediate area. It is not anticipated that this will cause any substantial environmental impacts.

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

Staff Comment: It is unlikely that this zoning change and development will be detrimental. Some form of light industrial or technology related development has been anticipated for this location. It is in the Township's interest to maintain a healthy, well-functioning, and well-defined industrial sector to serve the needs of the public. This Rezoning to Light Industrial is within the Township's primary industrial district.

Staff Summary

Based on the historic zoning/use of the property and considering the surrounding uses, staff would recommend a favorable recommendation for approval as no substantial impact would be generated by this rezoning alone. This proposed rezoning, in conjunction with PZ 20-11-02, would expand the existing industrial center off of Williams Drive that has been built along the CN North America Railroad. Because the campus is technically located on both Dixie and Telegraph Road, but is recessed behind established commercial uses, the site would offer developers the option for easy access to Dixie Highway without being prominently viewed by travelers passing through either corridor.

When considering its size, land use allocations, and population; Waterford Township is lacking in a healthy industrial sector to better serve the needs of the immediate community, Southeast Michigan, and the American Midwest as a whole. Township Staff have found the lack of development options offered through the High-Tech Office and High-Tech Industrial and Office Zoning Districts to, in part, have contributed to this lack of a diverse industrial economy suitable for a Township with a population of over 72,000 people.

Because this site is entirely vacant, any development at all would require being granted Site Plan Approval by the Planning Commission.

Recommendation and Planning Commission Action

Upon receiving the requested rezoning change from HT-2 to M-1, the applicant would be required to formally submit a site plan for a major site plan review process to determine the feasibility of a Freight Handling Facility

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. 20-11-03
PROPOSED ZONING AMMENDMENT

Rezone from HT-2, High-Tech Industrial and office to M-1 Light Industrial

Motion

I move to forward a **favorable / unfavorable** [Strike One] recommendation in Case No. 20-11-03 on to the Township Board, to rezone the subject property of this application from HT-2, High-Tech Industrial and 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.

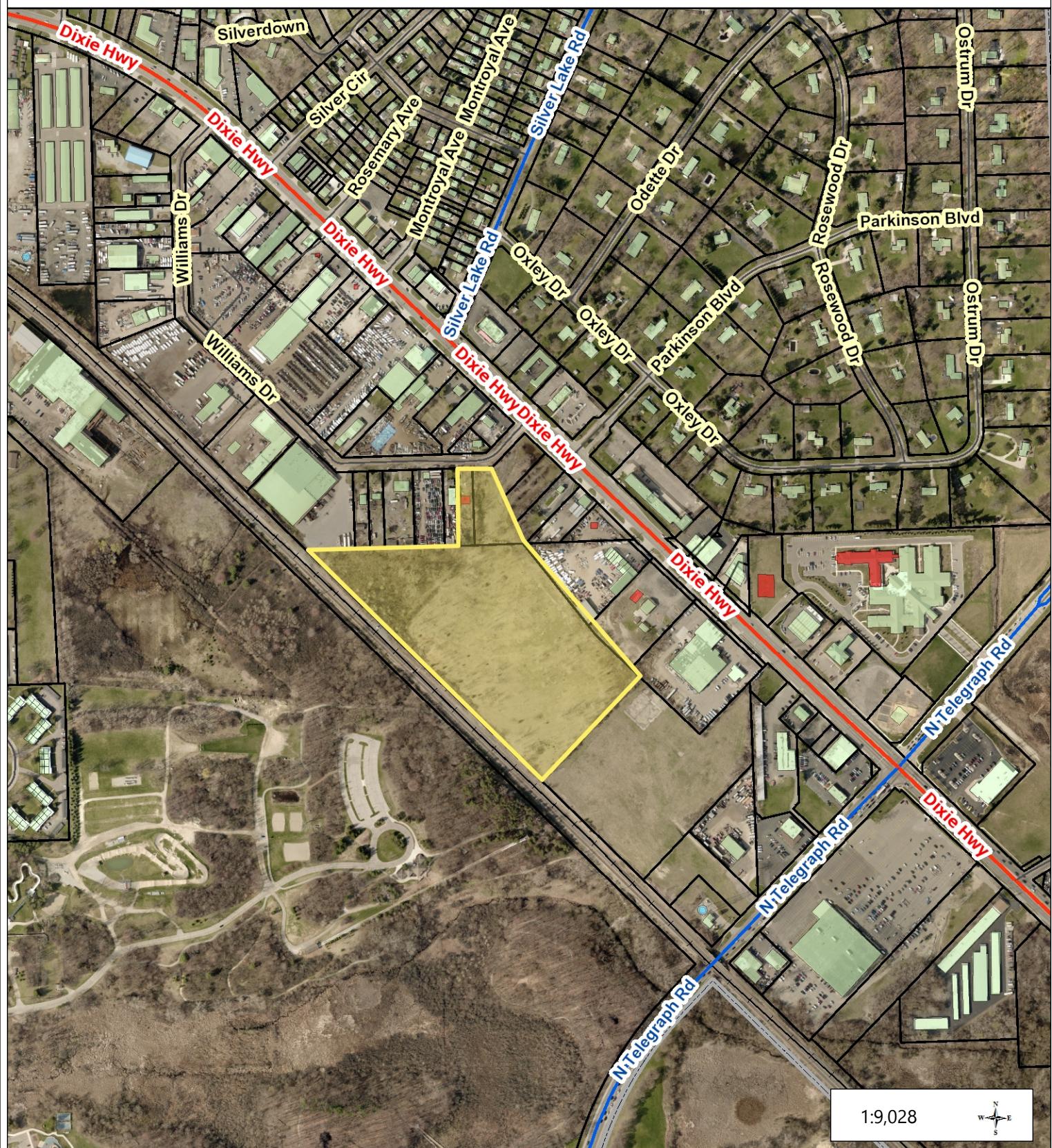
Findings:

- 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.



Rezoning #20-11-03

Aerial Map



1,504.7

0

752.33

1,504.7 Feet

1:9,028



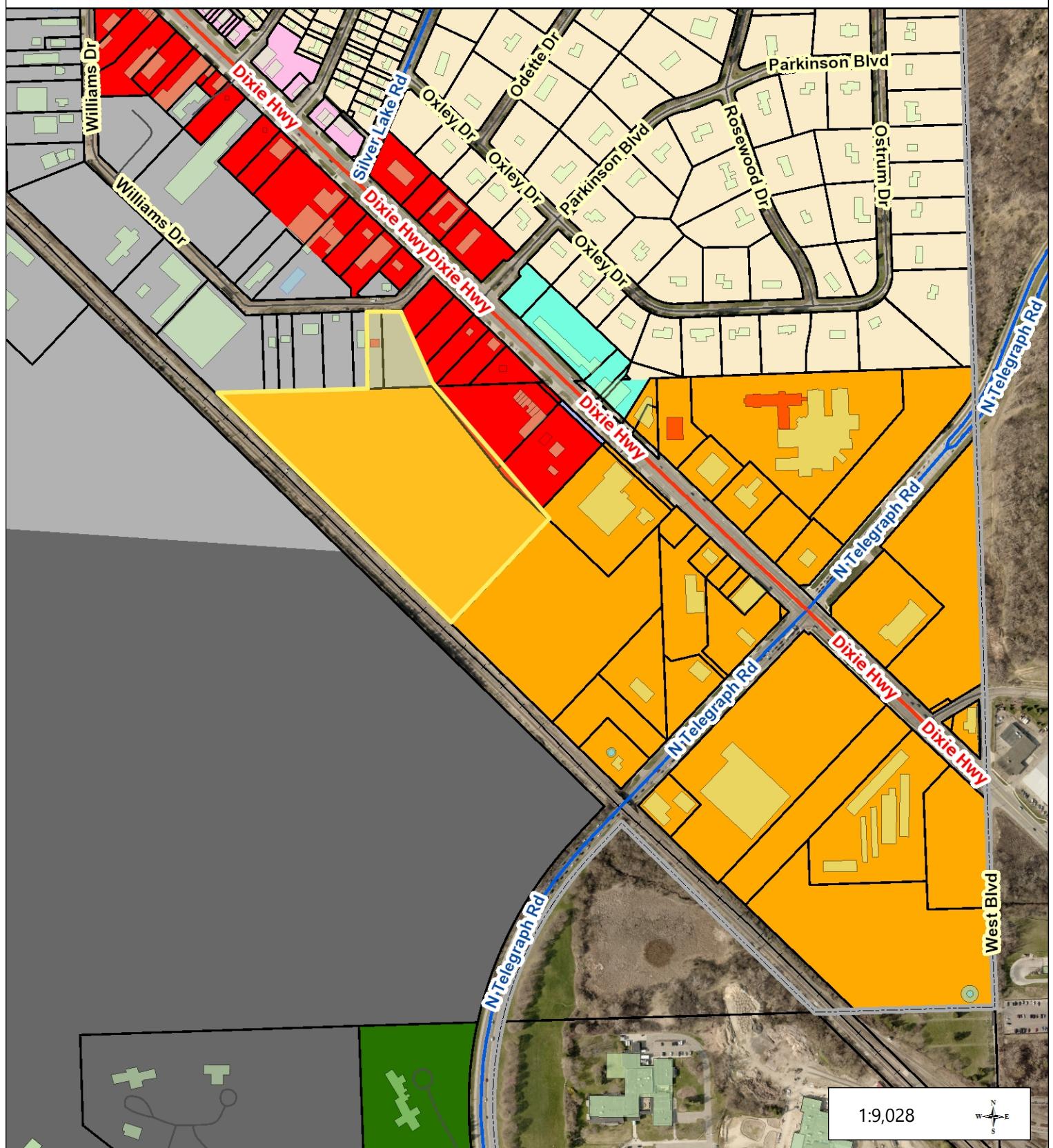
SOURCES: The Charter Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

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.



Rezoning #20-11-03

Master Plan Map



1,504.7

0

752.33

1,504.7 Feet

1:9,028



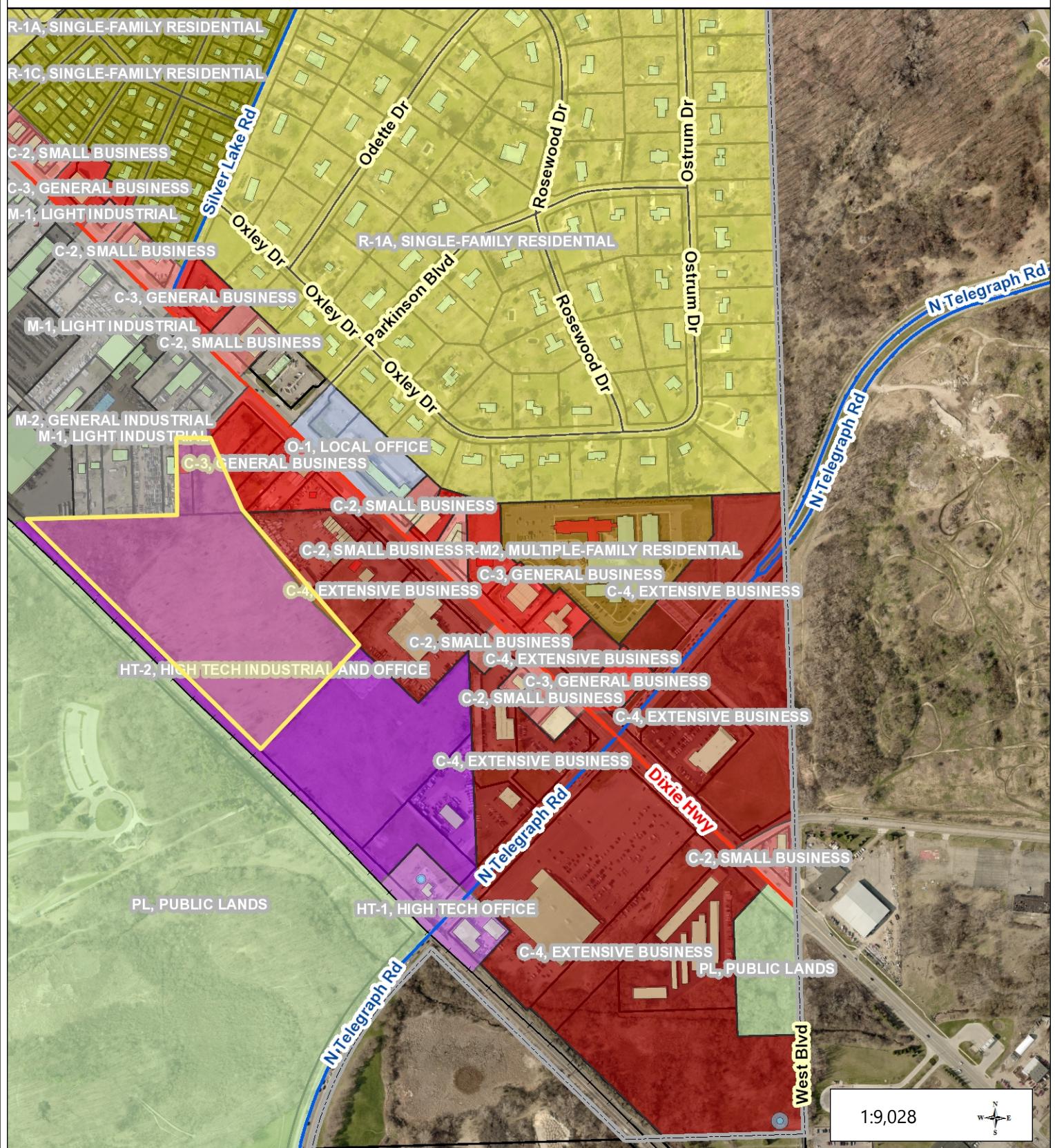
SOURCES: The Charter Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

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Rezoning #20-11-03

Zoning Plan Map



1,504.7

0

752.33

1,504.7 Feet

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

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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 _____

Case No. Assigned _____

Public Hearing Date _____

20-11-03

Applicant Name: A&J MUST & L. LC
13-12-401-001 13-0 -255-004 13-13-255-003 Old DRIVE IN movie park
 Applicant Address: _____
 Street Address _____
 City _____
 State _____
 ZIP Code _____

Applicant Contact Information: 248 867 4885 248 433 666 Almust@gmail.com
 Phone Number _____
 Fax Number _____
 Email Address ALAN H MUST @GMAIL.COM

Text Amendment _____

Property Rezoning _____

Site Address/General Location: 13-13-255-003 15% ARI

Parcel ID No.: 13-13-255-004 Total Site Acreage 1.1 Acres

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.

		NAME (Print)	ADDRESS	INTEREST	TYPE OF OWNERSHIP	SIGNATURE
1.		<u>Alan Must</u>	<u>1250 Watercliff DR</u>	<u>Blm Hills Mid 48329</u>	<u>Joint</u>	<u>Alan Must</u>
2.		<u>A.J. Must</u>	<u>2518 Pantrace DR</u>	<u>Slyne Lake 48329</u>	<u>Joint</u>	<u>A.J. Must</u>

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.

Alan Must 1250 Watercliff DR Blm Hills Mid 48329 1230 040298320

Name (Please Print)

Address

Telephone Contact

Birth Date

Drivers License #

Signature Alan Must

Subscribed and sworn to before me this 11th day of NOVEMBER, 2020

Christine Ritchie

Notary Public

State of Michigan

County of OAKLAND

My Commission Expires 3-21-2025

CHRISTINE RITCHIE
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 21, 2025
ACTING IN COUNTY OF OAKLAND

11/11/2020

The Charter Township of Waterford
5200 Civic Center Drive
Waterford, MI 48329

RE: Reversing the zoning of PID# 13-13-401-001, 13-13-255-003, 13-13-255-004

Waterford Township Planning & Commission:

This letter is to express the interest in the rezoning of parcel ID numbers: 13-13-401-001, 13-13-255-003, 13-13-255-004. We are requesting that these parcels be rezoned to their retroactive zoning of M-1; prior to its HT-2 designation. This land was purchase on the verification that it was zoned (M-1) Heavy Industrial. Years of taxes were paid on the knowing, and continued assumption, that it was zoned (M-1) Heavy Industrial. We had received no correspondence on the rezoning from M-1 to HT-2. We have also had countless offers fall through, based on, or not pursued, due of the HT-2 designation.

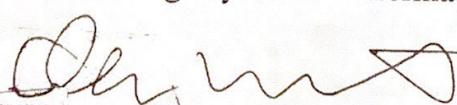
We understand the expressed interest of the Waterford Planning and Commission Board wanting to ensure a proper utilization/beautification of the area. We believe that the M-1 zoning will still allow for plan approval assurance for someone who is looking to develop, construct, operate, maintain, manage, rent and use a fully taxable business in the area.

The biggest permitted difference between the M-1 and HT-2 designation is allowing outdoor storage. Although the property abuts an industrial district and is protected by train tracks (obscured view); we still feel that rezoning of this property will command someone that is respectful in keeping the visual aspect of Waterford in a positive format from the roadway (and overall for that matter). We believe that further restricting this property from the rezone will hinder our ability to bring Waterford Township a taxable entity. We feel that it will continue the requirement of requests/application for rezoning, to the zoning board, from any interested party.

Please contact me if needing any further information.

Kind regards,

Alan H. Must, Property Owner
A&J Must Company II, LLC
1250 Water Cliff Dr
Bloomfield Hills, MI 48302



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:

Address of Subject Property

old DRIVE IN PROPERTY
3-13-255-001 13-13-255-003 13-13-255-004

Parcel I.D. Number(s)

**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 11TH
day of NOVEMBER, 2020
Christine Ritchie
Notary Public

My commission expires: 3-21-2025
State of Michigan, County of Oakland
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 21, 2025
ACTING IN COUNTY OF OAKLAND
Additional signature pages may be attached for owners
exceeding two in number.

Property Owner: Alan Most
Driver's License No.: M23040298300
Birth Date: 4-26-1939
Property Owner: W Joel Most
Driver's License No.: M230313425830
Birth Date: 10-28-1944

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:

Address of Subject Property

old DRIVE IN property
3-13-11-001 13-13-255-003 13-13-255-004

Parcel ID Number(s)

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 11TH
day of NOVEMBER, 2020
Christine Ritchie
Notary Public

My commission expires: 3-21-2025
State of Michigan, County of Oakland
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 21, 2025
ACTING IN COUNTY OF OAKLAND
Additional signature pages may be attached for owners
exceeding two in number.

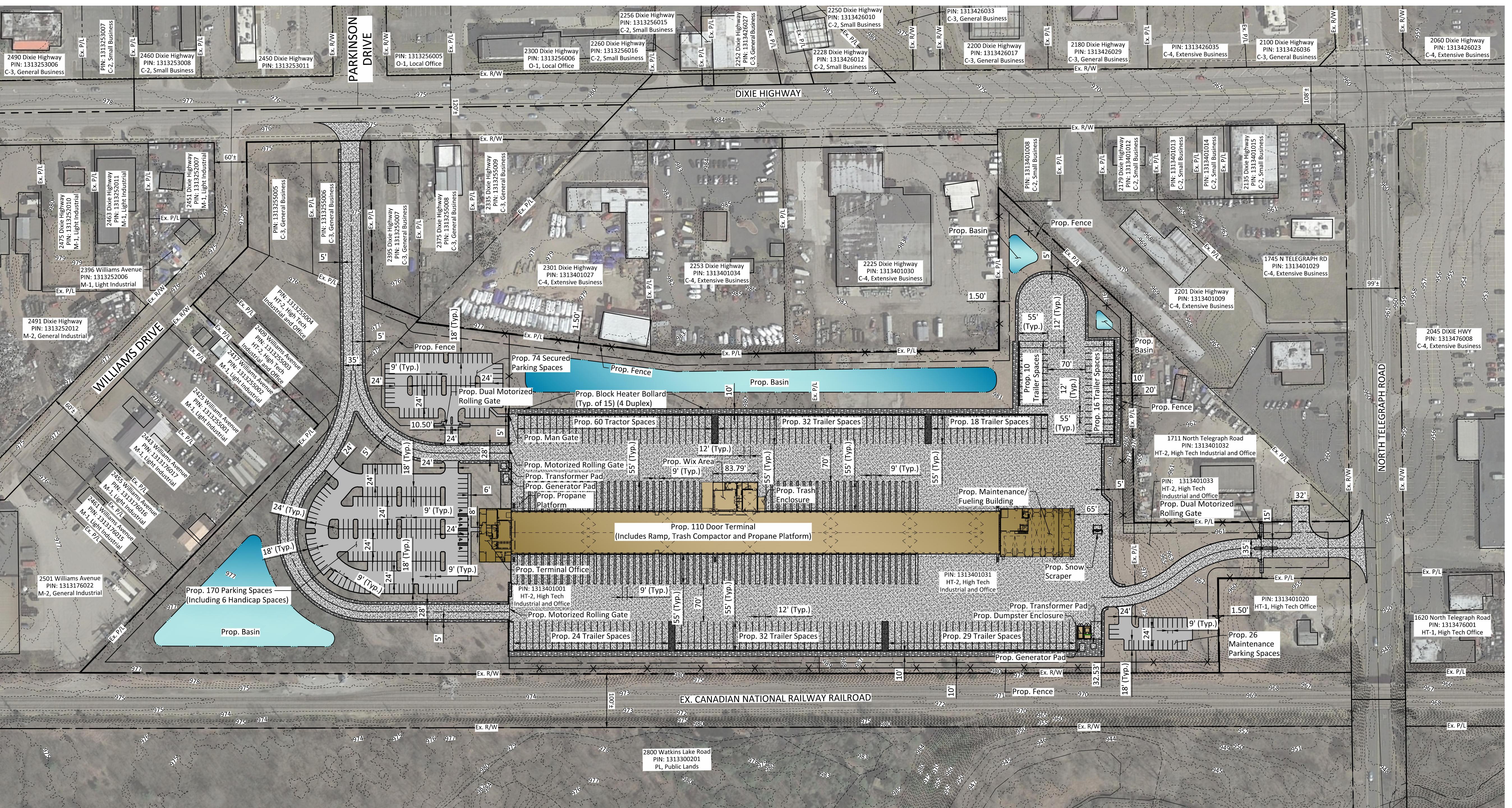
Property Owner: Alan most
Driver's License No.: M220040298320
Birth Date: 4-26-1939
Property Owner: H Joel most
Driver's License No.: M230313425830
Birth Date: 10-28-1944

030 IDEI

DAYTON FREIGHT

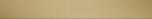
SERVICE CENTER

DIXIE HIGHWAY | WATERFORD TOWNSHIP | MICHIGAN | 48328



Dayton Freight - Waterford, MI	
Project Site Data	
December 1, 2020	
Site Address	Dixie Highway
Zoning Districts	Planned Industrial District (I-3)
Flood Insurance Rate Map (FIRM) Number	26125C0362F
Most Recent Effective Date of FIRM	September 29, 2006
Flood Zone for Development Area	Zone X
Site Area, Total	28.7± Acres
Site Data - Proposed & Future	
Proposed & Future Dock Doors (Includes Propance, Ramp & Trash)	113 Doors (110 Dock Doors)
Proposed & Future Hi-Bay Area	12,275± Square Feet
Proposed & Future Tractor Spaces	60 Spaces
Proposed & Future Trailer Spaces	161 Spaces
Proposed & Future Employee Parking	162 Spaces Including 6 Handicap Spaces
Proposed & Future Maintenance Employee Parking	26 Spaces
Proposed & Future Secured Employee Parking	74 Spaces

Legend

	Proposed Basin
	Proposed Building
	Proposed Light Duty Asphalt
	Proposed Heavy Duty Asphalt
	Proposed Concrete Walk
	Proposed H.D. Concrete Pavement
	Proposed Gravel

A graphic scale with three tick marks labeled 50, 100, and 200. The first two segments between tick marks are white, and the third segment is black. Below the scale, the text "1 inch = 100 feet" is written.

PRELIMINARY

.....

NOT TO BE USED FOR CONSTRUCTION

**PLAN SET DATE
DECEMBER 1, 2020**

CONNECT NUMBER

JECT NUMBER

2020-0818

JECT NUMBER

2020-0818

JECT NUMBER

2020-0818

SET TITLE _____

CONCEPTUAL SITE PLAN

E 1" - 100

ITEM NUMBER

ITEM NUMBER _____

88/81

CS01

65.01

CS.01

(ARTICLE III, DIVISION 3-8 *cont.*)

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:

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.
2. **Conformance to Regulatory Standards.** All zoning lots, uses, buildings, and structures within this zoning district shall comply with Sections 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. **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 Facilities in Section 1-007*).
 - G. Institutional facilities (*See Institutional Facilities in Section 1-007*).
 - H. Religious facilities (*See Religious Facilities in Section 1-007*).
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.
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.

(ARTICLE III, DIVISION 3-8 *cont.*)

SECTION 3-806. M-1, LIGHT INDUSTRIAL DISTRICT

The regulations in the subsections below shall apply to properties in the M-1 Light Industrial Zoning District:

1. **Purpose and Intent.** The M-1 zoning district is intended to implement the goals of the Light Industrial 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 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 Six, *To Ensure and Enforce Land Use Development Practices that are Sensitive to Waterford's Natural Environment*, by permitting industrial uses on zoning lots properly scaled and designed with primary access along major arterial streets and ensuring that sources of ongoing noise, heavy truck traffic, fumes, and similar characteristics are mitigated through extensive buffering and the use of authorized building materials. This zoning district is also 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.
2. **Conformance to Regulatory Standards.** All zoning lots, uses, buildings, and structures within this zoning district shall comply with **Sections 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. **Permitted Principal Uses.** The following uses shall be permitted as principal permitted uses in the M-1 district:
 - A. Building systems repair establishments and household service repair establishments (*See Commercial Service Establishments in Section 1-007*).
 - B. Commercial storage establishments (*See Commercial Storage Establishments in Section 1-007*).
 - C. Freight handling facilities (*See Freight Handling Facility in Section 1-007*).
 - D. Packing and bailing sites, recyclable materials collection facilities, and refund container recycling depots (*See Recycling Facilities in Section 1-007*).
 - E. Light equipment rental establishments and heavy equipment rental establishments (*See Rental Establishments in Section 1-007*) that are conducted within the principal building and do not utilize outdoor display and/or storage of vehicles.
 - F. New vehicle dealer establishments, used vehicle dealer establishments, and vehicle broker dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*) that are conducted within the principal building and do not utilize outdoor display and/or storage of vehicles.
 - G. Public utility facilities and public utility hardware (*See Public Utility in Section 1-007*).
4. **Permitted Uses after Wellhead Protection Compliance.** The following uses shall be permitted as principal permitted uses in the M-1 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. Commercial dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
 - C. Fueling facilities as an ancillary use (*See Use in Section 1-007*).
 - D. Propane filling facilities as an ancillary use (*See Use in Section 1-007*).
 - E. Vehicle repair facilities (*See Vehicle Repair Facilities in Section 1-007*).
 - F. Commercial agricultural processing factories, craft factories, food processing factories, and metal products 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.
 - G. On zoning lots with a net lot area exceeding one (1) acre:
 - (1) Light equipment rental establishments and heavy equipment rental establishments (*See Rental Establishments in Section 1-007*), with outdoor display and storage.
 - (2) New vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*), with outdoor display and storage.

(ARTICLE III, DIVISION 3-8, SECTION 3-806 cont.)

5. **Permitted Uses after Special Approval.** The following uses shall be permitted as special approval uses in the M-1 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. Caretaker's dwelling unit (*See Caretaker's Dwelling Unit in Section 1-007*), when located on the same zoning lot with the principal use to which it is accessory, provided that it meets all **Waterford Code of Ordinances** provisions for the structural and safety separation between the residential use and the principal use.
- B. Bulk soil resource supplies establishments (*See Commercial Bulk Vegetation and Soil Resource Establishments in Section 1-007*).
- C. 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) Industrial or laundry plant dry-cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
 - (2) Transport hauling rental establishments (*See Rental Establishments in Section 1-007*).
 - (3) Leather goods factories, paper products factories, pharmaceutical factories, textile factories, and wood products 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.
 - (4) Used vehicle parts dealer establishments (*See Vehicle Dealer Establishments in Section 1-007*).
 - (5) Distressed vehicle storage yards (*See Section 1-006*), and distressed vehicle transporter establishments (*See Vehicle Dealer Establishments in Section 1-007*) when operated in conjunction with a distressed vehicle storage yard on the same zoning lot.
 - (6) Outdoor storage as an accessory use for the uses listed in **Section 3-806.3.A** through **D**, and **Section 3-806.4.A** and **E**, 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.

STATE OF MICHIGAN
COUNTY OF OAKLAND
ORDINANCE NO. 2020-Z-003

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The parcels of property that are assigned tax parcel number 13-13-255-003, 13-13-255-004, & 13-13-401-001 are **Rezoned from HT-2, High-Tech 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 _____.

CHARTER TOWNSHIP OF WATERFORD

Date

Kim F. Markee, Township Clerk

Property Descriptions

PARCEL 13-13-255-003

IS DESCRIBED AS

T3N, R9E, SEC 13 SUPERVISOR'S PLAT NO 14 E 1/2 OF LOT 42

PARCEL 13-13-255-004

IS DESCRIBED AS

T3N, R9E, SEC 13 SUPERVISOR'S PLAT NO 14 LOT 43

PARCEL 13-13-401-001

IS DESCRIBED AS

T3N, R9E, SEC 13 PART OF S 1/2 OF SEC BEG AT PT ON E&W 1/4 LINE DIST N 89-32-00 W 467.42 FT FROM INTER WITH SLY LINE OF US-10 HWY, TH S 36-06-00 E 482.30 FT, TH S 44-07-00 E 254.75 FT, TH S 45-27-00 W 597.10 FT, TH N 43-26-00 W ALG RR R/W 1370.63 FT, TH S 89-32-00 E ALG 1/4 LINE 909.57 FT TO BEG 15.11 A W215