

## COORDINATING ZONING COMMITTEE

**Township:** Commerce  
**County Code:** 09-08  
**Section:** 25

**Consistent with the modifications to the review of township zoning proposals adopted April 22, 1982, by the Planning and Building Committee of the Oakland County Board of Commissioners, the zoning review summary sheets have been modified accordingly.**

### DESCRIPTION OF REZONING PROPOSAL

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- 1. The CZC is reviewing this case because:** The proposal borders West Bloomfield Township to the east.
- 2. A map change from:** B-1, Local Business, B-5 Highway Service Business, and I-1, Light Industrial Districts to B-3, General Business and OR, Office Research Districts with Haggerty Road Corridor Overlay.
- 3. Size:** Fifteen boundary parcels make up this rezoning request. One small parcel (Sidwell No. 17-25-476-009) at the corner of West Maple Road and Haggerty is zoned B-1. One parcel (Sidwell No. 17-25-276-010) and part of another parcel (part of Sidwell No. 17-25-426-012) are zoned B-5. All the other parcels are currently zoned I-1. The boundary parcels consist of approximately 108 acres.
- 4. Site and surrounding land use:** The proposed rezonings cover the Haggerty Road frontage from Walnut Lake Road, which is just south of Pontiac Trail, to West Maple Road. In Commerce Township, this frontage is a mixture of commercial and industrial uses with a few vacant parcels. The industrial uses are mainly between Walnut Lake Road and just south of the railroad tracks. From there to West Maple Road, the uses are commercial and include a Meijers, a gas station, a commercial strip center, and a convenience store. On the east side of Haggerty Road in West Bloomfield Township there is an industrial building, a large vacant parcel, two strip commercial centers, and a condominium development.
- 5. Permitted uses under existing zoning:** B-1, Local Business District: 1) Convenience oriented retail and service establishments provided no individual use alone on a lot, nor uses combined as in a multi-tenant building or shopping center shall exceed ten thousand (10,000) gross square feet in area. Uses can include retail food establishments; bakeries, delicatessens, and similar take-out businesses; and retail merchandise establishments, such as drug, hardware, flower, stationery, dry goods, notions, and variety stores. Restaurants, bars, and similar uses are excluded. 2) Office for medical, dental, and similar allied professions. 3) Banks and other similar financial institutions excluding drive-in facilities. 4) Personal service establishments which perform services on the premises, such as barber and beauty shops, tanning salons, dressmaker or tailor shops, self service laundries, dry cleaning establishments with the exception of dry cleaning plants, photographic reproduction, and repair shops for shoes, watches, jewelry, radios, small household appliances, and similar items but excluding repair shops for lawnmowers, large appliances, furniture, motor vehicle,

and similar items. 5) Small animal veterinary clinics provided all overnight patients are boarded within a wholly enclosed building. 6) Child care centers. 7) Accessory buildings and accessory uses customarily incidental to any of the above principal permitted uses. 8) Uses determined to be similar to the above principal permitted uses in accordance with the criteria set forth in the ordinance.

B-5, Highway Service Business District: 1) Retail sales and dispensing of automotive fuels and related products. 2) Retail sales establishments which market only convenience goods such as groceries, meats, dairy products, produce, baked goods, beverages, and automobile parts. Sales of alcoholic beverages are not permitted. 3) Motels, hotels, and transient lodging facilities (but not including travel parks) and provided that with the exception of the owner, in no instance shall occupancy exceed thirty days in any given calendar year. 4) Utility type trailer rental facilities not including the business of the storage of trailers, campers, etc. 5) Parking garages. 6) Accessory buildings and accessory uses customarily incidental to any of the above principal permitted uses. 7) Uses determined to be similar to the above principal permitted uses in accordance with the criteria set forth in the ordinance and which are not special land uses.

I-1, Light Industrial District: 1) Warehousing and wholesale establishments. 2) The manufacture, compounding, assembling, processing, packaging, or treatment of products, such as bakery goods; candy; pharmaceuticals; bone, canvas, and other previously prepared materials; or tool, die, and machine shops. 3) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas. 4) Manufacture of musical instruments, toys, novelties, and metal or rubber stamps or other small molded rubber products. 5) Manufacture or assembly of electrical appliances, electronic instruments and devices, radio and phonographs. 6) Experimental, film, or testing laboratories. 7) Manufacture and repair of electric or neon signs, light sheet metal products, including heating and ventilating equipment, cornices, eaves, and the like. 8) Utility warehouse, storage, transfer, electric and gas service buildings and yards; water supply and sewage disposal plants; water and gas tank holders. 9) Building materials storage and sales. 10) Automobile repair garages or service garages. 11) Dry cleaning plants. 12) Tennis houses, racquetball courts, ice arenas, and other similar uses involving large structures of the type which can be easily converted to industrial usage. 13) Septic service establishments. 14) Rental space for the storage of vehicles such as travel trailers, motor homes, recreational vehicles, campers, snowmobiles, boats and the like uses. 15) All Principal and Special Land Uses permitted in the B-3, General Business District. 16) Self storage mini warehouse facilities provided the entire portion of the property used for such use shall be enclosed with a fence a minimum of 8 feet in height. 17) Accessory buildings and accessory uses customarily incidental to any of the above principal permitted uses. 18) Uses determined to be similar to the above permitted uses. 19) Wireless communication antennas and their attendant facilities, provided the antenna is located on an existing wireless communication tower.

6. **Minimum lot size of existing zoning:** B-1, Local Business District (12,000 sq. ft. minimum), B-5, Highway Service Business District (one acre minimum lot size), and I-1, Light Industrial District (20,000 sq. ft. minimum).

7. **Permitted uses under proposed zoning:** B-3, General Business District: 1) Any Principal Permitted Use permitted in the B-2 District. 2) Bus passenger stations. 3) Outdoor sales events as allowed in the ordinance. 4) Car wash establishments. 5) Accessory buildings and accessory uses customarily incidental to any of the above principal permitted uses. 6) Uses determined to be similar to the above principal permitted uses in accordance with the criteria set forth in the ordinance and which are not listed as special land uses.

OR, Office Research District: 1) Laboratories, offices and other facilities for basic and applied research, experimentation, testing, product design, technology development, consulting and business development. 2) Business schools and training facilities. 3) Office buildings, providing for uses such as corporate offices in accordance with the purpose of this district, including, but not limited to any of the following occupations: executive; administrative; professional; accounting; engineering; planning; architecture; drafting; writing; clerical; stenographic; and sales provided that no display shall be visible from the exterior of the building, and that such sales shall be clearly incidental to the principal office use in the determination of the Planning Commission. 4) Data processing and computer centers, including service and maintenance of electronic data processing equipment. 5) Any use charged with the principal function of research in the area of photonics/optics, robotics, and electronic equipment. 6) A high technology service use, which has as its principal function the providing of services including computer information transfer, communication, distribution, management, processing, administrative, laboratory, experimental, developmental, technical, or testing services. 7) A high technology industrial use, which has as its principal function prototype development in limited quantities. Such uses may include but are not limited to agricultural technology; biological or pharmaceutical research; software technology; telecommunications; biomedical technology; machine flow control, fluid transfer and fluid handling technology; defense and aerospace technologies; or other technology oriented or emerging industrial or business activity. Permitted high technology industrial uses shall not include heavy manufacturing, heavy stamping operations, any manufacturing from raw unprocessed materials. 8) Research, development, engineering, and design, of high-technology equipment, including equipment involved in any high technology industrial activity, instrumentation or associated computer software. 9) Engine product research, fluid transfer and handling product research, development, engineering, design, testing, and related office, sales and administrative uses. 10) Publicly owned and operated buildings and facilities, such as fire stations. 11) Accessory structures and uses customarily incidental to the above permitted uses, subject to conditions. 12) Uses determined to be similar to the above principal permitted uses and which are not listed as special land uses

8. **Minimum lot size of proposed zoning:** B-3, General Business District (12,000 sq. ft. minimum) and OR, Office Research District (20,000 sq. ft. minimum).
9. **Zoning in Adjacent Community:** I-OP, Industrial Office Park, R-15, Single Family Residential (15,000 sq. ft. minimum), B-2, Community Business, and O-2, Office Building Districts.
10. **Local Planning Commission recommendation:** The Commerce Township Planning Commission by a 5 to 0 vote recommends approval of the proposed zoning ordinance and map amendments.

## **ANALYSIS AND RECOMMENDATION OF PLANNING AND ECONOMIC**

## DEVELOPMENT SERVICES

The Oakland County Planning and Economic Development Services Division has reviewed the request to rezone approximately fifteen boundary parcels with Haggerty Road frontage in Commerce Township, Section 25 from B-1, Local Business, B-5, Highway Service Business, and I-1, Light Industrial Districts to B-3, General Business and OR, Office Research Districts. These parcels also will be in the new Haggerty Road Corridor Overlay District. The following review looks at 1) Master Plan compliance and 2) boundary coordination. Natural resource conditions are presented for information purposes only.

**Master Plan Review:** The Commerce Township Master Plan 2011 was adopted in June 2004 and amended in November 2006. The Future Land Use map shows the rezoning area planned for General Commercial with one parcel planned for Industrial. The one parcel planned for Industrial is proposed to be rezoned to OR, Office Research District while the other parcels will be rezoned to B-3, General Commercial. The General Commercial future land use classification is intended to allow for commercial and retail uses that draw from a regional market. Therefore, the proposed rezonings are more consistent with the master plan than the current zoning of I-1, Light Industrial.

**Boundary Community Review:** The following chart shows a comparison between the existing and proposed zoning and master plan designations for Commerce Township and the existing zoning and master plan designations for West Bloomfield Township. All of the parcels except one are proposed to be rezoned to B-3, General Business District. This zoning classification is compatible with the existing zoning and master plan designations in West Bloomfield Township. In addition, both communities view Haggerty Road as an important gateway into their community and therefore have designated a Haggerty Road overlay for this portion of the roadway. In Commerce Township, the overlay will be part of the zoning regulations while in West Bloomfield it is a special designation on the master plan.

<b>Boundary Commerce Township/West Bloomfield Township</b>				
<b>Commerce Township Existing Zoning</b>	<b>Commerce Township Proposed Zoning</b>	<b>Commerce Township Master Plan</b>	<b>West Bloomfield Township Zoning</b>	<b>West Bloomfield Township Master Plan</b>
B-1, Local Business, B-5, Highway Service Bus., and I-1, Light Industrial	B-3, General Business and OR, Office Research with Haggerty Road Corridor Overlay	General Commercial and Industrial	I-OP, Industrial Office Park, R-15, Single Family (15,000 sq. ft. min.), B-2, Community Business, and O-2, Office Building	Light Industrial, Transitional/ Mixed, and Shopping Center Retail with Haggerty Road Overlay District

**Natural Resource Information:** In 2004, Michigan Natural Features Inventory (MNFI) staff conducted an inventory of high-quality, sensitive natural areas in Oakland County. The sites

identified represent the least disturbed natural areas remaining within Oakland County. The inventory identifies a number of sensitive natural areas within one mile of the proposed rezoning site. Conservation of these areas and their native plant and animal populations are vital to maintaining the County's diverse natural heritage.

**Analysis:** The map changes that are part of this rezoning request are the result of a proposed new zoning ordinance being considered for adoption by Commerce Township. The new ordinance has two major text changes that necessitate this rezoning. One change is the elimination of the B-5, Highway Service Business District. The other change relates to uses allowed in the Industrial zoning classification. Under the current I-1, Light Industrial District, uses allowed in the B-3, General Business District are allowed as Principal Permitted uses in the I-1 district. This is how the Meijers and the strip commercial center were allowed under the existing I-1 zoning. However, the newly proposed I, Industrial District does not permit commercial uses. The gas station and car wash were allowed under the B-5, Highway Service Business District as either Principal Permitted uses or Special Land uses. In order to make these commercial uses legally conforming under the new zoning ordinance, a change in zoning is needed. Along this stretch of Haggerty Road, many of the proposed rezoning parcels are already in a commercial use. By changing the zoning to B-3, General Business District, Commerce Township is more closely aligning the current uses with their correct zoning classification. One industrial parcel along this section of Haggerty Road is proposed to change to OR, Office Research District, which again aligns an existing use to a corresponding new zoning classification.

**Recommendation:** Based on Master Plan compliance and boundary coordination, Oakland County Planning and Economic Development Services staff recommends **Approval** of County Code No. 09-08, rezonings in Commerce Township from B-1, Local Business, B-5, Highway Service Business, and I-1, Light Industrial Districts to B-3, General Business and OR, Office Research Districts with Haggerty Road Corridor Overlay in Section 25.