

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION MINUTES
NOVEMBER 14, 2012**

Chairperson Thompson called the meeting to order at 7:30 p.m. Present: Johnson, Boynton, McKenna, Budd, Guenther and Thompson. Excused: Kelley. Staff Present: Director Carroll and Secretary Harman. McKenna Associate present: Sally Hodges. Wade Trim Associate present: David Nummer. There were 8 people in the audience.

APPROVAL OF AGENDA:

Motion McKenna, Boynton second to approve the agenda of November 14, 2012 as amended with removal of Item #1 under Public Hearings. Motion carried.

MINUTES:

Motion Johnson, Boynton second to approve the minutes of October 24, 2012 with a spelling correction noted in the title of Unfinished Business, Item # 1. Motion carried.

PUBLIC HEARINGS:

**ITEM #2 CASE # 12-005 SPR & SPU
TITLE: THE APPLICANT MCDONALDS USA, LLC IS REQUESTING SPECIAL USE APPROVAL TO CONSTRUCT AND OPERATE A DRIVE-IN RESTAURANT AS REGULATED BY ARTICLE XIII C-2, GENERAL BUSINESS, AND SECTION 13.02 (a) OF THE TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.**

LOCATION: THIS PROPERTY IS LOCATED ON THE EAST SIDE OF RAWSONVILLE ROAD, BETWEEN SOUTH I-94 SERVICE DRIVE AND WEST HURON RIVER DRIVE.

Motion Boynton, McKenna second to open the public hearing. Motion Carried.

Director Carroll gave a brief presentation in the applicant's absence. The applicant desires to continue operation as a drive-in restaurant and is requesting special use approval to construct a side by side drive-in, much like Belleville Road McDonald's request. Parking, striping and landscaping will also be upgraded in the plans. Chairperson Thompson inquired if the special use request was specific to the drive-in. Hodges of McKenna Associates noted the request was specific to the drive-in and the site was substantially updated and reconstructed in the 1990's.

No comments from the audience.

Motion Boynton, Johnson second to close the public hearing. Motion Carried.

OLD BUSINESS:

**ITEM #1 CASE # 11-004 SPR & SPR
TITLE: BELLE TIRE FOR SITE PLAN AMENDMENT TO CONSTRUCT AND OPERATE A COMMERCIAL GARAGE AS REGULATED BY ARTICLE XXII C-1 GENERAL BUSINESS AND SECTION 12.03 OF THE TOWNSHIP ZONING ORDINANCE.**

LOCATION: PARCEL NUMBERS V125-83-059-01-0018-000 AND V125-83-059-01-0019-000 ALSO KNOWN AS 10595 BELLEVILLE ROAD, AN APPROXIMATELY ONE AND THREE QUARTER (1.725) ACRE SITE. THIS SITE IS LOCATED ON THE EAST SIDE OF BELLEVILLE ROAD, BETWEEN NORTH I-94 SERVICE DRIVE AND TYLER ROAD.

Director Carroll noted that in the past several meetings there have been issues with Wayne County in regards to stormwater drainage. Wayne County completely changed the stormwater detention pond in the plan and the contractor began work without relaying the information back to the township. The applicant has stopped work and designed the changes required by the County.

The applicant Chris Enright noted that the detention pond was expanded from a ten year event pond to a one hundred year event detention pond to detain the water in the pond instead of releasing it into the right-of-way. Due to the loss of pavement area and the increased size of the pond, the delivery area in the back of the building had to be designated as a one-way area. Chairperson Thompson inquired if this change affects the cross access easement, no it does not.

David Nummer of Wade Trim Associates discussed the stormwater design at the site. The eastern edge of the property has a natural low point. The site is less than five acres with a pond volume designed to hold a ten year storm. An overflow was built with an oversized pipe to the right-of-way due to low volume with the ten year storm pond. One pump would pump at the maximum to allow discharge and a second pump would eliminate flooding. The main change to the plan was the elimination of the overflow and the pipe was downsized. Wayne County's concern was to make sure the roadway is safe and they did not allow discharging of extra water. Safeguards had to be built in so the pond was redesigned to a one hundred year volume with a pump station that pumps at a ten year flow rate. That was the only way to get the industry standard. Chairperson Thompson inquired what size the pipe is and if the emergency system was maintained. The emergency system is still part of the plan and the pipe is eighteen inches. Commissioner Johnson inquired if the County is happy with the plan now. The applicant noted that the County is. Commissioner Guenther's property abuts the project and he is satisfied with the drainage and asked to abstain from the vote on this matter.

Sally Hodges of McKenna Associates review letter dated 11-13-12 recommends the Planning Commission approve the amended site plan with the following conditions:

1. A "Do Not Enter" sign must be posted at the southeast corner of the building to prohibit northbound traffic from the rear of the building.
2. The revisions to the cross-access easement requested at the time of Final Site Plan approval, as well as any revisions requested by the Township Attorney, must be completed and the cross-access easement must be recorded prior to issuance of a certificate of occupancy.

Not in the recommendation letter was the detail for fence around the detention pond. This was approved with the final site plan and will be attached to the new plan. Cross access easement documents have been put together.

Resident inquired about the difference between a ten year storm versus a hundred year storm and if it could be described in rainfall. David Nummer of Wade Trim explained the storm definition changes by location. A hundred year storm is generally 3.9 inches of rainfall in twenty-four hours and typically ponds on more than five acres are under a one hundred year storm requirement. Resident also inquired if there is something that can be done between the county and the township in terms of the differences in drain/stormwater requirements. Commissioner Budd noted that the county has their own ordinance to follow and does not believe anything can be done to change their stipulations.

Motion McKenna, Boynton second to approve the amended site plan with the following conditions: 1. The "Do Not Enter" sign posted at the southeast corner of the building, 2. The cross access easement requested at the time of final site approval and the cross access easement recorded prior to issuance of a certificate of occupancy, 3. The design detail of a six foot wrought iron decorative fence.

Roll Call:

YEAS: Johnson, Boynton, McKenna, Budd, and Thompson.

NAYS: None.

ABSENT: Kelley.

ABSTAIN: Guenther.

Motion Carried.

NEW BUSINESS:

ITEM #1 CASE # THE APPLICANT, JAY HAMMOUD, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL TO REMODEL AND OPERATE A GAS STATION AT A LOCATION PREVIOUSLY USED FOR THIS PURPOSE.

TITLE: PARCEL NUMBER V125-83-059-01-0011-001 ALSO KNOWN AS 10445 BELLEVILLE ROAD. THE PROPERTY IS LOCATED ON THE EAST SIDE OF BELLEVILLE ROAD, NORTH OF THE I-94 SERVICE DRIVE.

Presentation given for the applicant by architect Adnan Al-Saati. The owner of the existing gas station would like to reoccupy the site with interior and landscape improvements and is working to comply with the township ordinance.

Sally Hodges of McKenna Associates noted that this is an existing site and use is permitted in the C-2 district. The applicant is removing the vehicle service bays to use for additional convenience store space. The applicant will do his part with a cross access easement agreement with the adjoining CVS property. The exterior will be red brick with sandstone accents. The applicant proposes to utilize the non-conforming pole sign currently on the site due to limited space; a monument sign would block traffic view. No other signs or canopy have been requested. Dimensions for the expanded pole sign need to be submitted.

Sally Hodges of McKenna Associates review letter dated 11-5-12 recommends the Commission grant Preliminary Site Plan Approval, subject to the following conditions:

1. The applicant must address site circulation to the satisfaction of the Planning Commission.
2. Samples of the proposed façade materials must be presented for Planning Commission approval.
3. Compliance with the landscaping.
4. Compliance with signage.
5. The applicant must provide evidence of all required State permits and approvals for the storage, disposal and transfer of gasoline, including the size, construction, overflow protection and proposed use of the existing underground storage tanks.
6. Cross access easement documents must be provided for the review and approval of the Township Attorney prior to final site plan approval, and recorded prior to the Township granting a certificate of occupancy.

Chairperson Thompson asked to see a circulation plan. The applicant explained the circulation pattern to Commissioners and the audience utilizing the two approaches on Belleville Road. Hodges noted when using the site there is more space than what shows. Chairperson Thompson inquired about delivery access. The applicant noted that all deliveries will use the N. I-94 Service Drive approach. Hodges noted the applicant made improvements to circulation by moving the curb back towards the sidewalk and removed parallel parking. Chairperson Thompson inquired if the signage for not having delivery trucks should include RV's. Nummer of Wade Trim noted the RV sign was not needed. Commissioner Johnson inquired if there is an entrance to the store on the south. No, the entrance is on the west side of the building.

Resident inquired if this was the same owner or if the property had been leased out and how the flag at the site will be handled. Hodges noted that the flag will be held to the same standards as Belle Tire. The applicant informed the Commission and audience that this is a different owner.

Director Carroll noted that the monument sign was proposed but was in the view zone and it was better to use the non-conforming sign. Hodges noted that this is a tight site and there were very few options. Commissioner Johnson inquired if it had been determined whether the tanks are compliant and of age. Director Carroll noted the applicant has made sure of that with corporate.

No further comments from the Commission or the audience.

Motion Boynton, Budd second to grant preliminary site plan approval and modifications at parcel number V125-83-059-01-0011-001 also known as 10445 Belleville Road subject to the recommendations in the McKenna Associates letter dated 11-5-12 also to include restriction on the size of the flag. Motion Carried.

GENERAL DISCUSSION:

Director Carroll informed Commissioners he will be sending an email out to get the PRD Sub-Committee together.

Resident inquired about the possibility of signs with a changeable canopy or a canopy with an electronic copy. Commissioner Thompson noted that the Commission has never had a request for such a type of canopy. Hodges of McKenna Associates will look into the matter further.

Commissioner Boynton recommended all Commission members take advantage of attending seminars.

Motion Boynton, McKenna second to adjourn at 8:35 p.m.

Motion carried.

Respectfully Submitted,

Christina Harman,
Recording Secretary