

CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, March 9, 2016 – 7:30 PM
Board of Trustees Room

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1. Approval of minutes from the regular meeting of January 27th, 2016.

CORRESPONDENCE:

PUBLIC HEARING:

ITEM #1: Medical Marijuana Ordinance Amendment

TITLE: Consider amending the text of the Van Buren Charter Township Zoning Ordinance No. 6-2-92 by adding a new subsection 16.03.i in the M-2 General Industrial District, Permitted Uses After Special Approval providing for the regulation, location and operation of medical marihuana cultivation facilities.

- A. Open Public Hearing
- B. Public Comment
- C. Close Public Hearing
- D. Planning Commission discussion.

UNFINISHED BUSINESS:

ITEM #1: Update on Lakeshore Ordinance

NEW BUSINESS:

ITEM #1: 16-004 - Temporary Land Use

TITLE: The applicant, Phantom of Michigan, is requesting final approval to hold "tent" sales of retail goods beyond the seven consecutive days allowed as-a-right in the zoning ordinance for temporary land use under section 4.44 of Township zoning ordinance 06-02-92, as amended.

LOCATION: This site is located in the Lakewood Shopping Plaza at 2095 Rawsonville Road. The subject location is on the eastside of Rawsonville road, south of the I-94 Service Drive.

- A. Presentation by the applicant.
- B. Presentation by Township Staff.
- C. Planning Commission discussion.
- D. Planning Commission considers action on Final Approval.

ITEM #2: 14-022 - Town Place Suites

TITLE: The applicant, Belleville Development, Inc., is requesting Preliminary Site Plan Approval to construct a hotel and site improvements as required in section 12.02 of the Zoning Ordinance 06-02-92, as amended.

LOCATION: Parcel numbers V-125-83-064-99-0002-002, also known as 11105 Quirk Road, and V-125-83-064-99-0002-003, which is vacant, are the two (2) subject parcels of this project. Parcel V-125-83-064-99-0002-002 measures approximately 7.421 acres and Parcel V-125-83-064-99-0002-003 measures approximately 3.895 acres. These parcels are located northeast of the intersection of Quirk Road and N. I-94 Service Drive.

- A. Presentation by the applicant.
- B. Presentation by the Township staff.
- C. Planning Commission discussion.
- D. Planning Commission considers approval of Preliminary Site Plan

GENERAL DISCUSSION:

ADJOURNMENT

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
JANUARY 27, 2016
MINUTES - Draft**

Chairperson Thompson called the meeting to order at 7:31 p.m.

ROLL CALL:

Present: Kelley, McKenna, Budd, Boynton, Jackson and Thompson.

Excused: Franzoi.

Staff: Deputy Director Best and Secretary Harman.

Planning Representatives: McKenna Associate, Patrick Sloan.

Audience: Five (5).

APPROVAL OF AGENDA:

Motion Boynton, Kelley second to approve the agenda of January 27, 2016 as presented. Motion Carried.

APPROVAL OF MINUTES:

Motion Kelley, Boynton second to approve the special meeting minutes from December 2, 2015 and regular meeting minutes from December 9, 2015 as presented. Motion Carried.

CORRESPONDENCE: None.

NEW BUSINESS:

ITEM # 1 15-014 Site Plan Amendment

TITLE: THE APPLICANT, TRILOGY RESIDENCES, LLC, IS REQUESTING AN AMENDMENT TO THEIR APPROVED SITE PLAN FOR THE CONSTRUCTION OF A CLUBHOUSE AND SWIMMING POOL IN THE SAME AREA. THE PROPOSED CLUBHOUSE AND SWIMMING POOL, WHICH ARE ACCESSARY TO THE EXISTING APARTMENT HOUSES, ARE SPECIAL LAND USES IN THE RM, MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT. A SPECIAL LAND USE PERMIT FOR THIS PROJECT WAS APPROVED BY THE TOWNSHIP BOARD OF TRUSTEES ON OCTOBER 20, 2015.

LOCATION: PARCEL TAX ID NUMBER V-125-83-056-99-0019-001, ALSO KNOWN AS 41500 BELLRIDGE BOULEVARD, IS THE SUBJECT OF THIS HEARING. THE SITE IS LOCATED ON THE WEST SITE OF INDEPENDENCE LANE, NORTH OF THE I-94 SERVICE DRIVE.

Deputy Director Best discussed the site plan amendments requested by the applicant that are to reduce the size of the swimming pool by almost half the size, change the shape of the hot tub from round to square and an addition of 2 feet to the size of the storage shed.

The applicant expressed the smaller size to the pool to be more manageable and the need for additional storage space by increasing the storage shed size.

No comments from the commission or the audience.

Motion Kelley, Budd second to approve the amendment of the site plan to allow a smaller pool (1,200 sq. ft.), square shaped hot tub and add two (2) feet added to the storage shed, site located at 41500 Belleridge Boulevard referencing Director Akers review letter dated 1-22-16. Motion Carried. (Letter attached)

ITEM # 2 MEDICAL MARIHUANA ZONING ORDINANCE AMENDMENT

Patrick Sloan of McKenna Associates discussed the purpose of the medical marihuana moratorium, the subcommittee work involved, a tour of a dispensary in Ypsilanti and the medical marihuana zoning ordinance amendment presented in his review letter dated 1-22-16 recommending the Planning Commission schedule a public hearing for February 24, 2016.

Commissioners discussed the application process for growers/dispensaries, the tour of the Ypsilanti dispensary, how often dispensaries are inspected, the officer's relationship with the caregivers and facility appearance.

A public hearing for medical marihuana ordinance will be scheduled for the first Planning Commission meeting in March.

ITEM # 3 YEAR END REPORT

Deputy Director Best presented the Year End Report prepared by Director Akers for the commissions review and approval.

No comments from the Commission or the audience.

Motion Boynton, Kelley second to accept, approve and file the Year End Report prepared by staff. Motion Carried.

ITEM # 4 PUBLIC OUTREACH AND TIME TABLE FOR LAKE SHORE ZONING ORDINANCE AMENDMENT

Deputy Director Best discussed the schedule for the Lakeshore Ordinance outreach to the public:
Lakeshore Ordinance Public Informational Meeting – February 17th, 2016 at 7:00 p.m.
Lakeshore Ordinance Open House – February 22nd and 23rd, 2016 from 12:00 p.m. – 4:00 p.m.
Lakeshore Ordinance One on One Informational Meetings – February 22nd and 23rd, 2016 from 6:00 p.m. – 9:00 p.m.
Lakeshore Ordinance Public Hearing at the Planning Commission – February 24th, 2016 at 7:30 p.m.

Director McCracken will air the Lakeshore Ordinance PowerPoint presentation on VBT12 and the paper of record will have the Lakeshore Ordinance outreach schedule published.

GENERAL DISCUSSION:

Chairperson Thompson announced Commissioner McKenna is stepping down from the Planning Commission. Commissioners commended McKenna for his many years of service and for being an asset to the Planning Commission. Commissioner McKenna will be serving as an alternate to the Board of Zoning Appeals and Commissioner Kelley is stepping in to serve as the Planning Commission representative to the Board of Zoning Appeals.

Motion Boynton, McKenna second to adjourn at 8:26 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

March 3, 2016

Planning Commission
Charter Township of Van Buren
46425 Tyler Road
Belleville, MI 48111

Subject: Proposed Zoning Ordinance Amendment (Medical Marihuana Cultivation Facilities)

Dear Commissioners:

At the January 27, 2016 Planning Commission meeting, we discussed the proposed amendments to the Charter Township of Van Buren Zoning Ordinance that would permit Medical Marihuana Cultivation Facilities as Special Land Uses in the M-2 (General Industrial) zoning district. After discussion, the Planning Commission scheduled a public hearing on the proposed Zoning Ordinance amendments for Wednesday, March 9, 2016 at 7:30p.m.

PURPOSE AND SUMMARY OF PROPOSED ZONING ORDINANCE AMENDMENTS

Van Buren Township currently has a moratorium on medical marihuana establishments until April 7, 2016. The purpose of the current moratorium is to allow the Township time to study this topic and, if necessary, prepare ordinance amendments. The Township's work in this endeavor is summarized in our previous letter on this matter, dated January 22, 2016.

The proposed regulations for Medical Marihuana Cultivation Facilities include the following:

- Requiring all marihuana growing and other activities to be conducted indoors only, including prohibiting outdoor storage.
- Prohibiting drive-through uses.
- A minimum 1,000-foot setback from religious institutions, public parks, residential zoning districts, residential land uses, child care facilities, and educational facilities. An analysis of the Township Zoning Map indicates approximately 7 or 8 M-2 areas that meet these setback requirements.
- Prohibiting on-site transfer, consumption, or retail sales.
- Limiting the number of caregivers per facility to six (6) and requiring separate growing areas for each caregiver.
- Additional requirements for security, access, parking, inspections, waste disposal, and enforcement.

PROSPECTIVE CHANGES TO STATE LAW

There are currently three (3) bills related to medical marihuana that were passed by the State House of Representatives last fall. In our discussions with the Van Buren Township Public Safety Director and Deputy Director, it is the understanding of law enforcement organizations throughout the state that these bills may be passed and signed into law this year. At this time, the Legislature is obtaining feedback from Police Chiefs, County Sheriffs, the Michigan Townships Association (MTA), and the Michigan Municipal League (MML) before taking additional action on these bills.

One of the House bills, House Bill 4209, includes provisions for medical marijuana uses and municipal regulation. HB 4209 permits a municipality to allow any of the 5 uses authorized in the bill (Grower, Processor, Secure Transporter, Provisioning Center, and Safety Compliance Facility). The "Grower" use is similar to the "Cultivation Facility" use in the proposed Zoning Ordinance amendments, though the following differences between the two uses are the most notable:

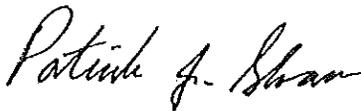
1. In HB 4209, the lowest Class of Grower is a Class A Grower, which allows 500 plants (Class B Growers can have up to 1,000 plants and Class C Growers can have up to 1,500 plants). The allowable quantity for a Class A Grower is similar to a Cultivation Facility with 7 caregivers (i.e., 7 caregivers x 72 plants = 504 plants). The proposed Zoning Ordinance amendment limits the number of caregivers/units to 6 in a Cultivation Facility, so the size would be comparable between a Cultivation Facility and a Class A Grower.
2. In HB 4209, a Grower is prohibited from being a Licensed Caregiver. This prohibition would be contrary to the proposed Zoning Ordinance amendments, where the grower in a Cultivation Facility is required to be a Caregiver. If HB 4209 and the proposed Zoning Ordinance amendments are both adopted in their current forms, the Zoning Ordinance can later be amended to make Cultivation Facilities compliant with State Law. Because it is still not known if HB 4209 will be adopted in its current form, if at all, we recommend that the Township proceed with consideration of the proposed Zoning Ordinance amendments and continue to monitor prospective changes to State Law.

RECOMMENDATION

If there are no significant changes to the proposed Zoning Ordinance amendments after the March 9th public hearing, we recommend placing the proposed amendments on the March 23, 2016 Planning Commission agenda for a recommendation to the Township Board of Trustees.

Respectfully submitted,

McKENNA ASSOCIATES



Patrick J. Sloan, AICP
Principal Planner

January 22, 2016

Planning Commission
Charter Township of Van Buren
46425 Tyler Road
Belleville, MI 48111

Subject: Proposed Zoning Ordinance Amendment (Medical Marihuana Cultivation Facilities)

Dear Commissioners:

Enclosed for your review are proposed amendments to the Charter Township of Van Buren Zoning Ordinance for Medical Marihuana Cultivation Facilities. Van Buren Township currently has a moratorium on medical marihuana establishments until April 7, 2016. The purpose of the current moratorium is to allow the Township time to study this topic and, if necessary, prepare ordinance amendments. Since the original moratorium was adopted by the Board of Trustees in April 2015, the Planning Commission assigned a subcommittee to address this issue. The subcommittee met on May 14, 2015, June 18, 2015, July 20, 2015, September 17, 2015, and December 17, 2015, and has studied several aspects of how to proceed on this matter. These included:

- Reviewing zoning and general ordinance regulations from other communities (City of Ypsilanti, Commerce Township, and City of Wayne).
- Considering zoning districts, development standards, setbacks, safety, on-site and off-site impacts, size limitations, and other related aspects.
- Touring a cultivation facility and dispensary in the City of Ypsilanti on July 20, 2015. This tour was arranged by the Ypsilanti Police Department, with the cooperation of the owners of the cultivation facility and dispensary. Representatives of Van Buren Township included subcommittee members, David Greco (Township Attorney), representatives of the Van Buren Township Public Safety Department, and me. We were escorted on this tour by the Ypsilanti Police Department.

Based on our analysis of these issues, we prepared the draft Zoning Ordinance amendment to regulate Medical Marihuana Cultivation Facilities and permit them as Special Land Uses in the M-2 (General Industrial) zoning district. Mr. Greco reviewed a prior version of the proposed Zoning Ordinance amendment, and the enclosed version includes revisions made by Mr. Greco. The proposed regulations for medical marihuana cultivation facilities include the following:

- Requiring all marihuana growing and other activities to be conducted indoors only, including prohibiting outdoor storage.
- Prohibiting drive-through uses.
- A minimum 1,000-foot setback from religious institutions, public parks, residential zoning districts, residential land uses, child care facilities, and educational facilities. An analysis of the Township Zoning Map indicates approximately 7 or 8 M-2 areas that meet these setback requirements.
- Prohibiting on-site transfer, consumption, or retail sales.

- Limiting the number of caregivers per facility to six (6) and requiring separate growing areas for each caregiver.
- Additional requirements for security, access, parking, inspections, waste disposal, and enforcement.

Based on our discussions with the subcommittee and our analysis of the above, we do not propose permitting dispensaries at this time. However, if there are changes to State Law or new case law on this matter, we will recommend revisiting dispensary regulations at that time.

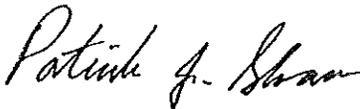
Concurrent with the Zoning Ordinance amendment is a proposed Registration Ordinance for Medical Marijuana Cultivation Facilities. A final version of the proposed Registration Ordinance has not yet been completed. The purpose of the Registration Ordinance, which will be administered by the Public Safety Department, will be to address public safety issues the Township may have and require operators to register with the Township Public Safety Department. The proposed Registration Ordinance will be a general ordinance that will not require Planning Commission review, though the Township Board may seek input from the Planning Commission on the proposed Registration Ordinance.

RECOMMENDATION

If the Planning Commission is satisfied with the level of detail of the proposed Zoning Ordinance amendment, we recommend scheduling a public hearing for **February 24, 2016**. The public hearing will be an opportunity for members of the public to review the proposed Zoning Ordinance amendments, ask questions, and provide comment.

Respectfully submitted,

McKENNA ASSOCIATES



Patrick J. Sloan, AICP
Principal Planner

**CHARTER TOWNSHIP OF VAN BUREN
COUNTY OF WAYNE, STATE OF MICHIGAN
ORDINANCE NO. _____**

AN ORDINANCE TO AMEND THE ZONING ORDINANCE 6-2-92 AS AMENDED OF THE CHARTER TOWNSHIP OF VAN BUREN TO PROVIDE FOR REGULATIONS GOVERNING MEDICAL MARIHUANA WITHIN THE TOWNSHIP:

THE CHARTER TOWNSHIP OF VAN BUREN ORDAINS:

SECTION 1 – ORDINANCE AMENDMENT

Pursuant to this Ordinance, there shall be created in the Charter Township of Van Buren Zoning Ordinance a new subsection 16.03.i. in the M-2 General Industrial District, Permitted Uses After Special Approval providing for the regulation, location and operation of medical marihuana cultivation facilities, upon the effective date of this Amendment:

(i) Medical Marihuana Cultivation Facilities

1. Purpose.

- a. It is the intent of this section to provide reasonable conditions for the cultivation of marihuana allowed by the Michigan Medical Marihuana Act, MCL 333.26421 et seq, as amended (MMMA). Due to conflicts between the federal Controlled Substances Act and the MMMA, the cultivation of medical marihuana is a specialized land use with ramifications that need to be addressed by a local ordinance. Although some specific uses of marihuana may not be prosecuted according to the MMMA, marihuana continues to be classified as a Schedule 1 controlled substance under federal law making it unlawful under federal law to use, manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense marihuana. Due to its conflicting legal status, such businesses are generally not funded, financed or supported by banks and similar financial institutions as other federally lawful enterprises may be. As a consequence, medical marihuana enterprises are primarily cash-based operations, making them targets for crime and theft. The regulations set forth herein are intended to take into account these issues and thereby take steps to protect public safety and welfare of the community at large.
- b. It is further the intent of this section to protect the health, safety, and general welfare of persons and property by limiting land uses related to marihuana cultivation to the district that is most compatible with this use. Additional regulations in this section are intended to provide reasonable restrictions within a zoning district so that this use does not compromise the health, safety, and general welfare of persons in the district, or other uses allowed in the district.
- c. While the MMMA generally allows a primary caregiver to grow medical marihuana on his/her own property in accordance with the Act, there are negative impacts and circumstances that could be deemed a nuisance including, but not limited to, the inadequacy of the property or home for safe growing of medical marihuana, and noxious odors from medical marihuana plants and growing that impact neighboring residents in

violation of Township ordinances. Therefore, providing for and regulating medical marihuana cultivation facilities allows primary caregivers to cultivate medical marihuana at a non-residential facility that is better-suited for such use.

2. **Medical Marihuana Definitions.** Some of the words and phrases defined below are also defined in the MMMA, MCL 333.26421 et seq, as amended. If the definition of a word or phrase set forth below conflicts with the definition in the MMMA or if a term is not defined below but is defined in the MMMA, then the definition in the MMMA shall apply. The words and phrases below are defined as follows:
 - a. **Marihuana:** That term as defined in Section 7106 of the Public Health Code, 1978 PA 368, MCL 333.7106, as amended.
 - b. **Medical Use:** The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer, or transportation of marihuana or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.
 - c. **Primary Caregiver:** A person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana and who has never been convicted of a felony involving illegal drugs.
 - d. **Qualifying Patient:** A person who has been diagnosed by a physician as having a debilitating medical condition.
 - e. **Registry Identification Card:** A document issued by the Michigan State Department of Community Health that identifies a person as a registered qualifying patient or registered primary caregiver.
 - f. **Medical Marihuana Cultivation Facility ("Cultivation Facility"):** A building other than the personal residence of a primary caregiver where one or more primary caregivers are growing medical marihuana in compliance with the MMMA. A medical marihuana cultivation facility may also be referred to as growing facility. A "medical marihuana cultivation facility" shall not include a primary caregiver or a qualifying patient growing medical marihuana at his/her personal residence in accordance with the Michigan Medical Marihuana Act and all applicable Township ordinances including, but not limited to, ordinances prohibiting noxious odors.
 - g. **Medical Marihuana Dispensary ("Dispensary"):** A building, part of a building, a facility, a club or other set-up where primary caregivers who are legally registered by the Michigan Department of Community Health (MDCH) may lawfully assist qualifying patients to whom the primary caregiver is connected through the state registration process and who are also legally registered by the MDCH with the medical use of marihuana in accordance with the Michigan Medical Marihuana Act, as amended. A "dispensary" shall not include a primary

caregiver assisting a qualifying patient with whom he/she is connected through the Michigan Department of Community Health's registration process with the medical use of marihuana in the qualifying patient's residence in accordance with the Michigan Medical Marihuana Act.

- h. **Plant:** Any marihuana plant with not more than one readily observable root formation.
 - i. **Unit:** A portion of a building that is separate from the remainder of the building by a fireproof wall, and accessible only through an exterior door.
3. **Medical Marihuana Dispensaries Prohibited.** Medical marihuana dispensaries are prohibited in all districts.
4. **Special Site Design and Use Standards.**
- a. **Indoor Growing.** The growing of medical marihuana at a cultivation facility shall be indoors only and shall not be visible from any point outside the medical marihuana cultivation facility.
 - b. **Drive-Through Prohibited.** The medical marihuana cultivation facility shall not be permitted to have drive-through facilities.
 - c. **Setback From Protected Areas.** The lot lines of a cultivation facility shall be no less than one thousand (1,000) feet from the nearest lot lines of the following: a religious institution, a public park, a residential zoning district, a residential land use, a child care facility, a public or private educational facility including but not limited to pre-schools, nurseries, elementary, secondary and high schools. The setback distance shall be measured as a straight line from the nearest points of the lot lines.
 - d. **Maximum Number of Cultivation Facility Buildings Per Lot.** There shall be not more than one (1) building housing a medical marihuana cultivation facility per lot.
 - e. **Setback From Other Cultivation Facilities.** The lot lines of a cultivation facility shall be at least one thousand (1,000) feet from the lot lines of another cultivation facility, as measured from the edges of the property on which the use is located.
 - f. **State and Local Licensing.** Medical marihuana cultivation facilities shall comply with all applicable state and local licensing regulations. Initial and annual proof of such compliance shall be a condition of special land use approval.
 - g. **On-Site Consumption Prohibited.** No smoking, inhalation, or other consumption of marihuana shall take place on the premises of a medical marihuana cultivation facility.
 - h. **On-Site Transfer Prohibited.** Any person-to-person transfer of marihuana is prohibited at a cultivation facility. All transfers of medical marihuana between persons shall take place off-site only and in accordance with the MMMA and this Ordinance.
 - i. **Retail Sales Prohibited.** Retail sales, including sales of products customarily incidental to the use of medical marihuana, is prohibited at medical marihuana cultivation facilities.

- j. **Indoor Activities Only.** All activities of medical marihuana cultivation facilities shall be conducted indoors.
 - k. **Outdoor Storage Prohibited.** Outdoor storage is prohibited.
 - l. **State and Local Compliance.** Medical marihuana cultivation facilities shall comply with all applicable provisions of this Ordinance, all other Township ordinances, regulations, and codes, and the MMMA. This section preempts any other section of this Ordinance when there is a conflict between this section and another section. This section does not preempt the Michigan Medical Marihuana Act.
 - m. **Maximum Units and Maximum Plants Per Unit.** The maximum number of individual plants permitted within a single unit shall not exceed seventy-two (72) plants, and there shall be no more than six (6) primary caregivers or units in any building housing a medical marihuana cultivation facility.
 - n. **Security.** A security system shall be installed in each unit of a medical marihuana cultivation facility which shall include monitoring cameras with audio capability which are operating continuously. Recordings and data from the security system shall be kept a minimum of three hundred and sixty five (365) days. The recordings shall be made available to law enforcement pursuant to a lawfully issued subpoena or search warrant.
 - o. **Odors.** Odors generated by the medical marihuana cultivation facility shall be contained within the building or the portion of building used by the medical marihuana cultivation facility. The primary caregiver's proposed method of addressing odors generated through use of air filters or air scrubbers must be demonstrated and found to be satisfactory to the Township.
 - p. **Access to Minors Prohibited.** No minors under the age of eighteen (18) are permitted on the site.
 - q. **Limited Accessibility to the Site.** The medical marihuana cultivation facility shall not be accessible to anyone but the primary caregiver lawfully growing medical marihuana in the cultivation facility and lawful visitors to the site, which include contractors working on the site and representatives of the Township administering or enforcing an ordinance or law.
 - r. **Parking.** Off-street parking shall be provided consistent with that of "Industrial Establishments, Assembly, Processing" set forth in Section 6.01.E.1 of Off-Street Parking Requirements of this Ordinance.
5. **Access & Identification.** Each primary caregiver growing medical marihuana in a medical marihuana cultivation facility shall assign an identifying number to each qualifying patient for whom that primary caregiver intends to grow and cultivate medical marihuana including the primary caregiver if the primary caregiver is also a qualifying patient. The primary caregiver shall keep a list identifying the registry identification card of the qualifying patient to whom a number is assigned which shall be made available to law enforcement pursuant to a lawfully issued subpoena or search warrant.

- a. **Separate Grow Areas.** The primary caregiver shall keep the marihuana plants grown for each qualifying patient of the primary caregiver separate from the marihuana plants grown for any other qualifying patient. Each qualifying patient's plants shall be kept in a separate enclosed locked facility to which only the primary caregiver has access. The identifying number of the qualifying patient for whom the medical marihuana is grown and cultivated shall be prominently and permanently displayed on each enclosed locked facility.
- b. **Access Log.** Each primary caregiver shall keep a written log including the identifying number, date and time of every person entering the medical marihuana cultivation facility, which shall be made available to law enforcement pursuant to a lawfully issued subpoena or search warrant. Each primary caregiver shall also keep a written log including the date and time marihuana was removed by the licensed caregiver from the enclosed locked facility and the amount of marihuana removed.
- c. **Correct and Accurate Records.** The primary caregiver shall certify under oath that the written records kept are correct and accurate.

6. Inspections.

- a. **Initial Inspection.** A cultivation facility shall be subject to the same inspections as all other buildings and uses as required by this Ordinance and the Charter Township of Van Buren Code of Ordinances.
- b. **Inspections.** The cultivation facility may be inspected annually by the Township to confirm that it is being operated in compliance with the MMMA and any Township ordinance. The cultivation facility may be inspected more frequently at the discretion of the Township. Representatives of the Township for the on-site inspection include, but are not limited to, the Planning Director, Building Official(s), and Public Safety Department. The Township shall limit its inspection to only those issues associated with compliance with the MMMA and Township ordinances, and shall not make inquiry into the identity of any qualifying patient. The cultivation facility shall be available for inspection between the hours of 8:00 a.m. and 8:00 p.m. Eastern Time upon two (2) hours notice.

7. Application Requirements and Review. In addition to the application for and review of a site plan in accordance with Section 16.07 and a special land use permit for a medical marihuana cultivation facility in accordance with Section 4.46, the following shall also be required:

- a. **Security Plan.** A security plan and floor plan shall be submitted with the special land use application. The security plan shall:
 - i. Identify the number and location of all monitoring cameras, the format in which all recordings are maintained, and where the recordings will be stored. The recording format shall be of a type capable of being reviewed by the Township.
 - ii. The security plan shall identify the number of plants to be grown, the location of the secured locked facilities assigned to qualifying patients, the location where chemicals and fertilizers are stored, and the layout of the building which shall identify any other entities occupying the building. The security and floor plan shall be a confidential document kept by the Township and exempt from disclosure under the Freedom of

Information Act unless required by the Act.

- b. **Waste Disposal Plan.** A waste disposal plan shall be included with all applications for a medical marihuana cultivation facility, which shall detail plans for chemical disposal and plans for plant waste disposal. The Township Building Official shall determine whether the waste disposal plan meets all Township requirements and may require the applicant to provide proof the disposal plan satisfies county and state requirements.
- c. **Proof of Ownership or Leasehold Interest.** Proof of an ownership or leasehold interest in the building housing the medical marihuana cultivation facility.

8. Medical Marihuana State Law.

- a. **Medical Marihuana Act.** This Ordinance shall not limit an individual's rights under the MMMA. The MMMA supersedes this Ordinance where there is a conflict between the Act and this Ordinance.
 - b. **Medical Marihuana Registered Qualifying Patient.** A qualified patient with a registry identification card may grow and use medical marihuana for his or her own use in accordance with the Michigan Medical Marihuana Act.
 - c. **Medical Marihuana Registered Primary Caregiver.** A primary caregiver with a registry identification card may grow medical marihuana in accordance with the Michigan Medical Marihuana Act except that two or more primary caregivers with a registry identification card who seek to grow medical marihuana on the same site are subject to the requirements of this section.
9. **Unlawfully Established Medical Marihuana Cultivation Facilities.** A medical marihuana cultivation facility which purports to have engaged in the cultivation of marihuana either prior to enactment of this Ordinance, or after enactment of said Ordinance but without having an approved site plan and special land use permit, shall be deemed to not be a legally established use, and therefore not entitled to legal nonconforming status under the provisions of this Ordinance.
10. **Penalty.** Any violation of the site plan, special land use, or conditions under which the permit for operating a medical marihuana cultivation facility is granted shall subject to the penalty provisions of this Ordinance.

SECTION 2 – SEVERABILITY

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

SECTION 3 – REPEALER

All other provisions of the Zoning Ordinance, or Ordinances or parts of Ordinances, in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 4 - SAVINGS CLAUSE

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under the Zoning Ordinance, or any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

SECTION 5 - EFFECTIVE DATE

This Ordinance shall take effect following publication in the manner prescribed by law.

SECTION 7 – ADOPTION

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren at a meeting duly called and held on the ____ day of _____, 2016, and ordered to be given publication in the manner prescribed by law.

Leon Wright, Clerk

Linda Combs, Supervisor



Charter Township of Van Buren

BOARD OF TRUSTEES

SUPERVISOR
Linda H. Combs

CLERK
Leon Wright

TREASURER
Shirley A. Budd

TRUSTEE
Phillip C. Hart

TRUSTEE
Jeffrey L. Jahr

TRUSTEE
Brenda J. McClanahan

TRUSTEE
Reggie Miller

February 19, 2016

Planning Commission
Charter Township of Van Buren
46425 Tyler Road
Belleville, MI 48111

Subject: Belleville Lake Shoreline Districts Ordinance

Dear Commissioners:

The Township gave a presentation outlining the proposed Belleville Lake Shoreline Districts Ordinance to the Belleville Yacht Club and held a public presentation/informational session here at Township Hall. Both meetings were well attended, with close to eighty (80) people showing up to each. During those meetings there have been several comments and questions which were presented to staff regarding the proposed ordinance. I have attached to this letter a summary of some of the questions and comments received at those two (2) meetings.

The most frequent comment/concern received, which was specific to the proposed ordinance, was focused on the provisions of the ordinance which stated that no buildings or structures were vested on Township owned property and that the Township could force the removal of buildings or structures at any time with out without cause and place a lien upon the adjacent property for the cost of removal (section 16.04C.a). While there was language built into the proposed ordinance to address lawful existing uses, many of the people who attended the presentations felt that a written clarification in the proposed ordinance was needed to further define what the specific meaning of "lawful existing" is.

Another comment/concern which was commonly received was that members of the public felt that additional public input should have been sought during the development stages of the proposed ordinance. Many of the residents who attended the two (2) meetings were concerned regarding the amount of authority the proposed ordinance gave the Township and potential long term impacts of this authority.

RECOMMENDATION

Based on the items listed above and comments received in the public informational meetings, it is clear that the majority of the residents who reside around the lake have serious concerns regarding the provisions of the proposed ordinance. It is my belief that at this point in order to address the issues and problems that the proposed ordinance was intended to resolve, the Township will need to make further efforts to work with residents and stakeholders to come to a mutually agreeable solution.

Our recommendation is to remove the proposed Belleville Lake Shoreline Districts Ordinance from consideration after receiving public comment at the Planning Commission meeting.

Respectfully submitted,

Ron Akers, AICP
Director of Planning & Econ. Development
Charter Township of Van Buren

Matthew Best, M.S.
Deputy Director of Planning & Econ. Development
Charter Township of Van Buren

Lakeshore Informational Meeting Questions/Comments - Feb 17, 2016 & Belleville Yacht Club – February 16, 2016

1. Why are we doing this?
2. Is this about Money?
3. What is considered a "lawful" structure?
4. Is this going to be a changing document?
5. What was the extent of the City of Belleville's involvement?
6. Is there a list of the residents that were contacted?
7. Are you voting the ordinance in on the 24th?
8. Can we get more information on FERC licensing?
9. What is the hourly rate of McKenna Associates?
10. How much revenue does the Township make yearly from FERC?
11. Where is the Power plant at?
12. How many members of the Planning Commission live on the lake?
13. How does having a flat roof affect the lake?
14. Why do all roofs need to be regulated?
15. If I were to sell my home would I need to give the new owners my lake letters?
16. At what point would you decide this ordinance is not a good idea?
17. Can the Township, with or without cause, order a structure to be torn down?
18. Will Permits be given without precedence?
19. If something is built out on the lake, but comes up unto my property can the Township tear it down?
20. Is an existing dock that is not within the size requirements of the new draft ordinance going to be "Grandfathered" in, or will it be torn down by the Township?
21. If the MDEQ issued a permit, is that considered a lawful structure that township couldn't tear down?
22. Can we get dates or a timeframe for when the Lakeshore Ordinance was started?
23. Comment was made that lakeshore owners should consider getting involved with the Planning Commission and attend meetings so they could have more of a part in the writing of the Ordinance.
24. Will the next meeting have all the answers to tonight's questions?
25. Who started the Process of getting McKenna Associates involved?
26. What has been the cost of having McKenna Associates work on the Lakeshore Ordinance?
27. Who is on the BZA?
28. Would there be a penalty from FERC if we did not adopt an ordinance?
29. Would there be fines if the ordinance were not adopted?
30. Why would the comments from the residents not be included in the process of drafting this ordinance?
31. Was the Ordinance put out in the newspaper?
32. What has been published as far as notices to the residents?
33. Is there any mention of floating docks in the ordinance?

34. What about Multi-Family dwellings?
35. If FERC approved something would the Township be able to overrule it?
36. Is there a reason the meetings have come up so fast?
37. Why are the meetings being scheduled so close together?
38. Could Lake Owners form a committee that could meet with the Township regarding rules and regulations pertaining to the lake?
39. FERC can come in and tell us to take something down; Does the ordinance protect from that or would it do the same thing?
40. Is the intent of this meeting going to be in the next planning commission meeting and will the comments be brought up?
41. Can the action be tabled at the next planning commission meeting?
42. How many Private properties about the lake?
43. Why can't a letter be sent out to Lakefront owners?
44. What is driving the proposal of the ordinance?
45. Are we currently complying with FERC Requirements?
46. Another reason to table the action is to better notify the City of Belleville.
47. How is MDEQ involved?
48. Has McKenna Associates done similar work for other cities or townships with Lakes?
49. The biggest soil erosion is Van Buren Park.
50. The proposed regulations went too far.
51. The ordinance is not clear regarding grandfathering existing structures.
52. Why does the Township have interest in regulating people's front yards.
53. Concern regarding the ordinance giving the Township too much authority.
54. The Township should vest existing structures.
55. Did not support any ordinance.
56. Township will have a lawsuit on its hands if the ordinance passes.
57. Do not agree with having to remove dead trees from Township owned property.
58. Don't understand why flat roofs are an issue.
59. Concern regarding the width of docks allowed.
60. Lot coverage makes it unreasonably difficult to place docks on narrow lots.
61. Concern that language which allows Township to remove any structure for any reason will be abused.
62. DEQ regulates buoys and navigational markers, not the Township.
63. Restricting signs is a first amendment violation.
64. Concern that people will have to remove non-conforming structures when they sell their home.
65. Need large dock width for sailboats.
66. Unsure if ordinance would allow major regrading necessary for bank stabilization.
67. Thought addresses along the water was unreasonable.
68. Concern ordinance prevented people from having guests docking their boat on their dock.
69. Six boats is arbitrary when FERC allows ten.
70. Concern Ordinance would prevent homeowners from dredging a channel.
71. Felt Township was irresponsible with files.
72. Did not like Township being able to write tickets.
73. Concerns regarding boardwalk width, wanted to be able to have deck adjacent to lake.

74. Concern that docks for duplexes would require FERC approval.
75. Many lake front owners are out of state for the winter and were unaware of this proposed ordinance.
76. This seems like a money grab from the Township.
77. The Township should talk to the city before adopting any ordinances.



Memo

TO: Van Buren Township Planning Commission

FROM: Matthew R. Best - Deputy Director of Planning and Economic Development

RE: Review of Temporary Land Use Request #TLU16-004 – Phantom Fireworks
Agenda Item for February 10th, 2016

DATE: February 2nd, 2016

Phantom of Michigan, Inc. is requesting a Temporary Land Use permit for a tent sale of fireworks at the Lakewood Shopping Plaza at 2095 Rawsonville Road. The use is proposed to be from June 15, 2016 through July 5, 2016, 10:00 a.m. to 10:00 p.m. Per Section 4.44 of the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

Under Section 7 of Michigan Public Act 256 of 2011, local units of government are limited in their ability to regulate the sale of fireworks within their communities. The Michigan Attorney General has issued an Opinion on this section of the Act (Opinion #7266), which states, “so long as the local ordinance does not prohibit fireworks vendors from undertaking their commercial operations in any way that other vendors may undertake their operations, the ordinance is not preempted by the Act.” Therefore, fireworks vendors are subject to the same Zoning Ordinance regulations as any other temporary land use.

In reviewing past applications for this temporary land use, the current application and the requirements of Section 4.44 for temporary use approval, the following comments are pertinent to the Planning Commission.

1. Adequacy of parking and access (Section 4.44.c.1)

The site currently has 877 public parking spaces, 31 of which are handicapped reserved. The tent, portable storage container, and surrounding space will only remove approximately 39 regular parking spaces, The site will still have adequate parking while the temporary land use is ongoing.

2. Adequate drainage (Section 4.44.c.2)

The site is in an existing parking lot that already has storm water drainage. The tent and storage container will not affect the amount of impervious surface or water that would be diverted into the storm system.

3. Compatibility with surrounding land uses (Section 4.44.c.3)

The proposed use is retail sales in a parking lot of an existing shopping plaza. Therefore, the uses are compatible.

4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site (Section 4.44.c.4)

The tent and portable storage container are temporary in nature and tent sales regularly take place in parking lots, so no impacts are expected to the surrounding sites.

5. Sufficient setbacks from road right-of-ways and lot lines (Section 4.44.c.5)

The sales area is setback 58 feet from the right-of-way of the South I-94 Service Drive and 30 feet from the adjoining outlot of the plaza to the east.

6. Adequate utilities (Section 4.44.c.6)

Phantom will supply its own electrical generation. The generator and electrical hook-up will be inspected to ensure compliance with National Fire Protection Association requirements.

7. Trash disposal and site clean-up (Section 4.44.c.7)

Phantom will be responsible for all trash disposal and site clean-up in relation to their agreement with Schostak Brothers and Company, managing agent for Lakewood Shopping Center.

8. Sanitary facilities (Section 4.44.c.8)

Due to the short nature of the customer shopping, no sanitary facilities will be provided.

9. Hours of operation (Section 4.44.c.9)

From 10:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses. However, we are not aware of any complaints with Phantom closing at 10:00 p.m. in previous years, so the hours of operation are reasonable.

10. Outdoor light and signs (Section 4.44.c.10)

No exterior lights are provided. Interior lights will be hung by the tent company. The Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Phantom requests a banner to measure 5' x 16' (80 sq. ft.). Phantom's temporary signage must comply with the Zoning Ordinance before it obtains a sign permit from the Building Department.

11. Other licenses and permits required (Section 4.44.c.11)

A current Consumer Fireworks Retail Facility: Non-Permanent license must be provided by the applicant prior to the establishment of the temporary use. The Van Buren Fire Marshall shall be separately issuing a review letter.

12. Potential noise, odor, dust, and glare (Section 4.44.c.12)

The proposed temporary use should not increase the noise, odor, dust or glare from their use.

13. Fire lanes, fire protection, and security (Section 4.44.c.13)

The Van Buren Fire Marshall shall review the application for adequacy of fire lanes and fire protection. The site will be staffed with 3-6 employees during open hours. During non-operating hours, all products will be returned to their fire-proof storage unit and locked up until the materials are returned for redisplay the following day.

14. Off-site impacts of traffic volumes (Section 4.44.c.14)

The roads in the immediate vicinity are major Township roads, and this temporary use will not impact their flow or travel volumes.

15. Necessity of performance bond to ensure prompt removal (Section 4.44.c.15)

The property owner will be responsible for ensuring the site is returned to its pre-sale condition.

16. Other concerns which may impact the public health, safety, or general welfare (Section 4.44.c.16)

There are no additional concerns; however, the applicant is subject to the regulations of Act 256 and applicable regulations of the Fire Department.

Recommendation

This will be the fifth (5th) year that Phantom has operated at this location, and I am not aware of any complaints or issues that have taken place in the previous years. Per my review of the application, I recommend approval of this application subject to the following three (3) conditions:

1. That the applicant obtains approval from the Van Buren Township Fire Marshall.
2. That the applicant provide the Township with a current Consumer Fireworks Retail Facility: Non-Permanent license prior to the establishment of the temporary use.
3. That all proposed signage comply with the Zoning Ordinance.

Respectfully submitted,

Matthew R. Best, M.S.
Deputy Director
Planning and Economic Development
Van Buren Township

David C. McNally II
Fire Marshal
O: 734-699-8900 ext9416

Van Buren Fire Department
46425 Tyler Rd
Van Buren Twp., MI 48111



February 8, 2016

Director of Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Phantom of Michigan Fireworks Temporary Land use TLU16-004

I have reviewed the plans submitted to my office on February 4th and found their application is in compliance of the state regulations for fireworks sales. They are also following NFPA 1123, 1124 and 1125 as well.

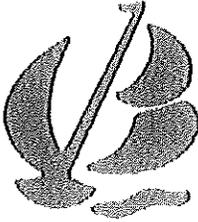
The Van Buren Fire Department has an approved agreement with the State of Michigan to inspect all permitted fireworks sites in Van Buren Township. These inspections will be conducted by the fire marshal's office, with those inspection reports going to the state for verification or enforcement if required.

The fire department requires involvement in the final inspection process and will verify compliance with the appropriate codes. Review and approval with conditions by the Authority Having Jurisdiction, shall not relieve the applicant of the responsibility of compliance with these *Codes*.

Respectfully Submitted,

David C. McNally II
Fire Marshal

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.



**CHARTER TOWNSHIP OF VAN BUREN
APPLICATION FOR
TEMPORARY LAND USE/SPECIAL EVENT
46425 TYLER ROAD
BELLEVILLE, MI 48111**

DATE: 12/15/15

BUSINESS NAME: Phantom of Michigan, INC dba Phantom Fireworks

CONTACT PERSON: Richard Tapper PHONE # 330-559-0776

SUPERVISOR FOR SITE: Richard Tapper PHONE # 330-559-0776

EVENT TITLE: Fireworks

TYPE OF EVENT: Tent Sale DATE(S): June 24-July 5 2016

LOCATION OF EVENT: Parking Lot

ADDRESS OF LOCATION: 2095 Rawsonville Road, Belleville MI, 48111 Lakewood Shopping Center

PROPERTY OWNER REPRESENTATIVE: Dorian Kilgore PHONE # 734-245-0900

ARE SIGNS PROPOSED FOR ADVERTISING: YES NO IF YES, INCLUDE LOCATIONS & DETAILS

OTHER 1 banner 5'X16 banner on tent ropes, same as the last 4 season

IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS (ATTACHED)

NOTES:

IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, VIBRATION ARE EXPECTED BEYOND THE PROPERTY BOUNDRIES PLEASE EXPLAIN IN SEPARATE LETTER.

ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.

PROCESSING FEE \$ _____ BOND FEE \$ _____ TOTAL \$ \$1250

Richard Tapper
(SIGNATURE OF APPLICANT)

1/25/16
(DATE SIGNED)

(APPROVED BY)

(DATE SIGNED)

MATT

B.J. ALAN COMPANY

VENDOR #: 299203 510759

INVOICENO	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
1643100007	00583946	12/28/15	1250.00		1250.00
CHECKDATE	CHECKNO	PAYEE	TOTALS	DISCOUNT TAKEN	CHECK AMOUNT
1/20/16		CHARTER TOWNSHIP	1250.00		1250.00

B.J. ALAN COMPANY
PHANTOM FIREWORKS
 555 MARTIN LUTHER KING JR. BLVD.
 YOUNGSTOWN, OHIO 44502-1102
 330-746-1064

First Niagara Bank

510759

DATE 1/20/16

PAY TO THE ORDER OF CHARTER TOWNSHIP OF VAN BUREN
 ONE THOUSAND TWO HUNDRED FIFTY AND 00/100 DOLLARS

\$ *****1,250.00

CHARTER TOWNSHIP OF VAN BUREN
 46425 TYLER ROAD
 BELLVILLE, MI 48111
 USA

Rachel J. Golden
 AUTHORIZED SIGNATURE

B.J. Alan Company is acting as disbursal agent for the invoices noted on the attached remittance form. No contractual obligation is to be applied to B.J. Alan Company by virtue of the impound of this check. SECURITY FEATURES INCLUDED, SEE BACK OF CHECK.

⑆560759⑆ ⑆021372953⑆ 7901407317⑆

Receipt Information

Receipt No. 00007036

Date 2/13/2015

Total Due 51,250.00

Total Payment 51,250.00

Change Over: 50.00

Payments

Amount To Pay Method Reference

51,250.00 Check 389032

Comments

plan / end paper



Property Lakewood Shopping Center
Address: 2095 Rawsonville Road, Belleville, Mi. 48111

Landlord Lease Terms: June 15th, 2016 through July 15th, 2016

Hours of Operation: June 24th – July 5th 10:00am –10:00pm

Size of Equipment: Flame Retardant Tent: 40' x 40'
Fire Proof Storage Unit 8' X 40'

Use Clause: The retail sale of consumer sparklers, novelties, and Class C fireworks as permitted by the state of Michigan.

Insurance: \$10 million dollars in product, personal and property liability.
Participants-3-6 people
We follow NFPA 1123, 1124, and 1125 regulations.

Thank You,

Richard Tapper
State Regional Manager/ Michigan
330-559-0776

B.J. ALAN COMPANY
PHANTOM OF MICHIGAN, INC
555 Martin Luther King Jr. Blvd. Youngstown, OH 44602
330-746-1064

PROPERTY PERMISSION FORM

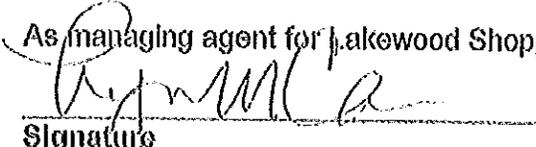
The undersigned, owner and/or controlling party, of the property listed below hereby grants permission to Phantom of Michigan, INC dba, B.J. Alan Company to use the property for the temporary sale of fireworks at the following location:

Name: Lakewood Shopping Center **Parcel No:**
Address: 1-94 and 2095 Rawsonville Road
City: Belleville **ST:** MI **Zip:** 48111 **County:** Wayne

This Temporary Use Permission Form is for the purposes of obtaining state and local licenses, permits, and other uses pertinent to the retail sale of Class C state approved fireworks at the location for the 2016 season.

Schostak Brothers & Co., INC

As managing agent for Lakewood Shopping Center LLC


Signature

Lynore M. Clark, CSM, CRX
Name- Please Print -- Property Owner/Controller of Property

Schostak Brothers & Co., Inc./Portfolio Manager
Company/Title

12-14-15
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/21/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS: info@brittongallagher.com	
	INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED B J Alan Company Big Bear Fireworks, Inc. Phantom Fireworks, Inc. 555 Martin Luther King Jr Blvd Youngstown OH 44502	INSURER A: Everest Indemnity Insurance Co. 10851	
	INSURER B: Maxum Indemnity Company 26743	
	INSURER C: Axis Surplus Ins Company 26620	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** 041089792 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

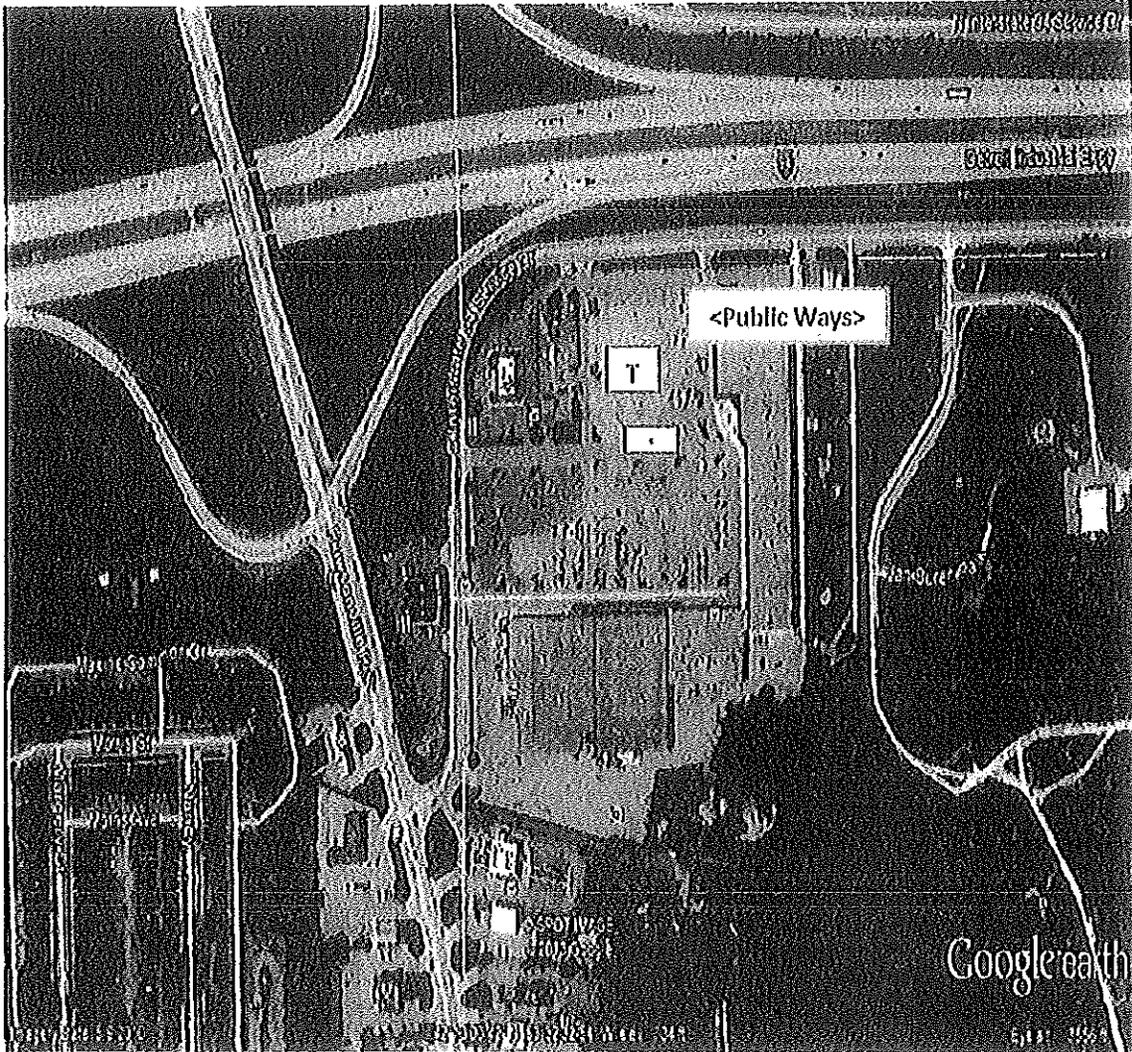
INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR Y/Y/D	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JEOT <input checked="" type="checkbox"/> LOC	Y		SI8GL00343-151	10/30/2015	10/30/2016	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$500,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COMP/OP AGG	\$2,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> Hired AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NOT-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y		EXC6025343-02	10/30/2015	10/30/2016	EACH OCCURRENCE	\$4,000,000
							AGGREGATE	\$4,000,000
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in OH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/H				WC STATUTORY LIMITS	OTHER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
C	Excess Liability #2			EAU704017	10/30/2015	10/30/2016	Each Occ/Aggregate Total Limits	\$5,000,000 \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Tent Location: Lakewood Shopping Center, 2095 Rawsonville Road, Belleville MI 48111
Dates of Operation: June 15th through July 15th
The above listed are Additional Insured with respect to General Liability as required by written contract.
Products/Completed Operations Coverage follows form through both excess policies listed on certificate.

CERTIFICATE HOLDER Van Buren Township 46425 Tyler Road Van Buren Twp MI 48111	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

Van Buren Twp, I-94 & 2095 Rawsonville Road Lakewood Center 48111.



T- PoleTent 40'X40' S- Storage Unit 8'X40' X- Generator

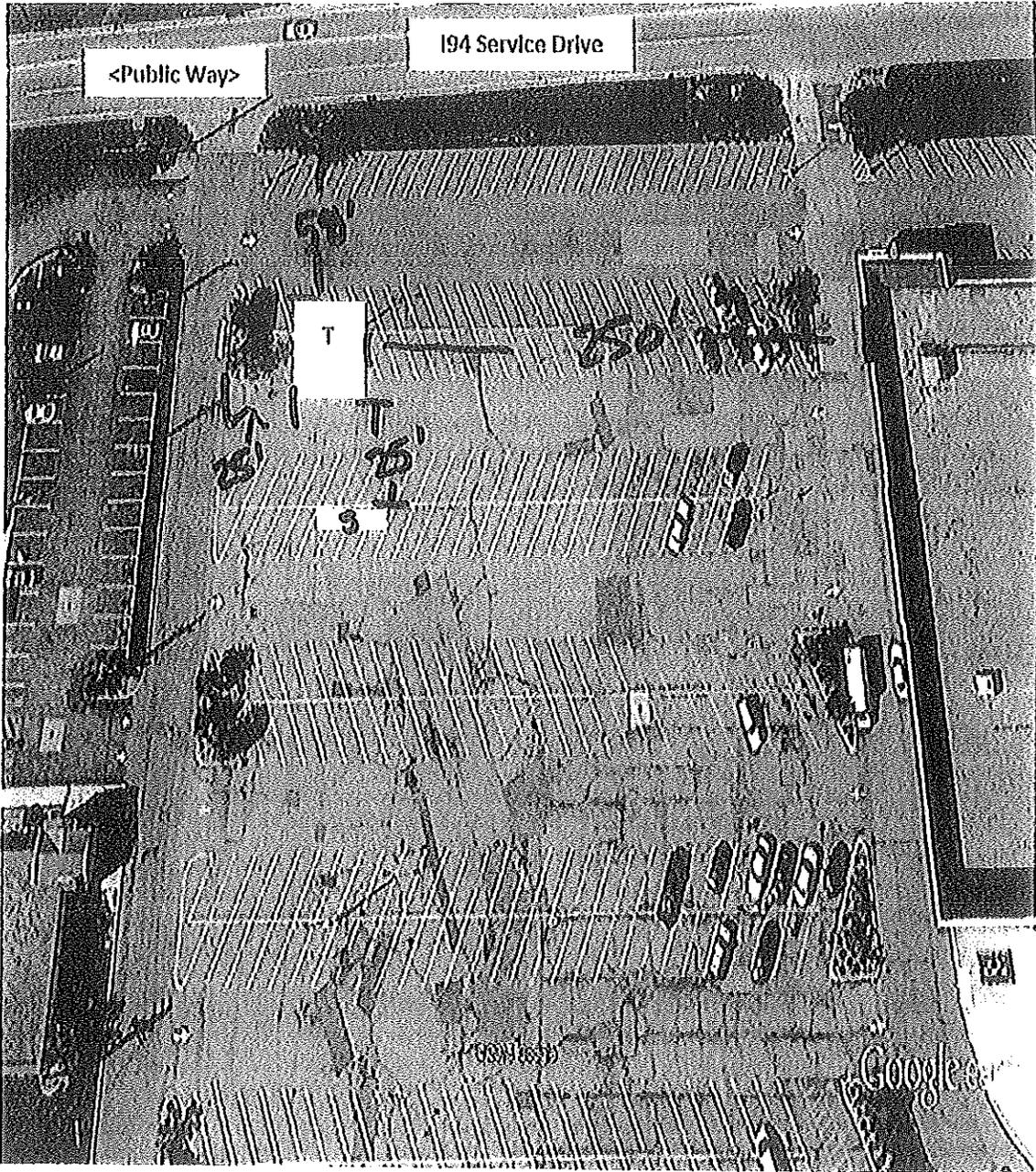
There are no gas stations, propane stations, flammable gas bulk dispenser, etc on this property or surrounding properties within 300 feet.

Over 800 parking spaces available on the asphalt, using 30 parking spaces

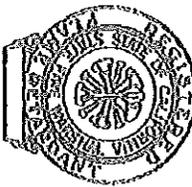
There are public ways within 150 feet of the tent and storage unit.

X _____

*NEXT PAGE FOR
DIMENSIONS*



Certificate of Flame Resistance



REGISTERED APPLICATION NUMBER

F1214

MANUFACTURERS OF THE FINISHED TENT PRODUCTS DESCRIBED HEREIN

Date of Manufacture
4/22/98

Order Number
183683

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

S & R TENT
30124 CALAHEAN

ROSEVILLE

MI

48066

Certification is hereby made that:
The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code, equal to exceeds NFPA 701, CPAI 84, ULC 109.
The method of the FR chemical application is:

Serial #:

(0001)

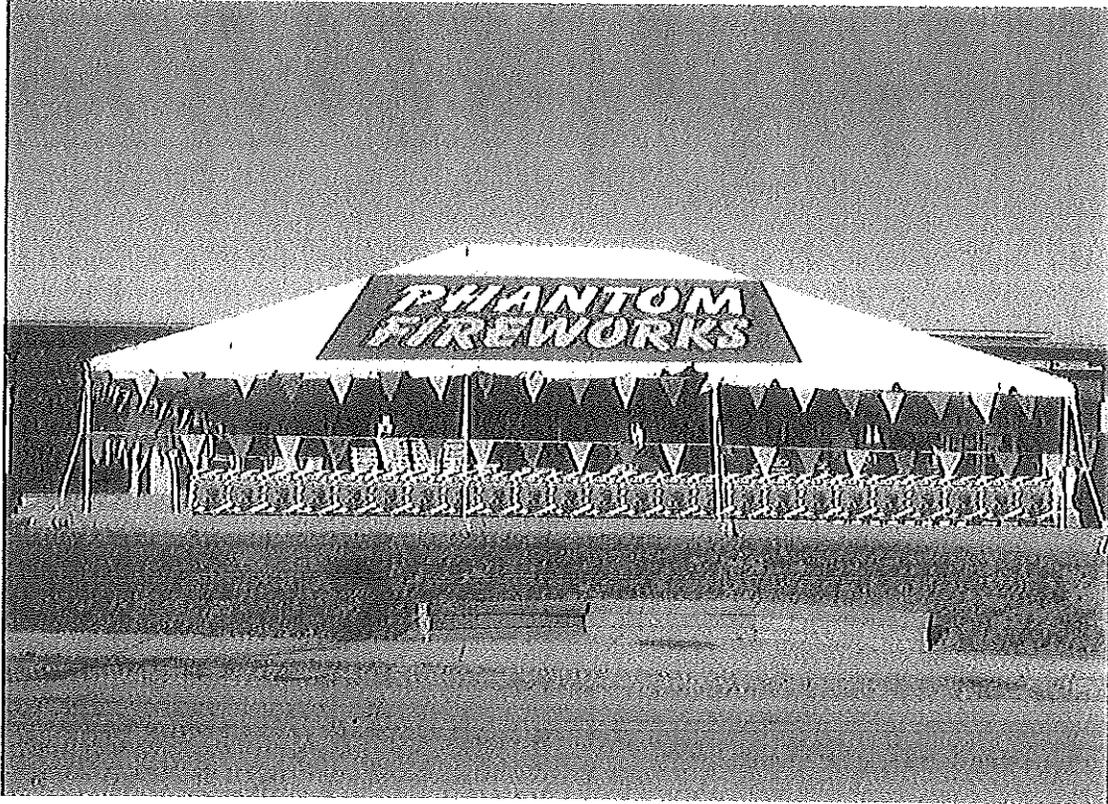
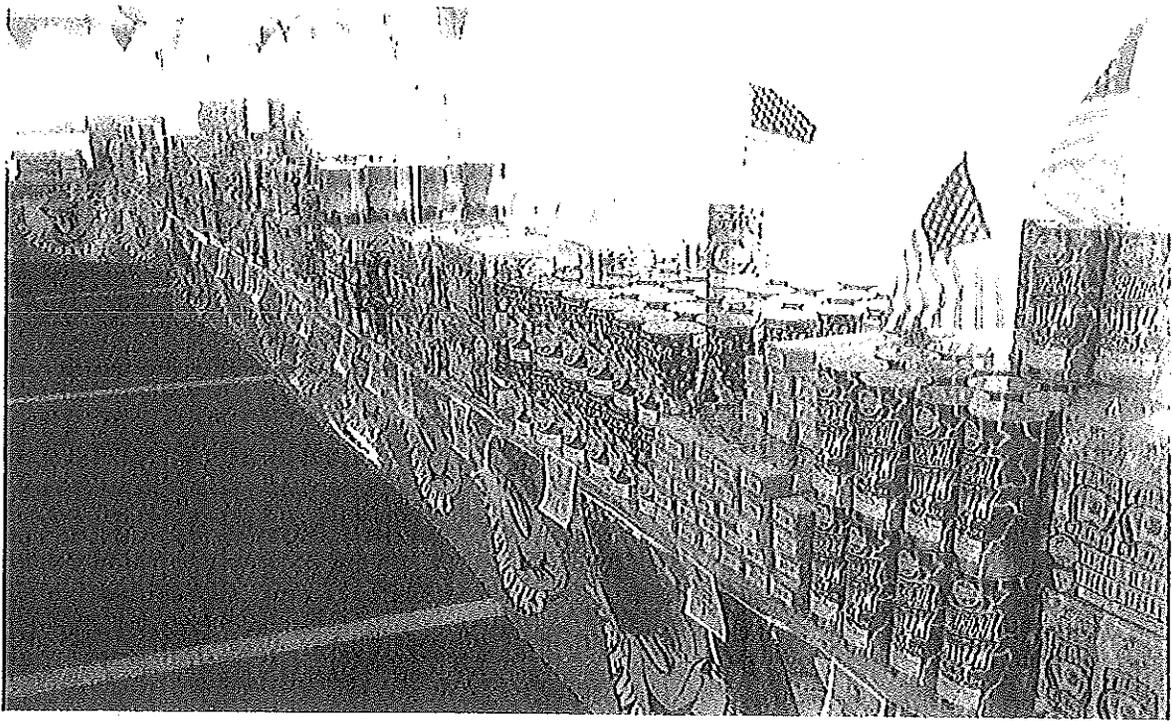
Description of item certified:

40 x 40 Party Mate Tent

Flame Retardant Process Used Will Not Be Removed By Washing And Is Effective For The Life Of The Fabric

STAINBURY & SONS
STATESVILLE, NC

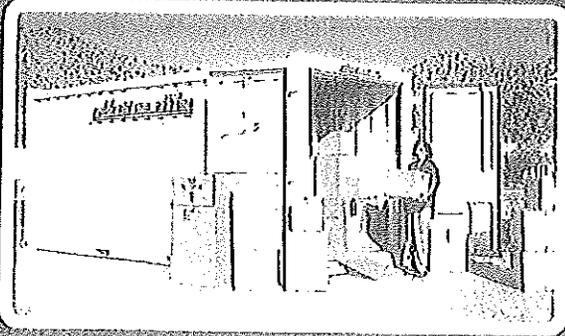
Name of Applicator of Flame Resistant Finish





Sign Banner on Tent- Tent is 18' High
5'X16'

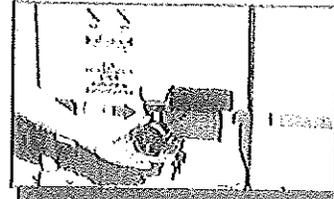
PORTABLE STORAGE CONTAINERS



- Container delivered to your home or business provides secure & convenient ground level access.
- Units available with shelving and painted light beige for quality appearance.
- All steel containers include your choice of patented door & locking systems.
- Easy opening available with single lever doors on one end, both ends or slides.
- Sizes range from 10' to 40' lengths and 8' or 10' widths.

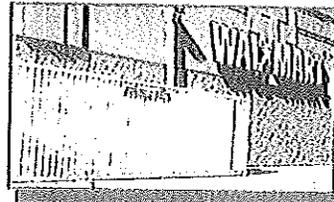
ANYONE CAN SELL STORAGE .. WE SELL SECURE STORAGE!

Our patented high security locking system includes three solid interior locking bars, padlock pocket and concealed lever lock. It also utilizes Mobile Mini's exclusive high security ContainerGuard Lock™.



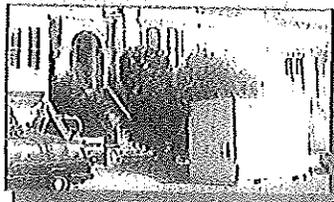
COMMERCIAL APPLICATIONS Trusted for Over 25 Years

Ideal for job site, additional warehouse or seasonal storage needs. Mobile Mini's secure containers are available in 100 different sizes and configurations to meet your needs at your location. Our high security containers are used by over 100,000 customers nationwide.



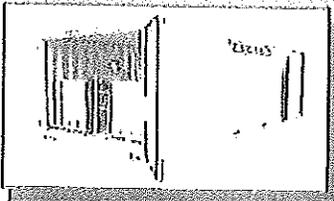
RESIDENTIAL APPLICATIONS Storage Made Easy

Ideal for home remodels! A Mobile Mini storage container delivered to your home provides easy and convenient, ground-level access and easy opening doors. Our hassle free low cost service allows you to access your belongings anytime at your location and eliminates the need to rent a truck or drive to a self storage facility.



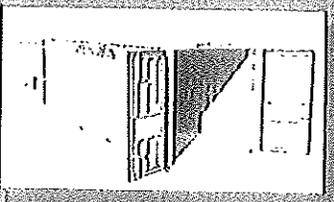
WIDER IS BETTER 10' Wide Storage Units

An exclusive Mobile Mini product, our extra-wide storage units are ideal for palletized storage. 20% more square footage, but 40% more usable space compared to a standard 8' wide unit! Units are 10' wide and available in lengths of 18' or 25'.



DOORS WHERE YOU NEED THEM Maximize your Storage Space

Our standard units are available with our exclusive high security doors on one end. We also offer units with our doors on both ends or on the side for efficient storage and convenient ground access. Side door configurations are available with one or two side double doors. The choice is yours!



**Charter Township of Van Buren
2015 Planning Fee Schedule**

Supersedes all prior Fee Schedule(s) upon approval with an effective date of January 1, 2015

Rezoning	\$600.00	\$700.00	\$30.00	
Conditional Zoning Amendment, Reviews, Rezoning Contract and Conditions	\$1,500.00	\$1,500.00	\$30.00	
<i>Additional Reviews by Consultant</i>		<i>Cost + 20%</i>		
Special Land Use (new developments)	\$800.00	\$700.00	\$30.00	
Special Land Use (existing building, no site changes)	\$500.00	\$500.00	\$30.00	
Concept Plan Review Only	\$350.00	\$350.00		
<i>* Additional Reviews by Consultant</i>		<i>Cost + 20%</i>		
Engineering Concept Plan Review Only		\$500.00	\$25.00	
Site Plan Review- NON Residential				
Commercial Development	\$2,500.00	\$500.00	\$150.00	
Industrial Development	\$2,500.00	\$500.00	\$150.00	
Public or Semi-public Development			\$450.00	\$ 150.00
Administrative Review (Re-occupancy, building additions, site changes to Existing Use)	\$400.00		Minor Change	
	\$1,250.00	\$500.00	Major/New Structure	
<i>*Additional Reviews by Consultant</i>		<i>Cost + 20%</i>		
Initial Engineering Deposit		\$4,000.00	\$25.00	
Site Plan Review- Residential				
Site Condominium	\$2,500.00	\$455.00		\$30.00
Cluster Housing Development (PRD)	\$4,000.00	\$465.00		\$30.00
Multiple Family	\$3,000.00	\$400.00		\$10.50
Mobile Home Park	\$3,000.00	\$600.00		\$10.50
Condominium, PRD, Subdivision Documents		<i>Cost + 20%</i>		
<i>*Additional Reviews by Consultant</i>		<i>Cost + 20%</i>		
Initial Engineering Deposit		\$4,000.00	\$25.00	
Dev. Insigated Rev. Approved Plat, Architectural Rev. Existing Developments	\$750.00	\$750.00		\$15.00
Subdivision/Plat Review				
Sketch Plan Review	\$400.00	\$350.00		\$ 30.00
Site Plan Review (Tent. Preliminary Plat)	\$2,000.00	\$700.00		\$30.00
Preliminary Plat Review	\$600.00	\$500.00		\$15.50
Final Plat Review	\$700.00	\$600.00		\$15.50
<i>*Additional Reviews by Consultant</i>		<i>Cost + 20%</i>		
Initial Engineering Deposit		\$4,000.00	\$25.00	
Special Meetings				
Expedited Review	150% Cost	Cost + 150%		
Planning Commission	\$560.00	Cost + 20%		
Board of Zoning Appeals (Single Family Res.)	\$400.00	\$350.00		
Board of Zoning Appeals (Non- Res./Multiple)	\$400.00	\$350.00		
Other Fees				
Variance Review	\$500.00	\$500.00		
Zoning Verification	\$75.00			
Replat/Change to Master Deed	\$250.00	\$250.00		\$75.00
Woodland/Tree Removal	\$350.00	\$700.00	\$65.00	\$3.00
Tree Replacement (per-tree)				\$350.00
Lot Split Review	\$75.00	\$350.00		
Accessory Structure Modification	\$250.00			
Fire Department Site Plan Review	\$400.00			
Temporary Land Use/Special Event Permit	\$1,250.00			
Grass & Weeds Mowing / Blight / Property Maintenance Administration Fee (Ordinance)				Cost + \$100
Developer Initiated Master Plan or Zoning Amendments to Text and Maps	\$1,500.00	Cost +20%		

**Consultant review fees include the initial review. Any additional reviews shall be charged at Cost + 20%*

February 11, 2016

Planning Commission
Charter Township of Van Buren
46425 Tyler Road
Belleville, Michigan 48111

**Subject: VBT-14-031 SPR; Towne Place Suites Hotel; Site Plan Review #5 and TRP #1;
Plans Dated February 2, 2016**

Dear Commissioners:

The applicant proposes to develop a new 121-room suites motel at the northeast corner of Quirk Road and the North I-94 Service Road. We have reviewed the site plan for compliance with the Township's Zoning Ordinance and sound planning and design principles, and we offer the following comments for your consideration.

COMMENTS

1. **Zoning and Use.** The site is zoned C-2 Subject to Conditions in accordance with the Rezoning with Conditions Agreement between Van Buren Township and Belleville Development, Inc. dated December 2, 2015. Per the rezoning the two parcels must be combined and this must be shown on the plan. If this has not yet been accomplished, application must be made before final site plan approval and the combination must be completed before any permits are issued. Also, the applicant must remove the labels showing Parcel II as "Zoned R-1B" as this is no longer the zoning of the site.

According to the use statement, the hotel will operate 24 hours a day, 365 days a year, and will have 10 employees on the largest shift. The building includes a pool, fitness room, and several meeting rooms. Accessory parking is proposed around the building at the northeast corner of the site. The site plan includes a portion of the adjacent Hampton Inn and Holiday Inn Express hotel sites to the east. The proposed parking lot at the northeast corner of the Towne Place Suites lot will be shared with the other two hotels.

2. **Dimensional Requirements.** Updated building elevations have been submitted which include the building height dimensions and a peaked roof as required by the Rezoning with Conditions Agreement. All building setback requirements are met.
3. **Site Layout and Adjacent Uses.** This site abuts an established single family residential district and care must be taken to not adversely impact this area. According to the Township Master Plan, this site is in the Gateway Commercial plan district which requires careful site planning to limit disturbances to adjacent residential uses. This includes landscaping and screening of the site from the residential district, which is reviewed in the landscaping section of this report.

4. **Landscaping.** Within the DDA, all sites are strongly encouraged to exceed Ordinance minimums in landscaping requirements. Also, each requirement must be met separately, meaning that plant materials cannot be double-counted for the various separate requirements or the tree replacements required by the Ordinance.

- a. **General Landscaping.** There must be a minimum of 1 tree for each 3,000 square feet of open space on the site. The site has 237,134 square feet of open space and requires a total of **79 trees** for general landscaping. The utility locations have been added on the landscape plan sheet to help identify any conflicts with tree location. Two trees on the north lot line appear to interfere with the storm sewer line; these should be adjusted to accommodate and shrubs used for infill.

The plan proposes to include 48 preserved trees as part of the number required for general landscaping. Retained trees may count toward the number of required landscape trees at the discretion of the Planning Commission, however those trees cannot simultaneously count toward the number of trees required for tree replacement.

- b. **Landscaping Adjacent to Right-of-Way.** There must be a minimum 5 foot wide landscape buffer strip within 10 feet of the site's paved surface. The site has 563 feet of frontage along the North I-94 Service Road and needs **12 trees** to meet this requirement. The site has 878 feet of frontage along Quirk Road and needs **18 trees** to meet this requirement.

13 such trees are proposed along the North I-94 Service Road frontage. The landscape plan should distinguish between those trees used for right-of-way landscaping and those which are used for parking lot landscaping. There should also be one additional tree on the east side of the parking lot entrance to continue the street tree line there.

There are 66 trees proposed along Quirk Road, which exceeds the total number required in this area for both right-of-way landscaping (18 trees) and landscaping adjacent to residential areas (29 trees) *see below*, which is 47 required trees.

- c. **Landscaping Adjacent to Residential Properties.** For screening the single family neighborhood west of Quirk Road, a berm of varying height (3 ft. to 8 ft.) and planted with a mix of deciduous and evergreen trees and shrubs is proposed. A similar berm with a single row of evergreen trees is proposed along the north lot line. A minimum of **29 trees** are required for the berm along Quirk Road and **20 trees** along the north lot line. Calculations must be included for this landscape standard, and compliance addressed. Along Quirk Road, there are 66 trees proposed, which are enough trees to meet both this standard and the right-of-way landscaping standard.

In order to better evaluate the effectiveness of the proposed screening from Quirk Road, we recommend that the applicant submit landscape cross-sections (at the same horizontal and vertical scale) for two locations: west to east from Lot 42 of the Willow Gardens subdivision to the building, and northwest to southeast from Lot 46 of the Willow Gardens subdivision to the building. The berm and plantings may need to be altered based on the effectiveness of the screening, including varying the slope, shape, height, and thickness of plantings.

d. Vehicular Surface Landscaping.

- i. *The total landscaped area must equal at least 5% of the paved area. Sheet L1.0 shows the required calculations; 5,138 square feet is required and 8,353 square feet is proposed for vehicular surface landscaping.*
- ii. *Each landscaped island must be at least 360 square feet. The parking lot islands in the rear parking lot meet this requirement.*
- iii. *There must be 1 tree per 100 square feet of vehicular surface landscaping. The plan notes that with 8,353 square feet of interior landscaping, 84 trees must be provided. The site plan lists 87 trees as being provided under this requirement. The plan must label which trees are being counted to satisfy this requirement, and these trees must be located in and around the parking lots. Vehicle surface landscaping trees may not count toward other landscaping requirements. There appear to be about 60 trees in and around the parking lots, and thus it is likely that more will be needed to comply.*

- e. **Other Landscaping Requirements.** The site requires a minimum of 224 trees based on the individual landscape section requirements listed above. Additional trees may be required to satisfy the intent of the regulations and for required tree replacements. The landscape plan should be updated to include all of the required trees, and the plan should be organized/labelled to show which trees satisfy which provision. A simple way to do this is to put the various requirements and calculations in a table on the plan.

All shrubs in the landscape buffer along the North Service Road must be spaced no farther than 4 feet on center, not 5 feet as noted. The purpose of this spacing is to ensure the plants grow together as a hedge and create the required screen for parked vehicles.

5. **Stormwater Pond.** Sections 4.40(3) (o) and 4.56 of the Zoning Ordinance require vegetation, landscaping, and protective fence design features for stormwater basins. An aerator is noted for mosquito control. The pond shape should be refined to have a more naturalized shape, and the required fencing installed, subject to the Commission's determination.
6. **Parking Requirements.** Parking calculations are provided for the combined parking lots of Town Place Suites, Hampton Inn, and Holiday Inn Express. According to Section 6.01(9), the total number of parking spaces shall not exceed 120% of the minimum. The minimum number of spaces for the combined sites is 476, the maximum is 571, and 563 spaces are proposed.

The parking lots are proposed to be connected with the Hampton Inn and Holiday Inn Express parking lots. Cross access easements for traffic to travel between the sites and shared parking are outlined on the site plan. The easement documents with corresponding legal descriptions must be submitted for Township review and approval prior to final site plan approval, with recording required prior to permits being issued for the site.

7. **Sidewalks.** A new sidewalk is proposed to connect from the front of the building to the public sidewalk along the North I-94 Service Road, and a 5 foot wide sidewalk will be constructed along the site's Quirk Road frontage. We continue to recommend that sidewalk be added along the

access drive to the parking lot at the back of the site, as discussed in a previous staff review meeting.

8. **DDA Standards and Architecture.** This site is within the Township DDA. The DDA has invested heavily in public improvements for the utilities, streetscape, roads, and landscaping within its boundaries. The applicant has modified his elevations to include a high percentage of brick in the facades. The proposed colors are noted as Rose, Rawhide, Hopsack, and Tumbleweed; in order for the Commission to evaluate the proposal we recommend color renderings of the elevations be submitted for review. Also, samples of proposed facade materials must be provided to the Planning Commission for review and approval. The brick used should be true clay brick as required for other developments in the area. The materials and color of the roof and windows must also be provided on the plan.

Since it will not be on the roof, the location and screening of the HVAC equipment must be identified on the plan. The plan should clarify if there are exterior air conditioning units proposed for each room.

9. **Amenities.** All sites within the C-2 district must provide amenities, such as outdoor seating, bike racks, pedestrian plaza/respite area, and similar features to enhance the site for future users. A front patio area is proposed near the southwest corner of the site with details for the benches and bike racks. There should be a crosswalk to connect the patio to the building. We also continue to encourage the applicant to pursue satisfying part of his amenity requirement by making some aesthetic improvements at the base of the pedestrian overpass, such as agreement to cut the grass, weed and pick-up litter.
10. **Lighting.** A photometric plan and cut sheets have been submitted as requested. The proposed light level does not exceed 1 foot-candle over the lot line of a residential district, as required by Section 4.45(b) (10). The pole height of 25 feet complies.
11. **Signs.** There is a proposed monument sign near the southeast corner of the lot, and proposed wall signs at the south and east faces of the building. Details of all proposed signs (including entrance and directional signs) with height, dimensions, area calculations, and means of lighting must be submitted. The wall sign area shall be calculated as the area of the rectangle formed by the extent of the sign face, as illustrated in Section 20.400(1).
12. **Tree Removal Permit.** A tree removal permit will be required. While the tree removal permit approval is typically not required until time of final site plan approval, we have provided our comments to assist the applicant in preparing those plans. Replacement trees must be installed to compensate for any trees removed from the site. Further, required replacement trees do not count toward the number of trees needed for the landscaping requirements, but are over and above those requirements.

The tree inventory on Sheet C2.1 appears to include trees that are not located on the development site and must be corrected. The inventory lists 102 trees as being saved, but the landscape plan only shows and lists 48 saved trees. The landscape plan must match the tree inventory for how many trees are planned to be preserved.

At least 38 trees on the hotel site to the east were included in the inventory. This site is already developed and trees to be removed from developed sites do not require replacement. There are also about 5 trees in the Quirk Road right of way listed in the inventory. All of these trees should be removed from the inventory.

Section 4.45.e.6.b.ii of the Ordinance requires preservation of at least 37% of existing trees (5 inch D.B.H. or greater); unless otherwise approved by the Planning Commission. Based on the current inventory's 264 trees, preservation of 98 trees would be 37%. Obviously if the inventory is refined and corrected as discussed, these numbers may change. Also, tree #2078 is listed as dead and as to be saved. Dead trees should not be saved.

All live trees over 5 inches D.B.H. that are removed must be replaced in accordance with the following table in Section 4.45.E.10.a, except as otherwise permitted.

Replacement Type and Size	Replacement Ratio Tree Size (# of replacement trees per # of removed trees)	Number of Required Replacement Trees Per 100 Removed
Coniferous (Ht.)		
4-6 feet	1 : 1.0	100
6-8 feet	1 : 1.5	67
8 feet or greater	1 : 2.0	50
Deciduous (D.B.H.)		
2-3 inches	1 : 1.0	100
3-4 inches	1 : 1.5	67
4 inches or greater	1 : 2.0	50

The applicant proposes to remove 162 trees based on the current tree inventory. The required tree replacements can be accomplished by planting additional trees, increasing the size of required landscape trees to greater than the Ordinance minimum sizes (according to the table above), or by making a payment in lieu of tree planting, subject to Planning Commission approval.

RECOMMENDATION

The applicant has revised the plan and satisfied most of our previous comments. The items that remain are primarily landscape-related and can be completed and required as part of the Final Site Plan approval process. Therefore, we recommend the Commission grant preliminary site plan approval subject to the following conditions:

- a. Correcting the zoning labels on the site plan.
- b. Application for lot combination prior to final site plan approval and completion of that combination before any construction permits are granted for the site.
- c. The landscape plan shall be revised and comply with all the requirements noted in Comment 4., above.
- d. Redesign of the storm water pond to have a more naturalized shape and fencing, subject to the

determination of the Planning Commission.

- e. The cross access easement documents with corresponding legal descriptions must be submitted for Township review and approval prior to final site plan approval, and recorded required prior to permits being issued for the site.
- f. Addition of a sidewalk along the access drive to the parking lot at the back of the site.
- g. Building elevations are subject to the approval of the Planning Commission. Color renderings of the elevations should be presented at the meeting along with samples of proposed façade materials for Planning Commission review and approval. The brick used should be true clay brick as required for other developments in the area. The materials and color of the roof and windows must also be noted on the elevations.
- h. Addition of a crosswalk from the patio area to the building. Measures to enhance the appearance of the area near the pedestrian overpass structure must be addressed to the Commission's satisfaction.
- i. Details of all proposed signs, as described in Comment 11 above.
- j. Tree permit approval prior to final site plan approval.
- k. Approval of the Township engineer and all agencies with jurisdiction.

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



Stephen Hannon
Assistant Planner

David C. McNally II
Battalion Chief / Fire Marshal
O: 734-699-8900 ext9416

Van Buren Fire Department
46425 Tyler Rd
Van Buren Twp., MI 48111



January 12, 2016

Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Town Place Suites and Hotel SPR 14-031SPR

I have reviewed the plans by Bud Design & Engineering Services, Inc. for the above referenced project. **NFPA 1** Fire Code (2012 Edition), **NFPA 13** (2007 Edition) and **NFPA 101**, Life Safety Code (2012 Edition), and **NFPA 72** Fire Alarm Code (2007 Edition), were the primary reference documents used for this review. Please note that all NFPA standards apply as adopted by Van Buren Twp.

I have the following items requiring further detail / attention:

The plans reference new construction for a four story extended stay, hotel.

Below are the following items of concern:

1. The FDC for the building on the submitted plan notes a location on the north wall, east side of the structure. Please relocate the FDC to the north side of the east exterior wall.

AHJ

2. The FDC connection will be a 4 inch Storz fitting with a 30 degree downturn as required by the AHJ.
NFPA 13 6.8.1.2

3. Hydrants shall be two 4 inch Storz connections not threaded.

AHJ

4. The building shall be provided with an automatic sprinkler system in accordance with NFPA 13, *Standard for the Installation of Automatic Sprinkler Systems*.

NFPA 1 13.3.2.27.2

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.

5. The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible. The location and size shall be verified prior to installation. **AHJ**

6. The location of a key box, (Knox Box) shall be indicated on future submittal. The Knox Box location will be verified prior to the installation on the building. **NFPA 1 18.2.2.1**

7. Please verify that construction and finish components comply with NFPA 101, specifically chapter 28, as adopted by the Township of Van Buren. **AHJ**

8. Standpipe with 1 ½ inch connection in the East stairwell for each floor **AHJ**

The fire department requires involvement in the continuing plan review, inspection, and Certificate of Occupancy process and will require various inspections during the construction phases and immediately prior to opening to verify compliance with the appropriate codes. One set of as built construction drawings, schedules, and details, as it relates to construction, fire protection and response, will be required, as well as a **digital cad layout** of the building by this department prior to our final C of O inspection.

Review and approval by the Authority Having Jurisdiction shall not relieve the applicant of the responsibility of compliance with these codes.

Respectfully Submitted,

David C McInally- Fire Marshal



WADE TRIM

February 12, 2016

Charter Township of Van Buren
46425 Tyler Road
Van Buren Township, MI 48111

Attention: Ms. Carol Thompson, Chairperson
Van Buren Township Planning Commission

Re: Towne Place Suites
Preliminary Site Plan

Dear Ms. Thompson:

At your request, we have reviewed the preliminary site plan dated February 2, 2016 for the proposed Towne Place Suites located on the I-94 Service Drive in Van Buren Township. The Project involves the construction of a new building and supplemental parking. The Developer has addressed most of our concerns and, therefore, we are recommending preliminary site plan approval for this site. We have the following comments to offer in regard to the major engineering components of this project.

Water Main

The Developer has proposed an 8-inch public water main loop around the building, connected to the water main along both Quirk Road and the I-94 Service Drive. A 4-inch domestic service line and a 6-inch fire protection line have been proposed. Adequate hydrant coverage for the building has also been provided.

Sanitary Sewer

There is no public sanitary sewer proposed for this site. A 6-inch sanitary lead for the building has been provided which connects to the 10-inch sanitary sewer along the I-94 Service Drive.

Throughout the preliminary site plan process, we have discussed maintenance access for the existing sanitary sewer which cuts across the southwest corner of the site, as it is currently under the influence of the berm in this area. We will continue to work with the Engineer throughout the engineering review to determine an adequate solution to this conflict.

Storm Drainage

Storm water management has been provided to account for all site run-off, including collection from the back side of the berms located along the north and west property lines. A preliminary review of the detention pond sizing has been performed and the Designer has provided adequate storage for the 100-year storm. The Designer has indicated on the plans that the site outlets to the I-94 Service Drive and, ultimately, to the MDOT system.

Wade Trim Associates, Inc. 734.947.9700
25251 Northline Road 800.482.2864
P.O. Box 10 734.947.9726 fax
Taylor, MI 48180 www.wadetrिम.com



Charter Township of Van Buren
February 12, 2016
Page 2

Site Layout

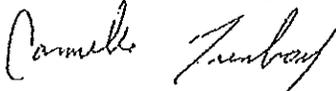
Access to the site is provided from the I-94 Service Drive and cross access with the neighboring Hampton Inn and Holiday Inn Express has been proposed. Curb and gutter is provided for all paved areas and a 5-foot concrete walk has been proposed along Quirk Road. The site layout provides for adequate circulation and sufficient pavement cross sections have been proposed for both standard and heavy-duty pavement. We would like to note that the pedestrian path to the gathering/public space is not currently ADA compliant and the Developer may want to consider providing accessibility.

Recommendation

We are recommending that the Planning Commission grant preliminary site plan approval at this time. The Developer should be aware that, following preliminary approval, a detailed engineering review will be required as a prerequisite to final site plan approval. If there are any questions on this project or our recommendation, please contact our office at 734.947.2793.

Very truly yours,

Wade Trim Associates, Inc.



Carmelle G. Tremblay, E.I.T.


David M. Nummer, PE

DMN:CGT:ka.
VBN 2247-01T
20160212Thompson.docx

cc: Mr. James Taylor, Director of Public Works
Mr. Ron Akers, Director of Planning and Economic Development
Mr. Mathew Best, Deputy Director of Planning and Economic Development



Bud Design & Engineering Services, Inc.

10775 S. Saginaw St. Suite B | Grand Blanc, MI 48439 | Ph: 810.695.0793 | Fax: 810.695.0569 | www.buddesign.com

February 2, 2016

Charter Township of Van Buren
46425 Tyler Road
Van Buren Township, MI 48111

RE: TownePlace Suites / Site Plan Review #4

Bud Design & Engineering Services, Inc. (BDE) is in receipt of reviews for the project. BDE has updated plans based on the comments and also provided an itemized narrative response to the items below.

WadeTrim Associates, Inc. Review (January 15, 2016)

General

1. The legal labels on the survey plan have been coordinated with the legal description.
2. The parking stalls will be double striped as indicated on Note 7 of sheet C3.0.
3. A note regarding off-site improvements has been added to sheet C3.0.

Water and Sanitary

1. A notation has been made on sheet C2.2 for the abandonment of existing services to the existing buildings.
2. Public water main is located within a 12-foot wide easement as noted on sheet C5.0.
3. Shrubby around the hydrant at the northeast portion of the building has been removed.

Storm Water Management

1. Storm inlets have been provided along the northern portion of the berm to collect run-off.
2. Clarification of the storm connection near the pump station has been made.
3. Stage-storage calculations have been updated.
4. Outlet of the storm from the site has been noted on C5.0.



Bud Design & Engineering Services, Inc.

10775 S. Saginaw St. Suite B | Grand Blanc, MI 48439 | Ph: 810.695.0793 | Fax: 810.695.0569 | www.buddesign.com

Paving/Grading

1. Pavement sections on C6.0 have been updated.
2. The driveway access to the TownePlace Suites has been revised to be 25-feet.

Landscaping

1. Tree plantings have been coordinated with utility locations.

Charter Township of Van Buren Review (January 18, 2016)

1. Zoning and Use

- Notation on the plans has been made referring to the zoning. Lot combination will be applied for with the Township.

2. Dimensional Requirements

- The building height is 45-feet as dimensioned on sheet A200.

3. Site Layout and Adjacent Uses

- No comment necessary.

4. Landscaping

- Identification of landscaping that applies to a particular requirement has been made on the updated plan set.
- Underground utility locations are depicted on the plan.
- The serbian yew size has been indicated to be 30-inches with the planting schedule.
- Additional evergreen landscaping has been placed along the Quirk Road berm in the vicinity of the residential area adjacent to the location of the hotel.

5. Stormwater Pond

- Notation on sheet L1.0 has been made for the aeration of the storm basins.
- The pond has been re-designed to be more natural and flowing. A cross-section has been provided for the length of the detention basin and sediment forebay. The slopes are 6-horizontal to 1-vertical. This slope is within the Wayne County standards for safety concerns and very manageable for maintenance.



Bud Design & Engineering Services, Inc.

10775 S. Saginaw St. Suite B | Grand Blanc, MI 48439 | Ph: 810.695.0793 | Fax: 810.695.0569 | www.buddesign.com

6. Parking Requirements

- Parking calculations have been updated. The proposed parking is within the maximum allowed.
- Cross-access areas are depicted on sheet C3.0.
- Relocation of parking areas along the west side of the main access have been made to the area north of the TownePlace Suites.

7. Sidewalks

- Guests that will park in the northern parking area are the long-term guests. Shuttle service from the hotel will provide access for the guests in place of a sidewalk.

8. DDA Standards and Architecture

- The building has a peaked roof as indicated on A200.
- Rooftop equipment will not be utilized and is so noted on the architectural plans.
- Colored renderings will be provided prior to the Planning Commission meeting.

9. Amenities

- The "Gathering Space" has been further detailed on sheet C3.0. Seating areas with a raised landscape area will be incorporated within the space. In addition, bike racks are proposed as well. Details have been provided on sheet C6.0 for the bike rack and bench.

10. Lighting

- No comment necessary.

11. Signs

- Signs and sign areas are noted on A200. A separate sign permit will be applied for.

10. Tree Removal Permit

- The application for tree removal is forthcoming.



Bud Design & Engineering Services, Inc.

10775 S. Saginaw St. Suite B | Grand Blanc, MI 48439 | Ph: 810.695.0793 | Fax: 810.695.0569 | www.buddesign.com

Van Buren Fire Department Review (January 12, 2016)

1. The FDC for the building on the submitted plan notes a location on the north wall, east side of the structure. Please relocate the FDC to the north side of the east exterior wall.
 - o The location of the FDC has been adjusted to be on the north side of the building toward the east side.
2. The FDC connection will be a 4 inch Storz fitting with a 30 degree downturn as required by the AHJ.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
3. Hydrants shall be two 4 inch Storz connections not threaded.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
4. The building shall be provided with an automatic sprinkler system in accordance with NFPA 13, *Standard for the Installation of Automatic Sprinkler Systems*.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
5. The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible. The location and size shall be verified prior to installation.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
6. The location of a key box, (Knox Box) shall be indicated on future submittal. The Knox Box location will be verified prior to the installation on the building.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0. The proposed location is shown near the front entrance on sheet C5.0.
7. Please verify that construction and finish components comply with NFPA 101, specifically chapter 28, as adopted by the Township of Van Buren.
 - o Construction will comply with the requirements.
8. Standpipe with 1-1/2 inch connection in the East stairwell for each floor.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.