

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
MAY 25, 2016
MINUTES**

Chairperson Boynton called the meeting to order at 7:30 p.m.

ROLL CALL:

Present: Franzoi, Boynton, Kelley, Atchinson and Budd.

Excused: Thompson and Jackson.

Staff: Director Akers, Deputy Director Matt Best and Secretary Smith.

Planning Representatives: McKenna Associate, Sally Hodges and Wade Trim Associate, David Nummer.

Audience: Six (6).

APPROVAL OF AGENDA:

Motion Budd, Franzoi second to approve the agenda of May 25, 2016 with the following changes: Public Hearing Items to be numbered Item #1 and Item #2 respectively and no action to be taken on either item by the commission.

Motion Carried.

APPROVAL OF MINUTES:

Motion Franzoi, Kelley second to approve the regular meeting minutes from May 11, 2016 as presented.

Motion Carried.

CORRESPONDENCE: None.

PUBLIC HEARING:

ITEM # 1: CASE #16-019 RZ

TITLE: THE APPLICANT, RICHARD STULL, IS REQUESTING TO REZONE APPROXIMATELY 1.54 ACRES CURRENTLY ZONED M-1 (LIGHT INDUSTRIAL) TO R-1B (SINGLE FAMILY RESIDENTIAL)

LOCATION: Parcel tax ID number **V-125-83-105-99-0050-000**, also known as 841 Savage is the subject parcel of this hearing. The subject parcel measures approximately 1.54 acres, and is located on the north side of Savage Road, east of Arlene Lane.

Motion Kelley, second Budd to open Public Hearing Case #16-19 RZ
Motion Carried.

Brad Jordan presented to the board on behalf of the homeowner and applicant Richard Stull. The Stull's are requesting to rezone the parcel because they are moving to Florida and want to sell. Currently it is master planned to be mixed use and is land locked behind the front two parcels that they own. They cannot combine the parcels as it would not meet the width to length ration and would not comply with the land division act.

Director Akers stated Public Hearing notices were published in the Belleville Independent on May 5, 2016 and notices were sent to all properties within 300' of the subject property on May 6, 2016. Gave a short summary of the Memo addressed to the Planning Commission dated May 19, 2016. Staff recommended commission approve the request to rezone the property because it is consistent with adjacent properties to the south and would be consistent with other residential properties in the vicinity, the proposed rezoning would also be consistent with the South Side Master Plan, it would have little impact on current traffic or infrastructure and it does not create any shortage of available vacant industrial zoned property in the Township.

Mrs. Stull addressed the Board, they have been residents of Van Buren Township 53 yrs. and need to move to Florida, as the winters are just too cold.

George Sheffler addressed the board, he owns the parcel adjacent to the west, and he is in favor of the rezoning and has no objection to the change.

Commissioner Atchinson inquired how the three parcels hold a single family home, the resident stated they purchased the parcel with the house first, then as the surround parcels came available they purchased them. She also wanted to know how the rezoning changed the value of the property. The agent, Brad Jordon reported that just the front is less than ½ acre and lists for \$110-115,000 whereas all three parcels would list between \$150-250,000.

Sally Hodges of McKenna and Associates informed the commission that over the years there have been many conflicts with the properties on Savage with the current zoning and the rezoning would be a "good thing" from a planning perspective.

Motion Budd, Second Franzoi to close public hearing Case #16-019 RZ
Motion Carried

ITEM #2 Case #16-020 RZ

TITLE: THE APPLICANT, VAN BUEN TOWNSHIP LOCAL DEVELOPMENT FINANCE AUTHORITY, IS REQUESTING TO REZONE APPROXIMATELY 1.04 ACRES CURRENTLY ZONED AG (AGRICULTURE) TO C-1 (COMMERCIAL).

LOCATION: Parcel tax ID number **V-125-83-045-99-0004-702** is the subject parcel of this hearing. The subject parcel measures approximately 1.04 acres, and is located on the south side of Ecorse, west of Hannan.

**Motion Franzoi, Budd second to open Public Hearing Case # 16-020 RZ
Motion Carried**

Director Akers provides staff support to the LDFA so he made the presentation and staff consultation. The parcel in question is owned by the LDFA, their primary function is promote economic growth, business development and new jobs within the township. The LDFA wants to sell the property and get the most competitive bids possible. This is a property that future land use would fall within mixed use, which we do not have an zoning district for in the township. This issue was addressed in 2013 on an adjacent property and after review the planning commission at the time felt that C district is more appropriate than C-1.

Sally Hodges gave some background information on the property, it was left over land that was acquired when Ecorse Road was widened, it is next to the pig launch site and does have some access issues as it is only 1 acre, shallow with some drain issues and is better suited for C than C1.

Commissioner Boynton asked if C zoning is consistent with surrounding area and it was confirmed. Commissioner Kelly stated he feels we should stick with consistency on the property. Commissioner Atchinson was curious why this was proposed, is there a Purchaser? Treasurer Budd also stated she felt we should keep it consistent.

**Motion Franzoi, second Budd to close Public Hearing Case #16-020 RZ
Motion Carried**

UNFINISHED BUSINESS: None

NEW BUSINESS:

ITEM # 1 16-002-Tree Permit

TITLE: THE APPLICANT, ALDI, INC. IS REQUESTING APPROVAL FOR A TREE PERMIT FOR ASSOCIATED SITE IMPORVEMENTS AND CONSTRUCTION OF A SINGLE STORY RETIAL COMMERCIAL BUILDING FOR A LIMITED ASSORTMENT GROCERY STORE.

LOCATION: Parcel number **V125-83-058-99-0007-704**. The site is approximately 3.76 acres on a 19.61 acre parcel. It is located in a C-2, extensive Highway Business district. This site is located on the east side of Belleville Road between Tyler and the 1-94 North Service Drive.

Christopher Grzenkowicz, P.E. presented for Aldi, Inc. They have received preliminary site approval and are making the changes requested to come to the Commission for final site approval however they want to get the store built before the end of the year so they are requesting the tree removal permit now so they can stay on the build schedule. They have agreed to terms to pay for trees in lieu of replacement per the request of township.

Sally Hodges of McKenna and Associates, stated it is unusual to give tree permit before final site approval but in this case the changes requested were very minor. Referring to letter from McKenna and Associates dated May 19, 2016 recommending the Commission approve permit request based on meeting the follow two terms:

1. Correction of the table list 146 desirable and 42 undesirable trees, respectively
2. Satisfactory provisions to protect the trees within the storm pond fence that are shown as preserved.

Deputy Director Best stated that Aldi has been working very closely with Planning Dept. to make this a win /win for the Township and their company.

Commissioner Atchinson wanted to know the status of water tap with Auto Zone. Mr. Grzenkowicz stated they have acknowledged their request but indicated it will take some time to review as they have a significant amount of requests. She asked if it would help if someone from the township spoke to Auto Zone. Director Akers assured her that contact has been made by both the applicant and Township staff regarding this matter.

Motion Kelley, Atchinson second to approve The Aldi Inc., tree permit subject to the letter from McKenna dated May 19, 2016.

Motion Carried.

ITEM # 2 16-008- FINAL SITE PLAN

TITLE: THE APPLICANT, VERDETERRE CONTRACTING, INC., IS REQUESTING FINAL SITE PLAN APPROVAL FOR AN OFFICE BUILDING ADDITION OF 1440 SQUARE FEET.

LOCATION: Parcel number **V125-83-033-99-0036-000**, 7994 Belleville Road. The site is approximately 7.28 acres and is located in the C-1, General Business District. This site is located on the west side of Belleville Road between Tyler and Ecorse.

Chris Brown of Verdeterre Contracting, Inc. addressed the board stating they received preliminary site plan approval on April 13, 2016 and are now requesting consideration for final site plan approval.

Sally Hodges of McKenna and Associates reviewed their letter of May 19, 2016 recommending final site plan approval subject to four items:

1. Yield sign moved back toward gate so that trucks will know to yield to oncoming traffic heading west, in order to avoid blocking maneuvering lane.
2. Planning Commission and DDA approval of the contribution to the DDA sidewalk fund.
3. Wall Pack light fixture shall be cutoff
4. Approval of the Township Engineers.

Dave Nummer of Wade Trim recommended final site approval be granted as contractor has addressed concerns and they have approved the construction plans on behalf of the township, per his letter dated May 19, 2016.

Motion Kelley, Budd second to grant final site plan approval for Verdeterre Contracting Office Expansion Case # 16-008 subject to conditions outlined in letter dated May 19, 2016 from McKenna and Associates and letter dated May 19, 2016 from Wade Trim.

Motion Carried.

GENERAL DISCUSSION:

LAKE ORDINANCE UPDATE: Director Akers stated the Work group formed of 15 people had its first meeting on May 23, 2016 and it was a very productive. The next meeting the work group will go over DEQ regulations.

MENARDS UPDATE: Director Akers also addressed some questions from last meeting surrounding Menards. He received communication from Corporate that they have suspended all new store construction until Presidential elections have concluded. However, they will continue to correspond with Planning Department to keep all approvals current so they are ready to build in early 2017.

Motion Kelley, Franzoi second to adjourn at 8:22 p.m.

Motion Carried.

Respectfully submitted,

Karen E, Smith

Recording Secretary

May 19, 2016

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

**Subject: VBT-16-002 TRP; Aldi, Belleville Road
Tree Removal Permit #2; Plans Dated May 12, 2016, Received May 17, 2016**

Dear Commissioners:

The applicant, Aldi, Inc. proposes to build an 18,850 square foot Aldi Food Market along Belleville Road, just south of AutoZone. The site is zoned C-2 Extensive Highway Business. There are existing trees on the currently undeveloped site that are planned to be removed, thus a tree removal permit is required. Typically, the Planning Commission does not review a tree removal permit request until the final site plan is submitted, however in this case, few site changes are anticipated and the applicant is under a very tight time frame to accomplish the site clearing and be under construction this summer. Therefore, the applicant is requesting tree removal permit approval while the final site plan is being wrapped up; if any aspect of the final site plan cause changes to the applicant's ability to provide replacement trees and comply with the conditions of any tree removal approval by the Planning Commission, a revised application will be required. We offer the following comments on the tree removal permit for your consideration.

A. TREE SURVEY

A tree survey has been submitted, identifying 238 regulated trees are on the site. The following tree preservation and removal is proposed:

- 29 trees of 5" caliper or greater will be preserved.
- 8 trees less than 5" caliper will be preserved.
- 201 trees of 5" caliper or greater will be removed. Of the 201 trees to be removed, 13 are dead, 42 are of undesirable species, and 146 are of desirable species. The table lists 145 desirable trees and 43 undesirable trees, which should be corrected to 146 desirable and 42 undesirable trees respectively.

B. TREE REPLACEMENT

All trees 5" in caliper or larger to be removed must be replaced in accordance with the scale of replacement ratios in Section 4.45.E.10.a. The plan proposes planting deciduous trees of 4" caliper and evergreen trees of 8' in height, which have a replacement ratio of 1:2 (1 replacement tree planted for every 2 trees removed). Trees of undesirable species, including cottonwood, that are replaced with 4" deciduous trees and 8' evergreen trees are proposed at the ratio of 1:4 (1 replacement tree planted for every 4 trees removed) which is a standard the Commission has agreed to in the past. There are 9 river birch proposed to be planted in the edge zone of the storm water pond and are being counted as replacement trees; the river birch is an acceptable species of tree for the edge zone landscaping.

C. APPLICATION REQUIREMENTS (SECTION 4.45.E.7)

- 1. A topographical map at the same scale as the related site plan.** A topography has been submitted.
- 2. The shape and dimensions of the site, together with the existing and proposed locations of structures and improvements, including existing and proposed changes to existing grades.** These items are on the landscape plan.
- 3. Location and dimensions of all setbacks and existing and proposed easements.** The landscape plan shows proposed easements for sanitary sewer, water main, and future ingress and egress to the east of the site.
- 4. Existing tree inventory and survey.** The tree survey shows 37 trees to be preserved and 201 trees to be removed. Of the 201 trees to be removed, 13 are dead, 42 are undesirable species, and 146 are desirable species.
- 5. A statement of how existing trees not to be relocated or removed will be protected during construction.** Several existing trees shown to be preserved at the south end of the storm water pond and within the area that will be graded for pond construction. These trees will undoubtedly be impacted during construction. The plan must include satisfactory measures to protect and ensure the survival of these trees, if they are to count as preserved trees.
- 6. An evaluation of the quality, size, and density of trees to be removed.** The evaluation of the trees is included on Sheet EX2.
- 7. Soil conditions and drainage characteristics of the site.** This information was submitted as part of the site plan packet.

D. STANDARDS FOR GRANTING APPROVAL (SECTION 4.45.E.9)

- 1. Protection and conservation of natural resources from pollution, impairment, or destruction.** The proposed landscape plan includes all the required landscape trees and 64 of the required replacement trees. The applicant intends to pay the Township's fee in lieu of planting the remaining 20 required replacement trees. The site will be well landscaped, and trees planted densely throughout the entire site so as to screen key parts of the site including the parking lot and detention pond.
- 2. Maintenance of woodland areas.** The retained, replacement, landscape, and fee in lieu of planting trees will adequately replace the trees removed from the Aldi site. Also, the remainder of the parcel east of the site is woodland and will not be disturbed by the Aldi development.
- 3. Limitation of land clearing activity.** The cleared part of the site will be used for the building, parking, access drives, and storm water pond. These are all necessary to develop the commercially zoned site, and are thus permitted reasons for clearing trees.
- 4. Design and construction of residential structures.** This standard is not applicable.

5. **Limitations on tree removal.** Trees are proposed to be removed from the site in order to place the building in a reasonable location and in order to abide by all applicable zoning regulations. For this reason, removing trees is acceptable.
6. **Burden of satisfying the standards to be upon the applicant.** The applicant has satisfied the standards.

RECOMMENDATION

The tree survey has most of the information necessary to be complete, subject to a few revisions. As discussed above, the tree removal permit request is in advance of the final site plan being ready for approval, thus if any aspect of the final site plan cause changes to the applicant's ability to provide the required tree replacements or to otherwise comply with the conditions of any tree removal approval by the Planning Commission, a revised application will be required.

Therefore, we recommend that the Planning Commission approve the tree removal permit for the Aldi application, subject to the following:

1. Correction of the table to list 146 desirable and 42 undesirable trees, respectively.
2. Satisfactory provisions to protect the trees within the storm pond fence that are shown as preserved.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



Stephen Hannon
Assistant Planner



WADE TRIM

May 19, 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: Verdeterre Contracting
Final Site Plan Approval

Dear Ms. Thompson:

At your request, we have reviewed the preliminary site plan package dated April 16, 2016 for the proposed building expansion located at 7994 Belleville Road. The Project involves the construction of a 1,440 SF building addition and supplemental parking area. The Developer has addressed our concerns and, therefore, we have approved the construction plans on behalf of the Township. We are recommending that the Planning Commission grant final site plan approval at this time. If you have any questions regarding this project, please contact our office at 734.947.2793.

Very truly yours,

Wade Trim Associates, Inc.


David M. Nummer, PE

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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
Mr. Chris Brown, Verdeterre Contracting

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May 19, 2016

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

**Subject: VBT-16-008 SPR; Verdeterre Office Addition, 7994 Belleville Road; Site Plan Review #3;
Plans Revised April 21, 2016**

Dear Commissioners:

The applicant proposes to construct a 1,440-square foot addition to the west (rear) of the office building for Verdeterre Contracting and requests final site plan approval. The site is located on the west side of Belleville Road, directly across the road from the Van Buren Township Fire Station. The proposed site improvements consist mainly of the office building expansion and improvements to the parking and circulation around the office building.

The Planning Commission granted preliminary site plan approval on April 13, 2016. We have reviewed the site plan for compliance with the conditions of preliminary site plan approval and offer the following comments for your consideration.

Review of Conditions

- 1. The width of the two angled parking spaces (1 standard and 1 handicapped) must be dimensioned on the plan.** These dimensions have been added to the site plan on Sheet C-2.
- 2. Subject to the determination of the Commission, all driveways accommodating 2-way traffic should be widened to 24 feet. If the Commission determines that signing the traffic is sufficient, additional signage must be specified on the plan as discussed in Comment 2, above.** At preliminary site plan review, the Planning Commission approved the existing driveway width, but requested an additional directional sign for traffic management in the one-way driveway. An additional yield sign is proposed near the building, however the placement of this sign should be shifted west, closer to the gate so that trucks will know to yield to oncoming traffic heading west, in order to avoid blocking the circulation lane south around the building.
- 3. The following landscape items should be addressed:**
 - a. The plan must be clarified to distinguish the location of the wood fence from the chain link, and all chain link fence located in front of (east) of the metal maintenance building must be replaced with new fence matching the wood privacy fence.** A note has been added to the site plan for the fence along the section of the site east of the metal maintenance building to the edge of the parking lot. The existing 5' high chain link fence in this area will be replaced with 6' high wood privacy fence matching the existing screen fence type and redwood color.
 - b. A detail of the fence including materials, height, and color must be added.** A typical 6' high wood privacy fence detail has been added to Sheet C-1.

4. **The following building elevation items should be addressed:**
 - a. **Building colors must be labelled on the elevations.** A color legend has been added to the elevations, showing that all split face CMU will be Desert Red and all smooth face CMU will be Cream.
 - b. **Building height must be dimensioned on the elevations.** The building height is dimensioned on the elevations at 14 feet.
 - c. **Any rooftop equipment must be shown on the plan and screened from view off the site, and the means for accomplishing that indicated on the plan.** A note has been added stating that no HVAC units will be located on the roof.
5. **Mutual agreement between the Planning Commission, applicant and DDA for the applicant to contribute to the DDA sidewalk fund at this time for future construction of the sidewalk.** There is a note on Sheet C-2 regarding a proposed contribution to the DDA sidewalk fund. More information is needed to determine if this condition has been met.
6. **The outdoor light must be added to the building elevations and cut sheets submitted. Sheet C-1 that states that there will be no site lighting should be corrected accordingly.** The note on Sheet C-1 has been updated to state that site lighting will be provided by wall mounted fixtures on the building. A cut sheet of the wall mounted fixture has been included with the plans, and the light fixture is shown on the elevations as being above the door on the west side of the new building. Please confirm that the lighting fixture is full cutoff.
7. **Sufficiency of the amenities is subject to the determination of the Commission.** At preliminary site plan review, the Planning Commission approved the bench near the building as an amenity.

Recommendation

Most of the conditions of the Planning Commission's preliminary site plan approval have been met. Therefore, we recommend final site plan approval subject to the following:

1. The yield sign should be moved back toward the gate so that trucks will know to yield to oncoming traffic heading west, in order to avoid blocking the maneuvering lane.
2. Planning Commission and DDA approval of the contribution to the DDA sidewalk fund.
3. The wall pack light fixture shall be full cutoff.
4. Approval of the Township engineers.

Respectfully submitted,
McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



Stephen Hannon
Assistant Planner