

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
July 22, 2015
MINUTES**

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

ROLL CALL:

Present: Johnson, Boynton, McKenna, Budd, Franzoi and Thompson.

Excused: Kelley.

Staff: Secretary Harman.

Planning Representatives: McKenna Associate, Sally Hodges and WadeTrim Associate, Bill Fisher.

Audience: Three (3).

APPROVAL OF AGENDA:

Motion McKenna, Boynton second to approve the agenda of July 22, 2015 as amended removing Item #1 under New Business per email request of the applicant and reschedule the item to the August 12, 2015 meeting. Motion Carried.

APPROVAL OF MINUTES:

Motion Johnson, Franzoi second to approve the minutes from July 8, 2015 as presented.

Motion Carried.

NEW BUSINESS:

ITEM # 2 CASE# 14-025 (SLU & SPR)

TITLE: THE APPLICANT, DENTON PARTNERS LLC, IS REQUESTING SPECIAL APPROVAL AND PRELIMINARY SITE PLAN APPROVAL TO CONSTRUCT A DRIVE-THROUGH RESTAURANT AS REQUIRED IN SECTION 12.03 OF TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.

LOCATION: PARCEL NUMBERS V125-83-018-02-0134-006, -007, -008, -009 AND -010, ALSO KNOWN AS 49230 MICHIGAN AVE. AND 5825 DENTON ROAD, ARE THE SUBJECT OF THIS HEARING. THE SITE MEASURES APPROXIMATELY 1.99 ACRES IN AREA AND IS CURRENTLY ZONED C-1 (GENERAL BUSINESS). THE PROPERTY IS LOCATED AROUND THE NORTHEAST CORNER OF MICHIGAN AVENUE AND DENTON ROAD.

Tom Demond of Boss Engineering gave the presentation for the applicant presenting a sample board of the exterior façade and a color rendering of the building. The sample board displayed red brick, grey stone, metal trim and the canopy color.

Sally Hodges of McKenna Associates presented special use review letter dated 7-16-15 recommending the Planning Commission recommend special approval to the Township Board subject to final site plan approval.

Sally Hodges of McKenna Associates presented preliminary site review letter dated 7-16-15 recommending the Planning Commission grant preliminary site plan approval subject to the thirteen (13) conditions referenced in the letter.

Bill Fisher of WadeTrim presented preliminary site review letter dated 7-15-15 recommending preliminary site plan approval.

Commissioners discussed the parking reduction, safety of the stacking lane, hours of operation, location of the mechanical units, the status of the detention pond, the brick walls and wrought iron fence surrounding the detention pond and status of work with Wayne County and the applicant.

Motion McKenna, Budd second to recommend the Planning Commission recommend special approval to the Township Board for parcel numbers V125-83-018-02-0134-006, -007, -008, -009 and -010, also known as 49230 Michigan Avenue and 5825 Denton Road referencing the McKenna Associates review letter dated 7-16-15. (Letter Attached)

Roll Call:

Yeas: Franzoi, Johnson, Boynton, McKenna, Budd and Thompson.

Nays: None.

Absent: Kelley.

Motion Carried.

Motion Johnson, Boynton second to grant preliminary site approval to Denton Partners LLC to construct a gas station convenience store with a drive-through restaurant on parcel numbers V125-83-018-02-0134-006, -007, -008, -009 and -010, also known as 49230 Michigan Avenue and 5825 Denton Road subject to the agreement to reduce parking and stacking spaces along with the conditions referenced in the McKenna Associates review letter dated 7-16-15 and WadeTrim review letter dated 7-15-15. Motion Carried. (Letters Attached)

OLD BUSINESS: None.

GENERAL DISCUSSION: None.

Motion Boynton, Franzoi second to adjourn at 7:52 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

July 16, 2015

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

Subject: VBT-14-025 SLU; Michigan and Denton Development; Special Approval Review #1; Plans Dated May 14, 2015.

Dear Commissioners:

The applicant proposes a new gas station with convenience store and a drive-through restaurant on an existing 1.99 acre parcel at the northeast corner of Michigan Avenue (US 12) and Denton Road. The site was recently rezoned to C-1 (General Business) District. Within C-1 (General Business) Districts, drive-through restaurants require special approval.

COMMENTS

Special approval uses must meet both the specific non-discretionary standards of Section 12.03.d. and the discretionary standards listed in Section 18.08.f. of the Ordinance. We have reviewed the proposal and have the following comments based on the requirements of the Zoning Ordinance, observation of the site and surroundings and accepted principles of good planning and design.

1. General Standards for Special Approval.

- a. **Promotes the use of land in a socially and economically desirable manner for those persons who will use the proposed land or activity; for those landowners and residents who are adjacent; and for the Township as a whole.** The site is located on the northeast corner of Denton Road and Michigan Ave., and abuts Canton Township. The immediate vicinity is mostly residential uses to the south and north. To the east and west along Michigan Ave. is undeveloped commercial zoned property. A run-down party store was the site's previous use, and the land was recently rezoned from C to C-1 at the request of the applicant. No gas stations currently exist in the vicinity, and the proposed drive-thru restaurant use will add a dining option in a relatively underserved portion of the Township. The use proposed will improve the overall appearance of the site and replacing a blighted structure.
- b. **Is necessary for the public convenience at that location.** The use will offer fuel and food, a public convenience for commuters, residents of the neighborhood, travelers and others in the northeast quadrant of the Township.
- c. **Is compatible with adjacent uses of land.** The C-1, General Business District permits a variety of uses, including drive-through uses by special approval. Landscaping, circulation, signs, infrastructure and other elements on the site will be upgraded to comply with the Zoning Ordinance. The single family residential zoned to the north in Canton Township will be

buffered with landscaping and a six foot screening wall to minimize off site impacts. Residential uses south of Michigan Ave. are separated from the site by the divided highway with a 204 foot wide right-of-way; the well-designed site will not negatively impact those residences. The proposed use will be compatible with the commercial zoned land to the east and west.

- d. Is designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.** The improvements will conform to industry standards for modern gas stations with convenience stores and drive-through restaurants. This proposed development will not pose a hazard to the public health, safety and welfare of Township residents. The site plan provides for appropriate circulation and bypass for the drive-through facility. The plan will close a dangerous informal driveway at the corner of Denton Road, and it provides significant upgrades including landscaping and storm water management, all benefits to public health, safety and welfare.
 - e. Can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area.** The site's requirements will not negatively impact the provision of public services and facilities in the vicinity.
 - f. Will not cause injury to other property in the neighborhood in which it is to be located.** With the improvements to circulation, removal of a blighted building and increased landscaping, we do not anticipate any adverse effects to the existing uses. The development will increase the marketability and desirability of other commercial and residential properties in the neighborhood.
 - g. Considers the natural environment and helps conserve natural resources and energy.** As part of site plan approval, modifications will be required to bring the site into greater compliance with the landscaping, design, and other standards of the Zoning Ordinance. The installation of an on-site storm water pond will significantly improve the site's storm water management features. Significant landscaping will be added to the site as a part of the site plan approval process that will provide perimeter trees, landscaping beds, and landscaping around the storm water pond. These alterations will result in more manicured site, improved circulation and other improvements that will have no adverse effects on the natural resources.
 - h. Is within the provisions of uses requiring special approval in the zoning district, is in harmony with the purposes and conforms to the applicable regulations of the zoning district, and meets applicable site design standards for special approval uses.** If our site plan comments under separate cover are adequately addressed, this condition will be met.
 - i. Is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.** The proposed use is expected to be consistent with the Township's police power.
- 2. Specific Standards for Special Approval.** Section 12.03.d. gives specific standards for drive-in restaurants in the C-1 District. The proposal's compliance with those standards is evaluated below.

 - a. Entrances and exits must be 100 feet from the intersection of any two streets.** The west driveway (off Denton Road) is approximately 180 feet from the intersection with Michigan Ave.

The southern driveway is over 250 feet from the intersection with Denton Road.

- b. Must have direct access to a major thoroughfare.** The site has direct access to Michigan Ave, a major arterial road.
- c. No lighting or illuminated display shall reflect onto a residential zone.** The site abuts R-1 residential zoning to the north in Canton Township and R-1C to the south across Michigan Ave. All developments must conform with the zoning ordinance requirement that limits all light levels to no more than 0.5 fc at the property line.
- d. Consideration must be given to proximity of existing places of congregation of children regarding traffic safety and sanitation.** The site is located in an area of zoned for intensive commercial uses. Although there are single family dwellings to the north, these are few in number and not areas that would facilitate congregation of large number of children. The addition of perimeter sidewalks will create added pedestrian safety.

RECOMMENDATION

Based on the above, we find that the proposed gas station and drive-through meets the criteria for special approval. Therefore, we recommend the Planning Commission recommend special approval to the Township Board, subject to the following:

1. Final site plan approval.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



WADE TRIM

July 15, 2015

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

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

Re: Michigan-Denton Development – Preliminary Site Plan Approval

Dear Ms. Thompson:

We have reviewed the preliminary site plan package dated May 14, 2015 for the Michigan-Denton Development project located on the northeast corner of Michigan Avenue and Denton Road. The Project involves the demolition of an existing convenience store and construction of a new gas station and restaurant. Our comments on the preliminary site plan are as follows:

WATER MAIN

There is no public water main proposed for this site. The site will be serviced by an approximately 160-foot long, 2-inch, Type 'K' copper water service tapped from a 12-inch water main along Denton Road.

SANITARY SEWER

There is no public sanitary sewer proposed for this site. Approximately 250 LF of 6-inch PVC sanitary service is proposed for the site, which outlets to an existing 10-inch sanitary sewer along Michigan Avenue.

STORM SEWER/DETENTION

A storm system with multiple catch basins throughout the paved parking lot is proposed to convey the 10-year storm on site. The storm system outlets through a mechanical pretreatment device to a detention basin on the northwest corner of the site. The detention basin is designed to store and treat the 10-year storm and ultimately outlets through a control structure to a 12-inch storm sewer along Denton Road.

PAVING/GRADING

Two 30-foot wide drive approaches have been proposed for the development from Michigan Avenue and Denton Road. All paved drives and parking areas are delineated with curb. The parking lot provides a total of 44 parking stalls, including three barrier-free spaces. An 11-foot drive lane is proposed for the drive-thru, as well as a 12-foot by-pass lane. A 5-foot concrete sidewalk is proposed along Michigan Avenue and Denton Road, placed in an easement where the layout requires the walk to be outside of the right-of-way.

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.wadetrim.com



Charter Township of Van Buren
July 15, 2015
Page 2

RECOMMENDATION

We are comfortable recommending preliminary approval for the proposed site plan. If you have any questions regarding this review, please contact our office at 734.947.9700.

Very truly yours,

Wade Trim Associates, Inc.



David M. Nummer, PE

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cc: Mr. James Taylor, Public Works Director
Mr. Darrell Fecho, Deputy Director of Planning and Economic Development

July 16, 2015

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

Subject: VBT-14-025 SPR; Michigan and Denton Development; Site Plan Review #4; Plans Dated July 16, 2015

Dear Commissioners:

The applicant proposes a new gas station with convenience store and a drive-through restaurant on an existing 1.99 acre parcel at the northeast corner of Michigan Avenue (US 12) and Denton Road. The site was recently rezoned to C-1 (General Business) District. Our comments follow:

- 1. Use.** The site is zoned C-1 (General Business). Gas Stations are permitted by right while Drive-through restaurants are permitted subject to special approval. Special approval, with public hearing by the Planning Commission and recommendation to and approval by the Township Board, is required. The public hearing was held on July, 8, 2015. Our special approval comments are under separate cover.
- 2. Dimensional Requirements.** The required front yard setback is 75 feet with 15 foot wide side yard setbacks, and 25 foot rear yard setback and a maximum height of 40 feet. Although the site appears to comply with these requirements, please add a dimension on the plan from the pump canopy to the southern property line.
- 3. Circulation.** The site has direct access to Michigan Ave. (a divided highway) and secondary access to Denton Road. The south driveway (off Michigan Ave.) is over 250 feet from the intersection with Denton Road. The west driveway (off Denton Road) is approximately 180 feet from the intersection with Michigan Ave.

A future cross access connection on the east side of the parking lot is provided, and the cross access easement is delineated on the plan. Cross access easement documents must be submitted for Township review and approval prior to final site plan approval. These agreements must be finalized and the recorded version must be presented to the Township prior to certificate of occupancy.

- 4. Landscaping and Screening.** It is our understanding that the proposed storm water pond design is under review by Wayne County, and changes to the design may be required due to the County's requirements. Those changes must be included on the plans prior to final site plan approval. The land west of the storm water pond is planted with trees and shrubs adequate to meet the right-of-way landscaping requirements, and other plantings are provided to enhance the pond.

The details of the species, size at planting, and number of plantings provided are noted on the landscape plan. The total number of Acer rubrum - "Armstrong" and Carpinus betulus - "Frans Fontaine" in the Plant List on Sheet C6 does not match the plan and must be corrected.

Sidewalk is proposed along the site’s entire frontage. As the Denton Road sidewalk will be partially on the applicant’s site, a sidewalk easement must be provided for the review of the Township prior to final site plan approval. Evidence of recording of easement must be provided prior to issuance of a certificate of occupancy.

Other Ordinance landscaping requirements have been met.

5. Parking. The parking requirements are as noted below:

Standard	Applicable Measurement	# of Spaces Required	# of Spaces Provided
Gas Station			
1 space per 200 sq. ft. of gross retail space	5,398 sq. ft. of gross floor area for the C store	27	27
2 spaces per pump island	5 pump islands	10	10
1 space per employee in maximum shift	3 employees	3	3
Drive-Through Restaurant		40	40
22 spaces per 1,000 sq. ft. usable floor area	368 sq. ft. of usable floor area	8	0
1 space per employee in maximum shift	4 employees	4	4
	Minimum Required:	52 spaces (est.)	
	Total Proposed:		44
	Deficiency:		<u>8 spaces</u>
Drive-Through Stacking			
5 between pick-up window & order station	-	5 stacking	4 stacking
10 per order station	1 order station	10 stacking	9 stacking
	Minimum Required:	15 stacking	
	Total Proposed:		13 stacking
	Deficiency:		<u>2 stacking</u>

There are 2 fewer stacking spaces and 8 fewer parking spaces than required. The applicant notes that the potential tenant proposed for the drive-through restaurant requires less time to fill orders on average in comparison to the typical fast food restaurant, and that existing conditions on the site are satisfactory to meet the parking needs of customers and not cause traffic problems. The Planning Commission may modify the numerical parking and stacking requirements based on satisfactory written evidence from the applicant that another standard would be more reasonable, given the expected employment and/or customer traffic.

6. Drive-Through Speakers. The site plan must include a note that volume and frequency controls will be provided, along with other ways to ensure the speakers do not become a nuisance.

7. Lighting. All light poles measure 22 feet tall and conform to the Township’s 25 foot maximum height requirement. The site lighting plan indicates conformance with the Township’s requirement

for lighting to be shielded from the adjacent rights of way and from adjacent residentially zoned properties.

- 8. Elevations.** The new gas station/convenience store building elevations have been revised to incorporate red brick veneer as the primary facade material with accent bands of stone. Stone is also used as an accent material and the main material framing the building entrance and drive through window area. Samples of the proposed façade materials and colors for the building and gas canopy must be presented at the Planning Commission meeting for approval.

The roof plan illustrates rooftop mechanicals, but no screening is shown. The site plan must clarify where the mechanical units will be located and provide details of the screening. Use of the parapet for screening is preferred.

The gas canopy support columns are covered in cultured stone with a limestone base and the canopy is EIFS with a metal cornice. The elevations note most materials will “match building”. However, the primary materials - cultured stone and EIFS - are not on the main building; even the cornice proposed is different. The gas canopy elevations must be revised to better match building materials and colors. Excessive use of EIFS is discouraged. Colors and materials must be noted on the plan.

- 9. Site Amenities.** All commercial uses in the Township must provide site amenities to serve the comfort of the public and future users. An outdoor seating area for the drive-through restaurant is proposed as an amenity; details of the proposed outdoor furniture, trash cans, umbrellas, etc., are illustrated on Sheet C12.
- 10. Signs.** The allowable sign area is 1 sq. ft. per linear foot of lot frontage up to 200 linear feet, plus 0.25 square foot for each subsequent linear foot. For the 283.86’ of linear frontage, this equals 221 sq. ft. of available sign area. This total includes all wall signs, canopy signs and the ground monument sign. Current measurements illustrate 200 sq. ft. of signage and comply.

Dimensions of the proposed signs are on the plan as required. The permitted sign area is shared between the convenience store, gas station and drive-through restaurant. The proposed signs comply with the maximum sign area permitted by the Zoning Ordinance in Section 20.409(4) (b).

Per Sheet C11, the south and west elevations of the canopy will each have a 16 sq. ft. logo sign. The plan notes that an additional sign will be located on the east elevation of the canopy; this must be added to the elevation. The gas pump island detail was removed from Sheet C11 in the revised version of the site plan and must be restored to the submission.

Details for the menu board, order station, and the ground monument sign were provided. Details for the directional signs must be provided.

- 11. Permits and Approvals.** Site plan approval will be subject to evidence of all required State permits and approvals for the storage, disposal, and transfer of gasoline, including the size, construction, overflow protection, and underground fuel tanks.

RECOMMENDATION

The site plan has been revised to address previous concerns and make the overall site more functional. Therefore, we recommend that the Planning Commission grant preliminary site plan approval subject to the following items being addressed on the plan prior to final site plan approval:

1. Provide a dimension from the Michigan Ave. property line to the canopy;
2. Correct landscape plan to address inconsistencies between the planting list and the landscape plan, as described in Comment 4. above;
3. Any changes to the storm water pond required by Wayne County must be addressed on the plan prior to final site plan approval;
4. Planning Commission approval of the proposed 2 stacking space deficiency and 8 parking space deficiency based upon satisfactory written evidence from the applicant as to why the proposed spaces will be sufficient for the use due to special considerations regarding customers and employees, or revision of the site plan to comply with the requirements;
5. Statement on the site plan regarding how the drive-through speakers will be controlled to prevent them from becoming a nuisance to neighboring properties;
6. Samples of the proposed façade materials and colors for the building and gas canopy must be presented at the Planning Commission meeting and are subject to the Commission's approval;
7. The gas canopy elevations must be revised to better match building materials and colors, with colors and materials noted on the plan.
8. Clarification on the plan regarding where the mechanical units will be located and provide details of the screening. If there will be no rooftop mechanicals, the plan must so note;
9. Provision of all sign items, as noted in Comment 10 above;
10. Submission of proposed easements for cross access and the sidewalk for Township review and approval prior to final site plan approval. These agreements must be finalized and the recorded version must be presented to the Township prior to certificate of occupancy.
11. Provide evidence of State permits for the operation of a gasoline service station prior to issuance of building permits;
12. Approval of the Township engineer; and
13. Special approval by the Township Board.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President