

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES
JUNE 16, 2014 WORK STUDY MEETING, TENTATIVE AGENDA**

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Supervisor Combs	_____	Trustee McClanahan	_____
Clerk Wright	_____	Trustee Miller	_____
Treasurer Budd	_____	Engineer Nummer	_____
Trustee Hart	_____	Attorney McCauley	_____
Trustee Jahr	_____	Secretary Cline	_____

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Discuss Atchinson Quick Lane Special Use Approval to Expand Operations including Used Car Sales and Vehicle Servicing in the C-2 Zoning District.
2. Discuss Telecommunication right-of-way permit application for Fiber technologies Networks, LLC.
3. Discuss application for Farmland Development Rights Agreement.
4. Discuss 2014 concert series.

CLOSED SESSION:

ADJOURNMENT:

Charter Township of Van Buren

Agenda Item: WS# NB#1

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE:

JUNE 16, 2014

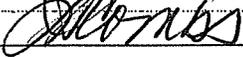
BOARD MEETING

DATE: JULY 1, 2014

Consent Agenda _____ New Business X _____ Unfinished Business _____ Public Hearing _____

ITEM (SUBJECT)	Atchinson Quick Lane Special Use Approval to Expand Operations Including Used Car Sales and Vehicle Servicing in the C-2 Zoning District as Required By Section 13.03 of Township Zoning Ordinance 06-02-92, as Amended.
DEPARTMENT	Planning
PRESENTER	Sally Hodges
PHONE NUMBER	734-699-8910
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	
Approval of request for special use for proposed expansion of used car sales and addition of vehicle servicing as "Quick Lane" operation	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
Atchinson Ford proposes to update and expand the existing sales and service building at 9700 Belleville Road, and add a new Quick Lane vehicle servicing operation. The Quick Lane will be for minor servicing, including tires, brakes, alignments and oil changes. The site is located in C-2 General Business District, and used car sales and vehicle servicing facilities require approval by the Board of Trustees after a public hearing and recommendation by the Planning Commission. Township staff met with the property representatives several times throughout the review process and the property representatives worked collaboratively with the Township to address several design issues. At its May 28, 2014 meeting, the Planning Commission unanimously voted to recommend that the Board of Trustees grant Special Land Use Approval for this request. Minutes from the Planning Commission approval are attached, along with the referenced McKenna Associates review letters dated May 22, 2014.	
BUDGET IMPLICATION	
IMPLEMENTATION NEXT STEP	Project returns to Planning Commission for Final Site Plan Review and Approval
DEPARTMENT RECOMMENDATION	Approval
COMMITTEE/COMMISSION RECOMMENDATION	Approval
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	See attached documentation for additional information.
APPROVAL OF SUPERVISOR	

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
May 28, 2014
MINUTES**

DRAFT

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

ROLL CALL:

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

Excused: None.

Staff: Secretary Harman.

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

Audience: Five.

APPROVAL OF AGENDA:

Motion Kelley, McKenna second to approve the agenda of May 28, 2014 as amended to include the public hearing. Motion Carried.

APPROVAL OF MINUTES:

Motion Johnson, McKenna second to approve minutes from May 14, 2014 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1

TITLE: CONSIDER AMENDMENT TO THE ZONING ORDINANCE 6-2-92, AS AMENDED OF THE CHARTER TOWNSHIP OF VAN BUREN, TO AMEND AND MODIFY THE PROVISIONS FOUND IN SECTION 4.01 GENERAL TO DELETE THE SENTENCE "Uses for enterprises that are contrary to Federal, State or local laws or ordinances are prohibited."

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

Hodges of McKenna Associates gave the presentation. The amendment is to remove language added to the Township Zoning Ordinance in 2011. That language was adopted based on the "Livonia" approach to regulation of medical marijuana. The Michigan Supreme Court, in the case of Ter Beek v. City of Wyoming, recently ruled that municipalities may not ban the use of medical marijuana within their boundaries using this language, and the Township attorney has recommended removing the language.

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

UNFINISHED BUSINESS:

ITEM # 1 CASE # 14-002

TITLE: THE APPLICANT, ATCHINSON FORD, IS REQUESTING SPECIAL APPROVAL RECOMMENDATION AND PRELIMINARY SITE PLAN APPROVAL TO EXPAND OPERATIONS INCLUDING USED CAR SALES AND VEHICLE SERVICING AS

DRAFT

PC Minutes 5-28-14
Page 2 of 3

**REQUIRED BY SECTION 13.03 OF TOWNSHIP ZONING ORDINANCE 06-02-92,
AS AMENDED.**

LOCATION: PARCEL TAX ID NUMBERS V-125-83-061-99-0004-701, ALSO KNOWN AS 9700 BELLEVILLE ROAD, IS SUBJECT OF THIS REQUEST. THE SITE MEASURES APPROXIMATELY 4 ACRES OF PROPERTY CURRENTLY ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS). THE PROPERTY IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN TYLER ROAD AND NORTH I-94 SERVICE DRIVE.

Wayde Hoppe gave the presentation for the applicant displaying site plans. The site requires special use approval for used car sales and vehicle maintenance. The applicant submitted a letter of use to the Planning Commission noting additional details: the car wash won't be used for rust proofing, major repairs will be done only at the dealership (to the south), and no auto parts will be sold on site.

Sally Hodges of McKenna Associates presented her special land use review letter dated 5-22-14 recommending the Township Board of Trustees approve the request for special land use subject to the conditions listed in the letter.

Sally Hodges of McKenna Associates presented her preliminary site plan review letter dated 5-22-14 recommending the Planning Commission approve the request for preliminary site plan approval subject to the conditions listed in the letter.

David Nummer of Wade Trim presented his review letter dated 5-22-14 recommending the Planning Commission approve the request for preliminary site plan approval subject to the conditions listed in the letter.

Applicant and Commissioners discussed the building façade, signage dimensions, location of the dumpster on site plan, employee parking, cross access between 9700 and 9800 Belleville Road, landscape design and use of the car wash at the Quick Lane.

Motion McKenna, Boynton second to recommend special use approval to the Township Board of Trustees for the Atchinson Ford Quick Lane located at 9700 Belleville Road subject to the conditions in the McKenna Associates review letter dated 5-22-14 and the written use statement received from the applicant (letters attached).

ROLL CALL:

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

Nays: None.

Absent: None.

Motion Carried.

Motion Boynton, Budd second to grant preliminary site plan approval including used car sales at 9700 Belleville Road along with recommendations in the McKenna Associates review letter dated 5-22-14 and Wade Trim review letter dated 5-22-14 (Letters Attached). Motion Carried.

DRAFT

GENERAL DISCUSSION:

Commissioners discussed the proposed regional detention pond as described by David Nummer of Wade Trim.

Motion McKenna, Johnson second to adjourn at 8:34 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

May 22, 2014

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

**Subject: VBT-14-002 SPR, Atchinson Quick Lane; 9700 Belleville Road
Special Land Use Review #2 revised; Plans Dated 4/1/14**

Dear Commissioners:

The applicant, Atchinson Ford, proposes to update and expand the sales and service building at the former Victory Pre-Owned Motors at 9700 Belleville Road, and add a new "Quick Lane" operation. The Commission held a public hearing on the request on May 14, 2014. The proposed use is auto servicing and sale of used cars. Our site plan review comments are under separate cover.

COMMENTS

Special approval uses must meet the specific non-discretionary standards of Section 13.03.d. and the discretionary standards listed in Section 18.08.f. of the Zoning Ordinance. We 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. Definition of Use.** The site is zoned C-2 Extensive Highway Business District. "Service stations and commercial garages" are permitted by Special Approval (Section 13.03.a), and the proposed vehicle service area is considered a similar use. Used car sales are also permitted by Special Approval, provided that the applicable use standards are met (see Comment 3.h). In addition to the sales and service component, the floor plan shows a "car wash." The Building Use statement on Page DT of the site plan reads, "The wash bay is used only by the employees to prepare vehicles for display." Therefore, the wash bay is an accessory use to the used car sales rather than a use subject to Special Approval under Sections 13.03.d. and 12.03.a. because the car wash will not be used by the general public.

The Building Use statement further states that cars will be brought to the service bay by employees. Customers will drop off their cars, leaving them in a parking space, and the employees will maneuver the car into the service bay. The statement says that the repair will be "light maintenance," but is not specific as to what kinds of maintenance will be performed or how this facility will differ from the service facility next door at the Atchinson new car dealership. Prior to Special Land Use approval being granted, the Building Use statement should be revised to define "light maintenance" and include a list of included and excluded servicing operations, subject to Planning Commission approval.

2. **Car Wash Standards.** Car wash establishments are permitted only when completely enclosed within a building and may include steam cleaning but not rust proofing. The car wash is within a completely enclosed building. While the Building Use statement on Page DT states that the wash bay is used only by the employees to prepare vehicles for display, the Use statement should also specify that the car wash will not include rustproofing.

3. **Requirements for Special Approval.** Both the discretionary and non-discretionary standards of the Ordinance are considered below.

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 in the Township's primary commercial center along the Belleville Road corridor and has been home to several vehicle sales businesses over the years. The proposed expansion and renovations involve reinvestment in the existing commercial property, which is economically desirable for the community. Over the past decade, the Township has spent considerable funds on streetscape and other public improvements, and has enforced a consistent pattern of amenities and design features on new site developments, consistent with the Township's goal of becoming a premier community. The proposed building enhances the existing façade and is in tune with the design palette for the Belleville Road corridor. These changes are desirable.

According to the truck turning diagram, it will be difficult for a truck to exit from the northern curb cut while a vehicle is trying to enter from Belleville Road. Generally, it is the Township's policy to encourage the reduction of curb cuts on Belleville Road. However, the larger north curb cut serves the sales operation and Quick Lane and the south curb cut is part of the AT&T easement. Therefore, we can support both driveways remaining on this site. According to the site plan, large trucks will enter through the northern curb cut and exit through the southern curb cut. However, with cross access connections proposed between the Quick Lane site and the Atchinson new car site to the south, there is an opportunity for these 2 sites to share on-site truck circulation and potentially eliminate a curb cut on one of the sites. We recommend that the applicant address this aspect to the satisfaction of the Planning Commission.

b. **Is necessary for the public convenience at that location.** The Quick Lane facility will tie into the existing Atchinson dealership complex, which includes used car sales on the subject site, and new car sales on the site immediately to the south. Two cross access driveways are proposed, which will allow the two sites function as one operation. This is an important investment in the Township's commercial core by one of the Township's premier businesses, and enhances the public convenience by offering a greater selection of automobiles for sale.

c. **Is compatible with adjacent uses of land.** The site is zoned C-2, one of the most intensive commercial districts in the Township and is already being used for vehicle sales. The addition to the building will be visually compatible with the existing building, and the existing landscaping and amenities (which were upgraded in 2011 to meet the Belleville Road standards) complement the surrounding uses.

d. **Is designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.** The site plan provides for cross access with the Atchinson new car

sales site (although the specifics have yet to be finalized), which will improve area circulation for cars and trucks. The existing evergreen screen at the west end of the site near the apartment complex will be bolstered with 2 transplanted spruce trees to improve the buffering of the residential neighbors.

- 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 demand for public services and facilities will increase slightly but will not tax public services or facilities. The site drainage is intended to remain as existing at the present time.
- f. **Will not cause injury to other property in the neighborhood in which it is to be located.** The site improvements are a reinvestment in the community and the landscaping, buffering, and circulation design of the site will protect neighboring properties from harm.
- g. **Considers the natural environment and helps conserve natural resources and energy.** The renovations are reinvestment in an existing site that will upgrade the building, landscaping, and site design. This is more environmentally sustainable than building on a greenfield site.
- 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.** Section 13.03.b includes specific standards for used car dealerships in the C-2 District. The proposal's compliance with these standards is evaluated below.
 - i. *All vehicles must be operable.* A note on Page DT states that all vehicles on site will be operable.
 - ii. *Display areas must meet the same design standards as parking lots.* If the conditions noted in our site plan review recommendation are met, this standard will be met.
 - iii. *Used car sales must be at least 100 feet from an intersection of major roads.* The site is over 500 feet from the intersection of Belleville and Tyler Roads.
 - iv. *No major repair or refurbishing may take place on a site that sells used cars.* The use statement says that the service will be "light maintenance." The use statement says that the service will be "light maintenance." As discussed above, the applicant must explain the specific maintenance and repair to take place on the site so that the Planning Commission can determine whether the activities constitute "major repair or refurbishing."
 - v. *No used auto parts may be sold on site.* We recommend adding a statement on Page DT that no auto parts will be sold on site.
 - vi. *Motor homes and other large vehicles must be displayed at the rear of the site.* Page DT of the site plan states that only automobiles, light trucks, vans, or SUV's may be sold, stored, or displayed on-site.

- vii. *All lights shall be shielded from adjacent residential uses.* The proposed light fixtures are downward facing and shielded, and according to the photometric plan lighting is 0 footcandles at the west lot line shared with the multiple family residential use. The required evergreen greenbelt will increase the buffering of lights from the residential use.
- viii. *An obscuring wall or fence at least 5 feet high must be used to separate the used car sales from any neighboring residential uses.* The west edge of the display lot will be over 250 feet from the western property line and the neighboring residential use. Additionally, the existing evergreen screen will be bolstered with plantings transplanted from re-configured parking lot islands. We recommend that, as in the past, the Planning Commission consider the landscaping and setback sufficient to meet the screen and separation requirement.
- ix. *A permanent, enclosed building shall be located on the site to serve as office and sales space.* The existing building on the site will be used as office and sales space.
- 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 will be consistent with the Township's police power, provided that appropriate findings are made to support such a decision.

RECOMMENDATION

We recommend that the Planning Commission recommend that the Township Board approve the Special Use, subject to the following conditions:

1. Submission of a written definition of "light maintenance" for Commission approval, including:
 - a. Specific list of included and excluded servicing operations,
 - b. Statement that the car wash will not include rustproofing, and
 - c. Statement that there will be no major repair or refurbishing,all to be listed in the Building Use statement on the site plan.
2. Review of the overall circulation planned for the Quick Lane and Ford dealership sites, with the potential for eliminating a curb cut addressed to the satisfaction of the Commission.
3. No auto parts shall be sold on site, and this must be noted on Sheet DT.
4. Final Site Plan approval.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP
Senior Vice President

May 22, 2014

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

**Subject: VBT-14-002 SPR, Atchinson Quick Lane; 9700 Belleville Road
 Site Plan Review #2 revised; Plans Dated 4/1/14**

Dear Commissioners:

The applicant, Atchinson Ford, proposes to update and expand the sales and service building at the former Victory Pre-Owned Motors at 9700 Belleville Road. The applicant will be adding minor auto servicing via the "Quick Lane", as a new use in addition to the sale of used cars. In another pending application, the applicant is also proposing to renovate and expand the existing Atchinson Ford dealership, located directly to the south at 9800 Belleville Road. The applicant proposes to install two cross access connections between these sites, which will allow the sites to share pedestrian, vehicle and truck access. A special use public hearing was held on May 14, 2014.

We have reviewed the application for compliance with the Township's Zoning Ordinance and sound planning and design principles and offer the following comments for your consideration.

1. **Use.** The site is zoned C-2 Extensive Highway Business District. "Service stations and commercial garages" are permitted by Special Approval (Section 13.03.a), and the proposed vehicle service area is considered a similar use. Used car sales are also permitted by Special Approval, provided that the applicable standards are met. Our comments on the special use are under separate cover.
2. **Parking, Circulation, and Loading.**
 - a. **Number of Spaces.** The relevant parking standard is for "motor vehicle sales and service." The required number of parking spaces is calculated below.

Standard	Applicable Measurement	Number of Spaces
1 space per 200 sq. ft. of interior sales space	1,700 square feet	9 spaces
2 spaces per service stall	8 stalls	16 spaces
	Minimum Required:	25 spaces
	Total Proposed:	25 spaces

The cover page of the site plan packet lists the correct number of parking spaces. Page SP101 labels which parking spaces are for customers, employees, and display. The 10 spaces adjacent to the north side of the building and the 8 spaces on the opposite side of the aisle are labeled as customer parking. The 7 spaces closest to the building on the west side are labeled as employee parking, and the remaining 47 spaces are labeled as display parking. Also there are existing display spaces on existing pavement at the front south part of the building that need to be shown on the site plan.

However as a practical matter, Page DT states that there will be 20 total employees in the largest shift, but only 7 spaces are set aside for employee parking. The location of parking for these individuals must be identified to the satisfaction of the Planning Commission, and it may entail a reduction in customer parking and/or display parking.

Vehicle spaces have been reoriented behind the building so that they face east rather than toward the back of the site, thus no curbing or wheel stops are shown along the west edge of the existing pavement. Typically the Township requires all paved areas to be curbed; we defer to the Township engineer's recommendation on this matter.

Stacking spaces are not required for the Quick Lane or auto wash because customers will not drive their own cars into either facility; however, sufficient storage space must be provided for cars awaiting and completing service.

- b. **Circulation.** Truck turning diagrams are on the plan. The north portion of the northern driveway is proposed to be widened to allow trucks room to maneuver when they enter the site (see Page C-102). All circulation lanes have adequate widths for two-way traffic, except the one immediately south of the building, which scales approximately 18 feet wide at its narrowest point. The width of this driveway must be labeled on the plans. In the past, this lane has been treated as an existing non-conformity and allowed to remain open to two-way traffic because of the easement to the AT&T tower at the rear of the site (see below).
- c. **AT&T Easement.** There is a 45' x 40' easement shown in the southwest corner for a telecommunications tower and shelter. No access easement is shown, and the site plan states that no documentation is provided for this easement. The site plan must be revised to dimension and show that AT&T access easement. We continue to recommend that the applicant work with AT&T to negotiate relocation of this easement, since that would eliminate an obstacle and give greater flexibility for layout of the primary use of the site - the vehicle sales functions.
- d. **Access Drives.** There are two existing driveways to Belleville Road. According to Page SP101, the northern curb cut is 30'-9" wide and the southern curb cut is 23'-11" wide. According to the truck turning diagram, it will be difficult for a truck to exit from this curb cut while a vehicle is trying to enter. Our Special Land Use review letter (dated 5/22/14) addresses this topic in more detail and the possibility of the 2 sites sharing on-site truck routes.
- e. **Cross Access.** As previously stated, two cross access connections have been proposed between the Quick Lane site and the Atchinson new car site to the south: One east of the Quick Lane

- iv. *There must be 1 tree per 100 square feet of vehicular surface landscaping.* As noted above, the calculation of the total area of pavement must be corrected on the plan. Accordingly, the required square footage of vehicular surface landscaping must be revised and the revised square footage of proposed vehicular surface landscaping must be included on the plan.
 - d. **General.** *There must be one tree per 3,000 square feet of landscaped open space.* According to Page L101, there will be 7,194 square feet of landscaped open space, which will require 3 trees. Three trees that are not part of any other landscape requirement must be included on the plan and labelled to show that they fulfill the general landscaping requirement.
 - e. **Display Area Screening.** Auto display/sales areas must be screened from public rights-of-way by a building or by a three-foot-high landscape screen. All display spaces will be screened by the building and the existing right-of-way landscaping (see comments in (4.a.), above).
5. **Signs.** The signs on the site must meet the following standards:
 - a. **Total Signage.** The total signage permitted on the site is 1 square foot per linear foot of frontage up to 200 linear feet, plus 1/4 square foot for each subsequent linear foot, for a total of 225 square feet for the site. The dimensions of all proposed ground and wall signs (including any intended to remain) must be added to the plan, and the totals must comply with the requirements of the Zoning Ordinance.
 - b. **Wall Signs.** Dimensions and calculations for each wall sign must be added to the plan and comply with the Zoning Ordinance.
 - c. **Monument Sign.** The dimensions, height, and proposed new face of the monument sign must be submitted.
6. **Trash Receptacle.** The trash enclosure is shown in a location that will likely infringe on any future expansion of the used car sales lot, and, based on the truck turning information provided, the trash enclosure infringes on the space needed for truck circulation. We recommend relocating the dumpster area to a more appropriate area farther from truck traffic. Additionally, the location of the trash receptacle on the landscape plan (Page L101) does not match all the other pages. This discrepancy must be corrected.
7. **DDA/Belleville Road Standards.** This site is located in the Township's signature Belleville Road corridor and "downtown" - a high-image attractive mixed use area. Considerable public investment has been made in streetscape plantings, decorative lighting, amenities and aesthetic improvements, and these characteristics are successfully mirrored in the newer development. All sites are strongly encouraged to exceed the Ordinance minimums in landscaping, site design, and building appearance, among others:
 - a. The proposed addition is designed to match the existing façade of the building. Samples of the colors and proposed materials should be presented to the Planning Commission for approval.

- b. The Township's commercial districts require that every site include amenities such as benches, decorative walls or fences, brick pavers, fountains, bike racks, waste receptacle, or similar features, along the Belleville Road frontage. A bench was installed in 2011 as a site amenity. The Ordinance also requires that open space be set aside, in the amount of not less than 1 sq. ft. per 25 sq. ft. of principal building. This open space shall be independent of sidewalks, pedestrian circulation areas and required landscaping, and shall be visible from the building and public right-of-way and connected to the pedestrian system. Based on the proposed building area of 15,099.8 square feet, 604 square feet of open space is required. This open space must be included and labeled as such on the plan.

RECOMMENDATION

Most of the missing information noted above is relatively minor, and can be addressed on the revised site plan submitted for Final Site Plan approval. Therefore, subject to the following conditions, we recommend Preliminary Site Plan approval:

1. The following items included on the Final Site Plan:
 - a. Any existing display or parking spaces to remain.
 - b. Curbing around paved areas, as determined by the Planning Commission.
 - c. The width of the south drive along the building.
 - d. The location and width of the AT&T access easement.
 - e. Cross-access lane(s) widened to meet the minimum required width of the Zoning Ordinance.
 - f. Loading space dimensioned.
 - g. Compliance with all landscaping requirements, including required open space, as noted in Comments 4. and 7.b., above.
 - h. Signage information, as noted in Comment 5., above.
2. The location of parking for the maximum 20 employees identified to the satisfaction of the Planning Commission.
3. That the dumpster be relocated to a more appropriate location on the site, and shown in the same location on all site plan pages.
4. Planning Commission approval of the proposed façade materials and colors.
5. Special Land Use approval by the Township Board.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President

Charter Township of Van Buren

Agenda Item: WS-NB# 2

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE: 6/16/14

BOARD MEETING DATE: 7/1/14

Consent Agenda _____ **New Business X** _____ Unfinished Business _____ Public Hearing _____

ITEM (SUBJECT)	Application Telecommunications Right-of Way Permit
DEPARTMENT	Developmental Services
PRESENTER	Sally Hodges, McKenna Associates
PHONE NUMBER	(248) 596-0920
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	
Approve the telecommunication right-of-way permit application for Fiber Technologies Networks, LLC	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
<p>In 2002, the State of Michigan adopted the METRO Act, which requires municipalities to conform to state-standardized regulations regarding the processing of telecommunications permits. The METRO Act requires telecommunications providers to submit a permit application to each municipality in which the provider has facilities in the public right-of-way.</p> <p>The Charter Township of Van Buren received a telecommunications permit application from Fiber Technologies Networks, LLC on 5/27/14 for access to and ongoing use of public right-of-way to build and maintain a fiber optic telecommunications network (no company name was disclosed) and potentially for subsequent communications companies.</p> <p>The network route map shows the proposed locations of the network. The applicant intends to use existing utility poles and underground conduit to install network facilities. The applicant is seeking a term of 15 years, with 3 subsequent renewal terms of 5 years each. Construction of the network is proposed to take place in the 3rd or 4th quarters of 2014.</p> <p>Pursuant to the METRO Act, the permit application must be acted upon within 45 days from the date of filing.</p>	
BUDGET IMPLICATION	Township should see an increase in the annual payment made by the State to Van Buren Township for telecommunication fees revenues.
IMPLEMENTATION NEXT STEP	Schedule for Township Board action on 7/1/14
DEPARTMENT RECOMMENDATION	Approval
COMMITTEE/COMMISSION RECOMMENDATION	N/A
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR	

Charter Township of Van Buren

Agenda Item: WS-NB# 3

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE: 6/16/14

BOARD MEETING DATE: 7/15/14

Consent Agenda _____ **New Business X** _____ Unfinished Business _____ Public Hearing _____

ITEM (SUBJECT)	Application for Farmland Development Rights Agreement
DEPARTMENT	Developmental Services
PRESENTER	Sally Hodges, McKenna Associates
PHONE NUMBER	(248) 596-0920
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	
Receive the Application for Farmland Development Rights Agreement from William and Thomas Budd for parcel 83-055-99-0007-001 at 42500 N. Service Drive	
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)	
<p>The Michigan Farmland and Open Space Preservation Act (commonly known as P.A. 116) provides for temporary restrictions on land, preserving the land for agriculture in exchange for certain tax benefits and exemptions for various special assessments. To qualify for these benefits, the landowner must enter into a Farmland Development Rights Agreement with the State. The minimum term for this type of Agreement is 10 years and limits activities and development on the land to farm operations.</p> <p>A landowner who is interested in applying files an application with the local governing body. The local governing body has 45 days within which to approve or reject the application, starting on the date that the application is presented to the Township Board of Trustees (6/16/14). Within these 45 days, the governing body must seek the comments of the regional planning commission (SEMCOG), soil conservation district, and any city or village if the land is within 3 miles of their boundary (i.e., Belleville, Romulus, and Wayne). These letters have been sent, and comments are due to Van Buren Township on 7/3/14. If the Township Board of Trustees approves the application, it will be forwarded to the Michigan Department of Agriculture, Farmland and Open Space Preservation Office for further considerations.</p> <p>An owner of farmland subject to a farmland development rights agreement is eligible to claim a credit against their State income tax liability. Additionally, the Township and other governmental agencies are prohibited from imposing special assessments for sanitary sewers, water, lights, or non-farm drainage on land that is subject to an Agreement. The Agreement does not affect the assessed value of the property or local property tax collection. Therefore, local tax revenues, with the exception of the identified special assessments, are not impacted by approval of a farmland development agreement.</p>	
BUDGET IMPLICATION	None – Property taxes not affected
IMPLEMENTATION NEXT STEP	Receive and review application, and schedule for Township Board action on 7/15/14
DEPARTMENT RECOMMENDATION	Approval
COMMITTEE/COMMISSION RECOMMENDATION	N/A
ATTORNEY RECOMMENDATION	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	
APPROVAL OF SUPERVISOR	

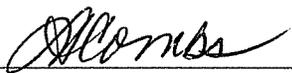
Charter Township of Van Buren

Agenda Item WS#4

REQUEST FOR BOARD ACTION

WORK STUDY MEETING: JUNE 16, 2014

BOARD MEETING DATE: JULY 1, 2014

New Business	Unfinished Business	Public Hearing	Consent Agenda X
ITEM (SUBJECT)	Approval to use \$3,000 of Waste Management Cultural Activities Grant money for Concert Series and authorize the Supervisor and the Clerk to execute the performance contracts for the performers.		
DEPARTMENT	Parks & Recreation		
PRESENTER	Jennifer Zaenglein, Parks and Recreation Deputy Director		
PHONE NUMBER	734-699-8921		
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	N/A		
Agenda topic			
ACTION REQUESTED			
Approval to use \$3,000 of Waste Management Cultural Activities Grant money for Concert Series and authorize the Supervisor and the Clerk to execute the performance contracts for the performers.			
BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)			
The Van Buren Parks and Recreation Department is seeking approval to use \$3,000 from the annual Waste Management Cultural Activities Grant to be used towards the 2014 Summer Concert Series and to authorize the Supervisor and the Clerk to execute the performance contracts with the performers.			
The 2014 Summer Concert Series will run on Wednesday evenings from 7-8:30 beginning on July 9 th at Van Buren Park.			
2014 Summer Concert Line up: July 9 th Belleville Community Band (\$500) July 16 th The Music Lady (\$500) July 23 rd Toppermost (\$900) July 30 th Annabelle Road (\$1500) August 6 th All Directions Band (\$850) August 13 th Rich Eddy's Rockin Oldies Band (\$800) Total cost for concerts \$5,050.00			
Current amount of sponsorships from local business \$2,800 (as of June 10, 2014)			
BUDGET IMPLICATION	N/A		
IMPLEMENTATION NEXT STEP	Authorize the Supervisor and Clerk to execute the agreement.		
DEPARTMENT RECOMMENDATION	Supervisor and Clerk to execute the contract		
COMMITTEE/COMMISSION RECOMMENDATION	Recreation committee motion (see attachment)		
ATTORNEY RECOMMENDATION	N/A		
(May be subject to Attorney/Client Privilege and not available under FOIA)			
ADDITIONAL REMARKS			
APPROVAL OF SUPERVISOR			

Motion

Duff moved, Nofz seconded to approve the schedule as presented for the 2014 Summer Concert Series at Van Buren Park.

Yeas: Wright, Duff, Nofz, Wall and Coleman

Nays: None

Absent: Sherman and Villa

Motion Carried

I hereby certify the foregoing is a true and correct copy of the motion made at the Recreation Committee meeting held on April 10, 2014.

A handwritten signature in black ink, appearing to read 'C. Harman', with a long horizontal line extending to the right.

*Christina Harman
Recording Secretary*