

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION MINUTES
APRIL 11, 2012**

Chairperson Thompson called the meeting to order at 7:31 p.m. Present: Guenther, Johnson, Boynton, Kelley, McKenna, Budd and Thompson. Excused: None. Staff Present: Director Carroll and Secretary Harman. McKenna Associate present: Sally Hodges. Wade-Trim Representative present: David Nummer. There were 9 people in the audience.

APPROVAL OF AGENDA:

Motion McKenna, Kelley second to approve the agenda of April 11, 2012 as presented.

Motion carried.

MINUTES:

Motion Boynton, Johnson second to approve the minutes from March 28, 2012 as presented. Motion carried.

UNFINISHED BUSINESS:

ITEM #1

TITLE: THE APPLICANT IS REQUESTING SPECIAL APPROVAL AND PRELIMINARY SITE PLAN APPROVAL TO CONSTRUCT AND OPERATE A DRIVE-IN RESTAURANT AS REGULATED BY ARTICLE XIII-C2, GENERAL, AND SECTION 13.02 (A) OF THE TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.

LOCATION: PARCEL NUMBER V125-83-064-99-0003-005 ALSO KNOWN AS 10760 BELLEVILLE ROAD, AN APPROXIMATELY ONE AND A HALF (1.5) ACRE SITE. THIS SITE IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD, BETWEEN NORTH I-94 SERVICE DRIVE AND TYLER ROAD. (MCDONALD'S)

Presentation was given by the applicant, Kenneth Van Tine. The exterior renovation current standards deal with site circulation issues to improve efficiency and eliminate stacking along Belleville Road. Van Tine passed a display of exterior samples to commission members. The whole building will be repainted to match what is currently along the Belleville Road Corridor. Landscape islands have been added with new plantings in front and in drive through area. The curb cut at the property line is on hold until the adjacent property owner brings access to the property. Van Tine displayed the site plan for the audience.

Sally Hodges of McKenna Associates review letter dated April 9, 2012 recommends the Planning Commission recommend special approval to the Township Board, subject to the following conditions:

1. A cross access easement to allow access for the site to the west shall be provided as illustrated on the plan. The cross access easement documents shall be provided for the review and approval of the Township Attorney prior to final site plan approval, and recorded prior to the Township granting a certificate of occupancy.
2. The Belleville Road ground sign shall be made to comply with the current Township sign regulations, including design as a monument sign. Details shall be provided for review on the final site plan.
3. Site plan approval.

Commissioner Johnson inquired if there will be any energy efficiency improvements within the restaurant. Van Tine stated that more energy efficient lighting will be installed and all equipment that is replaced will be replaced with more energy efficient models.

Sally Hodges of McKenna Associates review letter dated April 9, 2012 recommends the Planning Commission grant preliminary site plan approval, subject to the following conditions:

1. Special approval by the Township Board.
2. A cross access easement must be provided, as described in Comment # 3 in letter.
3. Site lighting shall comply with the Ordinance, and any necessary adjustments must be shown on the photometric plan for final site plan approval, as described in Comment #5 in letter.
4. All landscape plan items must be satisfied, as described in Comment #6 in letter.
5. The sign plan will be revised.
6. Building architecture and façade materials are subject to the Commission's approval.
7. The bike rack and bench must be the DDA-standard design, details must be added to the site plan, and the surface under the bike rack should be paved, all as described in Comment #9 in letter.

David Nummer of Wade-Trim has met with the Developer several times to discuss access to the site. The current site plan shows the addition of a cross access to the shopping center to the west. The portion of this access on the McDonald's property will be constructed at this time and the remainder will have to be addressed as improvements are brought forward by the owner of the shopping center. Wade-Trim feels the cross access will help to reduce congestion and traffic conflict points on Belleville Road and will be mutually beneficial to both businesses. Wade-Trim recommends preliminary approval of the site plan at this time.

Director Carroll presented a letter dated March 10, 2012 from the Van Buren Fire Department. A review of the site plan was done by Battalion Chief, Daniel Besson. The Fire Department recommends preliminary site plan approval at this time. Commissioner Johnson would like to commend Battalion Chief Besson for doing an excellent job.

Van Tine addressed concerns that have already been met by the Applicant. The Knox box and address are shown in the drawings, a cross easement access letter will be written, photometrics have been submitted and have cutoff light levels at 1 or below 1 that can be adjusted by moving the cutoff shield. Commissioner Thompson noted that to follow the ordinance the lighting will need to be fixed in the future, not adjustable. All landscape issues have been addressed, the façade and architectural material are in compliance and a bike rack and bench will be added. Commissioner Thompson inquired about a maintenance plan and would like to have one included with the final site plan. The Applicant would like to keep all proposed signage, and will change the pylon sign to a monument sign. The smaller signs are all prefabricated and bought in bulk and would be very difficult and costly to change them. The Applicant is unable to change the canopy structures and clearance bars.

Resident believes the nonconforming high rise sign is lawful.

Commissioner Thompson asked the Applicant to walk the Commission through the conceptual plan. Van Tine explained the minimizing of curb cuts and future cross access. The Applicant accepted a signage recommendation by the Commission that signs L and P be changed to monument style and signs K, M and N are accepted as proposed.

Motion Boynton, McKenna second to recommend to the Township Board Special Land Use Approval to construct and operate a drive-in and drive-through restaurant located at parcel number V125-83-064-99-0003-005 also known as 10760 Belleville Road (McDonald's), an approximately one and half (1.5) acre site located on the west side of Belleville Road, between the North I-94 Service Drive and Tyler Road along with the recommendations stated in McKenna Associates Special Use letter dated April 9, 2012.

Roll Call:

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

Nays: None.

Absent: None.

Motion carried.

Motion Boynton, Johnson second to approve preliminary site plan approval to construct and operate a drive-in and drive-through restaurant located at parcel number V125-83-064-99-0003-005 also known as 10760 Belleville Road (McDonald's), approximately a one and a half (1.5) site located on the west side of Belleville Road, between North I-94 Service Drive and Tyler Road, along with recommendations from the Wade Trim letter dated March 14, 2012 and McKenna Associates letter dated April 9, 2012 referencing Condition #6 the two undersized landscape islands are satisfactory and the trees along the perimeter are considered part of the landscape requirement, Condition #5 menu board signs L and P will be made conforming as monument signs and the canopy and order signs K, M and N are permitted as proposed. Motion Carried.

ITEM #2

TITLE: BELLE TIRE REQUEST FOR FINAL SITE PLAN APPROVAL TO CONSTRUCT AND OPERATE A COMMERCIAL GARAGE AS REGULATED BY ARTICLE XXII C-1 GENERAL BUSINESS AND SECTION 12.03 OF THE TOWNSHIP ZONING ORDINANCE.

LOCATION: PARCEL NUMBER V125-83-059-01-0018-000 AND V125-83-0529-01-0019-000 ALSO KNOWN AS 10595 BELLEVILLE ROAD, AN APPROXIMATELY ONE AND THREE QUARTER (1.725) ACRE SITE. THIS SITE IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD, BETWEEN NORTH I-94 SERVICE DRIVE AND TYLER ROAD.

Presentation was given by Applicant Christopher Enright for Belle Tire. There are four items on the site plan that are still open for discussion. The flag size has been reduced to 18 ft. by 12 ft. tall which is 2/3 smaller than their standard flag. Staff and Planning Consultant found the change reasonable. Enright a displayed a brick sample that was matched up to Walgreens with the intent to match brick to current buildings on the Belleville Road Corridor. The lots will be combined after the property is purchased and the cross access easement has been approved by the Township Attorney.

Director Carroll stated the Declaration of Access Easement needs work on the legal description and should have it executed and recorded by the time Belle Tire pulls a building permit.

Sally Hodges of McKenna Associates review letter dated April 5, 2012 recommends the Planning Commission grant final site plan approval, subject to the following conditions:

1. The size of the flag is subject to the approval of the Planning Commission.
2. Samples of proposed brick that better match the Belleville Road color palette must be submitted and are subject to the approval of the Planning Commission.
3. The lots in question must be combined prior to the issuance of a Certificate of Occupancy.
4. The cross access easement documents, granting the neighbors the right to cross Belle Tire's site are subject to the approval of the Township Attorney, and the approved, executed easement(s) must be recorded prior to the issuance of a certificate of occupancy. The documents must be revised to ensure that any changes to the easement location are subject to Township approval.

Sally Hodges of McKenna Associates referenced the review letter dated April 5, 2012. The Applicant has satisfied all requirements and she recommends the Planning Commission approve the tree removal permit and require that protective fencing be installed during construction.

David Nummer of Wade-Trim referenced Final Site Plan Approval letter dated April 10, 2012 and recommends the Planning Commission grant final site plan approval at this time.

The Van Buren Fire Department recommends approval and will review again during final permit review.

Commissioner Guenther inquired about the 4 inch gap on the underneath the back wall. Nummer of Wade-Trim commented that the gap is for drainage towards the site. Grass will grow to about the bottom of the wall and the gap will prevent ponding.

Commissioner Thompson inquired about the generator and what happens in the event of a power outage. The alarm will sound during a power outage and with battery backup a light will flash. Applicant will have contact information on the alarm panel for whom to contact in the event of an outage and Van Buren Public Safety Dispatch will have the contact information as well.

Motion Johnson, Budd second to grant Final Site Plan Approval to Belle Tire to construct and operate a commercial garage located at parcel numbers V125-83-059-01-0018-000 and V125-83-059-01-0019-000 also known as 10595 Belleville Road along with recommendations from McKenna Associates letter dated April 5, 2012 referencing #3 lot combination and #4 cross access easement documents and Wade-Trim letter dated April 10, 2012 and the Van Buren Township Fire Department letter dated March 18, 2012. Motion Carried.

Motion McKenna, Boynton second to approve Tree Removal Permit for Belle Tire located at parcel numbers V125-83-059-01-0018-000 and V125-83-059-01-0019-000 also known as 10595 Belleville Road referencing McKenna Associates letter dated April 5, 2012. Motion Carried.

GENERAL DISCUSSION:

Director Carroll informed Commission members of an upcoming Work Study Session for Hoosier/Visteon to discuss noise protocol on Thursday, April 19th at 6:00 p.m.

**Motion Boynton, McKenna second to adjourn at 8:59 p.m.
Motion carried.**

Respectfully Submitted,

Christina Harman,
Recording Secretary