

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
January 14, 2015
MINUTES**

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

ROLL CALL:

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

Excused: Kelley.

Staff: Director Knowles and Secretary Harman.

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

Audience: Eight.

APPROVAL OF AGENDA:

Motion Budd, Boynton second to approve the agenda of January 14, 2015 as presented with the addition under correspondence of the Planning Commission's recommendation of Commissioner McKenna for the BZA and correction of Belleville Development in item #2 under Public Hearing. Motion Carried.

APPROVAL OF MINUTES:

Motion McKenna, Boynton second to approve minutes from December 10, 2014 as presented. Motion Carried.

CORRESPONDENCE:

Planning Commission recommendation to reappoint Commissioner McKenna to the Board of Zoning Appeals (BZA).

Motion Boynton, Johnson second to recommend the Township Board reappoint Robert McKenna to the Board of Zoning Appeals (BZA).

Roll Call:

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

Nays: None.

Absent: Kelley.

Motion Carried.

PUBLIC HEARING:

ITEM # 1

CASE# RZ14-003

TITLE:

THE APPLICANT, DENTON PARTNERS, LLC, IS REQUESTING THIS REZONING ACTION. THE PUBLIC HEARING IS IN REGARDS TO AMENDING THE CHARTER TOWNSHIP OF VAN BUREN ZONING ORDINANCE 06-02-92, AS AMENDED, ZONING MAP BY REZONING THE SUBJECT PROPERTY FROM C (LOCAL BUSINESS) TO C-1 (GENERAL BUSINESS).

LOCATION: PARCEL TAX ID 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 PARCELS OF THIS HEARING. THE SUBJECT PARCELS COMBINED MEASURE APPROXIMATELY 1.99 ACRES. THIS PROPERTY IS LOCATED AROUND THE NORTHEAST CORNER OF MICHIGAN AVE. AND DENTON ROAD.

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

Tom Demond of Boss Engineering gave the presentation. The applicant is requesting to rezone from C (local business) to C-1 (general business) to tear down the old Willow Run Market and construct a fuel station with a convenience store and drive-through restaurant to be accessible from Michigan Avenue and Denton Road. The layout has been discussed with Township Planning staff and is consistent with zoning in the area.

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

ITEM # 2 CASE# 14-019
TITLE: THE APPLICANT, BELLEVIEW DEVELOPMENT, LLC, IS REQUESTING APPROVAL OF A DRIVE-THROUGH RESTAURANT. A DRIVE-THROUGH RESTAURANT IS A SPECIAL LAND USE IN THE C-1 DISTRICT, AND A PROPOSED SPECIAL LAND USE REQUIRES A PUBLIC HEARING. THIS HEARING IS BEING HELD IN ACCORDANCE WITH SECTION 12.03 (PERMITTED USES WITH SPECIAL APPROVAL) OF THE ZONING ORDINANCE.

LOCATION: PARCEL TAX ID NUMBER V125-83-059-01-0013-000, ALSO KNOWN AS 10705 BELLEVILLE ROAD, AND THE NORTHERLY HALF (APPROXIMATELY 33 FEET) OF THE PARCEL TO THE SOUTH, ARE THE SUBJECT OF THIS HEARING. THE SITE IS APPROXIMATELY 1.98 ACRES AND IS LOCATED IN THE C-1, GENERAL BUSINESS ZONING DISTRICT. THIS SITE IS LOCATED ON THE EAST SIDE OF BELLEVILLE ROAD, NORTH OF THE I-94 SERVICE DRIVE.

Motion Boynton, Johnson second to open the public hearing. Motion Carried.

Tom Demond of Boss Engineering and Steve Alexander of Juniper Development gave the presentation. The applicant is proposing to remove the existing building and create a commercial multi tenant building with three tenants, two being restaurants and a commercial component in the center. Four connectors to the property are proposed with a current connection to CVS to the south, current connection to the retail center to the north and two connections out to Belleville Road. The addition of the second drive on Belleville Road is for better circulation and would be an exit only, right turn only from the property. The applicant also proposes three outdoor spaces with seating and underground stormwater detention. Special use approval is needed for the drive-through at the north end of the building. The applicant will maintain the screening wall and add a landscape buffer.

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

OLD BUSINESS:

ITEM # 1 CASE# 14-019

TITLE: THE APPLICANT, BELLEVILLE DEVELOPMENT, LLC, IS REQUESTING SPECIAL APPROVAL OF A DRIVE-THROUGH RESTAURANT AND PRELIMINARY SITE PLAN APPROVAL FOR DEVELOPMENT OF A COMMERCIAL BUILDING. A DRIVE-THROUGH RESTAURANT IS A SPECIAL LAND USE IN THE C-1 DISTRICT.

LOCATION: PARCEL TAX ID NUMBER V125-83-059-01-0013-000, ALSO KNOWN AS 10705 BELLEVILLE ROAD, AND THE NORTHERLY HALF (APPROXIMATELY 33 FEET) OF THE PARCEL TO THE SOUTH. THE SITE IS APPROXIMATELY 1.98 ACRES AND IS LOCATED IN THE C-1, GENERAL BUSINESS ZONING DISTRICT. THIS SITE IS LOCATED ON THE EAST SIDE OF BELLEVILLE ROAD, NORTH OF THE I-94 SERVICE DRIVE.

Sally Hodges of McKenna Associates presented the special use review letter dated 1-8-15 recommending the Planning Commission recommend special approval to the Township Board, subject to the revision of the site plan to incorporate only one Belleville Road driveway and final site plan approval.

Sally Hodges of McKenna Associates presented the preliminary site review letter dated 1-8-15 recommending the Planning Commission grant preliminary site plan approval subject: only one Belleville Road driveway permitted, Planning Commission approval of: reduced number of parking spaces, reduced number of drive-through stacking spaces, building elevations, façade materials, corrections/changes added to final site plan, cross access easement documents submitted for township review and approval.

David Nummer of WadeTrim presented preliminary site review letter dated 1-8-15 recommending approval subject to the developer constructing boulevard entrance as the only entrance onto the property from Belleville Road.

Commissioners discussed the drives on Belleville Road, reduced number of parking spaces, reduced number of stacking spaces, elevation and exterior façade materials, roof top screening, screening wall, storm water drainage, noise at the site, signage, landscape and outdoor seating area.

Motion Boynton, Johnson second to grant preliminary site plan approval for development of a commercial building subject to conditions in the McKenna Associates review letter dated 1-8-15, the WadeTrim review letter dated 1-8-15 and the Planning Commissions approval of the reduced number of parking spaces, reduced number of drive-through stacking spaces, building elevations and façade materials and colors. Motion Carried. (Letters attached)

Motion McKenna, Budd second to recommend to the Township Board special use approval for the site revision subject to conditions in the McKenna Associates review letter dated 1-8-15 to revise the site plan to incorporate only one drive and subject to final site approval.

Roll Call:

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

Nays: None.

Absent: Kelley.

Motion Carried.

ITEM # 2

CASE# 14-024

TITLE:

THE APPLICANT, ALLEN EDWIN HOMES IS REQUESTING AN AMENDMENT APPROVAL TO THE VICTORIA PARK SITE PLAN FOR REVISED SINGLE FAMILY ARCHITECTURAL ELEVATIONS.

LOCATION:

THE UNFINISHED VICTORIA PARK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF MORTON TAYLOR ROAD AND NORTH OF ECORSE ROAD.

Jeff Gibbs of Allen Edwin Homes gave the presentation. Mr. Gibbs submitted a package of elevations for approval adding a third elevation that uses stone.

Sally Hodges of McKenna Associates presented review letter dated 1-7-15 recommending the Planning Commission approve the proposed architectural plans. Elevations to be subject to the review and approval of the Township at the time of building permit application to ensure the "substantially different" criteria are met in each case.

Applicant inquired about the submittal of side entry at the time of application.

Commissioners discussed how to keep track of the different home models. Director Knowles and staff will have a plan in place.

Motion Johnson, Franzoi second to approve the proposed architectural plans subject to Township approval at the time of application for the Victoria Park Subdivision subject to conditions referenced in the McKenna Associates review letter dated 1-7-15. Motion Carried. (Letter attached)

NEW BUSINESS:

ITEM # 1

CONSIDER AMENDMENT TO SECTION 12.02 OF THE ZONING ORDINANCE TO PERMIT OUTDOOR DINING AND TABLE SERVICE IN THE C-1 DISTRICT.

Sally Hodges of McKenna Associates gave the presentation on amendments to the zoning ordinance for outdoor dining and table service. The amendments would include the sale and service of food outdoors and possibly include beverage service.

Commissioners discussed the area necessary for outdoor table service, barriers for food service areas, food carts, liquor sales, seating, corridor space requirements, landscape requirements, governing of aesthetics, rules and regulations, buffers and noise control.

Hodges will bring revised amendments back to the Planning Commission for review.

GENERAL DISCUSSION:

Resident inquired updating the zoning ordinance for LED signs.

Sally Hodges of McKenna Associates gave an update on the progress of the zoning ordinance update.

Motion McKenna, Boynton second to adjourn at 9:05 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



WADE TRIM

January 8, 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: Belleville Commercial
Preliminary Site Plan

Dear Ms. Thompson:

At your request, we have reviewed the preliminary site plan for the proposed Belleville Commercial Center located on the east side of Belleville Road at the former Big Boy site. We have met with the Developer several times to discuss the project and have come to an impasse on one important issue; the Developer is requesting two driveway accesses onto Belleville Road and we are recommending only one access. Due to this one outstanding issue, we are not recommending preliminary site plan approval for this site.

Site Access – Township Requirements

The segment of Belleville Road from the I-94 North Service Road to Tyler Road has been ranked as the 6th most hazardous roadway segment in Wayne County. In recent years the Township has been diligent in its approach to managing access onto Belleville Road in an effort to reduce crashes and improve driver and pedestrian safety. Frontage roads have been implemented through the Wal-Mart site serving Tim Horton's, Applebee's, Taco Bell and the 5/3 Bank. None of these businesses have direct access onto Belleville Road. A frontage road was also constructed behind Walgreens and recently a new frontage road has been constructed around the AutoZone site. The recently approved Menards site plan extends the frontage road on the west side of Belleville Road to the north edge of their site. The collective effect of these frontage roads is to reduce the number of access points onto Belleville Road and, thus, reduce the potential conflict points for traffic.

The Township Downtown Development Authority (DDA) has implemented a project on Belleville Road to replace all of the aging traffic signals and to add one new signal that will provide safe access onto Belleville Road for both the new AutoZone site and for the proposed Menards site. This traffic light will also provide a protected left turn for those exiting the Meijer site to the north of AutoZone. This is a location that historically had a very high number of crashes.

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



The primary vehicle the Township has to implement access management is the zoning ordinance and site plan compliance standards. While the roadways are under the jurisdiction of Wayne County, the site plan layouts that access onto those roads are controlled and managed by the Township. The Township zoning ordinance requires 500-foot spacing between adjacent driveways on the same side of the road. This standard is implemented as much as is practical since each property is allowed one access onto the public road and many of the parcels along Belleville Road are less than 500 feet wide.

Wayne County Requirements

Belleville Road is a County road under the jurisdiction of Wayne County. The Wayne County administrative rules address standards for driveway locations and number of permitted driveways. These rules state that one driveway is adequate for a single business and that multiple access points will only be considered based on a traffic impact study showing there are no safety concerns. The standards go on to state that the driveway spacing for adjacent drives on the same side of the road is 455 feet (based on a 45 MPH speed limit which equates to a 50 MPH design speed). This very closely mirrors the Township standard of 500-foot spacing for adjacent driveways. The standards also speak to aligning a drive with the existing drives across the street. In this case, the boulevard drive access into the shopping center is located across from the proposed development. The standards say that drives should be aligned across the street or they should be offset a minimum of 750 feet (again, based on a 50 MPH design speed).

It is no coincidence that the County and Township standards are very similar with regard to the driveway spacing. These standards are based on sound engineering factors, such as stopping sight distance, and are designed to protect the traveling public.

Past Experience – Traffic Issues on Belleville Road

This issue with the closely spaced drives with insufficient offset is exactly the problem that has caused the majority of the accidents on the north end of Belleville Road. This is the location where the Meijer Drive on the east side is offset from the French Landing Party Store driveways on the west side. The party store has two drives approximately 125 feet apart. One drive is offset from the Meijer Drive by approximately 50 feet and a second offset by less than 200 feet. This small offset distance and the multiple drives make it difficult for left turns from the Meijer store to see traffic coming out of the party store which results in left turn conflicts. These accidents are the primary reason why Belleville Road from the I-94 North Service Road to Tyler Road was ranked as the 6th most dangerous in Wayne County.

Recommendation

We are recommending that the site plan be revised to show a boulevard entrance to the site that is aligned with the boulevard entrance to the shopping center on the west side of Belleville Road. By constructing a boulevard entrance on this site we can designate one lane for traffic entering the site and two lanes for traffic leaving the site; one dedicated for

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right turns onto Belleville Road and a second lane for through movements to the shopping center and left turns onto Belleville Road. Having separate lanes for the right and left turn outgoing traffic will reduce the amount of stacking as right turns can proceed without having to wait for the left turn traffic to clear. The Wayne County standards allow for a pair of drives (one in and one out) to be set up as a boulevard entrance which is considered under their rules to be one access point.

Should the Developer agree to construct the boulevard entrance as the only entrance onto Belleville Road, we would be comfortable recommending preliminary site plan approval. If the Developer is still insisting on two driveway accesses onto Belleville Road, we would recommend denying the preliminary site plan approval based on public safety concerns. If there are any questions on this project or our recommendation, please contact our office at 734.947.2793.

Very truly yours,

Wade Trim Associates, Inc.



David M. Nummer, PE

DMN:ka
VBN 2243-01T
20150108Thompson.docx

cc: Mr. James Taylor, Director of Public Works
Mr. Jack Knowles, Planning and Economic Development Director

January 8 2015

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

Subject: VBT-14-009 SPR; Belleville Commercial Development – Former Big Boy Site; Site Plan Review #3; Plans Dated October 23, 2014

Dear Commissioners:

The applicant proposes a new three unit commercial building to replace the former Big Boy building on Belleville Road. Our comments follow:

- 1. Use.** The proposed building is designed to accommodate a retail store and two restaurants, one of which is a drive-through. The proposed uses are noted on the site plan. The site is zoned C-1 (General Business). Restaurants and retail uses are principal permitted uses while the drive-through is a special land use in the district. Our special approval comments are under separate cover.

Space for tables and outdoor dining is shown in concrete bump outs at the north and south ends of the commercial building. Outdoor dining is not specifically identified as a permitted use in the C-1 District. At this time, the Commission can approve the layout as shown, but outdoor food/beverage service would not be permitted. We have prepared draft ordinance amendments for your consideration that would permit outdoor food/beverage service, and we anticipate that (if satisfactory) those amendments could be approved and in effect before the building would be under construction.

- 2. Circulation.** The Planning Commission's consistent policy has been to not increase the number of driveways at a site when a site is redeveloped, and where possible to reduce the number of curb cuts on Belleville Road using marginal access drives. Many nearby sites have only indirect access to the main road.

As discussed in our special approval review, the existing site has only one driveway. The plan proposes to remove the existing driveway and replace it with two driveways – one near the middle of the site frontage for two-way traffic (main driveway) and one on the north end of the site for one-way out. The applicant has stated that the separate one-way out driveway is required by the potential coffee shop drive-through tenant.

The proposed main driveway aligns with the shopping center driveway across the street. The proposed north driveway does not align with any other existing driveway, and would create a new point for traffic conflicts on Belleville Road. During the public hearing the applicant said the north driveway would be right turn out only; but his letter dated 12/4/14 says the north drive would be for exiting traffic only (which could allow right and left turns). Allowing traffic exiting to turn north and

south will conflict with traffic exiting McDonalds, etc. and heading north on Belleville Road, with no room for stacking in the center lane. *Even limiting the north driveway to right turn out only will cause traffic issues due to the proximity to existing driveways to the north.* In our experience, right turn limited driveways rarely work.

We recommend the applicant consider creating a single boulevard driveway for the site, lining up with the shopping center's boulevard driveway. This design has been successful in other locations. As recommended under special approval, one of the proposed driveways should be eliminated.

Existing cross access drives connect with CVS to the south and to the businesses to the north. These drives allow customers to travel along the corridor and use alternate pathways/exits for better traffic flow. Cross access easement documents must be submitted for Township review and approval prior to final site plan approval. If they are not already, the documents must be signed and recorded prior to permits being issued for the site.

3. Parking. The parking requirements are as follows:

Retail establishments: 3,696 sq. ft. usable floor area at 1 space per 200 sq. ft. useable floor area = 18 parking spaces required, *plus*

Standard restaurant, w/o liquor license: 2,280 sq. ft. usable floor area at 14 spaces per 1,000 sq. ft. useable floor area (32 spaces) OR 0.5 spaces per seat (64 seats, 32 spaces), whichever is greater, *plus*

Drive-through restaurant: 1,345 sq. ft. usable floor area at 22 spaces per 1,000 sq. ft. usable floor area = 30 parking spaces,

PLUS 1 space for each employee at the largest shift = 3 parking spaces,

PLUS two spaces for RVs or semi-trucks.

The total parking required for the site is **85 spaces** including two semi-trailer spaces.

83 parking spaces are provided, 2 fewer than required. Also, the spaces labelled as "RV" parking are the same size as standard parking spaces, which is not the intent of the Ordinance requirement. The RV parking spaces must be longer than standard spaces and must be provided on site, perhaps in the double-loaded center row of spaces. That change would reduce the number of spaces on site to 81, a deficiency of 4. The Planning Commission may approve this deviation if the applicant first submits satisfactory justification for the reduced parking count, in writing.

4. Drive-Through Stacking Spaces. 15 stacking spaces are required, with five between the ordering station and the pick-up window, and 10 before the ordering station. The site plan shows four spaces between the pick-up window and the ordering station, and six spaces before the ordering station. Additional spaces must be added, unless the applicant provides sufficient **written justification** and receives Planning Commission approval for the reduction.

5. Lighting. A photometric plan has been submitted and complies with Ordinance standards. Manufacturer's cut sheet details for the proposed wall mounted and pole light fixtures must be submitted for review prior to final site plan approval.

6. Landscaping and Screening. This site is in the Township's signature Belleville Road corridor and "downtown", planned as a high-image attractive mixed use area. Considerable public and private

investment has been made in streetscape plantings, decorative lighting, amenities and aesthetic improvements, and these characteristics have been successfully mirrored in the newer developments on the corridor. As a result, all sites are strongly encouraged to exceed the Ordinance minimums in landscaping, site design, building appearance, and access/cross access provisions, among others.

- a. The proposed Green Velvet boxwood along Belleville Road is only 18" high. These plants must be increased to the required 30" in height at planting.
 - b. There is an existing 6 foot high masonry wall along the east lot line, adjacent to the residential property, which will remain. A greenbelt of evergreen trees is proposed to improve the buffering of the commercial use from the single family. This interface with single family residential has historically been very sensitive. We believe the southern trees in the row will not survive the wet conditions since this location is shown as a swale/stormwater depression. We recommend that the southern trees be switched to White Cedar, 8 feet tall at planting and spaced a minimum of 10 feet apart in a staggered row. The northern trees in the row should be spaced more closely, at 15 feet on center. The trees will help muffle noise, absorb odors and mitigate other offsite impacts of the new commercial uses.
 - c. We continue to recommend that plantings be added on the island between the drive-through lane and the loading area behind the building. This median could be ornamental grasses.
- 7. Amenities.** A paved seating area next to the Belleville Road public sidewalk is proposed to satisfy the amenities requirements of the Ordinance. While the plan notes that two proposed benches will be the DDA-standard design; the trash cans must also conform to DDA's design specifications. Cut sheet details must be included with the site plan.
- 8. Elevations.** The site is subject to the architectural design standards of Section 11.05, which sets forth design expectations for buildings in the commercial districts. Architectural elevations noting the colors and façade materials for the proposed building have been submitted. Façade color and material samples must be presented to the Planning Commission for approval.
- a. The proposed building is noted as using C-brick, which is not a true clay brick, and has a red-and-tan palette. True clay brick is recommended for the interest it creates. We encourage the applicant to incorporate additional detail on the building façade, such as a rectangular brick detail on the columns or addition of a contrasting material such as stone for the columns, and creating more difference in height of the end units.
 - b. The means for screening any roof top equipment must be dimensioned and shown on the plan to ensure the equipment is not visible from off-site, including from the residential homes east of the site. We recommend that screening be accomplished via a raised parapet, not individual structures. If there will be no rooftop equipment, the plan must so state.
- 9. Signs.**
- a. **Wall Signs:** *3 square feet of wall signage are permitted for every linear foot of building frontage, up to 200 square feet.* The building has 128.16 feet of frontage, so the maximum square footage of wall signs, shared between all tenants, is 200 square feet.

- b. **Total Signage:** The allowable signage for the site is 1 sq. ft. per linear foot of lot frontage, up to 200 linear feet. For every linear foot of lot frontage over 200, 0.25 sq. ft. of signage is permitted. The site's 243.05 frontage feet along Belleville Road translates to a maximum sign area of 210.75 sq. ft. The site plan proposes a 60 sq. ft. monument sign with 4 name panels, which leaves a maximum of 150.75 sq. ft. of permitted wall signage to be split among the three tenants. The building elevations outline possible locations for two wall signs on the Belleville Road façade. The floor plan indicates 3 tenants, the monument sign illustrates 4 signs, and only 2 wall signs are outlined. Please clarify the discrepancies on the site plan and address signage for all three tenants. We recommend that for better legibility, the monument sign face use a single name rather than listing tenants.

RECOMMENDATION

The issue of the north driveway is significant and for the project to go forward consistent with our special approval recommendation some site redesign will be required. However, the Township's practice has been to transmit an approved preliminary site plan to the Township Board with any special approval recommendation. Therefore, we recommend that the Planning Commission grant preliminary site plan approval subject to the following conditions:

1. Only one Belleville Road driveway shall be permitted. The north driveway shall be removed and the site plan revised accordingly and in compliance with the Ordinance.
2. Planning Commission approval of reducing the number of parking spaces on the site from 85 (including two RV spaces) to 81 (including two redesigned, longer RV spaces). The applicant must submit satisfactory justification for this reduced parking count, in writing, before the Commission makes the determination.
3. Planning Commission approval of reducing the number of drive through stacking spaces from 15 to 10. The applicant must submit satisfactory justification for this reduction, in writing, before the Commission makes the determination.
4. Planning Commission approval of the building elevations, including true brick and additional facade details as described in Comment 8 above. The proposed façade materials and colors must be presented for Commission approval prior to final site plan approval.
5. The following items addressed on the final site plan:
 - a. Designation of 2 larger RV parking spaces, as described in Comment 3. above.
 - b. Manufacturer's cut sheets for the proposed wall mounted and pole light fixtures.
 - c. Compliance with all landscaping requirements, as noted in Comments 6 (a through c) above.
 - d. The trash cans in the public seating area must conform to DDA's standard and cut sheets added to the plan.
 - e. Satisfactory screening of rooftop equipment and details, consistent with Comment 8 above.
 - f. Sign information, as noted in Comment 8, above.

6. Prior to final site plan approval, the cross access easement documents must be submitted for Township review and approval. If they are not already, the documents must be signed and recorded prior to permits being issued for the site.
7. Approval of the Township engineer.
8. Approval of all agencies with jurisdiction.
9. Special approval by the Township Board.

Respectfully submitted,

McKENNA ASSOCIATES

A handwritten signature in blue ink that reads "Sara J. Hodges". The signature is written in a cursive style with a large, stylized initial 'S'.

Sara J. Hodges, AICP, IAP2
Senior Vice President

January 8, 2015

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

Subject: VBT-14-009 SLU; Belleville Commercial Development – Former Big Boy Site; Special Approval Review #1; Plans Dated October 23, 2014

Dear Commissioners:

The applicant proposes a new three unit commercial building to replace the former Big Boy building on the east side of Belleville Road. The total proposed floor area is 10,052 sq. ft. The site is zoned C-1 (General Business) District. Of the three tenant spaces proposed, two are restaurants and one of them is a drive-through. Drive-through restaurants require special approval in the C-1 District.

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, comments made at the public hearing and accepted principles of good planning and design.

- 1. Definition of Use.** The Zoning Ordinance defines the proposed use as a drive-in restaurant because a driveway approach is designed and used to serve patrons remaining in their motor vehicles. The Zoning Ordinance does not define a drive-through restaurant; for purposes of the Ordinance, drive-in and drive-through restaurants are considered the same. Therefore, the requirements for drive-in restaurants are applicable to the current application.
- 2. Requirements for Special Approval.** Both the discretionary and non-discretionary standards of the Ordinance are evaluated 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 on the east side of Belleville Road, north of the I-94 North Service Rd. The vicinity is characterized by a variety of commercial uses including a CVS pharmacy to the south, personal service and retail uses to the north, a quick oil change shop, a shopping center, Walmart, Tim Horton's, Applebee's, McDonalds and other retail and restaurant uses. Existing drive-through restaurants are on the west side of Belleville Rd. in the C-2 zoning district, however, with proper design a drive-through could be desirable on the east side, consistent with other uses in the vicinity and create economically desirable reinvestment on a vacant commercial property. In general the proposed changes to the site will improve the site's appearance and compliance with the Zoning Ordinance. Landscaping and a screen wall at the rear of the site will provide screening and

buffering for the single family neighbors immediately to the east. However the additional road access (driveway) proposed is likely to create traffic conflicts on the already congested Belleville Road, which is not desirable for the neighboring businesses, adjacent owners, or the Township as a whole.

- b. Is necessary for the public convenience at that location.** The location near I-94 makes the drive-through restaurant convenient for commuters, Township residents, travelers and other users of the Belleville Road commercial district. The proposed site layout with two driveways instead of the one permitted by Ordinance will likely create unnecessary traffic conflicts, to the detriment of vehicle flow on Belleville Road. A modified site design with a single access drive would provide for drive-through convenience while not creating additional traffic conflict points on traffic-heavy Belleville Road.
- c. Is compatible with adjacent uses of land.** The C-1 District is a general commercial district, permitting a variety of uses, including sit-down restaurants and drive-through uses by special approval. Landscaping, public amenities, infrastructure and other elements on the applicant's site are being upgraded to comply with the Zoning Ordinance. Evergreen trees are proposed to enhance the existing screen wall along the east property line abutting the R-1B single family residential district and will improve compatibility with those uses.
- d. Is designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.** While the use does not pose a hazard to the public health and welfare of Township residents, the proposed addition of a second access drive onto Belleville Road is contrary to public safety. The project's proposed center/main driveway lines up with the driveway to the shopping center across the street; but the proposed north site driveway does not align with any other existing driveway, creating potential for conflicts in turning movements and vehicles merging. The drive-through site is only about 300 feet north of the traffic light at the North Service Road, and the existing cross access connections to CVS (south) and retail site (north) offer options for safely exiting the site.

The applicant's letter dated 12/4/14 states that the north access drive will be restricted to exit only, and at the public hearing he said the drive would be limited to right turns only; however, we believe even a limited function drive with right turns only would cause conflicts with three existing driveways immediately north of the site. It has been our experience in the Township that drivers regularly violate restricted turn movement driveways (like the right-turn-in, right-turn-out driveway at the Murrays' shopping center), with associated hazards. We suggest that an improved solution would be to redesign the proposed main driveway to be larger with an island aligning with the shopping center's driveway. There are many examples of other drive-through restaurant locations similar to that proposed that function well with a single driveway for entry, exit and circulation around the building and site. Aerial photos of several are attached.

- 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 not diminish or adversely affect public services to the area.

- f. **Will not cause injury to other property in the neighborhood in which it is to be located.** As discussed in Comment d. above, the addition of the north driveway to the site will likely adversely affect traffic on Belleville Road. Additional traffic conflicts and accidents could detract from the marketability and desirability of other commercial property in the vicinity.
- g. **Considers the natural environment and helps conserve natural resources and energy.** As part of site plan approval, renovations will be required to bring the site into compliance with the landscaping, design, and other standards of the Zoning Ordinance. This will result in additional trees, improved drainage, concealed lighting and other improvements that will conserve resources. No adverse impacts on the environment are anticipated.
- 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.** The Zoning Ordinance Section 12.04 allows the Planning Commission to require marginal access drives and limits points of ingress and egress to a site to no closer than 500 feet apart. The two driveways proposed are only a little over 100 feet apart. The intent of the 500 foot separation requirement is to ensure that vehicles entering and exiting the major thoroughfare have adequate time and room to safely maneuver into moving traffic.

In addition, Section 12.03.d. gives specific standards for drive-in restaurants in the C-1 District. The proposal's compliance with these standards is evaluated below.

1. **Entrances and exits must be 100 feet from the intersection of any two streets.** The nearest driveway to an intersection, the proposed main driveway, is approximately 300 feet from the intersection of Belleville Road and the I-94 N. Service Road.
 2. **Must have direct access to a major thoroughfare.** The site has direct access to Belleville Road, a major thoroughfare.
 3. **No lighting or illuminated display shall reflect onto a residential zone.** While there are residential uses to the east of the drive-through, they are buffered by proposed screen of evergreen trees and screening wall. The site's photometric plan conforms to Ordinance requirements. The lights are concealed source and focused down so as to not reflect into the residential zone to the east. Sound from the drive-through order board will be limited in volume so as to not become a nuisance.
 4. **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 similar intensive commercial uses. Large numbers of children are unlikely to congregate in the area impacted by the drive-through.
- 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 can be consistent with the Township's police power, provided that the plans are revised as recommended and appropriate findings are made to support such a decision.

RECOMMENDATION

Based on the above, we find that the proposed special approval use will meet the criteria for special approval if the proposed second (north) driveway to Belleville Road is removed. Therefore, we recommend the Planning Commission recommend special approval to the Township Board, subject to the following conditions:

1. Revision of the site plan to incorporate only one Belleville Road driveway, and
2. Final site plan approval.

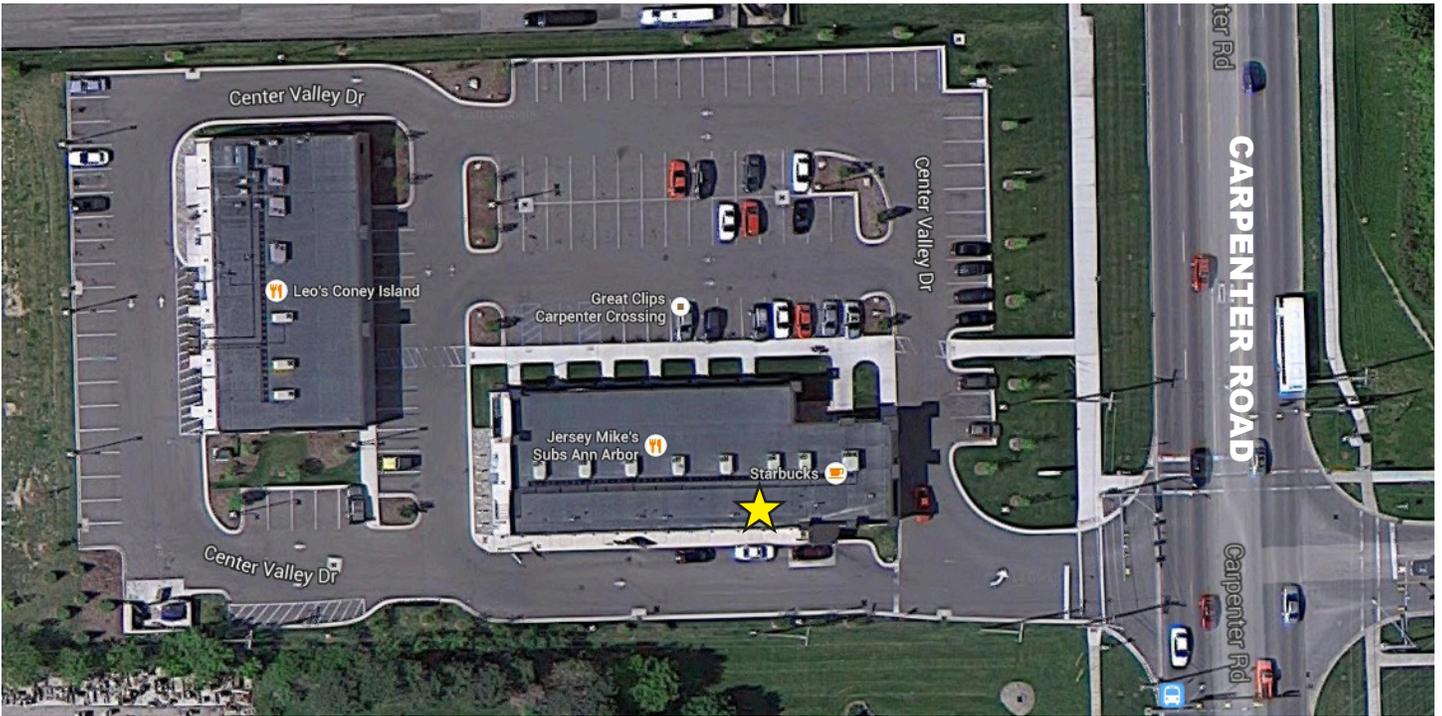
Respectfully submitted,

McKENNA ASSOCIATES



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cc: Stephen Alexander, Juniper Development, 41700 Garden Brook Drive, Ste. 125, Novi, MI 48375



Starbucks at Carpenter Road - Pittsfield Township

★ = Drive-thru Window



Starbucks at 39940 Ford Road - Canton, MI

★ = Drive-thru Window





Starbucks on Rochester Road - Rochester Hills, MI

★ = Drive-thru Window



