

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, March 8, 2017 – 7:30 PM
Board of Trustees Room**

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1: Approval of minutes from the regular meeting of February 22, 2017.

CORRESPONDENCE:

PUBLIC HEARING:

ITEM #1 ZONING ORDINANCE ADOPTION

VAN BUREN TOWNSHIP IS CONDUCTING A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A NEW ZONING ORDINANCE. THIS NEW ZONING ORDINANCE REFLECTS A COMPREHENSIVE UPDATE TO THE CURRENT ZONING ORDINANCE.

- A. Commission opens Public Hearing
- B. Presentation by Township staff and consultants.
- C. Receipt of public comment.
- D. Commission closes Public Hearing.

ITEM #2 CASE 17-006 - REZONING 40631 ALDEN DRIVE (C-1, GENERAL COMMERCIAL TO R1-C, SINGLE FAMILY RESIDENTIAL)

LOCATION: THIS SITE IS LOCATED AT 40631 ALDEN DRIVE WHICH IS LOCATED SOUTH OF THE I-94 SOUTH SERVICE DRIVE AND EAST OF HAGGERTY ROAD.

- A. Commission opens Public Hearing
- B. Presentation by Township staff and consultants.
- C. Receipt of public comment.
- D. Commission closes Public Hearing.

UNFINISHED BUSINESS:

NEW BUSINESS:

ITEM #1: CASE #14-022 TOWNPLACE SUITES HOTEL – SITE PLAN AMENDMENT

TITLE: THE APPLICANT, BELLEVILLE DEVELOPMENT, INC., IS REQUESTING AN AMENDMENT TO THEIR APPROVED SITE PLAN TO MAKE MODIFICATIONS TO THE ELEVATION OF THE PROPOSED HOTEL.

LOCATION: PARCEL NUMBER V125-83-064-99-0002-701. THIS SITE IS LOCATED NORTHEAST OF THE INTERSECTION OF QUIRK ROAD AND N. I-94 SERVICE DRIVE.

- A. Presentation by the applicant.
- B. Presentation by the Township staff.

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
FEBRUARY 22, 2017
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:35 p.m.

ROLL CALL:

Present: Jackson, Boynton, Kelley, Atchinson, Budd and Thompson.

Excused: Franzoi.

Staff: Director Akers and Secretary Harman.

Planning Representatives: Wade Trim Associate, David Nummer.

Audience: Five (5).

APPROVAL OF AGENDA:

Motion Boynton, Kelley second to approve the agenda of February 22, 2017 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Jackson, Boynton second to approve the regular meeting minutes of February 8, 2017 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1

CASE #14-007

TITLE:

THE APPLICANT, MENARD, INC., IS REQUESTING APPROVAL FOR THE DEVELOPMENT OF A RETAIL BUILDING WITH OUTSIDE STORAGE OF SUPPLIES. OUTDOOR STORAGE OF SUPPLIES IS A SPECIAL LAND USE IN THE C-2 DISTRICT, AND REQUIRES A PUBLIC HEARING. THIS HEARING IS BEING HELD IN ACCORDANCE WITH SECTION 13.03 (PERMITTED USES WITH SPECIAL APPROVAL) OF THE ZONING ORDINANCE.

LOCATION:

PARCEL NUMBER V125-83-061-99-0005-721, WHICH IS CURRENTLY VACANT, IS THE SUBJECT OF THIS HEARING. THE SITE IS APPROXIMATELY 27.24 ACRES AND IS LOCATED IN THE C-2, EXTENSIVE HIGHWAY BUSINESS ZONING DISTRICT. THIS SITE IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN TYLER ROAD TO THE NORTH AND I-94 TO THE SOUTH.

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

Nick Brenner a corporate council member of Menard, Inc. gave the presentation. Mr. Brenner displayed the site plan for the retail building with outdoor storage including two retention ponds on the site plan. The exterior façade of the building is red brick with tan block and a landscape buffer with trees is included in the landscape plan to reduce light and noise to the neighboring condominium development. The proposed schedule for the development is a 9-month process. Menard, Inc. is prepared to move forward with the previously approved project, the only changes to the site plan are a size reduction to the outdoor storage area and modifications to the landscape plan.

Commissioners discussed the continued effort made by Menard, Inc. to address residents light and noise concerns in the neighboring Meadows of Van Buren condominiums.

Resident on Endicott Street, the northwest side of the proposed development, is in support of the Menard retail building.

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

NEW BUSINESS:

ITEM # 1 CASE # 17-004 – TEMPORARY LAND USE

TITLE: THE APPLICANT, PHANTOM OF MICHIGAN, IS REQUESTING FINAL APPROVAL TO HOLD “TENT” SALES OF RETAIL GOODS BEYOND THE SEVEN CONSECUTIVE DAYS ALLOWED AS-A-RIGHT IN THE ZONING ORDINANCE FOR TEMPORARY LAND USE UNDER SECTION 4.44 OF THE TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.

LOCATION: THIS SITE IS LOCATED IN THE LAKEWOOD SHOPPING PLAZA AT 2095 RAWSONVILLE ROAD. THE SUBJECT LOCATION IS ON THE EASTSIDE OF RAWSONVILLE ROAD, SOUTH OF THE I-94 SERVICE DRIVE.

Randy Edmonds with Phantom of Michigan gave the presentation. Phantom of Michigan is requesting to hold “tent” sales of retail goods from June 23, 2017 through July 5, 2017 with hours of operation of from 10:00 a.m. to 10:00 p.m. This is their 5th year of operation at the same location.

Director Akers presented his review letter dated 2-14-17 recommending approval of the application subject to the Van Buren Fire Marshall approval, the applicant provide the Township with a current Consumer Fireworks Retail Facility: Non-Permanent license prior to establishment of temporary use and all proposed signage comply with the Zoning Ordinance.

Director Akers presented Fire Marshal McNally’s review letter dated 2-2-17 recommending approval as the application is in compliance.

Motion Boynton, Atchinson second to grant Phantom of Michigan temporary land use approval to hold “tent” sales of retail goods beyond the seven consecutive days allowed in the township zoning ordinance, located in the Lakewood Shopping Center, 2095 Rawsonville Road, including recommendations in the Township staff review letter dated 2-14-17 and Fire Marshal McNally’s review letter dated 2-2-17. Motion Carried. (Letters Attached)

ITEM # 2 CASE # 14-007 (SLU, TRP & SPR)

TITLE: THE APPLICANT, MENARD, INC., IS REQUESTING SPECIAL APPROVAL RECOMMENDATION, A TREE REMOVAL PERMIT AND FINAL SITE PLAN APPROVAL FOR THE DEVELOPMENT OF A RETAIL BUILDING WITH OUTSIDE STORAGE AND SALE OF SUPPLIES. OUTDOOR STORAGE AND SALE OF SUPPLIES IS A SPECIAL LAND USE IN THE C-2 DISTRICT.

LOCATION: PARCEL NUMBER V125-83-061-99-0005-721. THIS SITE IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN TYLER TO THE NORTH AND I-94 TO THE SOUTH.

Director Akers presented his review letter dated 2-17-17 providing a review of Menard Inc.'s request to renew their prior Township approvals in order for the store to begin construction in the spring. Akers included minutes from the 2-14-17 Board of Zoning Appeals meeting in which the BZA renewed the variances requested and required for the approval of Menard, Inc.

No questions or comments from the Commission or the audience.

Motion Kelley, Boynton second to recommend approval to the Township Board of Trustees of the special use request to construct a home improvement store with outdoor sales and outdoor storage of landscaping and home improvement supplies at parcel number V125-83-061-99-0005-721, based on the findings of the December 4, 2014 McKenna & Associates letter, subject to the following:

- 1. The Planning Commission determines that the fence/wall combination at the front of the garden center is not subject to the height limit of Section 4.27d.**
- 2. Conditioned upon the approval of the tree removal permit and final site plan.**

Roll Call:

Yeas: Kelley, Atchinson, Budd, Boynton, Jackson and Thompson.

Nays: None.

Absent: Franzoi.

Motion Carried.

Director Akers discussed the McKenna Associates tree removal permit letter dated 6-18-15. No comments from the Commission or the audience regarding the tree removal permit.

Motion Kelley, Budd second to grant the tree removal permit for the Menards project located at parcel number V125-83-061-99-0005-721, based on the findings of the June 18, 2015 McKenna Associates review letter, subject to the condition that the applicant obtain special use approval from the Township Board of Trustees. Motion Carried. (Letter Attached)

Director Akers discussed the McKenna Associates site plan review letters dated June 18, 2015 and December 3, 2014. Staff has reviewed the submitted site plans dated January 17, 2017 and noted a few minor items to be addressed.

David Nummer of Wade Trim Associates noted no impact from the minor change to the site plan. The storm water meets the Wayne County requirements and he recommends final site plan approval.

Commissioners discussed the paving of the road accessing the shopping center to the north and the cross access agreement to be reviewed to the satisfaction of the Planning Director.

Motion Boynton, Kelley second to grant final site plan approval for the Menards project located at parcel number V125-83-061-99-0005-721, based on the findings in the McKenna Associates review letters dated December 4, 2014, June 18, 2015 and the February 17, 2017 Township planning review letter. This approval is subject to the following conditions:

- 1. The streetlight in the northeast corner of the parking lot should be located in the parking lot island rather than the parking space.**
- 2. The mechanical equipment located in a parking lot island should be painted a dark green to blend in with the existing landscape screening.**
- 3. The site plan shall be sealed and signed by a licensed engineer or architect.**
- 4. Final site plan approval shall be conditioned upon Menards obtaining special use approval from the Township Board of Trustees.**

In addition, the Planning Commission recommends that Menards seek permission from Walgreens in order to close the existing curb cut from Belleville Road that is located to the north of Walgreens and conditioned on the satisfaction of review of the cross access agreement by the Planning Director. Motion Carried. (Letters Attached)

ITEM # 3

CASE # 17-005

TITLE:

THE APPLICANT, ALLEN EDWIN HOMES IS REQUESTING AN AMENDMENT TO THE APPROVED COUNTRY WALK SITE PLAN FOR REVISED SINGLE FAMILY ARCHITECTURAL ELEVATIONS.

LOCATION:

THE UNFINISHED COUNTRY WALK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF MARTINSVILLE ROAD, NORTH OF SAVAGE ROAD.

Commissioner Boynton asked to be recused from the discussion, as he is a homeowner's association member of the Country Walk Subdivision.

Motion Kelley, Budd second to permit Commission Boynton to be recused. Motion Carried.

A representative of Allen Edwin Homes gave the presentation. The applicant has been working with Country Walk to populate the subdivision with homes. The permits acquired for construction of sold homes were rescinded as no drawings or elevations had been submitted by Allen Edwin Homes. The applicant has submitted the required drawings and elevations and is looking for approval to begin construction of the sold homes.

Director Akers presented his site plan review letter dated February 17, 2017 in which the applicant was deficient in 3 areas and presented his review letter dated February 22, 2017 in which the applicant had addressed the issues presented in the previous letter. Akers recommends the Planning Commission grant approval subject to the conditions referenced in his review letter dated February 17, 2017.

Commissioners discussed how the applicant will keep track of the lots/home elevations sold to maintain the substantially different requirement, the minimum square footage of 1470 sq. ft., the

number lots remaining to be developed in the Country Walk subdivision and encouraged the developer to work with the homeowners association.

Motion Kelley, Jackson second to grant an amendment to the site plan for the Country Walk Development in order to incorporate Allen Edwin Homes "Elevation Portfolio" dated January 19, 2017 and their "Sideload Garage Portfolio" dated February 21, 2017 both of which depict elevations to be constructed in phase 3 and phase 4 of the Country Walk Development subject to the staff review letter dated February 22, 2017 and conditioned upon: Township Planning Staff reviewing each application for a new single family home in Country Walk phase 3 and phase 4 in order to determine that the new home meets the required setbacks and that the elevation meets the Township's "substantially different" architectural design standards set forth in the PRD agreement for the Country Walk Development. Motion Carried. (Letters Attached)

GENERAL DISCUSSION: None.

Motion Budd, Jackson second to adjourn at 8:57 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

MEMORANDUM

TO: Charter Township of Van Buren Planning Commission

CC: Ron Akers, Director of Planning & Economic Development
Matt Best, Deputy Director of Planning & Economic Development

FROM: Patrick Sloan, AICP, Senior Principal Planner

SUBJECT: Zoning Ordinance Public Hearing

DATE: March 2, 2017

Introduction. At the September 28, 2016 Planning Commission meeting, we discussed the ongoing updates to the existing Zoning Ordinance and proposed a series of meetings to review all of the proposed articles. So far, the following 5 meetings have been held:

- **Meeting 1 (October 12, 2016):** Review of Article 12 (Administrative Procedures), Article 13 (Administrative Organization), and Article 14 (Nonconformities).
- **Meeting 2 (October 26, 2016):** Review of Article 3 (Zoning Districts and Permitted Uses), Article 4 (Schedule of Regulations), and Article 5 (Development Standards for Specific Uses).
- **Meeting 3 (November 9, 2016):** Review of Article 8 (Environmental Performance) and Article 10 (Landscaping and Screening).
- **Meeting 4 (December 14, 2016):** Review of Article 9 (Parking, Loading, and Access Management) and Article 11 (Signs).
- **Meeting 5 (January 11, 2017):** Review of Article 6 (Supplemental Zoning District Standards) and Article 7 (General Provisions)
- **Meeting 6 (February 8, 2017):** Review of Article 2 (Definitions), Mixed-Use (M-U) District in Article 3, and Belleville Road Overlay District (BROD) in Article 6.

At the conclusion of the meeting on February 8th, the Planning Commission determined that the Zoning Ordinance was ready for a formal public hearing and scheduled the public hearing for March 8th. Throughout our meetings, the Planning Commission asked many great questions and made several changes to the draft Zoning Ordinance. In addition to many minor changes that have been made, the following major changes have been incorporated into the draft Zoning Ordinance dated February 16, 2017:

- In **Section 3.118(D)(1)**, additional standards were added to the Airport (AP) District to allow administrative review for certain activities at a public airport (i.e., Willow Run Airport). The proposed changes are intended to expedite plan review at Willow Run Airport to encourage additional economic development.
- In **Section 6.308(A)(3)**, additional text was added to allow the Planning Commission to increase or decrease the number of required bicycle parking spaces in the Belleville Road Overlay District based on expected demand and available areas lot locate bicycle parking. This will allow the Planning Commission the flexibility to adjust the standard on a site-by-site basis.
- In **Section 3.120**, the newly-adopted Belleville Lake Shoreline Districts was added.
- In **Section 3.119(F)**, the build-to line along major roads in the Mixed-Use District was increased from 55 feet to 65 feet to allow for the required 10 feet of landscape area between the sidewalk and the parking lot.

- The **Country Club** land use has been provided its own definition in **Article 2**, removed from the list of uses that include Outdoor Recreation, Private Parks, Gun Clubs, and Golf Driving Ranges in **Section 5.132**, and added as a Special Land Use in the R-1A, R-2A, R-1B, and R-1C districts in **Sections 3.104** and **3.106**. Please note that if a Country Club includes any other use (such as a golf course), it will also be subject to the standards of that other use.
- For **Planned Residential Developments (PRD's)**, **Section 6.209** has been modified to require the paving of the access road to be complete within 2 years of construction commencement or prior to the issuance of building permits for 80% of the dwelling units in the PRD, whichever occurs first. In **Section 6.220**, a new phase shall not commence until the preceding phase has been completed. These 2 changes will prevent some of the problems of the past when the developer would begin new phases without fulfilling his obligations to complete work required in the prior phases.
- In **Section 7.203(C)(2)**, provisions were added to allow open decks, paved terraces, and patios at or below the finished first floor level of the building to encroach up to 6 feet into the required front yard setback area. Although a railing and roof are also permitted, the roof may not be higher than the first story and shall not encroach more than 6 feet into the setback. This will allow older subdivision homes built at the front yard setback line (e.g., Haggerty Sub), to have a small open front porch.
- In **Section 5.116(D)**, the maximum number of attached single-family dwelling units permitted in a single building was reduced from 10 to 6. This will break up long stretches of building and provide a better appearance of a neighborhood. Because buildings with more than 6 attached units are rare in the current housing market, the proposed change will not discourage development.
- In **Section 7.207** (Solar Energy Systems) and **Section 7.208** (Wind Energy Systems), these 2 uses were put into their own sections because of their unique characteristics. Additionally, standards were added that prohibit these systems from interfering with aircraft communications systems or navigation equipment. These regulations are common and are even recommended by the solar and wind energy industries.

We look forward to the public hearing at the March 8, 2017 Planning Commission meeting.



Memo

DATE: March 2, 2017
TO: Planning Commission
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: New Zoning Ordinance Adoption

Please note that I have provided digital copies of the proposed Zoning Ordinance because the document is 350+ pages long. Should anyone require a hard copy of the proposed Zoning Ordinance please contact me and I will make arrangements.

PLANNING & ZONING APPLICATION

Case number 17-006

Date Submitted 2-7-17

Samantha

APPLICANT INFORMATION

Applicant Stephen Drahas Phone 734 507 9634 734-262-0437
Address 40631 Alden Fax _____
City, State Belleville, MI Zip 48111
E-mail stevedrahas1@icloud.com Cell Phone Number _____
Property Owner Same Phone _____
(if different than applicant)
Address _____ Fax _____
City, State _____ Zip _____
Billing Contact Same Phone _____
Address _____ Fax _____
City, State _____ Zip _____

SITE/ PROJECT INFORMATION

Name of Project _____
Parcel Id No. V125-83-093-01-0021-001 Project Address 40631 Alden

Property Location: On the E Side of Haggerty Road; Between 194 Service Drive E. Road
and Huron River Road. Size of Lot Width _____ Depth _____
Acreage of Site 0.39 Total Acres of Site to Review _____ Current Zoning of Site Commercial

Project Description:
Rezone from commercial -> Residential

Is a re-zoning of this parcel being requested? Yes YES (if yes complete next line) NO
Current Zoning of Site C-1 Requested Zoning R1-C

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? YES (if yes complete next line) NO
Section of Zoning Ordinance for which you are applying _____

Is there an official Woodland within parcel? N Woodland acreage _____
List total number of regulated trees outside the Woodland area? _____ Total number of trees _____

Detailed description for cutting trees _____

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

Stephen Drahas

Print Property Owners Name

Signature of Property Owner

1/30/17

Date

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this _____ day of _____, 20____

Notary Public, _____ County, Michigan My Commission expires _____, 20____
Rev 1/12/06



Memo

DATE: March 3, 2017
TO: Planning Commission
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: 17-006 Rezoning Request of 40631 Alden Drive

Staff Report

File Number: 17-006

Site Address: 40631 Alden Drive

Parcel Number: 125-83-093-01-0021-001

Parcel Size: 0.398 Acres

Location: Alden Road, East of Haggerty & South of I-94 South Service Drive

Applicant: Stephen Drahos, 40631 Alden Drive, Van Buren Township, MI 48111

Property Owner: Same as applicant.

Request: Applicant is requesting to rezone their existing property located at on Alden Drive from C-1, General Commercial to R1-C, Single Family Residential.

Zoning and Existing Use: C-1, Single Family Residential.

Adjacent Zoning and Existing Uses:

North: R1-C (Single Family Residential) & Single Family Residential

East: C-1 (General Commercial) & Single Family Residential

South: C-1 (General Commercial) & Vacant

West: R1-C (Single Family Residential) & Single Family Residential

Other: Public hearing notices were published in the Belleville Area Independent on February 16, 2017 and notices were sent to all property within 300' of the subject property on February 16, 2017 in accordance with the Michigan Zoning Enabling Act.

Summary:

The applicant has requested to rezone the above specified property from C-1, General Commercial to R1-C, Single Family Residential. The primary intent of the applicant is to eliminate the legal non-conforming use status of the property so they can construct an addition onto their home. Staff has reviewed this request based on the Township’s Master Plan and current Zoning Ordinance. Please consider the following:

Master Plan:

The Southside Master Plan designates this area as having a future land use designation as Low Density Residential B. The Low and Medium Single Family future land use designation is described as follows:

“Low and Medium Density Single Family: The Low and Medium Density Single Family land use categories are intended to permit single family residential development consistent with recent development patterns between Hull Road and Belleville Lake. The permitted maximum density in the Single Family land use categories ranges from 1.75 to 4 units per acre, with the minimum lot area ranging from 10,000 to 20,000 square feet. The Low Density Single Family A category corresponds to the R-1A zoning district, the Low Density Single Family B category corresponds to the R-2A zoning district, and the Medium Density Single Family B category corresponds to the R-1B zoning district.”

The Southside Master Plan also includes a table which address the densities of the Future Land Use Categories. This is as follows:

**Table 6.1
Recommended Density and Minimum Lot Area
Single Family Residential Land Use Areas**

<u>Future Land Use Category</u>	<u>Recommended Density</u>	<u>Recommended Min Lot Area</u>
Rural Settlement	1 unit/acre	1 acre
Low Density Single Family A	1.75 – 2 units/acre	20,000 sq. ft.
Low Density Single Family B	2.5 – 2.9 units/acre	15,000 sq. ft.
Medium Density Single Family A	3.5 – 4 units/acre	10,000 sq. ft.
Village Residential	4.1 – 5 units/acre	8,400 sq. ft.

The Township’s Zoning Ordinance indicates that the minimum lot size for the R1-C zoning district is 8,400 square feet and the minimum required parcel width is 70 feet which is more consistent with the Village Residential zoning designation. The Low Density Residential B designation is more consistent with the R2-A zoning district which requires a minimum lot area of 15,000 square feet. The square footage of the subject property is approximately 17,300 square feet and the width is approximately 60 feet. Based on this the property would not be able to be split and take advantage of the smaller minimum lot area offered by the R1-C zoning district. Due to this and due to the same uses being allowed for all residentially zoned property, the rezoning of the property to R1-C would be consistent with the Township’s Master Plan.

Additionally, the residentially zoned parcels in the surrounding area are currently zoned R1-C as well.

Zoning:

Existing C-1, General Commercial: The General Business District, as established in this Article is intended to permit a wider range of business and entertainment activities than those permitted in the Local Business District. The permitted uses are intended to provide business and services usually found in major shopping centers and central business districts at the junction of major streets. These uses generated large volumes of vehicular traffic, require substantial access for off-street parking and loading and require detailed planning, particularly as to relationships with adjacent residential areas.

This existing zoning district is not consistent with the low density residential designation in the South Side Master Plan nor is it consistent with the existing residential neighborhood in the immediate vicinity.

Proposed R1-C, Single Family Residential: The R1-C district primarily allows for single family residential uses on minimum 8,400 square foot lots. Permitted uses include single family detached dwellings; public parks; local governmental uses; schools; private swimming pools; home occupations; adult foster care; and family day care homes. Special uses in the district include child care centers; public utility buildings; golf courses; bed and breakfast establishments; group day care homes; churches; and adult day care centers.

Other Considerations:

The property is located in an existing residential neighborhood and has frontage on a gravel road. The surrounding properties are zoned R1-C which is consistent with many of the properties in the area around Belleville Lake. This property is adjacent to a property to the south which has frontage on Haggerty Road and C-1 General Commercial zoning. The property also is adjacent to the property to the east which also has a single family residential dwelling and is zoned C-1. Neither the subject parcel nor the parcel to the east are compliant with the Township's Master Plan and the current C-1 zoning is not consistent with the existing residential neighborhood.

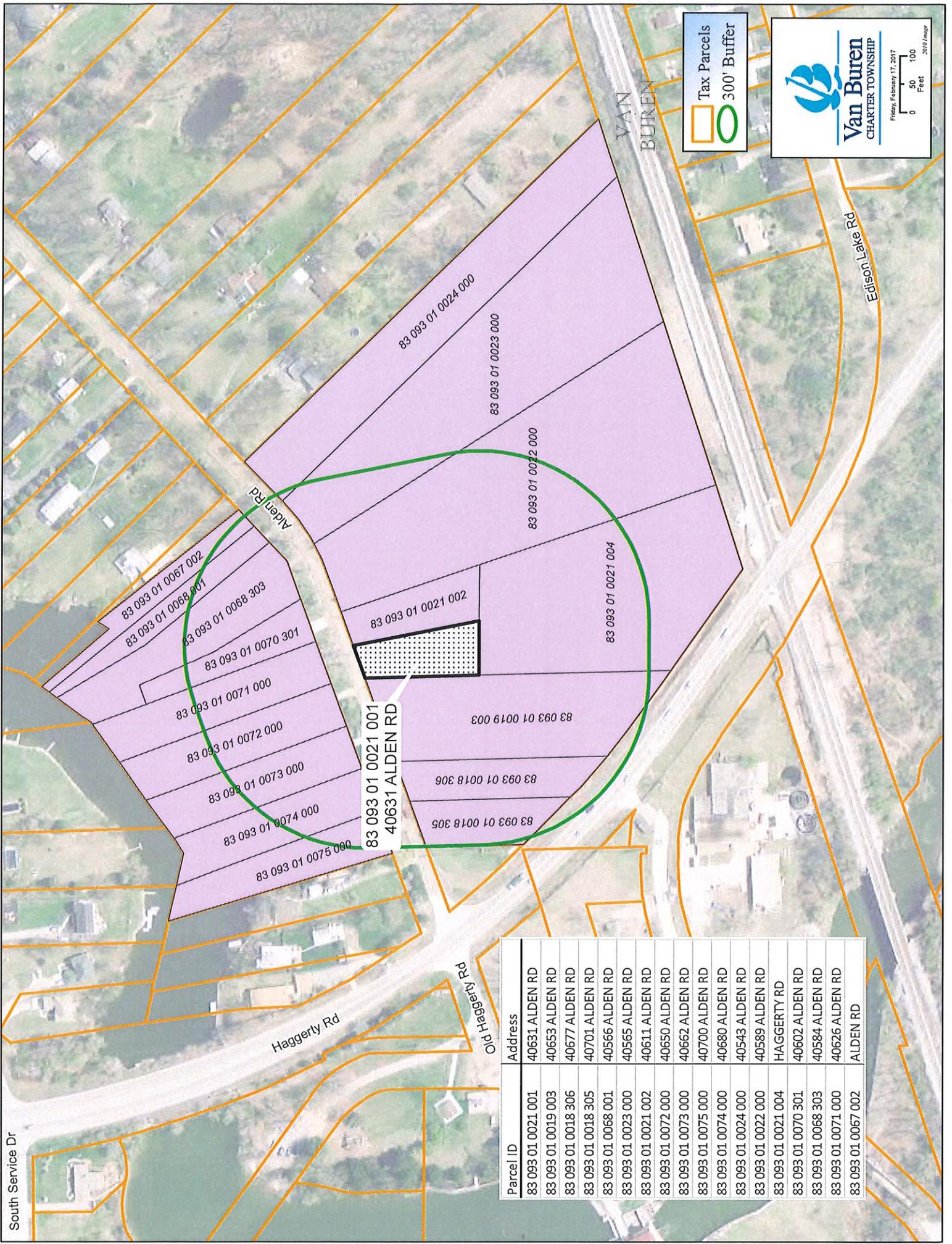
The rezoning will have little if any additional impact on current traffic or infrastructure. The proposed R1-C district is consistent with how the property is currently being used and due to the width of the parcel on Alden Drive, it would not be able to be split without obtaining a variance from the Board of Zoning Appeals. The request should not hinder community need for commercial property as there are several vacant commercially zoned areas in the Township.

Recommendation:

Staff recommends that the Planning Commissions recommend approval of the request to amend the Township's Zoning Map by rezoning the property located at 40631 Alden Drive parcel #125-

83-093-01-0021-001 from C-1, General Commercial to R1-C, Single Family Residential based upon the following reasons:

- A. The R1-C, Single Family Residential zoning district would be consistent with the residential properties in the immediate area.
- B. The proposed rezoning would be consistent with the provisions in the Southside Master Plan which indicate that single family residential uses should be located in this area.
- C. The applicant would be unable to split the property due to not having sufficient parcel width for two parcels so thus the applicant would have to maintain their existing parcel size.
- D. The proposed rezoning would be more appropriate for the infrastructure on the residential road.
- E. The proposed rezoning does not create any shortages of available vacant commercially zoned property in the Township.



Tax Parcels
 300' Buffer



Van Buren
 CHARTER TOWNSHIP
Friday, February 17, 2017
0 50 100 Feet
2010 Imagery

83 093 01 0021 001
 40631 ALDEN RD

Parcel ID	Address
83 093 01 0021 001	40631 ALDEN RD
83 093 01 0019 003	40653 ALDEN RD
83 093 01 0018 306	40677 ALDEN RD
83 093 01 0018 305	40701 ALDEN RD
83 093 01 0068 001	40566 ALDEN RD
83 093 01 0023 000	40565 ALDEN RD
83 093 01 0021 002	40611 ALDEN RD
83 093 01 0072 000	40650 ALDEN RD
83 093 01 0073 000	40662 ALDEN RD
83 093 01 0075 000	40700 ALDEN RD
83 093 01 0074 000	40680 ALDEN RD
83 093 01 0024 000	40543 ALDEN RD
83 093 01 0022 000	40589 ALDEN RD
83 093 01 0021 004	HAGGERTY RD
83 093 01 0070 301	40602 ALDEN RD
83 093 01 0068 303	40584 ALDEN RD
83 093 01 0071 000	40626 ALDEN RD
83 093 01 0067 002	ALDEN RD

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **Wednesday, March 8, 2017 at 7:30 p.m.**, in the Board of Trustees Room, 46425 Tyler Road, Charter Township of Van Buren, Wayne County, Michigan to consider a request to rezone the following described parcels.

Case 17-006: The property located at 40631 Alden Dr. (parcel tax ID number **V-125-83-093-01-0021-001**), is the subject parcel of this hearing. The subject parcel measures approximately 0.39 acres, and is located on Alden Drive, east of Haggerty Road. The Public Hearing is in regards to amending the Charter Township of Van Buren zoning map by rezoning the subject property from **C-1 (General Commercial) District to R1-C (Single Family Residential) District.**

Please address any written comments to the Van Buren Township Planning Commission at, 46425 Tyler Road, Van Buren Township, MI 48111 or by e-mail at rakers@vanburen-mi.org. Written comments will be accepted until 4:00 p.m. on the hearing date and all materials relating to this request are available for public inspection at the Van Buren Township Hall prior to the hearing.

Van Buren Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact the Van Buren Township Planning & Economic Development department at 734-699-8913 at least seven (7) days in advance of the meeting if you require assistance.

Posted: February 16, 2017
Published: February 16, 2017

PLANNING & ZONING APPLICATION

Case number _____

Date Submitted 3/2/17

APPLICANT INFORMATION

Applicant Belleville Development Inc Phone 248-821-2161
Address 46194 N I-94 Service Drive Fax 734-857-6229
City, State Van Buren Township MI 48111 Zip 48111
E:mail Rhanna@ambospitality.com Cell Phone Number 248-821-2161
Property Owner same as above Phone _____
(if different than applicant)
Address _____ Fax _____
City, State _____ Zip _____
Billing Contact Remy Hanna Phone _____
Address same as above Fax _____
City, State _____ Zip _____

SITE/ PROJECT INFORMATION

Name of Project TownePlace Suites
Parcel Id No. V125-83- Project Address _____

Attach Legal Description of Property

Property Location: On the _____ Side of _____ Road; Between _____ Road
and _____ Road. Size of Lot Width _____ Depth _____

Acreage of Site _____ Total Acres of Site to Review _____ Current Zoning of Site _____

Project Description: Building design & facade

Is a re-zoning of this parcel being requested? _____ YES (if yes complete next line) NO

Current Zoning of Site _____ Requested Zoning _____

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? _____ YES (if yes complete next line) NO

Section of Zoning Ordinance for which you are applying _____

Is there an official Woodland within parcel? _____ Woodland acreage _____

List total number of regulated trees outside the Woodland area? _____ Total number of trees _____

Detailed description for cutting trees _____

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

Belleville Development Inc (Remy Hanna)

Print Property Owners Name

[Signature]

Signature of Property Owner

3/2/17

Date

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this _____ day of _____, 20____.

_____, Notary Public, _____ County, Michigan My Commission expires _____, 20____.

Rev 1/12/06



Memo

DATE: February 28, 2017

TO: Planning Commission

FROM: Ron Akers, AICP – Director of Planning & Economic Development

RE: Townplace Suites Site Plan Amendment to Modify the Exterior Elevation of the Building.

Summary:

The Townplace Suites development located at the north east corner of the I-94 North Service Drive and Quirk Road has applied to amend their approved site plan in order to modify the elevations of the building. The adjustment, according to the owner, is due to a change in the design requirements from Marriott hotels. I have reviewed the proposed elevation and compared it to the elevation which was originally approved and the Township's Zoning Ordinance. Based on this review please consider the following:

Zoning Requirements:

The Township's Zoning Ordinance states,

“For all uses permitted a C District, a site plan shall be submitted to the Planning Commission and no building permit shall be issued until after the Planning Commission has reviewed and approved the site plan in accordance with Section 4.31. In addition to the criteria set forth in Section 4.31 (c) the Planning Commission shall reject any site plan which does not meet the following criteria:

- a. Brick or another material of similar architectural quality and appearance as determined by the Planning Commission, shall be the principal material for exterior building surfaces.*
- b. Buildings shall incorporate roof articulation, projection and relief, covered walkways into facades which include entrances or display windows or which are adjacent to parking or visible from rights-of-way.”*

Based on this for the C-2, Highway Business zoning district any new building requires the principal material for exterior building surfaces to be brick or a similar material of similar architectural quality. This is the main architectural requirement of this district.

Previously Approved Elevation

Staff has reviewed the elevation under the previously approved site plan (included in packet) to determine what the siding material ratios were for the building. The summary is as follows:

	South Elevation:	North Elevation:	East Elevation:	West Elevation:
Brick	39.2%	39.1%	27%	27%
EIFS	21.6%	21.6%	47.1%	47.1%
Fiber Cement	18.6%	18.6%	6.8%	6.8%
Festration	20.6%	20.7%	19.1%	19.1%

The South Elevation is the main elevation which is adjacent to the I-94 North Service Drive. This elevation currently meets our Zoning Ordinance standards as the primary material for this is depicted as brick. There are other portions of the main façade are EIFS and cement panel which have similar ratios.

Proposed Elevation

The proposed elevation has the specific ratios called out on the provided elevation drawings. These material ratios are as follows:

	South Elevation:	North Elevation:	East Elevation:	West Elevation:
Brick	42%	41%	46%	46%
EIFS	31%	30%	15%	15%
Fiber Cement	9%	10%	22%	22%
Festration	18%	19%	17%	17%

In comparison, the proposed elevations incorporate a slightly greater amount of brick on the south portion of the building than the previously approved elevation (39% prior, 42% proposed). Additionally, the proposed elevation incorporates a substantially larger amount of brick on the east and west elevations of the proposed elevation (27% prior, 46% proposed). The proposed south and north elevations have more EIFS than the prior elevation, but this was not done as the expense of face brick. The cement panel was reduced in the proposed elevations as well.

Due to the proposed elevation having the primary building material be brick this elevation meets the Township's zoning requirements. The greater amount of face brick and the color pattern is consistent with adjacent properties and preferable according to the Planning Commission's prior practice. The greater amount of EIFS is not concerning because EIFS is a primary building material in the façade of the adjacent hotels.

Recommendation:

Staff recommends that the Planning Commissions approve the request to amend the approved site plan for the Townplace Suites development which was originally approved on October 26, 2016 in order to incorporate the proposed building elevations on the elevation drawings dated February 15, 2017. Approval shall be based upon Township staff report dated February 28, 2017 and the finding that the proposed elevations are compliant with the Township Zoning Ordinance.



WEST ELEVATION



EAST ELEVATION

- EXTERIOR FINISH KEY**
- FIBER CEMENT SIDING- NICHHA ILLUMINATION SERIES, HORIZONTAL, 18" W x 60" L PANELS- PRE-FINISHED "TOBACCO" EPC247H
 - FIBER CEMENT SIDING (ALT.)- HARDE PLANK, LAP SIDING, HORIZONTAL, PRE-FINISHED "CHESTNUT BROWN"
 - EIF S - FINE FINISH, INTEGRAL COLOR TO MATCH BENJAMIN MOORE "OAK RIDGE" 235
 - BRICK- BELDEN, UTILITY, "M333"
 - ALUMINUM COPING, FASCIAS, GUTTERS AND DOWNSPOUTS @ PITCHED ROOF- MATCH PAC-CLAD COLOR "SIERRA TAN"
 - ALUMINUM COPING, FASCIAS @ LOW SLOPE/ FLAT ROOFS MATCH PAC-CLAD COLOR "MEDIUM BRONZE"
 - ALUMINUM STOREFRONT, WINDOWS AND LOUVERS- CLEAR ANODIZED
 - FIBERGLASS REINFORCED SHINGLES- CERTAINTED LANDMARK "WEATHERED WOOD"
 - TRELLIS WOOD- STAINED TO MATCH SIDING
 - EXTERIOR HOLLOW METAL DOORS AND FRAMES- MATCH ADJACENT MATERIAL COLOR
 - EXTERIOR JOINT SEALANTS- MATCH MATERIAL BEING SEALED U.N.O. BRICK- MATCH MORTAR JOINTS, WINDOWS/ STOREFRONT- MATCH FRAME



NORTH ELEVATION



SOUTH ELEVATION

THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF BUD DESIGN & ENGINEERING SERVICES, INC. AND DETROIT ARCHITECTURAL GROUP. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED, STORED IN A RETRIEVING SYSTEM, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BUD DESIGN & ENGINEERING SERVICES, INC. AND DETROIT ARCHITECTURAL GROUP.

ISSUED FOR	DATE
OWNER'S REVIEW	01.29.15
BP#1 PERMITS	04.01.16
BP#2 PERMITS	02.05.16
REVIEW	12.20.16
CITY REVIEW	02.15.17

DRAWN: NA
 CHECKED: NA
 SCALE: NA
 JOB NO: BD-14-004
 SHEET TITLE:
 EXTERIOR ELEVATIONS

SHEET
A200

EXTERIOR BUILDING WALL MATERIALS CALCULATIONS

NORTH ELEVATION:

MATERIAL	AREA	COVERAGE
E.F.S.=	4,308 S.F.	30%
SIDING (FIBER CEMENT)=	1,435 S.F.	10%
MASONRY=	5,769 S.F.	41%
FENESTRATION=	2,708 S.F.	19%
TOTAL=	14,220 S.F.	100%

SOUTH ELEVATION:

MATERIAL	AREA	COVERAGE
E.F.S.=	4,323 S.F.	31%
SIDING (FIBER CEMENT)=	1,235 S.F.	9%
MASONRY=	5,769 S.F.	42%
FENESTRATION=	2,458 S.F.	18%
TOTAL=	13,723 S.F.	100%

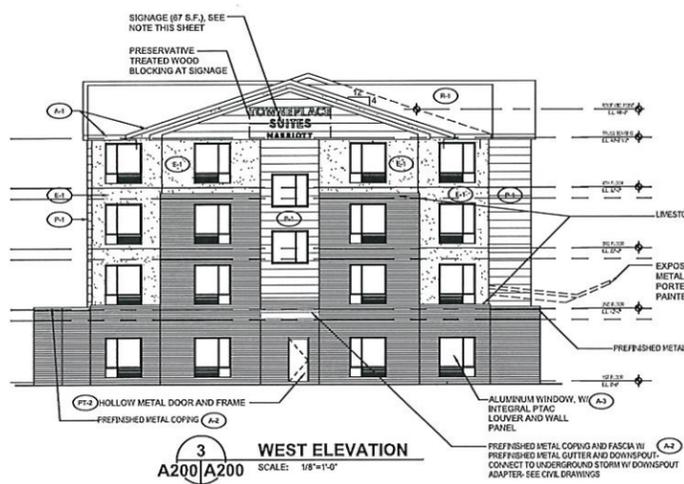
EAST AND WEST ELEVATIONS:

MATERIAL	AREA	COVERAGE
E.F.S.=	638 S.F.	15%
SIDING (FIBER CEMENT)=	930 S.F.	22%
MASONRY=	1,881 S.F.	46%
FENESTRATION=	712 S.F.	17%
TOTAL=	4,162 S.F.	100%

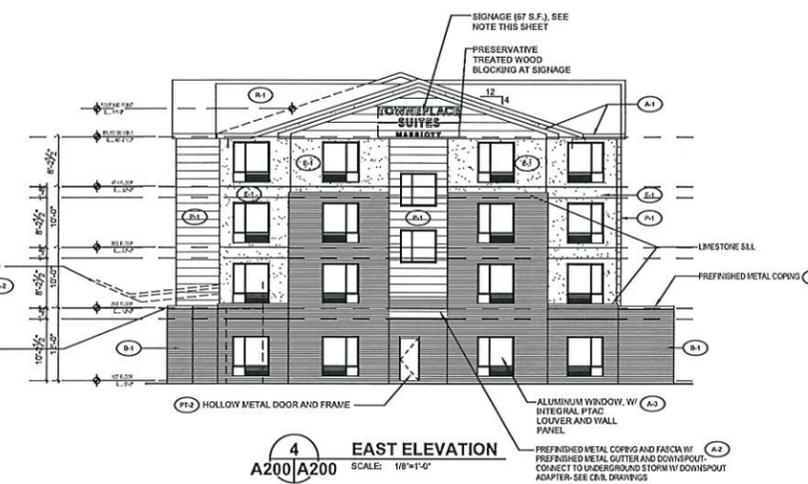
EXTERIOR FINISH KEY

-  P-1 FIBER CEMENT SIDING - NICHINA, ELUMINATION SERIES, HORIZONTAL, 15" W x 60" L PANELS - PRE-FINISHED "TOBACCO" EPC247N
-  E-1 FIBER CEMENT SIDING (ALT.) - HARDIE PLANK, LAP SIDING, HORIZONTAL, PRE-FINISHED "CHESTNUT BROOK"
-  E-1 E.F.S. - FINE FINISH, INTEGRAL COLOR TO MATCH BENJAMIN MOORE "OAK RIDGE" 235
-  B-1 BRICK - BELDEN, UTILITY, "8533"
-  A-1 ALUMINUM COPING, FASCIA, GUTTERS AND DOWNSPOUTS @ PITCHED ROOF - MATCH PAC-CLAD COLOR "SIERRA TAN"
-  A-2 ALUMINUM COPING, FASCIA @ LOW SLOPE/ FLAT ROOFS - MATCH PAC-CLAD COLOR "MEDIUM BRONZE"
-  A-3 ALUMINUM STOREFRONT, WINDOWS AND LOUVERS - CLEAR ANODIZED
-  R-1 FIBERGLASS REINFORCED SHINGLES - CERTAINTED LANDMARK "WEATHERED WOOD"
-  PT-1 TRELLIS WOOD - STAINED TO MATCH SIDING
-  PT-2 EXTERIOR HOLLOW METAL DOORS AND FRAMES - MATCH ADJACENT MATERIAL COLOR
-  O EXTERIOR JOINT SEALANTS - MATCH MATERIAL BEING SEALED U.N.O. BRICK - MATCH MORTAR JOINTS, WINDOWS/ STOREFRONT - MATCH FRAME

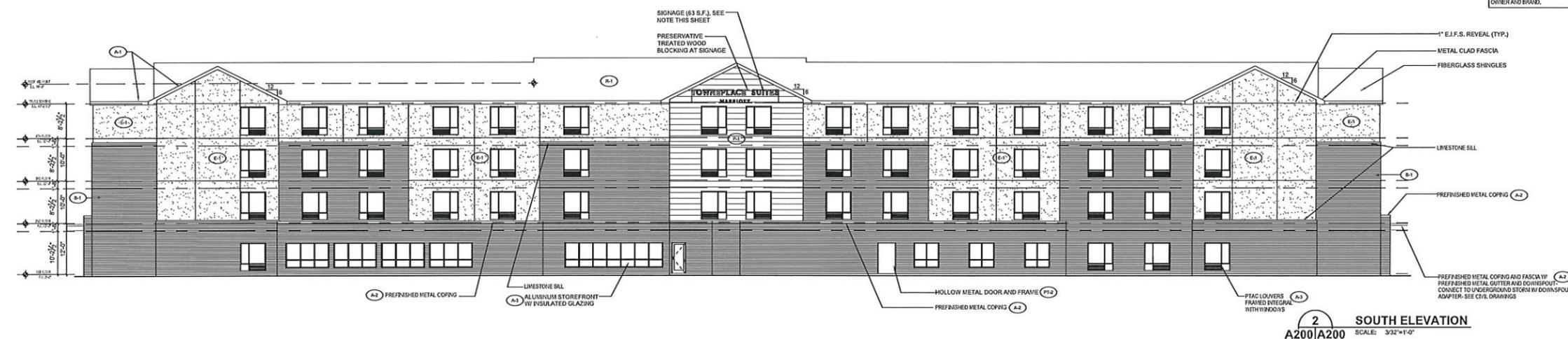
SIGNAGE NOTE: SURFACE WTD, LED BACKLIT SIGNAGE W/ ALUMINUM CHANNEL LETTERS (BLACK W/ WHITE REFLECTIVE INTERIOR) AND ACRYLIC FACES (W/ WTE).
ON LIGHT TONE BACKGROUND: LETTER FACES TO APPEAR RED ORANGE DURING THE DAYTIME AND WILL ILLUMINATE RED/ ORANGE AT NIGHT
ON MEDIUM TO DARK TONE BACKGROUND: LETTER FACES TO APPEAR WHITE DURING THE DAYTIME AND WILL ILLUMINATE WHITE AT NIGHT
 CONTRACTOR TO REVIEW EXTERIOR SIGNAGE PACKAGE AND VERIFY ALL SIGNAGE WITH OWNER AND BRAND.



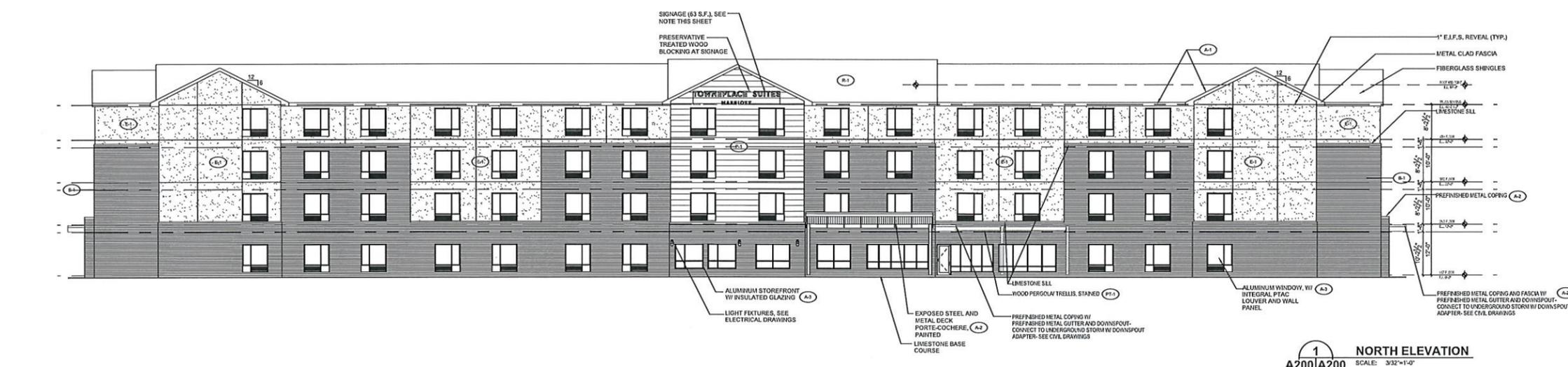
3 WEST ELEVATION
 A200/A200 SCALE: 1/8"=1'-0"



4 EAST ELEVATION
 A200/A200 SCALE: 1/8"=1'-0"



2 SOUTH ELEVATION
 A200/A200 SCALE: 3/32"=1'-0"

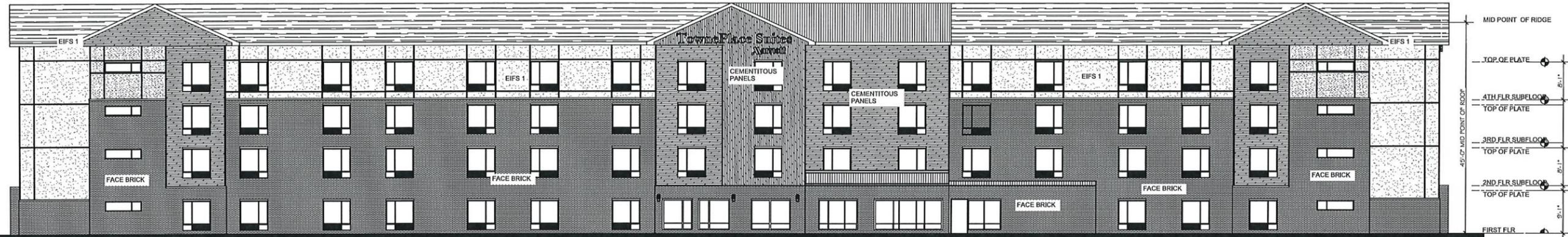


1 NORTH ELEVATION
 A200/A200 SCALE: 3/32"=1'-0"



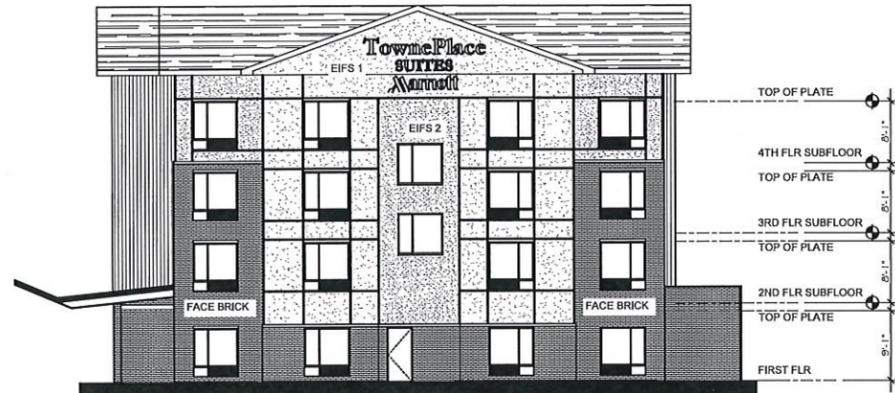
Bud Design & Engineering Services, Inc.
 Architectural Engineers & Interior Design
 10775 S. Saginaw St., Suite B
 Grand Blanc, MI 48439
 (734) 810.6550 (734) 810.6555
 Web: www.budesign.com

TOWNE PLACE SUITES
 I-94 SERVICE DRIVE
 VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN



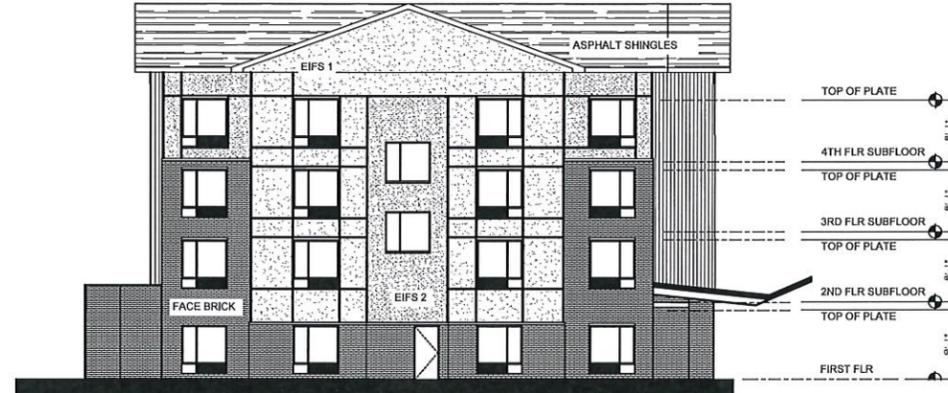
1 SOUTH ELEVATION
 A100 A200 3/32" = 1'-0"

SIGNAGE AREA CALCULATIONS
 SIGNAGE AREA 200 SQ. FT.
 FACADE AREA 10,711 SQ. FT.
 PERCENTAGE 1.9%



2 EAST ELEVATION
 A100 A200 3/32" = 1'-0"

SIGNAGE AREA CALCULATIONS
 SIGNAGE AREA 119 SQ. FT.
 FACADE AREA 2158 SQ. FT.
 PERCENTAGE 5.5%



3 WEST ELEVATION
 A100 A200 3/32" = 1'-0"

MATERIALS LEGEND
 EIFS 1 PAREX ROSE T019L (55)
 EIFS 2 PAREX RAWHIDE T022L (34)
 FACE BRICK BELDEDN TUMBLEWEED VELOUR STANDARD
 CEMENT PANELS SHERWIN WILLIAMS HOPSACK 204-C5

MECHANICAL EQUIPMENT
 THERE WILL BE NO ROOFTOP MECHANICAL EQUIPMENT

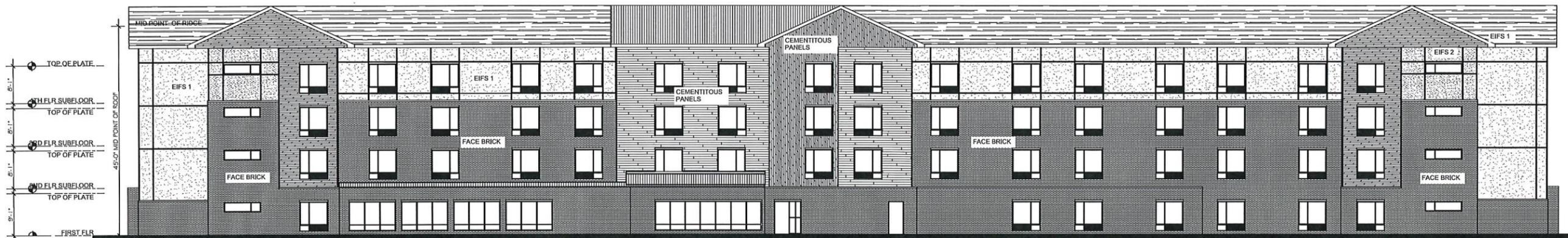
CONTRACTOR SHALL FIELD VERIFY EXISTING FIELD CONDITIONS PRIOR TO CONSTRUCTION AND REPORT ALL FINDINGS TO ARCHITECT/ENGINEER.

NOT FOR CONSTRUCTION
 PLANS ARE FOR REVIEW ONLY AND DO NOT CONSTITUTE A CONTRACT. ANY CHANGES OR MODIFICATIONS TO THE PLANS SHALL BE MADE BY THE ARCHITECT/ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL CONDITIONS PRIOR TO CONSTRUCTION. THE ARCHITECT/ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY BE REQUIRED.

ISSUED FOR DATE
 PSPA 02.01.2016

DATE :
DRAWN : DAP
CHECKED : FYG
SCALE : 3/32" = 1'-0"
JOB NO. : BD-14-120
SHEET TITLE : EXTERIOR ELEVATIONS

SHEET
A200



4 NORTH ELEVATION
 A100 A200 3/32" = 1'-0"

PLANNING & ZONING APPLICATION

Case number _____

Date Submitted _____

APPLICANT INFORMATION

Applicant PF Belleville, LLC. Phone 248-344-9800
Address 114 Rayson St. Fax 248-
City, State Northville, MI. Zip 48167
E:mail bryan@pfmichigan.com Cell Phone Number 248-345-9761
Property Owner Belleville Square Hold. LLC Phone 248-988-8100
(if different than applicant)
Address 28580 Orchard Lake Rd. Fax 248-671-0080
City, State Farmington Hills, MI. Zip 48334
Billing Contact PF Michigan Group Phone 248-344-9800
Address 114 Rayson St. Fax _____
City, State Northville, MI. Zip 48167

SITE/PROJECT INFORMATION

Name of Project Planet Fitness Facade
Parcel Id No. V125-83- Project Address 10,900 Belleville Road

Attach Legal Description of Property

Property Location: On the _____ Side of _____ Road; Between _____ Road
and _____ Road. Size of Lot Width _____ Depth _____
Acreage of Site _____ Total Acres of Site to Review _____ Current Zoning of Site _____
Project Description: Rework Planet Fitness Facade

Is a re-zoning of this parcel being requested? NO YES (if yes complete next line) NO
Current Zoning of Site _____ Requested Zoning _____

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? _____ YES (if yes complete next line) NO
Section of Zoning Ordinance for which you are applying _____
Is there an official Woodland within parcel? _____ Woodland acreage _____
List total number of regulated trees outside the Woodland area? _____ Total number of trees _____
Detailed description for cutting trees _____

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

Mark Canvasser
Print Property Owners Name
[Signature]
Signature of Property Owner

2-23-2017
Date

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this 23rd day of February, 2017.
Diane Elizabeth Lees Notary Public, Oakland County, Michigan My Commission expires Sept. 27, 2017.
Diane Elizabeth Lees Rev 1/12/06



Memo

DATE: March 2, 2017
TO: Planning Commission
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: Planet Fitness Amendment to Modify the Exterior Elevation of the Building.

Summary:

Planet Fitness opened in the beginning of 2017 in a building which was previously occupied by Farmer Jack. The building is located at 10900 Belleville Road and is attached to the Belleville Square shopping center. The Planning Commission currently requires masonry façade materials on the Belleville Road corridor, but these properties were developed prior to the standard and thus the exterior of the Planet Fitness building and the Belleville Square shopping center is primarily comprised of EIFS. The Belleville Square building has been painted over the years and is currently a different color than the former Farmer Jack building which Planet Fitness currently occupies. The applicant is proposing to paint the EIFS of the former Farmer Jack building to match the adjacent Belleville Square shopping center and infill some of the existing windows to incorporate some the pink color of Planet Fitness's logo. Township staff has reviewed this based on the criteria in the Zoning Ordinance and has evaluated the design to evaluate its consistency with the adjacent properties. Please consider the following:

Zoning Requirements:

The Township's Zoning Ordinance requires that the applicant provide, *"Front, rear and side elevations of proposed buildings and proposed type of building materials, roof design, projections, canopies and overhangs, screen walls and accessory buildings, and any other outdoor mechanical equipment, i.e., air conditions, heating units, etc."* as part of the required information for site plan approval.

In addition to this the Zoning Ordinance grants specific authority for the Planning Commission to review and approve elevations in the C zoning districts by stating, *"For all uses permitted a C District, a site plan shall be submitted to the Planning Commission and no building permit shall be issued until after the Planning Commission has reviewed and approved the site plan in accordance with Section 4.31. In addition to the criteria set forth in Section 4.31 (c) the Planning Commission shall reject any site plan which does not meet the following criteria:*

- a. *Brick or another material of similar architectural quality and appearance as determined by the Planning Commission, shall be the principal material for exterior building surfaces.*
- b. *Buildings shall incorporate roof articulation, projection and relief, covered walkways into facades which include entrances or display windows or which are adjacent to parking or visible from rights-of-way."*

Based on these above sections of the Zoning Ordinance, the Planning Commission has the authority to review and approve the elevations of commercial buildings.

For new buildings, the Zoning Ordinance requires brick or a similar material to be a primary material used for the exterior of the building. The Township encourages existing buildings to meet the current standards in the Zoning Ordinance, but it is not required in every circumstance. The existing façade is considered as legal non-conforming and thus the applicant is allowed to keep and maintain it. While the modifications are fairly minor in nature, the Planning Commission will still need to review and approve them as they are tied to the existing site plan reviewed for the property.

Proposed Elevation

The proposed elevation maintains the existing EIFS material on the building, but paints the majority of it to match the existing Belleville Square shopping center. The paint color used for the trim of Belleville Square will be used on a portion of the EIFS above the “future tenant space” and a portion of the EIFS above the Planet Fitness store will be painted black to match the company logo. A portion of the glass in front of Planet Fitness will be infilled and painted purple. A portion of the EIFS near the entrance of the building will be painted pink to match the company logo as well.

The majority of the façade will be painted to match the earth toned color of the Belleville Square shopping center which will be more attractive and more consistent with the adjacent development than the lighter color the building currently is now. Additionally, the black and pink areas accent the company logo and differentiate it from the remainder of the building. Other buildings on Belleville Road incorporate brighter colors as an accent color in the building facade including the proposed Menards. Based on this review staff has no concerns with the colors of the building.

In addition to the façade staff has reviewed the proposed signs and is concerned that the signs indicated on the façade exceed the maximum allowable wall signage allowed for the zoning district. Any approval granted by the Planning Commission should include the condition that the applicant comply with the requirements of the Township’s Zoning Ordinance standards regarding signs.

Recommendation:

Staff recommends that the Planning Commissions approve the request to amend the approved site plan for the property at 10900 Belleville Road in order to allow the applicant to modify the existing building elevations as depicted on the proposed concept drawings dated February 13, 2017. Approval shall be conditioned on the applicant complying with the current Zoning Ordinance standards with regards to wall signage.



**planet
fitness**

Belleville MI, Storefront Concept - 02.13.17



2 Existing Storefront

Belleville MI - Storefront Concepts Rev. 2.13.17



3

Proposed Storefront

Belleville MI - Storefront Concepts Rev. 2.13.17



4

Proposed Storefront

Belleville MI - Storefront Concepts Rev. 2.13.17



- Paint EIFS trim to MATCH EXISTING
- Paint EIFS to MATCH EXISTING
- Infill existing glass, paint SW PURPLE
- Paint EIFS Black
- Face lit channel letter sign - 6' Icon Height (Install plumb to facade)
- Paint EIFS SW PURPLE
- Flex Face, internally illuminated PF Icon - 16' Icon Height





CHARTER TOWNSHIP OF VAN BUREN
 APPLICATION FOR
 TEMPORARY LAND USE/SPECIAL EVENT
 46425 TYLER ROAD
 BELLEVILLE, MI 48111

RECEIVED

MAR 01 2017

BY: _____

17-010

DATE: 3/9/2016

BUSINESS NAME: AMERICAN PROMOTIONAL EVENTS INC. DBA: TNT FIREWORKS

CONTACT PERSON: JIL WILSON / CHARLES FRIESE PHONE # 248.309.2101

SUPERVISOR FOR SITE: JIL WILSON PHONE # 248.309.2101

EVENT TITLE: FIREWORKS TENT SALE

TYPE OF EVENT: TEMP/TENT SALE DATE(S): 6/23 TO 7/5/2017

LOCATION OF EVENT: WALMART PARKING LOT

ADDRESS OF LOCATION: 10562 BELLEVILLE RD, 48111

PROPERTY OWNER REPRESENTATIVE: STORE MANAGER-EUGENE PHONE # 734.697.2078

ARE SIGNS PROPOSED FOR ADVERTISING: YES NO IF YES, INCLUDE LOCATIONS & DETAILS

OTHER SIGNS ON TENT/BANNERS

IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS (ATTACHED)

NOTES:

IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, VIBRATION ARE EXPECTED BEYOND THE PROPERTY BOUNDRIES PLEASE EXPLAIN IN SEPARATE LETTER.

ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.

PROCESSING FEE \$ _____ BOND FEE \$ _____ TOTAL \$ _____

(SIGNATURE OF APPLICANT)

2/28/2017
 (DATE SIGNED)

 (APPROVED BY)

 (DATE SIGNED)



Memo

TO: Planning Commission

FROM: Matthew R. Best
Deputy Director of Planning and Economic Development

RE: Review of Temporary Land Use Request #TLU 17-010 – TNT Fireworks
Agenda Item for March 8th, 2017

DATE: March 2nd, 2017

TNT Fireworks is requesting a Temporary Land Use permit for a tent sale of fireworks at the Belleville Road Walmart, Store #2872, at 10562 Belleville Road. The use is proposed to be from June 23, 2017 through July 5, 2017. Per Section 4.44 of the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

Under Section 7 of Michigan Public Act 256 of 2011, local units of government are limited in their ability to regulate the sale of fireworks within their communities. The Michigan Attorney General has issued an Opinion on this section of the Act (Opinion #7266), which states, “so long as the local ordinance does not prohibit fireworks vendors from undertaking their commercial operations in any way that other vendors may undertake their operations, the ordinance is not preempted by the Act.” Therefore, fireworks vendors are subject to the same Zoning Ordinance regulations as any other temporary land use.

I have reviewed the application and the requirements of Section 4.44 for temporary use approval, and have the following comments:

- 1. Adequacy of parking and access** (Section 4.44.c.1) – The site currently has 714 public parking spaces, 23 of which are handicapped reserved. The site is currently is over-parked, and the tent will have a limited impact on the number of available parking spaces. This site is located in the heart of Van Buren’s downtown district, and sufficient access is available.
- 2. Adequate drainage** (Section 4.44.c.2) – The site is in an existing parking lot that already has storm water drainage. The tent will not affect the amount of impervious surface or water that would be diverted into the storm system.
- 3. Compatibility with surrounding land uses** (Section 4.44.c.3) – The surrounding parcels are all commercial in nature, and this temporary use is not expected to impact the surrounding commercial uses.

4. **Size, height, and type of construction of proposed buildings and structures in relation to surrounding site** (Section 4.44.c.4) – The tent is temporary in nature, and the parking lot Walmart store, and the surrounding commercial businesses will not be impacted by the bulk of the tent.
5. **Sufficient setbacks from road right-of-ways and lot lines** (Section 4.44.c.5) – The tent is located behind a landscaping island within the Walmart Parking Lot. It is over 100 feet from the southern lot line, and 20 feet from the interior service road. Therefore, the setbacks are sufficient and the tent will not impact traffic flow or adjoining commercial businesses.
6. **Adequate utilities** (Section 4.44.c.6) – TNT Fireworks will supply its own electrical generation. The generator and electrical hook-up will be inspected to ensure compliance with National Fire Protection Association requirements.
7. **Trash disposal and site clean-up** (Section 4.44.c.7) – TNT Fireworks will be responsible for all trash disposal and site clean-up in relation to their lease agreement with Walmart.
8. **Sanitary facilities** (Section 4.44.c.8) – Walmart has authorized all customers and TNT employees to use its restroom facilities.
9. **Hours of operation** (Section 4.44.c.9) – The hours of operation will be from 9:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses. However, staff are not aware of any complaints with TNT Fireworks closing at 10:00 p.m. in previous years, so the hours of operation approved last year are reasonable and we recommend the same hours of operation for this year.
10. **Outdoor light and signs** (Section 4.44.c.10) – No exterior lights are provided. Interior lights will be hung inside the tent. Although no temporary commercial sign permit requests have been received, the Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Any temporary signage must comply with the Zoning Ordinance before it obtains a sign permit from the Building Department.
11. **Other licenses and permits required** (Section 4.44.c.11) – Last year, the applicant provided the Township with their Consumer Fireworks Retail Facility: Non-Permanent license. A current license must be provided by the applicant prior to the establishment of the temporary use. The Van Buren Fire Marshal shall be separately issuing his review letter.
12. **Potential noise, odor, dust, and glare** (Section 4.44.c.12) – The proposed temporary use should not increase the noise, odor, dust or glare from their use.
13. **Fire lanes, fire protection, and security** (Section 4.44.c.13) – The Van Buren Fire Marshal shall review the application for adequacy of fire lanes and fire protection. The site will be continually staffed. During non-operating hours, all products will be stored inside the tent and tent security will be maintained at all times by the tent operator or their representative.
14. **Off-site impacts of traffic volumes** (Section 4.44.c.14) – The road in the immediate vicinity is a major Township road (Belleville Road) and this temporary use will not impact the flow or travel volumes. During 2014's Public Hearing, a resident raised a concern of the launching of fireworks at the site. No fireworks are permitted to be launched within 300 feet.
15. **Necessity of performance bond to ensure prompt removal** (Section 4.44.c.15) – The property owner will be responsible for ensuring the site is returned to its pre-sale condition.

16. Other concerns which may impact the public health, safety, or general welfare (Section 4.44.c.16) – There are no additional concerns; however, the applicant is subject to the regulations of Act 256 and applicable regulations of the Fire Department.

Recommendation

This will be the fourth (4th) year that TNT Fireworks has operated at this location, and I am not aware of any complaints or issues that took place last year. Per my review of the application, I recommend approval of this application subject to the following three (3) conditions:

1. That the applicant obtains approval from the Van Buren Township Fire Marshal.
2. That the applicant provide the Township with a current Consumer Fireworks Retail Facility: Non-Permanent license prior to the establishment of the temporary use.
3. That all proposed signage comply with the Zoning Ordinance.

David C. McInally II
Fire Marshal
O: 734-699-8900 ext 9416

Van Buren Fire Department
46425 Tyler Rd
Belleville, MI 48111



March 2, 2017

Director of Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: American Promotional Events Inc. /TNT Fireworks
Wal-Mart Parking Lot, Belleville Rd
17-010

To whom it may concern:

I have reviewed a set of site plans dated March 1th, 2017 and received March 2, 2017 for the above referenced project.

Project Overview:

The site plan is for a temporary fireworks retail facility. It is noted in the permit application a copy of a letter of authorization signed by TNT and Wal-Mart representatives is included. Also included is a statement from the TNT representative Chuck Friese, stating that a rough sketch of the location of the tent, as well as proof of insurance are available upon request.

An affidavit of intent to comply with **NFPA 1123, 1124 and 1125** as required by the State of Michigan and the Township of Van Buren.

This site will be inspected by Fire Marshall McInally as we are the delegated agency for the State of Michigan. This will be conducted once the proper notices have been received from the State of Michigan indicating that Phantom Fireworks is in possession of a tentative permit to sell Fireworks.

Only concern is the map indicating where the tent will be does not include the 10 ft. radius that come out into the isles on the North and South side of the tent.

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.

Review and approval by the Authority Having Jurisdiction shall not relieve the applicant of the responsibility of compliance with these codes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Shawn Bell', written over a horizontal line.

Shawn Bell
Fire Inspector
Van Buren Fire Department

Jil Wilson
TNT Fireworks
Michigan Area Manager
jil.wilson@tntfireworks.com



PO Box 36
Birmingham, MI 48009
Cell 248.309.2101
Fax 866.496.0838

February 28, 2017

Reference: Temporary Fireworks Sale in Walmart Parking Lot

To whom it may concern:

Below is information on the temporary fireworks tent sale.

1. Our company will be selling Michigan approved fireworks.
2. Our sales period will be no longer than from June 22nd through July 5th, 2017.
3. Hours of operation will be from 9am through 10pm daily.
4. Sales will be conducted from a tent erected by a local tent rental company with a flame sheet provided.
5. Fire extinguishers and 'no smoking' signs will be present.
6. Overnight security will be provided by the group that is operating the tent (2 people present at all times).
7. Our company will make sure the environment will be kept clean and safe.
8. Our company will also provide all necessary insurance.

Attached is also a rough sketch of the location of the tent in the parking lot of Walmart, a permission letter from Walmart and proof of insurance available upon request.

Also, please let me know if there are any changes or further requirements that need to be met.

Thank you,

A handwritten signature in black ink that reads 'Chuck Friese'. The signature is written in a cursive, flowing style.

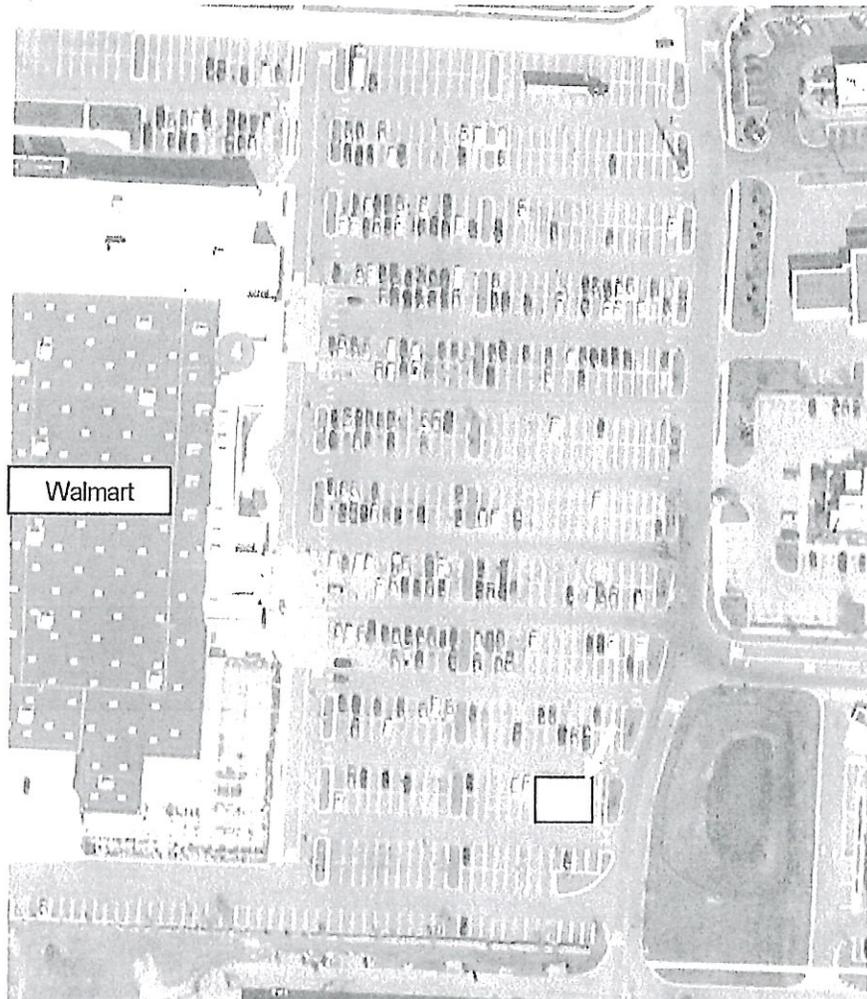
Chuck Friese and Jil Wilson
TNT Fireworks
Michigan~Area Managers



Site Plan for Belleville Walmart #2872- 10562 BELLEVILLE RD BELLEVILLE, MI 48111

End Row 2

North



Picture from MSN Maps

The little box on the south end of the parking lot is where the tent would be. (30x40)

** Cars would park no less than 10 feet away

** Any generator used would be placed 20 feet away

Walmart

Independent Sales Organization (ISO) Access Letter

TNT Fireworks to scope parking lot space and sell fireworks

To American Promotional Events, Inc. D.B.A. TNT Fireworks

Walmart Services

Date 01/02/17

RE: TNT Fireworks to scope parking lot space and sell fireworks

Dear Valued ISO,

Thank you for your continued support and collaboration. Upon arrival at the store where the event/promotion will occur, this access Letter ("Letter") should be provided to store management. This letter shall serve as proof that you are authorized to enter the store and complete the parking lot scoping and execution of a temporary firework stand as a promotion/event for the time period specified below. You are also authorized and required to obtain the proper permitting as required by the local city, county, and/or state. Only your employees (collectively "Representatives") may perform the promotion on your behalf. Your Representatives must produce credentials to store management showing that the Representative has been authorized by you to perform the promotion on your behalf.

Scoping Timeline: Scope work may happen anytime from January 01, 2017 – July 31, 2018

Sales Timeline: Parking lot sales may happen anytime from June 15, 2017 – July 31, 2018

Store Associate (Management) Responsibilities:

- 1) Allow and agree upon space with TNT Fireworks to sell fireworks on the parking lot during the Independence Day season
- 2) Customers and employees of TNT Fireworks may have access to restrooms in Walmart facilities
- 3) For other questions call Walmart Field Support at 1-700-Walmart
- 4) Keep a copy of this LOA for your records

This particular program does NOT violate the Walmart Corporate Solicitation Policy.

Best regards,



Jesse Danielson
Manager II, WM Services



Anne Johnson
Director, Walmart Services



CERTIFICATE OF LIABILITY INSURANCE

11/1/2017

DATE (MM/DD/YYYY)

2/13/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME:		
	PHONE (A/C, No, Ext):	FAX (A/C, No):	
INSURED 1378172 American Promotional Events, Inc. - East DBA TNT Fireworks, Inc. P.O. Box 1318 4511 Helton Drive Florence AL 35630	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Everest Indemnity Insurance Company		10851
	INSURER B : Maxum Indemnity Company		26743
	INSURER C : AXIS Surplus Insurance Company		26620
	INSURER D :		
	INSURER E :		

COVERAGES CERTIFICATE NUMBER: 13397800 REVISION NUMBER: XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADGL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y	N	SI8GL00242-161	11/1/2016	11/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:						
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE	Y	N	EXC6023470-04	11/1/2016	11/1/2017	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ XXXXXXXX
	DED <input type="checkbox"/> RETENTION \$						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX
C	Excess Liability	Y	N	EAU 797996/01/2016	11/1/2016	11/1/2017	\$5M Each Occurrence \$5M General Aggregate Total XS Limits: \$10M

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.
Additional Insured: FMI2872 Property located at Wal-Mart #2872 at 10562 Belleville Road, Belleville, MI 48111. The Township of Van Buren, all elected and appointed officials, all employees and volunteers, all boards, commission and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed that by naming the Township of Van Buren as additional insured, coverage afforded is considered to be primary and any other insurance the Township of Van Buren may have in effect shall be considered secondary and/or excess.

CERTIFICATE HOLDER

13397800
Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville AR 72716

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2016 ACORD CORPORATION. All rights reserved.