

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, December 14, 2016 – 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 November 09, 2016.

CORRESPONDENCE:

PUBLIC HEARING:

UNFINISHED BUSINESS:

NEW BUSINESS:

ITEM #1: 16-003 – PRELIMINARY SITE PLAN APPROVAL

TITLE: THE APPLICANT, JASON KISHMISH, IS REQUESTING A PRELIMINARY SITE PLAN APPROVAL TO OPERATE A DRIVE THRU RESTAURANT AT 10573 BELLEVILLE ROAD, VAN BUREN TOWNSHIP, MI 48111.

LOCATION: Parcel number V-125-83-059-01-0020-000 (10573 Belleville Road.) The site is approximately 0.862 acres. It is located in the C-1, General Business district. This site is located on the east side of Belleville Road between I-94 and Tyler Road.

- A. Presentation by the applicant.
- B. Presentation by the Township Staff and Consultants.
- C. Planning Commission considers approval of the preliminary site plan

ITEM #2: 14-022 – TREE PERMIT

TITLE: THE APPLICANT, BELLEVILLE DEVELOPMENT, INC., IS REQUESTING APPROVAL FOR A TREE PERMIT FOR ASSOCIATED SITE IMPROVEMENTS AND CONSTRUCTION OF A HOTEL.

LOCATION: Parcel numbers V-125-83-064-99-0002-002, also known as 11105 Quirk Road, and V-125-83-064-99-0002-003, which is vacant, are the two (2) subject parcels of this project. Parcel V-125-83-064-99-0002-002 measures approximately 7.421 acres and Parcel V-125-83-064-99-0002-003 measures approximately 3.895 acres. These parcels are 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.
- C. Planning Commission discussion.
- D. Planning Commission considers approval of Permit.

ITEM #3: 16-038 – PRELIMINARY SITE PLAN APPROVAL

TITLE: THE APPLICANT, SCHONSHECK, INC., IS REQUESTING A PRELIMINARY SITE PLAN APPROVAL TO CONSTRUCT A WAREHOUSE AT 5809 SHELDON ROAD, VAN BUREN TOWNSHIP, MI 48111.

LOCATION: Parcel number V-125-83-009-99-0007-000 (5809 Sheldon Road.) The site is approximately 1.73 acres. It is located in the M-1, Light Industrial district. This site is located on the east side of Sheldon Road between Van Born and Yost Road.

- D. Presentation by the applicant.
- E. Presentation by the Township Staff and Consultants.
- F. Planning Commission considers approval of the preliminary site plan.

ITEM #4: ZONING ORDINANCE UPDATE

TITLE: THE VAN BUREN TOWNSHIP PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT HAS PROPOSED A COMPREHENSIVE UPDATE OF THE ZONING ORDINANCE. THE DEPARTMENT WILL EVENTUALLY ASK THE COMMISSION FOR A RECOMMENDATION FOR THE UPDATED ZONING ORDINANCE TO THE TOWNSHIP BOARD OF TRUSTEES.

INFORMATION: The updated Zoning Ordinance is presented to the Planning Commission for eventual review and recommendation to the Township Board of Trustees. The Ordinance is being presented in multiple parts to the Commission. At this meeting, the discussion will focus on the following sections...

- A. Article 9 (Parking, Loading, and Access Management)
- B. Article 11 (Signs)

ITEM #5: 16-046 - TEMPORARY LAND USE

TITLE: THE APPLICANT, RICARDO INC., IS REQUESTING TEMPORARY LAND USE APPROVAL TO OPERATE A MOBILE REFUELING STATION AT 4000 RICARDO DRIVE, VAN BUREN TOWNSHIP, MI 48111.

INFORMATION: Ricardo Inc. is testing Toyota Fuel Cell Vehicles at their facility. The requested mobile refueling station will allow for this testing to occur onsite. This activity is proposed from December 15, 2016 through February 15, 2017.

- A. Presentation from Applicant
- B. Presentation from Staff
- C. Planning Commission considers approval of the Temporary Land Use

GENERAL DISCUSSION:

1. ADMINISTRATIVE APPROVALS
 - a. Wal Mart
 - b. Wendy's
2. AIRPORT ZONING
3. BELLEVILLE LAKE SHORELINE DISTRICTS AMENDMENTS AND GENERAL ORDINANCE (PUBLIC HEARING - JANUARY 25)

ADJOURNMENT

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
NOVEMBER 9, 2016
MINUTES - DRAFT**

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

ROLL CALL:

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

Excused: Budd.

Staff: Director Akers, Deputy Director Best and Secretary Harman.

Planning Representatives: McKenna Associate, Patrick Sloan and Wade Trim Associate, David Nummer.

Audience: Seven (7).

APPROVAL OF AGENDA:

Motion Boynton, Kelley second to approve the revised agenda of November 9, 2016 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Kelley, Boynton second to approve the regular meeting minutes of October 26, 2016 as presented. Motion Carried.

NEW BUSINESS:

ITEM # 1 16-003 – SPECIAL LAND USE APPROVAL

TITLE: THE APPLICANT, JASON KISHMISH, IS REQUESTING A SPECIAL USE PERMIT TO OPERATE A DRIVE THRU RESTAURANT AT 10573 BELLEVILLE ROAD, VAN BUREN TOWNSHIP, MI 48111.

ITEM # 2 16-028 – PRELIMINARY SITE PLAN APPROVAL

TITLE: THE APPLICANT, JASON KISHMISH, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL TO OPERATE A DRIVE THRU RESTAURANT AT 10573 BELLEVILLE ROAD, VAN BUREN TOWNSHIP, MI 48111.

LOCATION: PARCEL NUMBER V-125-83-059-01-0020-000 (10573 BELLEVILLE ROAD). THE SITE IS APPROXIMATELY 0.862 ACRES. IT IS LOCATED IN THE C-1, GENERAL BUSINESS DISTRICT. THIS SITE IS LOCATED ON THE EAST SIDE OF BELLEVILLE ROAD BETWEEN I-94 AND TYLER ROAD.

Architect Ron Chiesa gave the presentation for the applicant. The applicant has been working with planning staff to revise and address site concerns and has submitted new site plans for review. Mr. Chiesa discussed; a letter provided for reduced parking to allow more circulation on site, two spaces for RV parking, parking space depth, the cross access agreement, landscape requirements, and the view of roof top mechanicals. He also displayed a color rendering of the building with the exterior façade being brick and faux stone and provided a full-scale brick sample.

Patrick Sloan of McKenna Associates presented his site plan review letter dated 11-4-16 and special land use review letter dated 11-4-16 recommending special land use approval, however, deferring preliminary site plan approval pending review of the revised plans and subject to the conditions referenced in the letter.

David Nummer of Wade Trim presented his review letter dated 11-4-16 which did not recommend approval until the stormwater management system has been added to the site plan and reviewed.

Director Akers presented the Fire Department review letter dated 11-4-16. The Fire Department portion of the review is approved with the exceptions listed in the review letter.

Commissioners discussed parking and usage for the site, the revised site plans being submitted by the applicant after the review letters, stacking spaces, potential tenants, striping of the parking lot, increased turn radius and the applicants need to have dimensions approved to design the storm water system and have included in the site plan.

Resident would like less stacking spaces on the site to provide more of a buffer behind the building.

Motion Boynton, Franzoi second to recommend to the Township Board of Trustees special land use approval for the applicant, Jason Kishmish, to operate a drive thru restaurant at 10573 Belleville Road, parcel number V-125-83-059-01-0020-000, an approximately 0.862 acre parcel zoned C-1 General Business District located on the east side of Belleville Road between I-94 and Tyler Road subject to the McKenna Associates review letter dated 11-4-16 specific to recommendations as noted:

- 1. Removing up to 4 spaces of the southern parking row;**
- 2. Removing up to 2 spaces of the northern parking row;**
- 3. Removing up to 2 of the easternmost stacking spaces and reducing the number of stacking spaces to no as low as 11;**
- 4. Striping all parking spaces with four (4) inch wide double lines spaced 24 inches apart.**
- 5. Lengthening angle spaces to allow a stall length of 20 feet on both sides of the stall, to allow a rectangular 9 ½ foot wide, 20 foot long stall;**
- 6. Has been satisfied;**
- 7. Making the aisle adjacent to the angled spaces 15 feet wide or the width required by the Fire Department, whichever is greater, provided the angels of the spaces do not exceed 74 degrees;**
- 8. Calculating and labeling the area of each landscape island area, which must be at least 360 sq. ft. each;**
- 9. Has been satisfied.**

In addition, submitting the information required by the Township engineers.

ROLL CALL:

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

Nays: None.

Excused: Budd.

Motion Carried. (Letter Attached)

The Planning Commission will discuss preliminary site plan approval at their December meeting.

ITEM # 3 LAKESHORE ORDINANCE AMENDMENTS AND RECOMMENDATION

TITLE: THE BELLEVILLE LAKE SHORELINE DISTRICTS AMENDMENTS TO THE ZONING ORDINANCE AND ITS ASSOCIATED GENERAL ORDINANCE IS PRESENTED TO THE PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION TO THE BOARD OF TRUSTEES.

INFORMATION: THESE DOCUMENTS WERE DEVELOPED BY THE SHORELINE MANAGEMENT WORK GROUP, REVIEWED BY TOWNSHIP STAFF AND ATTORNEY.

Director Akers and Will Hawley, a member of the Lakeshore Management Workgroup, gave the presentation for the lakeshore ordinance. The Lakeshore Management Workgroup, a group of 15-20 residents met a half dozen times with staff facilitation to review and make revisions to the shoreline ordinance. Staff and the Lakeshore Management Workgroup have produced a new draft of the Shoreline Zoning Ordinance addition and Shoreline General Ordinance. Deputy Director Best's memo dated 11-4-16 references some of the changes made in the new draft of the ordinance. Director Akers thanked Mr. Hawley and the Lakeshore Management Workgroup for their work and dedication.

Commissioners discussed the increase of personal watercraft from 6 to 10, maintenance of dilapidated docks, frontage coverage ratio, stairs permitted on lakefront properties, prohibited items for shallow shoreline abutting properties, boat hoist roof height and pitch, the grandfathering of existing structures and their repair, addresses on lakefront properties, having draft copies of the ordinance in the planning office for residents to review, the timeframe for the public hearing and notification methods to residents of the public hearing. Planning Commission members agreed to hold the public hearing at the January 25, 2017 Planning Commission meeting to provide enough time for residents to be notified and review the draft ordinance.

Motion Boynton, Atchinson second to hold a Public Hearing for the Lakeshore Ordinance amendments on January 25, 2017. Motion Carried.

ITEM # 4 ZONING ORDINANCE UPDATE

TITLE: THE VAN BUREN TOWNSHIP PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT HAS PROPOSED A COMPREHENSIVE UPDATE OF THE ZONING ORDINANCE. THE DEPARTMENT WILL EVENTUALLY ASK THE COMMISSION FOR A RECOMMENDATION FOR THE UPDATED ZONING ORDINANCE TO THE TOWNSHIP BOARD OF TRUSTEES.

INFORMATION: THE UPDATED ZONING ORDINANCE IS PRESENTED TO THE PLANNING COMMISSION FOR EVENTUAL REVIEW AND RECOMMENDATION TO THE TOWNSHIP BOARD OF TRUSTEES. THE ORDINANCE IS BEING PRESENTED IN MULTIPLE PARTS TO THE COMMISSION. AT THIS MEETING, THE DISCUSSION WILL FOCUS ON THE FOLLOWING SECTIONS:

A. ARTICLE 8 (ENVIRONMENTAL PERFORMANCE)

B. ARTICLE 10 (LANDSCAPING AND SCREENING)

Patrick Sloan of McKenna Associates presented the zoning ordinance update. Mr. Sloan handed out printouts of a PowerPoint presentation and discussed the changes to the following sections: Article 8 – Environmental Performance and Article 10 – Landscaping and Screening.

Commissioners discussed changes to the tree replacement standards, landscaping standards, ground cover for parking areas being rock, stone or pebbles versus mulch, the woodland ordinance and replacement size for trees. Commissioners like the tables and diagrams in the ordinance.

No comments from the audience.

GENERAL DISCUSSION:

Commissioners discussed businesses in Van Buren Township having LED lighting outlining storefront windows. Director Best asked members to notify himself or staff of any businesses with the lighting.

Motion Boynton, Kelley second to adjourn at 9:48 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

PLANNING & ZONING APPLICATION

Case number _____

Date Submitted 1/15/16

APPLICANT INFORMATION

Applicant RA CHIENA ARCHITECTS (596) 263-5519
 Address 42260 WARFIELD RD Fax ME 210 (596) 263-5529
 City, State WINTON TWP, MI Zip 48023
 E-mail chienaar@global.net Cell Phone Number _____
 Property Owner JASON KISHMISH Phone (248) 217-1224
(if different than applicant)
 Address 21222 SOUTHFIELD AVE Fax _____
 City, State BEVERLY HILLS MI Zip 48025
 Billing Contact _____ Phone _____
 Address _____ Fax _____
 City, State _____ Zip _____

PROJECT INFORMATION

Name of Project MULTI-TENANT RETAIL BUILDING
 Parcel Id No. VI25-83-1A-17-452-000 Project Address 10512 BELLEVILLE RD

Attach Legal Description of Property

Property Location: On the EAST Side of BELLEVILLE Road; Between TYLER Road
 and I-94 Road. Size of Lot Width 100' Depth 275.60'
 Acreage of Site .86 Total Acres of Site to Review .86 Current Zoning of Site C-1
 Project Description: PROPOSED 4,950 SQ FT RETAIL BUILDING
1 STORY, W/ DRIVE-THRU UNIT

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

SPECIAL REQUIREMENTS

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 STATEMENT

Jason Kishmish

Print Property Owners Name

Signature of Property Owner

1-12-2016

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 12th day of January 2016.

Kenneth Bakko Notary Public, Macomb County, Michigan My Commission expires September 2017

No. 11224

KENNETH BAKKO
 Notary Public, State of Michigan
 County of Macomb
 My Commission Expires 09-27-2017
 Acting in the County of Macomb

[Handwritten Signature]



R.A. C

December 9, 2016

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

**Subject: VBT-16-003 SPR; Multi-Tenant Building at 10573 Belleville Road; Site Plan Review #5;
Plans Revision Dated December 1, 2016; Received December 5, 2016**

Dear Commissioners:

The applicant, RA Chiesa Architects, proposes to demolish an existing house and shed at 10573 Belleville Road, and build a multi-tenant commercial building. The building is proposed to be divided into three units: Unit A is 1,980 square feet, Unit B is 1,800 square feet, and Unit C is 1,170 square feet for a total of 4,950 square feet. There is a proposed unidentified drive-through use at Unit A. The site is zoned C-1 General Business District, which permits the drive-through use through Special Land Use approval. Our comments on the special land use application for the proposed drive-through are in a separate letter.

The revised site plans are dated December 1, 2016. We have reviewed these plans for compliance with the Township's Zoning Ordinance and sound planning and design principles, and we offer the following comments for your consideration:

COMMENTS

- 1. Use.** A variety of commercial uses are permitted in the C-1 District. Drive-through restaurants may be permitted subject to special use approval recommendation by the Planning Commission and approval of the Township Board. At the November 9, 2016 Planning Commission meeting, the Planning Commission recommended approval of the Special Land Use with conditions. Preliminary and final site plan approval by the Planning Commission is required as well. There is no written description provided of the proposed uses on this site plan because no leases for the spaces have been confirmed. However, a conceptual floor plan is shown that shows the allocation of each tenant's space and the general use. Because the final floor plan will affect the number of required parking spaces and, consequently, the final layout of the site, more detailed information will be required at final site plan review.
- 2. Dimensional Requirements.** The building meets the required setbacks for the front yard (75 feet), side yards (15 feet), and rear yard (25 feet). The building height will be less than the maximum building height of 40 feet. There are no maximum lot coverage requirements in the C-1 district.
- 3. Specific Use Standards.** The specific standards of Section 12.03(d) that apply to drive-through facilities have all been satisfied, and the Planning Commission recommended Special Land Use approval with conditions at its November 9, 2016 meeting.

4. Site Layout and Circulation.

- a. Section 4.37 of the Zoning Ordinance requires safe and convenient vehicular and pedestrian traffic within the site. In previous versions of the site plan, we noted that the narrowness of the access aisles and the proposed one-way circulation created potential conflicts between vehicles and pedestrians. This concern was also raised by the Fire Department, which had previously required a larger turn radius on the east side of the site for a fire truck to turn.

The current version of the site plan depicts a 40-foot outside turning radius on the east side of the site. The turning radius is still tight given the proposed development density, though we will defer to the Fire Department regarding the adequacy of the proposed turning radius for a fire truck. The applicant has proposed removing 3 of the stacking spaces and 5 parking spaces based on the anticipated demand for the use, to allow for more space at the back of the site. This will improve circulation on the east side of the site and create more room for these vehicles.

- b. There is one access drive proposed at the north part of the site's frontage along Belleville Road. Section 12.04(a) limits sites in the C-1 District to no more than one point of ingress and egress per 500 feet. Additionally, the Planning Commission has a policy of reducing the number of curb cuts on Belleville Road, which has resulted in many sites using indirect access via shared drives. The proposed curb cut on Belleville Road is acceptable because it is the only curb cut on the lot.

- c. Consistent with Township policy and in satisfaction of Section 12.04(a) described above, the applicant must provide a cross access easement to the parcels on the north and south and allowing users to access Belleville Road through the site's driveway. This easement should align with Belle Tire's recorded cross access easement so that the traffic flow is direct, not offset. Easement documents and legal descriptions must be submitted in recordable form for Township review and approval prior to a final site plan approval, and must be recorded prior to permits being issued for the site. The cross access easement is required regardless of the site having its own curb cut onto Belleville Road.

- d. Sidewalks are proposed on the west, south, and east of the building, as well as a crosswalk to connect them to the public sidewalk along Belleville Road. The sidewalk in front of the building is 8 feet wide to account for vehicle overhang for those parking spaces. Details of the sidewalk ramps are also provided.

- e. The existing overhead electrical wires are proposed to be relocated in coordination with the utility company. The intended new locations of the utility poles are shown on the site plan pending coordination with the DTE service coordinator.

5. Parking and Loading. Parking and loading requirements are calculated as follows:

- a. **Retail Establishments.** *1 space per 200 square feet usable floor area.* Of the 2,970 sq. ft. of gross floor area of Units B and C, the site plan states that 2,400 sq. ft. (i.e., 80.81%) is usable floor area. Thus, **12 spaces** are required and are included on the site plan. Conceptual floor plans have been submitted and are subject to change.
- b. **Drive-Through Restaurant.** *22 spaces per 1,000 square feet of usable floor area, plus 5 stacking spaces between the pick-up window and order station, plus 10 stacking spaces that do not*

conflict with access to any required parking spaces, plus 1 space for each employee at the largest shift, plus two spaces for RVs or semi-trucks (because the site is within one half mile of I-94).

The site plan states 30 spaces (22 for the restaurant, 6 for employees, and 2 RV spaces) are needed to meet the requirements, which implies the usable floor area is 1,000 square feet of the total area of 1,980 square feet in this unit. Thus, 42 spaces and 15 stacking spaces in total are required. The proposed layout has 35 parking spaces (including 2 RV spaces) and 12 stacking spaces in total. Section 6.01(10) of the Zoning Ordinance permits the Planning Commission to modify the numerical requirements for off-street parking based on evidence that another standard would be more reasonable because of the level of current or future employment and/or customer traffic. Currently, there is insufficient information provided to determine if a modification in these requirements can be considered.

In a letter dated October 31, 2016, the applicant claims that the proposed size of the drive-through restaurant would require only about 20 parking spaces. However, there was no parking study or data attached to the letter. To assist the applicant in this analysis, we researched the parking demand using the 3rd Edition of Parking Generation from the Institute of Transportation Engineers. The data for parking at fast-food drive-thru locations included 46 data points from 12:00-1:00 pm on a weekday, which was the peak demand for fast-food restaurants. The average peak period parking demand is 9.9 vehicles per 1,000 square feet of gross floor area, and the 85th percentile is 14.8 vehicles per 1,000 square feet of gross floor area. This implies that 20 to 30 spaces for this site, not including staff and RV spaces. We recommend that the number of parking spaces for the drive-through restaurant use (including parking for employees) be reduced to **20 spaces**, as there will other on-site uses to share parking during peak periods. We recommend maintaining the requirement for **2 RV parking spaces**.

With a requirement for 32 spaces (i.e., 20 parking spaces for the drive-through restaurant and 12 parking spaces for the retail uses) and 35 spaces proposed on the site plan, the site plan now allows for sufficient space on the east side of the site. The truck turning radius has been widened to allow for larger vehicles to make turns, though we still defer to the Fire Department for confirmation on the adequacy of the turning radius for their vehicles. There are now only 12 stacking spaces proposed, and a drive-through use of this size and scale can adequately function with 12 stacking spaces. The dumpster area has also been relocated to be 20 feet from the eastern lot line (see below). These reductions will also create more total area for landscaping and required trees.

- c. **Barrier Free Spaces.** Two (2) barrier free spaces are included, as the required barrier free spaces for a parking lot of 26-50 spaces.
- d. **Parking Spaces.** The parking spaces are now shown to be clearly striped with four (4) inch wide double lines spaced 24 inches apart.

The parking spaces to the east of the building are proposed at a 70-degree angle. Per Section 6.02(2) of the Zoning Ordinance, the minimum aisle width for 70-degree spaces is 15 feet. It is also our understanding that the Fire Department requires a minimum aisle width of 16.5 feet to allow sufficient room for a fire truck. According to the revised plans, the aisle width is 19 feet, and the angled spaces are 21.5 feet (20 feet long perpendicular on both

sides of the stall). Because the parking spaces are not 20 feet long on both perpendicular sides of the stall, this requirement is met.

- e. **Loading.** A 10' by 55' loading area is shown on the north side of the site next to the drive-through stacking lane.
6. **Landscaping.** This site is located in Van Buren Township's signature Belleville Road corridor and "downtown," which is 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. All sites are strongly encouraged to exceed the Ordinance minimums in landscaping, site design, building appearance, and access/cross access provisions, among others.
 - a. **Landscaping Adjacent to the Right-of-Way.** Section 4.40(3)(b) requires a minimum of 1 tree per 50 feet of road frontage. Based on the site's 100-foot frontage, 2 trees are required and are shown on the plan. The parking lot must be screened from view from the right-of-way with a continuous landscape screen or a decorative wall at least 3 feet tall. A row of dense yews, planted at a height of 24"-30", is proposed to create the 3-foot high screen within 12 months of planting.
 - b. **Vehicular Surface Landscaping.** Section 4.40.3.d of the Zoning Ordinance requires internal landscaped area to be at least 5% of the paved area, which is calculated as 1,461 sq. ft. The plan states that there is 1,590 sq. ft. of landscaped area proposed. There must be 1 tree per 100 sq. ft. of proposed vehicular surface landscape area, and 16 trees are proposed. There are 3 landscaped islands on the site: northeast corner, southeast corner, and on the south lot line. Each island is at least 360 square feet and has at least 1 tree.
 - c. **General Landscaping.** Section 4.40(3)(a)(2) requires 1 tree per 3,000 sq. ft. of landscape open space. The applicant has indicated that there are no proposed open spaces, therefore this requirement may not be applicable.
 - d. **Screening of Single-Family Residential Areas.** Section 4.40(3)(c) requires either a continuous masonry wall or chain link fence with dense landscaping 6 feet in height, or a continuous landscape buffer strip no less than 25 feet wide for nonresidential lots adjacent to single-family residential land uses. The lots to the east are zoned as R-1B; the site plan proposes a 6-foot tall concrete wall with brick stamping and 3 trees along the rear (east) lot line, and an elevation detail of the wall was submitted.

A 6-foot vinyl privacy fence is proposed between the site and the single-family dwelling to the north zoned C-1. While vinyl fence has not generally been approved as an acceptable screen, Section 4.40.3.a.4 allows the Planning Commission to modify screening standards provided that any modification is in keeping with the intent of the Zoning Ordinance. The applicant provided an elevation detail of the fence, and stated that it will easily be removed once the site to the north is redeveloped as a commercial use.

- e. **Other Requirements.** A statement regarding annual landscape material maintenance was included. Four (4) shrubs are proposed around the proposed transformer, and additional screening of the mechanical equipment may be required on the final site plan.

7. Architecture and Façade Materials

- a. The Planning Commission has consistently required new and renovated buildings along Belleville Road to reflect with the DDA's palette of red-brown brick, natural stone and limestone accents, and natural non-reflective façades. A color rendering of the building was presented to the Planning Commission at its November 9, 2016 meeting that was consistent with these requirements. Samples of materials and colors must be presented to the Planning Commission for approval at final site plan review, including a color rendering of all the elevations.
 - b. Sheet A-3 shows that the parapet walls on the west, north, and south sides will be higher than the rooftop equipment. However, the means for screening rooftop equipment from view on the east side must be shown on the site plan, including raising the parapet on the east side or showing lines of sight from the perspective of people standing east of the site (e.g. from the residential district) as a condition of final site plan approval.
 - c. All sites in commercial districts must have on-site amenities, such as DDA-standard seating, bike racks, pedestrian plaza/respice areas, and other similar features on the Belleville Road frontage to enhance the site for all future users. The site plan shows brick pavers with a bench and sitting area along the front lot line, next to the crosswalk connection from the sidewalk on Belleville Road to the front of the building.
 - d. Open space on the site must be provided, as required by Section 11.05(d)(i), at a rate of no less than 1 sq. ft. per 25 sq. ft. of the principal building or 250 sq. ft., whichever is greater. Required open space shall be independent of sidewalks, pedestrian circulation areas, and required landscape areas, visible from the building and public right-of-way, and connected to the pedestrian system. The size of the building indicates that 250 sq. ft. of open space is required. The open space around the bench may meet this standard if it is not included as part of the landscaping requirement.
- 8. Lighting.** A photometric plan is included on Sheet A-1A with details of light poles and fixtures. The photometric plan shows that the light trespass does not exceed 1.0 foot-candles at the lot lines, and the fixtures are shielded.
- 9. Trash Enclosure.** The proposed dumpster enclosure is concrete with a simulated brick pattern, and a steel-reinforced gate that will be rough sawn wood, pressure treated or wolmanized.
- Section 4.14(D)(2)(c)(iii) of the Zoning Ordinance requires dumpster enclosures to be at least 20 feet from a residential district. The dumpster has been relocated so that it is 20 feet away from the boundary of the R-1B district to the east. The removal of some of the parking spaces and stacking spaces will help facilitate access to the dumpster area.
- 10. Signs.** Details must be given on the proposed monument sign including dimensions, material to be used, colors, and elevations. Even if exact signage will be determined later by tenants, an elevation of the monument sign showing dimensions and materials of the base of the structure must be submitted as a condition of preliminary site plan approval.
- 11. Engineering.** The applicant has provided storm water calculations on sheet A-1. The applicant has proposed an underground pipe storage system in a letter dated August 11, 2016. Section 4.33 – Physical Features 8 of the Zoning Ordinance requires a description of a feasible storm water drainage system and any proposed storm sewer facilities including catch basins, outlets,

enclosed or open ditches, and proposed swales. We defer comment to the Township Engineer regarding the appropriate level of information required to comply with this requirement and whether the site design is feasible.

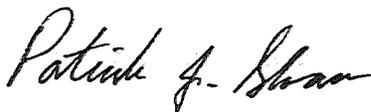
RECOMMENDATION

The applicant has revised the plan and addressed some of our previous comments. While some items remain unresolved, the items noted can be deferred to final site plan review. Therefore, we recommend the Planning Commission approve the preliminary site plan subject to the following conditions:

1. A more refined floor plan for each of the tenant spaces and other similar information must be submitted with the final site plan application.
2. Fire Department approval of the proposed turning radius for a fire truck at the rear of the site.
3. The applicant must provide a cross access easement to the parcels on the north and south and allowing for access Belleville Road through the site's driveway. Easement documents and legal descriptions must be submitted in recordable form for Township review and approval prior to final site plan approval, and must be recorded prior to permits being issued for the site.
4. Samples of materials and colors must be presented to the Planning Commission for approval at final site plan review, including a color rendering of all the elevations.
5. The means for screening rooftop equipment from view on the east side must be shown on the site plan, including raising the parapet on the east side or showing lines of sight from the perspective of people standing east of the site (e.g. from the residential district) as a condition of final site plan approval.
6. Details must be given on the proposed monument sign including dimensions, material to be used, colors, and elevations. Even if exact signage will be determined later by tenants, an elevation of the monument sign showing dimensions and materials of the base of the structure must be submitted as a condition of preliminary site plan approval.
7. Township Engineer review and approval of the compliance of the site plan with Section 4.33 – Physical Features 8 of the Zoning Ordinance, requiring a description of a feasible storm water drainage system and any proposed storm sewer facilities including catch basins, outlets, enclosed or open ditches, and proposed swales.
8. All conditions of Special Land Use approval must be met.

Respectfully submitted,

McKENNA ASSOCIATES



Patrick J. Sloan, AICP
Senior Principal Planner



Stephen Hannon
Assistant Planner

c: Ron Akers, Van Buren Township Director of Planning & Economic Development
Matt Best, Van Buren Township Deputy Director of Planning & Economic Development
Susan Ireland, Van Buren Township Downtown Development Authority Director
David Nummer, Wade Trim, Township Engineers
David McNally, Van Buren Township Fire Marshal
Ron Chiesa, R.A. Chiesa Architects, P.C. at chiesaarch@sbcglobal.net
Jason Kishmish at jkishmish@grandmd.com



WADE TRIM

December 9, 2016

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

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

Re: Multi-Tenant Building
Recommendation for Preliminary Site Plan Approval

Dear Ms. Thompson:

We have reviewed the preliminary site plan package dated December 1, 2016 for the multi-tenant building located at 10573 Belleville Road. The Project involves the construction of a 4,950-SF building, supplemental parking area, and drive-thru. Our comments on the preliminary site plan are as follows.

GENERAL

We would like to note that the preliminary plans have not been signed and sealed by an engineer licensed in the State of Michigan. While this is normally a requirement for preliminary site plan approval, we feel that it is acceptable so long as plan sets submitted for detailed engineering review are signed and sealed by a Professional Engineer.

SANITARY SEWER

There is no public sanitary sewer proposed for this site. The building shall be serviced by a proposed sanitary lead connecting to an existing 12-inch sanitary sewer along Belleville Road.

WATER MAIN

Public water main has been proposed to extend from the adjacent property to the south, across the site frontage, to accommodate future development to the north. The water service for the proposed building will be tapped from the new water main on site.

STORM WATER MANAGEMENT

An underground detention system with a pumped outlet has been proposed for the site. The detention system must be designed in accordance with both Van Buren Township and Wayne County Storm Water Standards. The proposed footprint of the underground system appears to allow for adequate storage volume, and there is additional space to allow for an increased footprint, if necessary, without affecting the overall site layout.

Wade Trim Associates, Inc. 734.947.9700
25251 Northline Road 800.482.2864
P.O. Box 10 734.947.9726 fax
Taylor, MI 48180 www.wadetrim.com



Charter Township of Van Buren
December 9, 2016
Page 2

SITE ACCESS/LAYOUT

Access to the site is provided off Belleville Road. The proposed site layout allows for emergency vehicle circulation. The entire paved area is curbed and all spaces are double striped. We understand that the adjacent property to the south (Belle Tire) has not agreed to allow a paved access between their site and the subject site within the existing cross-access easement.

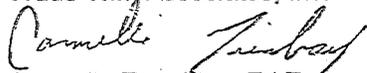
Recommendation

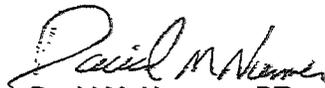
We are recommending that the Planning Commission grant preliminary site plan approval at this time. The Developer should be aware that, following preliminary approval, a detailed engineering review will be required as a prerequisite to final site plan approval.

If you have any questions regarding this review, please contact our office at 734.947.2793.

Very truly yours,

Wade Trim Associates, Inc.


Carmelle Tremblay, E.I.T.


David M. Nummer, PE

DMN:CGT;jel
VBN 2265-01T
[20161208Thompson.docx](#)

cc: Mr. Ron Akers, Director of Planning and Economic Development
Mr. Mathew Best, Deputy Director of Planning and Economic Development
Mr. James Taylor, Director of Public Works

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

Van Buren Fire Department
46425 Tyler Rd
Belleville, MI 48111



12-5-2016

Department Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Multi-Tenant Building
10573 Belleville Rd

16-003 SUSPR

To whom it may concern:

I have reviewed a digital plan set sent to me by Ron Akers on 10-31-2016. The plan set is also dated 10-31-2016 and is labeled site plan re-submit by R.A. Chiesa Architects, P.C. 43260 Garfield Township, Michigan 48038 (586)-263-5519

Project Overview:

The proposal is to build a multi-tenant building. The plan set was reviewed for Fire and Life Safety using the township adopted fire code NFPA 1 and NFPA 101 2012 editions.

Again, please note that **all** applicable **NFPA** codes and standards apply as adopted by the Township of Van Buren.

- ~~1. Knox Box will need to be ordered and installed by owner where fire department indicates prior to occupancy. www.knoxbox.com NFPA 1 16.3.4.3~~
- ~~2. Any openings between occupancies need to be protected. NFPA 101 8.4.3~~
- ~~3. Fire extinguishers will be mounted with signage per Fire Marshal. NFPA 101 38.3.5~~
- ~~4. Monitored smoke alarm for each occupancy. NFPA 1 AHJ~~

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.

5. ~~The building shall include the building address on the building. The address shall be a minimum of 6" high letters of contrasting colors and be clearly visible. The location and size shall be verified prior to installation.~~ _____ AHJ

6. ~~A digital site plan layout will be required at final inspection.~~ _____ AHJ

Items one thru 6 will be addressed during the construction process per letter from Architect dated August 11th 2016

7. This plan has changed again and the following concerns look like they have been met.

- a. ~~Van Buren Fire Department apparatus require a 65ft outside wheel turning radius. Turning radius of a fire department access road shall be as approved by the AHJ. NFPA 1 18.2.3.4.3.1~~
- b. The VERY narrow lane between the loading zone/RV spots and stacked cars on the North side of the drive (12ft per print). I had already said in previous meeting that 16.5ft was the minimum that we would concede from the required 20ft fire lane per code. This has returned to the 16.5 as agreed in earlier submittal.

NFPA 1 2012 18.2.4.1.1 the required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.

If the plan remains as shown on submittal dated 12/1/16, the fire department portion of the review is approved with exceptions.

If you have any questions about this plan review report, please feel free to contact me

Respectfully submitted,

David C McNally
Fire Marshal
Van Buren Fire Department

December 5, 2016

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

**Subject: VBT-14-031 TRP; Towne Place Suites Hotel
Tree Removal Permit #3; Plans Dated November 29, 2016**

Dear Commissioners:

The applicant proposes to develop a new 121-room suites hotel at the northeast corner of Quirk Road and the North I-94 Service Road. At the Planning Commission meeting on October 26, 2016, the site plan was granted final site plan approval with conditions. The site is zoned C-2 Subject to Conditions in accordance with the Rezoning with Conditions Agreement between Van Buren Township and Belleville Development, Inc., dated December 2, 2015. There are existing trees on the currently undeveloped site that are planned to be removed, thus a tree removal permit is required. We offer the following comments on the tree removal permit for your consideration. Items that are missing or require additional information are underlined.

A. TREE SURVEY

A tree survey has been submitted, identifying 210 regulated trees are on the site. The following tree preservation and removal is proposed on Sheet C2.2:

- 62 trees of 5" caliper or greater will be preserved.
- 148 trees of 5" caliper or greater will be removed.
- Of the 148 trees to be removed, 2 are dead, 128 are of undesirable species, and 18 are of desirable species.

B. TREE REPLACEMENT

All trees 5" in caliper or larger to be removed must be replaced in accordance with the scale of replacement ratios in Section 4.45.E.10.a. The plan proposes planting **80 Replacement Trees**: 66 deciduous trees of 2.5" caliper and 14 evergreen trees of 6' in height. However, Sheet L1.0 labels 55 of the 80 Replacement Trees as General Landscape Trees, so 55 of the "L" labels must be corrected to "R" labels.

The Planning Commission has agreed to the following replacement ratio in the past, and we recommend continuing this ratio for this application:

- No Replacement trees required for dead trees removed.
- Undesirable species replaced at a rate of 1 Replacement tree planted for every 2 removed (i.e., **64 replacement trees required** for the 128 undesirable species removed).
- Desirable species replaced at the required rate (i.e., **18 Replacement trees required** for the 18 desirable species removed).

Using the 82 Replacement trees required based on the information submitted, **2 additional Replacement trees are required** in addition to the 80 Replacement trees proposed. Compliance with this requirement can be achieved by counting 2 of the 4 surplus trees planted (see Landscape Plan comments below), so the tree replacement requirements can be met on the submitted plans. We recommend that 2 of these surplus trees be classified as Replacement Trees on Sheet L1.0 and labeled accordingly.

C. LANDSCAPING PLAN

In addition to the 25 Replacement trees shown on Sheet L1.0, there are more trees planted than are required in the following areas:

- For the Quirk Road frontage landscaping (18 trees required) and Quirk Road greenbelt (30 trees required), there are a total of 51 trees proposed along Quirk Road. **Therefore, there are 3 more trees planted along Quirk Road than required. These can be counted as General Landscaping trees or Replacement trees.**
- For the N. I-94 Service Drive landscaping (12 trees required), there are a total of 13 trees proposed. **Therefore, there is 1 more tree planted along the N. I-94 Service Drive than required. This can be counted as a General Landscaping tree or a Replacement tree.**

Finally, there are 20 trees required along the northern property line for a greenbelt between the hotel and the adjacent residential zoning district. However, the 20 trees proposed are required for General Landscaping and cannot be double counted. Therefore, 20 additional trees are required.

D. APPLICATION REQUIREMENTS (SECTION 4.45.E.7)

1. **A topographical map at the same scale as the related site plan.** A topography has been submitted.
2. **The shape and dimensions of the site, together with the existing and proposed locations of structures and improvements, including existing and proposed changes to existing grades.** These items are on the landscape plan.
3. **Location and dimensions of all setbacks and existing and proposed easements.** The landscape plan shows proposed easements and setbacks.
4. **Existing tree inventory and survey.** The table on Sheet C2.2 indicates 62 trees to be preserved and 148 trees to be removed. Of the 148 trees to be removed, 2 are dead, 128 are of undesirable species, and 18 are of desirable species. The trees listed on Sheet C2.2 are shown on plans Sheets C2.3 and L1.0.
5. **A statement of how existing trees not to be relocated or removed will be protected during construction.** The plan must include satisfactory measures to protect and ensure the survival of the preserved trees. Additionally, Tree 2060, which is proposed on Sheet C2.2 to be preserved is not shown on Sheet L1.0 because it is within the grading area of the berm. This tree must be shown on Sheet L1.0 or mitigated as a removed tree.
6. **An evaluation of the quality, size, and density of trees to be removed.** The evaluation of the trees is included on Sheet C2.2 and the locations are shown on Sheet C2.3.
7. **Soil conditions and drainage characteristics of the site.** This information was submitted as part of the site plan packet.

E. STANDARDS FOR GRANTING APPROVAL (SECTION 4.45.E.9)

1. **Protection and conservation of natural resources from pollution, impairment, or destruction.** The proposed landscape plan includes all the required landscape trees (except as noted above) and all required Replacement trees. The site will be well landscaped, and trees planted densely throughout the entire site so as to screen key parts of the site including the building, parking lot, and detention pond.

2. **Maintenance of woodland areas.** The retained, replacement, landscape, and fee in lieu of planting trees will adequately replace the trees removed from the Towne Place Suites site. As previously stated, the number of required replacement trees is shown on the plans.
3. **Limitation of land clearing activity.** The cleared part of the site will be used for the building, parking, access drives, and storm water pond. These are all necessary to develop the commercially zoned site, and are thus permitted reasons for clearing trees.
4. **Design and construction of residential structures.** This standard is not applicable.
5. **Limitations on tree removal.** Trees are proposed to be removed from the site in order to place the building in a reasonable location and in order to abide by all applicable zoning regulations. For this reason, removing trees is acceptable.
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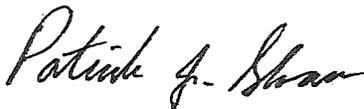
RECOMMENDATION

Although the plans require more information, there is sufficient information provided to demonstrate compliance with the tree removal requirements of the Zoning Ordinance. Therefore, we recommend that the Tree Removal Permit for Town Place Suites be approved subject to the following conditions:

1. On Sheet L1.0, 55 of the required Replacement Trees are labeled as General Landscape Trees ("L") and must therefore be labeled as Replacement Trees ("R") accordingly.
2. Two (2) of the surplus trees shown on Sheet L1.0 for frontage and greenbelt landscaping must be classified as Replacement Trees on Sheet L1.0 and labeled accordingly.
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McKENNA ASSOCIATES



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Senior Principal Planner

c: Ron Akers, Van Buren Township Director of Planning & Economic Development
Matt Best, Van Buren Township Deputy Director of Planning & Economic Development
David Nummer, Wade Trim, Township Engineers
Andy Andre at andy@buddesign.com
Remy Hanna at rhanna@amhospitality.com

December 5, 2016

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

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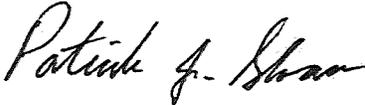
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c: Ron Akers, Van Buren Township Director of Planning & Economic Development
Matt Best, Van Buren Township Deputy Director of Planning & Economic Development
David Nummer, Wade Trim, Township Engineers
Andy Andre at andy@buddesign.com
Remy Hanna at rhanna@amhospitality.com

PLANNING & ZONING APPLICATION

Case number 10-038

Date Submitted 9-30-10

APPLICANT INFORMATION

Applicant SCHONSHECK, INC. Phone 248.669.8800
Address 5055 PONTIAC TRAIL Fax -
City, State WIXOM, MI Zip 48393
E-mail NICK@SCHONSHECK.COM Cell Phone Number 248.707.6402
Property Owner PAUL DENSKI, SR. Phone 734-812-2997
(if different than applicant)
Address 40595 EXPRESSWAY Fax -
City, State BELLEVILLE, MI Zip 48111
Billing Contact PAUL DENSKI, SR. Phone -
Address 40595 EXPRESSWAY Fax -
City, State BELLEVILLE, MI Zip 48111

SITE/PROJECT INFORMATION

Name of Project DENSKI WAREHOUSE
Parcel Id No. V125-83-009-99-0007-000 Project Address 5809 SHELDON RD.
Attach Legal Description of Property
Property Location: On the EAST Side of SHELDON Road; Between YOST Road
and VAN BORN Road. Size of Lot Width 230 Depth 344'
Acreage of Site 1.73 Total Acres of Site to Review 1.73 Current Zoning of Site M-1
Project Description: CONSTRUCTION OF A NEW BUILDING TO BE USED
FOR THE REPAIR OF PERSONALLY OWNED VEHICLES.

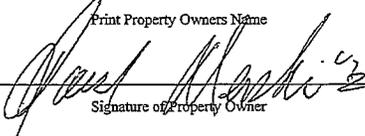
Is a re-zoning of this parcel being requested? YES (if yes complete next line) NO
Current Zoning of Site - Requested Zoning -

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 15.02 PERMITTED USES
Is there an official Woodland within parcel? NO Woodland acreage N/A
List total number of regulated trees outside the Woodland area? 2 Total number of trees 2
Detailed description for cutting trees NO TREES WILL BE REMOVED AS
PART OF THIS PROJECT.

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

PAUL DENSKI, SR.
Print Property Owners Name

Signature of Property Owner

9-30-10
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

DESCRIPTION

The Galleon™ wall and pedestrian LED luminaire's appearance is complementary with the Galleon area and site luminaire bringing a modern architectural style to lighting applications. Flexible mounting options accommodate wall surfaces, pole, and mast arm applications allowing it to be offered as a pedestrian or site lighting, solution. The Galleon family of LED products deliver exceptional performance with patented, high-efficiency AccuLED Optics™, providing uniform and energy conscious lighting for parking lots, building and security lighting applications.

| | | | |
|--------------------|--|-------------|----|
| Catalog # | | Type | L2 |
| Project | | Date | |
| Comments | | | |
| Prepared by | | | |

SPECIFICATION FEATURES

Construction

Driver enclosure thermally isolated from optics for optimal thermal performance. Heavy wall aluminum housing die-cast with integral external heat sinks to provide superior structural rigidity and an IP66 rated housing. Overall construction passes a 1.5G vibration test to ensure mechanical integrity.

Optics

Choice of thirteen patented, high-efficiency AccuLED Optics. The optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (+/- 275K) CCT and minimum 70 CRI. Optional 3000K, 5000K and 6000K CCT. Greater than 90%

lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 530mA and 700mA drive currents.

Electrical

LED drivers are mounted for ease of maintenance. 120-277V 50/60Hz, 347V or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. Drivers are provided standard with 0-10V dimming. An optional Eaton proprietary surge protection module is available and designed to withstand 10kV of transient line surge. The Galleon Wall LED luminaire is suitable for operation in -30°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option.

Mounting

In addition to wall mounting, the innovative quick mounting arm attaches to new or existing 4-5" round or square poles with 1-1/2" to 4-7/8" drilling patterns without re-drilling. Optional mast arm adapter fits horizontal 2-3/8" tenon.

Finish

Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult the McGraw-Edison Architectural Colors brochure for the complete selection.

Warranty

Five-year warranty.

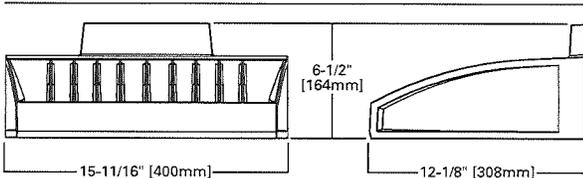


GWC GALLEON WALL AND PEDESTRIAN LUMINAIRE

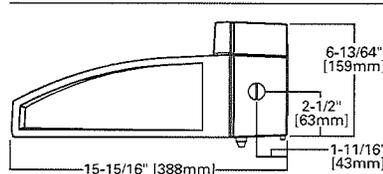
1-2 Light Squares
Solid State LED

WALL AND POLE MOUNT LUMINAIRE

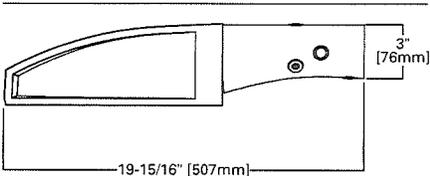
DIMENSIONS



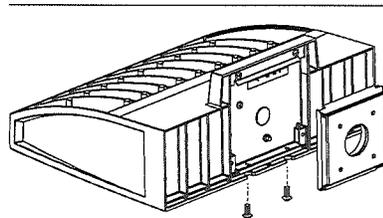
BATTERY BACKUP AND THRU-BRANCH BACK BOX



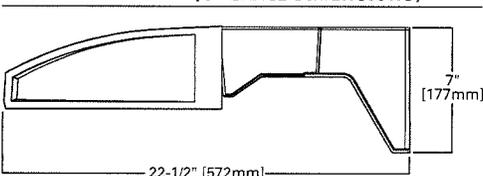
MAST ARM MOUNT



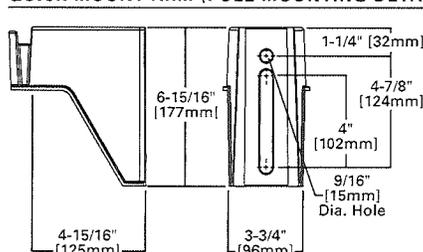
HOOK-N-LOCK MOUNTING



QUICK MOUNT ARM (OVERALL DIMENSIONS)



QUICK MOUNT ARM (POLE MOUNTING DETAILS)



CERTIFICATION DATA

UL/cUL Listed
LM79 / LM80 Compliant
IP66 Housing
ISO 9001
DesignLights Consortium™ Qualified*

ENERGY DATA

Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V/50 & 60Hz, 347V/60Hz, 480V/60Hz
-30°C Minimum Temperature
40°C Ambient Temperature Rating

SHIPPING DATA

Approximate Net Weight:
27 lbs. (12.2 kgs.)

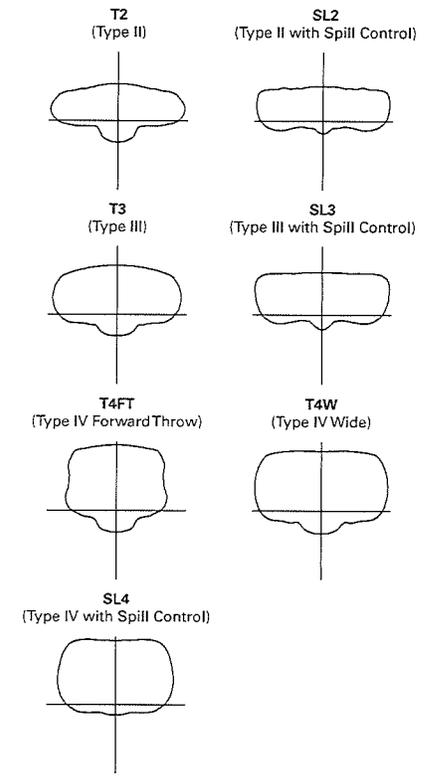
POWER AND LUMENS

| Number of Light Squares | 1 | | | 2 | | |
|---------------------------|-------|-------|-----|-------|-------|-------|
| | 530mA | 700mA | 1A | 530mA | 700mA | 1A |
| Drive Current | 530mA | 700mA | 1A | 530mA | 700mA | 1A |
| Power (Watts) | 29W | 39W | 56W | 58W | 77W | 112W |
| Input Current @ 120V (mA) | 270 | 350 | 510 | 490 | 650 | 960 |
| Input Current @ 208V (mA) | 160 | 210 | 300 | 280 | 380 | 560 |
| Input Current @ 240V (mA) | 140 | 180 | 260 | 250 | 330 | 480 |
| Input Current @ 277V (mA) | 120 | 160 | 230 | 210 | 280 | 420 |
| Power (Watts) | 36W | 46W | 68W | 65W | 83W | 123W |
| Input Current @ 347V (mA) | 110 | 140 | 200 | 190 | 240 | 360 |
| Input Current @ 480V (mA) | 320 | 410 | 580 | 550 | 700 | 1,040 |

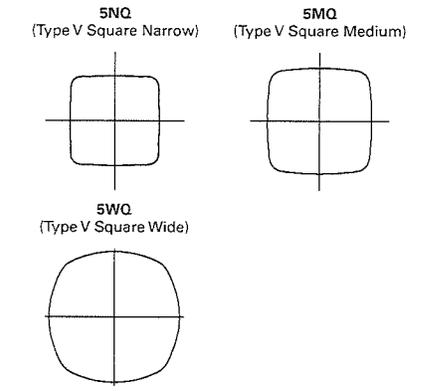
| Optics | | | | | | | |
|---------|------------|----------|----------|----------|----------|----------|----------|
| T2 | Lumens | 3,195 | 4,000 | 5,472 | 6,297 | 7,881 | 10,783 |
| | BUG Rating | B1-U0-G1 | B1-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 | B2-U0-G2 |
| T3 | Lumens | 3,228 | 4,041 | 5,528 | 6,362 | 7,963 | 10,894 |
| | BUG Rating | B1-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 | B1-U0-G2 | B2-U0-G2 |
| T4FT | Lumens | 3,237 | 4,051 | 5,543 | 6,378 | 7,983 | 10,922 |
| | BUG Rating | B1-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 | B1-U0-G2 | B2-U0-G2 |
| T4W | Lumens | 3,190 | 3,992 | 5,462 | 6,285 | 7,867 | 10,763 |
| | BUG Rating | B1-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 | B1-U0-G2 | B2-U0-G2 |
| 5MQ | Lumens | 3,405 | 4,262 | 5,831 | 6,710 | 8,398 | 11,490 |
| | BUG Rating | B2-U0-G1 | B2-U0-G1 | B3-U0-G1 | B3-U0-G1 | B3-U0-G2 | B3-U0-G2 |
| 5WQ | Lumens | 3,455 | 4,324 | 5,917 | 6,809 | 8,522 | 11,659 |
| | BUG Rating | B2-U0-G1 | B3-U0-G1 | B3-U0-G1 | B3-U0-G2 | B3-U0-G2 | B4-U0-G2 |
| 5NQ | Lumens | 3,319 | 4,154 | 5,684 | 6,540 | 8,186 | 11,200 |
| | BUG Rating | B2-U0-G0 | B2-U0-G0 | B2-U0-G1 | B2-U0-G1 | B3-U0-G1 | B3-U0-G1 |
| SL2 | Lumens | 3,120 | 3,905 | 5,343 | 6,149 | 7,696 | 10,529 |
| | BUG Rating | B1-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 | B2-U0-G2 | B2-U0-G2 |
| SL3 | Lumens | 3,152 | 3,945 | 5,397 | 6,211 | 7,773 | 10,635 |
| | BUG Rating | B1-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 | B1-U0-G2 | B1-U0-G2 |
| SL4 | Lumens | 3,037 | 3,801 | 5,200 | 5,984 | 7,490 | 10,247 |
| | BUG Rating | B0-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 | B1-U0-G2 | B1-U0-G2 |
| SLL/SLR | Lumens | 2,751 | 3,444 | 4,711 | 5,422 | 6,786 | 9,284 |
| | BUG Rating | B1-U0-G1 | B1-U0-G1 | B1-U0-G1 | B1-U0-G1 | B1-U0-G2 | B1-U0-G2 |
| RW | Lumens | 3,250 | 4,068 | 5,565 | 6,404 | 8,016 | 10,967 |
| | BUG Rating | B2-U0-G2 | B2-U0-G2 | B2-U0-G2 | B3-U0-G3 | B3-U0-G3 | B3-U0-G3 |

OPTICAL DISTRIBUTIONS

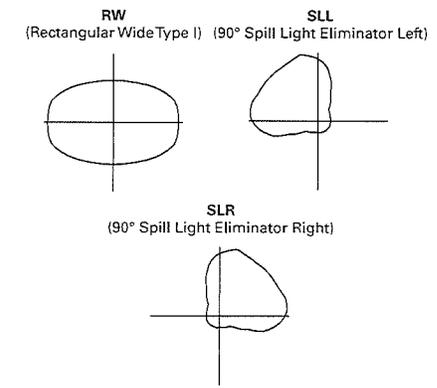
Asymmetric Area Distributions



Symmetric Distributions



Specialized Distributions



LUMEN MAINTENANCE

| Ambient Temperature | TM-21 Lumen Maintenance (60,000 Hours) | Theoretical L70 (Hours) |
|---------------------|--|-------------------------|
| 25°C | > 94% | > 350,000 |
| 40°C | > 93% | > 250,000 |
| 50°C | > 90% | > 170,000 |

* 50°C lumen maintenance data applies to 530mA and 700mA drive currents.

LUMEN MULTIPLIER

| Ambient Temperature | Lumen Multiplier |
|---------------------|------------------|
| 0°C | 1.02 |
| 10°C | 1.01 |
| 25°C | 1.00 |
| 40°C | 0.99 |
| 50°C | 0.97 |

COLOR TEMPERATURE

| Color Temperature (CCT) | Color Rendering Index (CRI) | Multiplier |
|-------------------------|-----------------------------|------------|
| 3000 | 70 | 0.91 |
| 4000 | 70 | 1.00 |
| 5000 | 70 | 1.03 |
| 5700 | 70 | 1.03 |

ORDERING INFORMATION

Sample Number: GWC-AE-02-LED-E1-T3-GM

| Product Family ¹ | Light Engine | Number of Light Squares ² | Lamp Type | Voltage | Distribution | Color | Mounting Options |
|--|---------------------|--------------------------------------|---------------------------------------|---|--|--|--|
| GWC=Galleon Wall | AE=1A Drive Current | 01=1 02=2 ³ | LED=Solid State Light Emitting Diodes | E1=120-277V 347=347V ⁴ 480=480V ^{4,5} | T2=Type II T3=Type III T4FT=Type IV Forward Throw T4W=Type IV Wide SL2=Type II w/Spill Control SL3=Type III w/Spill Control SL4=Type IV w/Spill Control SLL=90° Spill Light Eliminator Left SLR=90° Spill Light Eliminator Right RW=Rectangular Wide Type I 5NQ=Type V Square Narrow 5MQ=Type V Square Medium 5WQ=Type V Square Wide | AP=Grey BZ=Bronze BK=Black DP=Dark Platinum GM=Graphite Metallic WH=White CC=Custom Color ⁶ | [BLANK]=Surface Mount MA=2-3/8" Mast Arm ^{7,8} QM=Quick Mount Arm for Round or Square Pole ^{7,9} |
| Options (Add as Suffix) | | | | | Accessories (Order Separately) | | |
| 530=Drive Current Factory Set to 530mA 700=Drive Current Factory Set to 700mA UPL=Uplight Housing ¹⁰ P=Button Type Photocontrol (120, 208, 240 or 277V) R=NEMA Twistlock Photocontrol Receptacle PER7=NEMA 7-PIN Twistlock Photocontrol Receptacle ^{11,12} LCF=Light Square Trim Plate Painted to Match Housing ¹⁴ 7030=70 CRI / 3000K ¹⁵ 7050=70 CRI / 5000K ¹⁵ 7060=70 CRI / 6000K ¹⁵ L90=Optics Rotated 90° Left R90=Optics Rotated 90° Right DIMRF-LW=LumaWatt Wireless Sensor, Wide Lens for 8' - 16' Mounting Height ^{16,17,19} DIMRF-LN=LumaWatt Wireless Sensor, Narrow Lens for 16' - 40' Mounting Height ^{16,17,19} MS-LXX=Motion Sensor for On/Off Operation ^{18,20} MS/DIM-LXX=Motion Sensor for Dimming Operation ^{18,19,20} DIM=0-10V Dimming Drivers ^{11,21} HSS=Factory Installed House Side Shield ²² HA=50°C High Ambient ²³ F=Single Fused (120, 277 or 347V, Must Specify Voltage) FF=Double Fused (208, 240 or 480V, Must Specify Voltage) 10K=10kV Surge Module DALI=DALI Driver ²⁴ CE=CE Marking and Small Terminal Block ²⁵ MT=Factory Installed Mesh Top | | | | | OA/RA1013=Photocontrol Shorting Cap OA/RA1016=NEMA Photocontrol - Multi-Tap 105-285V OA/RA1201=NEMA Photocontrol - 347V OA/RA1027=NEMA Photocontrol - 480V MA1252=10kV Circuit Module Replacement MA1059XX=Thru-branch Back Box (Must Specify Color) FSIR-100=Wireless Configuration Tool for Occupancy Sensor ²⁰ | | |

NOTES:

- DesignLight Consortium™ Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details.
- Standard 4000K CCT and minimum 70 CRI.
- Two light squares with BBB or CWB options uses two drivers and limited to 25°C, 120-277V only.
- Requires the use of a step down transformer.
- Only for use with 480V Wye systems. Per NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems).
- Custom colors are available. Setup charges apply. Paint chip samples required. Extended Lead times apply.
- Customer is responsible for engineering analysis to confirm pole and fixture compatibility for all applications. Refer to our white paper WP513001EN for additional support information.
- Mast arm adapter factory installed (2-3/8" O.D. arm only). Suitable for 3G vibration.
- Quick mount arm adapter is factory installed. Pole mounting bracked shipped in box. Suitable for 1.5G. Fits square and round pole up to 6" O.D.
- Surface mount only. Not available with back box, SL-series distributions or twistlock photocontrol receptacle.
- Cannot be used with other control options.
- Compatible with standard 3-PIN photocontrols, 5-PIN or 7-PIN ANSI controls.
- Not available with HA option. Operates a single light square only. Cold weather option operates -20°C to +40°C, standard 0°C to +40°C. Backbox is non-IP rated.
- Not available with HSS option.
- Extended lead times apply. Use dedicated IES files when performing layouts.
- LumaWatt wireless sensors are factory installed only requiring network components RF-EM-1, RF-GW-1 and RF-ROUT-1 in appropriate quantities. See www.eaton.com/fighting for LumaWatt application information.
- Bronze sensor is shipped with Bronze fixtures. White sensor shipped on all other housing color options.
- Replace LXX with mounting height in feet for proper lens selection (e.g., L8=8' mounting height). L8, L20 and L40 are available options.
- Includes integral photosensor.
- The FSIR-100 configuration tool is required to adjust parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative at Eaton for more information.
- Low voltage control lead brought out 18" outside fixture.
- Only for use with SL2, SL3 and SL4 distributions. The light square trim plate is painted black when the HSS option is selected.
- Not available with BBB and CWB options.
- Only available with BBB or CWB in single light square. HA option available for single light square only.
- CE is not available with the DIMRF, MS, MS/X, MS/DIM, F, R or PER7 options. Available in 120-277V only.

Coming soon

| |
|--|
| Options (Add as Suffix) |
| BBB=Battery Pack with Back Box ^{3,11,13} |
| CWB=Cold Weather Battery Pack with Back Box ^{3,11,13} |



Eaton
 1121 Highway 74 South
 Peachtree City, GA 30269
 P 770-436-4800
www.eaton.com/lighting

Specifications and dimensions subject to change without notice.

DESCRIPTION

The patented Lumark Crosstour™ MAXX LED Wall Pack Series of luminaires provides low-profile architectural style with super bright, energy-efficient LEDs. The rugged die-cast aluminum construction, back box with secure lock hinges, stainless steel hardware along with a sealed and gasketed optical compartment make Crosstour impervious to contaminants. The Crosstour MAXX wall luminaire is ideal for wall/ surface, inverted mount for facade/canopy illumination, perimeter and site lighting. Typical applications include pedestrian walkways, building entrances, multi-use facilities, industrial facilities, perimeter parking areas, storage facilities, institutions, schools and loading docks.

SPECIFICATION FEATURES

Construction

Low-profile LED design with rugged one-piece, die-cast aluminum back box and hinged removable door. Matching housing styles incorporate both a full cutoff and refractive lens design. Full cutoff and refractive lens models are available in 41W and 79W. Patent pending secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes four 1/2" NPT threaded conduit entry points. The back box is secured by four lag bolts (supplied by others). External fin design extracts heat from the fixture surface. One-piece silicone gasket seals door and back box. Not recommended for car wash applications.

Optical

Silicone sealed optical LED chamber incorporates a custom engineered reflector providing high-efficiency illumination. Full cutoff models integrate an impact-resistant molded refractive prism optical lens assembly meeting requirements for Dark Sky compliance. Refractive lens models incorporate a molded lens assembly designed for maximum

forward throw. Solid state LED Crosstour luminaires are thermally optimized with two lumen packages in cool 5000K or neutral warm 3500K LED color temperature (CCT).

Electrical

LED driver is mounted to the die-cast aluminum housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 41W and 79W models operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C [122°F] models available. Crosstour MAXX luminaires maintain greater than 90% of initial light output after 72,000 hours of operation. Four half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized electrical wiring compartment. Integral LED electronic driver incorporates surge protection. 120-277V 50/60Hz, 480V 60Hz, or 347V 60Hz electrical operation. 480V is compatible for use with 480V Wye systems only.

Emergency Egress

Optional integral cold weather

battery emergency egress includes emergency operation test switch, an AC-ON indicator light and a premium extended rated sealed maintenance-free nickel-metal hydride battery pack. The separate emergency lighting LEDs are wired to provide redundant emergency lighting. Listed to UL Standard 924, Emergency Lighting.

Area and Site Pole Mounting

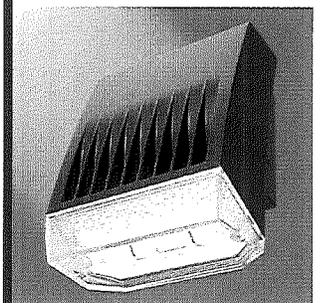
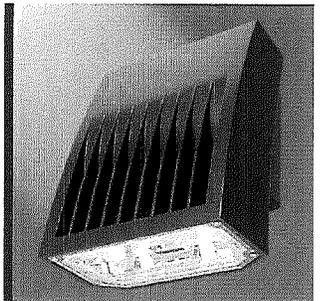
Optional extruded aluminum 6-1/2" arm features internal bolt guides for supplied twin support rods, allowing for easy positioning of the fixture during installation to pole. Supplied with round plate adapter plate. Optional tenon adapter fits 2-3/8" or 3-1/2" O.D. Tenon.

Finish

Crosstour MAXX is protected with a super TGIC carbon bronze or summit white polyester powder coat paint. Super TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life.

Warranty

Five-year warranty.



XTOR CROSSTOUR MAXX LED

APPLICATIONS:
WALL / SURFACE
INVERTED
SITE LIGHTING



CERTIFICATION DATA

UL/cUL Wet Location Listed
LM79 / LM80 Compliant
ROHS Compliant
NOM Compliant Models
3G Vibration Tested
UL924 Listed (CBP Models)
IP66 Rated
DesignLights Consortium™ Qualified*

TECHNICAL DATA

40°C Ambient Temperature
External Supply Wiring 90°C Minimum

EPA

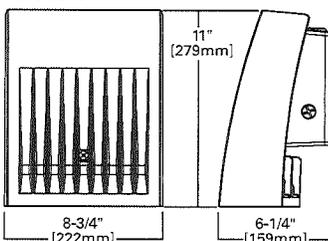
Effective Projected Area (Sq. Ft.):
XTOR5A/XTOR9A=0.54
With Pole Mount Arm=0.98

SHIPPING DATA:

Approximate Net Weight:
12-15 lbs. [5.4-6.8 kgs.]

DIMENSIONS

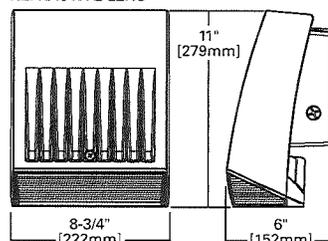
FULL CUTOFF



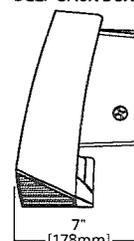
DEEP BACK BOX



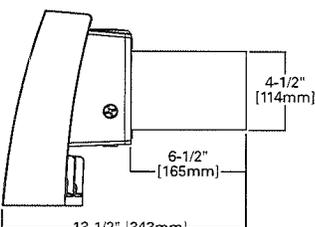
REFRACTIVE LENS



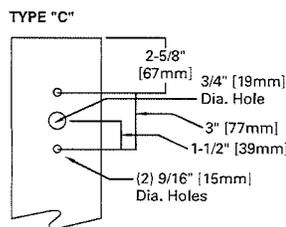
DEEP BACK BOX



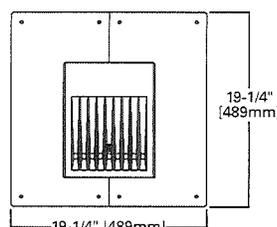
OPTIONAL POLE MOUNT ARM



ARM DRILLING



ESCUTCHEON PLATES



POWER AND LUMENS BY FIXTURE MODEL

| LED Information | XTOR5A | XTOR5ARL | XTOR5A-N | XTOR5ARL-N |
|-----------------------------|----------|----------|----------|------------|
| Delivered Lumens | 4,409 | 4,831 | 4,136 | 3,744 |
| B.U.G. Rating | B1-U0-G1 | B1-U0-G2 | B1-U0-G1 | B1-U0-G2 |
| CCT (Kelvin) | 5000K | 5000K | 3500K | 3500K |
| CRI (Color Rendering Index) | 65 | 65 | 70 | 70 |
| Power Consumption (Watts) | 41W | 41W | 43W | 42W |

| LED Information | XTOR9A | XTOR9ARL | XTOR9A-N | XTOR9ARL-N |
|-----------------------------|----------|----------|----------|------------|
| Delivered Lumens | 7,079 | 7,367 | 6,468 | 6,036 |
| B.U.G. Rating | B1-U0-G1 | B1-U0-G2 | B1-U0-G1 | B1-U0-G2 |
| CCT (Kelvin) | 5000K | 5000K | 3500K | 3500K |
| CRI (Color Rendering Index) | 65 | 65 | 70 | 70 |
| Power Consumption (Watts) | 79W | 82W | 79W | 81W |

| EGRESS Information | XTOR5A and XTOR9A Full Cutoff CBP Egress LED | XTOR5A and XTOR9A Refractive Lens CBP Egress LED |
|-----------------------------|--|--|
| Delivered Lumens | 509 | 468 |
| B.U.G. Rating | N.A. | N.A. |
| CCT (Kelvin) | 4000K | 4000K |
| CRI (Color Rendering Index) | 65 | 65 |
| Power Consumption (Watts) | 1.8W | 1.8W |

CURRENT DRAW

| Voltage | Model Series | | | |
|---------|--------------|--------|------------------------------|------------------------------|
| | XTOR5A | XTOR9A | XTOR5A-CBP (Fixture/Battery) | XTOR9A-CBP (Fixture/Battery) |
| 120V | 0.35 | 0.67 | 0.60/0.25 | 0.92/0.25 |
| 208V | 0.20 | 0.39 | -- | -- |
| 240V | 0.18 | 0.34 | -- | -- |
| 277V | 0.15 | 0.29 | 0.36/0.21 | 0.50/0.21 |
| 347V | 0.14 | 0.26 | -- | -- |
| 480V | 0.10 | 0.19 | -- | -- |

LUMEN MAINTENANCE

| Ambient Temperature | TM-21 Lumen Maintenance (72,000 Hours) | Theoretical L70 (Hours) |
|---------------------|--|-------------------------|
| XTOR5A Model | | |
| 25°C | > 92% | > 290,000 |
| 40°C | > 91% | > 290,000 |
| 50°C | > 89% | > 250,000 |
| XTOR9A Model | | |
| 25°C | > 91% | > 260,000 |
| 40°C | > 90% | > 230,000 |
| 50°C | > 82% | > 130,000 |

ORDERING INFORMATION

Sample Number: XTOR5A-N-WT-PC1

| Series ¹ | LED Kelvin Color | Housing Color | Options (Add as Suffix) |
|---|--|---|--|
| Full Cutoff XTOR5A=41W XTOR9A=79W Refractive Lens XTOR5ARL=41W XTOR9ARL=79W | [Blank]=Bright White (Standard) 5000K N=Neutral Warm White, 3500K | [Blank]=Carbon Bronze (Standard) WT=Summit White | 347V=347V ^{2,3,5,6} 480V=480V ^{2,3,5,6,7} PC1=Photocontrol 120V ⁹ PC2=Photocontrol 208-277V ^{9,9} DIM=0-10V Dimming Driver ² PMA=Pole Mount Arm (C Drilling) with Round Adapter ^{3,4} HA=50°C High Ambient ⁶ MS-L20=Motion Sensor for ON/OFF Operation ^{2,3,10,11} MS/DIM-L20=Motion Sensor for Dimming Operation ^{2,3,10,11,12,13} CBP=Cold Weather Battery Pack ^{2,3,11,14} |
| Accessories (Order Separately) | | | |
| WG-XTORMX=Crosstour MAXX Wire Guard PB120V=Field Installed 120V Photocontrol PB277V BUTTON PC=Field Installed 208-277V Photocontrol ⁹ VA1040-XX=Single Tenon Adapter for 3-1/2" O.D. Tenon ¹⁵ VA1041-XX=2@180° Tenon Adapter for 3-1/2" O.D. Tenon ¹⁵ VA1042-XX=3@120° Tenon Adapter for 3-1/2" O.D. Tenon ¹⁵ VA1043-XX=4@90° Tenon Adapter for 3-1/2" O.D. Tenon ¹⁵ VA1044-XX=2@90° Tenon Adapter for 3-1/2" O.D. Tenon ¹⁵ VA1045-XX=3@90° Tenon Adapter for 3-1/2" O.D. Tenon ¹⁵ | | VA1046-XX=2@120° Tenon Adapter for 3-1/2" O.D. Tenon ¹⁵ VA1033-XX=Single Tenon Adapter for 2-3/8" O.D. Tenon ¹⁵ VA1034-XX=2@180° Tenon Adapter for 2-3/8" O.D. Tenon ¹⁵ VA1035-XX=3@120° Tenon Adapter for 2-3/8" O.D. Tenon ¹⁵ VA1036-XX=4@90° Tenon Adapter for 2-3/8" O.D. Tenon ¹⁵ VA1037-XX=2@90° Tenon Adapter for 2-3/8" O.D. Tenon ¹⁵ VA1038-XX=3@90° Tenon Adapter for 2-3/8" O.D. Tenon ¹⁵ VA1039-XX=2@120° Tenon Adapter for 2-3/8" O.D. Tenon ¹⁵ EWP/XTORMX=Escutcheon Wall Plate, Carbon Bronze EWP/XTORMX-WT=Escutcheon Wall Plate, Summit White | |

NOTES: 1 DesignLights Consortium™ Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details. 2 Not available with HA option. 3 Deep back box is standard for 347V, 480V, CBP, PMA, MS-L20 and MS/DIM-L20. 4 Customer is responsible for engineering analysis to confirm pole and fixture compatibility for all applications. Refer to our white paper WP513001EN for additional support information. 5 Not available with CBP option. 6 Thru-branch wiring not available with HA option or with 347V. 7 Only for use with 480V Wye systems. Par NEC, not for use with ungrounded systems, impedance grounded systems or corner grounded systems (commonly known as Three Phase Three Wire Delta, Three Phase High Leg Delta and Three Phase Corner Grounded Delta systems). 8 Not available with MS-L20 and MS/DIM-L20 options. 9 Use PC2 with 347V or 480V option for photocontrol. Factory wired to 208-277V lead. 10 For use in downlight orientation only. Optimal coverage at mounting heights of 9'-20'. 11 120V or 277V only. 12 Factory set to 50% power reduction after 15-minutes of inactivity. Dimming driver included. 13 Includes integral photo sensor. 14 Operating temperatures -20°C to 25°C. 15 Replace XX with CB for carbon bronze or WT for summit white.

STOCK ORDERING INFORMATION

| 41W Series | 79W Series |
|--|---|
| Full Cutoff | |
| XTOR5A=41W, 5000K, Carbon Bronze | XTOR9A=79W, 5000K, Carbon Bronze |
| XTOR5A-PC1=41W, 5000K, 120V PC, Carbon Bronze | XTOR9A-PC1=79W, 5000K, 120V PC, Carbon Bronze |
| XTOR5A-WT=41W, 5000K, Summit White | XTOR9A-WT=79W, 5000K, Summit White |
| XTOR5A-N=41W, 3500K, Carbon Bronze | XTOR9A-PC2=79W, 5000K, 208-277V PC, Carbon Bronze |
| | XTOR9A-480V=79W, 5000K, 480V, Carbon Bronze |
| | XTOR9A-PMA=79W, 5000K, Pole Mount Arm, Carbon Bronze |
| Refractive Lens | |
| XTOR5ARL=41W, 5000K, Refractive Lens, Carbon Bronze | XTOR9ARL=79W, 5000K, Refractive Lens, Carbon Bronze |
| XTOR5ARL-PC1=41W, 5000K, Refractive Lens, 120V PC, Carbon Bronze | XTOR9ARL-PC1=79W, 5000K, Refractive Lens, 120V PC, Carbon Bronze |
| XTOR5ARL-WT=41W, 5000K, Refractive Lens, Summit White | XTOR9ARL-WT=79W, 5000K, Refractive Lens, Summit White |
| XTOR5ARL-N=41W, 3500K, Refractive Lens, Carbon Bronze | XTOR9ARL-PC2=79W, 5000K, Refractive Lens, 208-277V PC, Carbon Bronze |
| | XTOR9ARL-480V=79W, 5000K, Refractive Lens, 480V, Carbon Bronze |
| | XTOR9ARL-PMA=79W, 5000K, Refractive Lens, Pole Mount Arm, Carbon Bronze |

5-DAY QUICK SHIP ORDERING INFORMATION

| 41W Series | 79W Series |
|--|--|
| Full Cutoff | |
| XTOR5A-CBP=41W, 5000K, Carbon Bronze, Cold Weather Battery Pack | XTOR9A-CBP=79W, 5000K, Carbon Bronze, Cold Weather Battery Pack |
| XTOR5A-480V=41W, 5000K, Carbon Bronze, 480V | XTOR9A-N=79W, 3500K, Carbon Bronze |
| XTOR5A-PC2=41W, 5000K, Carbon Bronze, 208-277V PC | |
| Refractive Lens | |
| XTOR5ARL-PC2=41W, Refractive Lens, 5000K, Carbon Bronze, 208-277V PC | XTOR9ARL-CBP=79W, Refractive Lens, 5000K, Carbon Bronze, Cold Weather Battery Pack |
| XTOR5ARL-CBP=41W, Refractive Lens, 5000K, Carbon Bronze, Cold Weather Battery Pack | XTOR9ARL-N=79W, Refractive Lens, 3500K, Carbon Bronze |
| XTOR5ARL-480V=41W, Refractive Lens, 5000K, Carbon Bronze, 480V | |



Eaton
 1121 Highway 74 South
 Peachtree City, GA 30269
 P: 770-486-4800
 www.eaton.com/lighting

Specifications and dimensions subject to change without notice.

December 2, 2016

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

**Subject: VBT-16-009 SPR; Denski Warehouse at 5809 Sheldon Road; Site Plan Review #2;
Plans Revision Dated November 22, 2016**

Dear Commissioners:

The applicants, Schonscheck, Inc. and Paul Denski, propose to construct a new warehouse building to be used for the repair and storage of personally owned historic military vehicles, as well as some incidental office space. The site is currently vacant and is located at 5809 Sheldon Road at the southeast corner of Sheldon Road and Yost Road, along the Township's border with Canton Township. The site is zoned M-1 (Light Industrial) and is 1.73 acres.

COMMENTS

- 1. Use.** The building will be used for warehousing, storage, and incidental office space. According to Section 15.02(a) of the Zoning Ordinance, warehousing of automotive vehicles for personal use is permitted in the M-1 District. Accessory uses are also permitted according to Section 15.02(j). Outdoor storage, depending on the scale, is either permitted by right or as a special use. The applicant has not indicated that there will be any outdoor storage.
- 2. Setbacks and Dimensional Requirements.** Required setbacks in the M-1 District are 40 feet for the side and rear yards and 50 feet for front yards. The Zoning Ordinance requires the front yard setback to be measured from the road right-of-way line, and the proposed building is located at least 50 feet from the right-of-way lines of Sheldon Road and Yost Road. The building is also located at least 40 feet from the rear lot lines on the east and south sides.
- 3. Architecture and Building.** A floor plan is shown on Sheet A-101 and building elevations are on Sheet A-201. The building will be 7,200 square feet, most of which will be for the warehouse. The building will have metal siding and a "C-Brick" masonry apron around the perimeter. There is one window on the west side (facing Sheldon Road) and three on the north side (facing Yost Road). The material specifications and colors are described on Sheet A-201 of the plans. We recommend that material samples be presented to the Planning Commission for review and approval.
- 4. Sidewalks.** There are no sidewalks included within the proposed site plan. Section 4.33 (Physical Features) (11) of the Zoning Ordinance requires a concrete sidewalk 5 feet in width to be provided within the public right-of-way 1 foot inside the right-of-way line. A note has been added to Sheet 3 of the plans stating that the developer is seeking a deferred waiver for the installation of the sidewalks along Sheldon Road and Yost Road. Because there are no connecting sidewalks along Sheldon Road or Yost Road, we recommend deferring the requirement to install sidewalks. To that end, we recommend that the applicants submit funds in escrow or make a sufficient commitment to the Township for future sidewalk installation.

5. Parking and Loading. Parking requirements per Section 6.01(C) of the Zoning Ordinance are as follows:

| Standard | Applicable Measurement | No. of Spaces Required | No. of Spaces Provided |
|--|------------------------|------------------------|------------------------|
| <i>Wholesale/warehouse storage establishments (non-retail warehouse)</i> | | | |
| 5 spaces | | 5 | 5 |
| 1 space per 1,750 sq. ft. of gross floor area | ±6,863 square feet | 4 | 4 |
| 1 space per 350 sq. ft. of usable floor area of office/similar space | 337 square feet | 1 | 1 |

- a. **Loading Area.** The 28' by 57' concrete pad in front of the overhead doors will be the loading area for this site.
- b. **Barrier Free Spaces.** There is 1 barrier free space provided, which is sufficient for a parking lot of 1-25 spaces.
- c. **Double Striping.** Section 6.02(3) of the Zoning Ordinance requires parking spaces to be double-striped with 4-inch wide lines spaced 24 inches apart. This double striping is shown on the plans.
- d. **Curbing.** Sections 6.02(9) and (16) of the Zoning Ordinance require concrete curbing around the perimeter of a parking lot. The required curbing is shown.

6. Landscaping and Screening. Landscape plans are on sheets L-1 and L-2. Comments on individual landscaping requirements are as follows:

- a. **Landscaping Adjacent to the Right-of-Way.** Section 4.40(3)(b) of the Zoning Ordinance requires parking spaces adjacent to rights-of-way to be screened by a continuous landscape screen at least 3 feet in height (2.5 feet high at the time of planting) or a 3-foot high decorative screening wall. The parking areas are proposed to be screened on either side of the entrance, with 2 White Spruce trees (planted at 6 feet high) and 8 Sea Green Juniper shrubs (planted at 2.5 feet high) on each side. Additionally, one tree is required for each 50 linear feet of frontage, excluding driveway areas. The site has about 260 feet of frontage along Sheldon Road (**requiring 6 trees**) and about 200 feet of frontage along Yost Road (**requiring 4 trees**). There are a sufficient number of trees located in the front yard areas, but we recommend that the landscape plans include a table that indicates which trees meet this requirement.
- b. **Vehicular Surface Area Landscaping.** Landscaping around parking areas is required to provide aesthetic value and natural circulation patterns on the site. Interior landscaping shall account for a minimum of 5% of all paved areas. Each separate landscaped area shall be a minimum of 360 square feet in area and contain at least 1 tree. A tree shall be planted for each 100 square feet of interior landscaping and shall be planted within the landscaped islands. The plans state that the parking area is 5,838 square feet in size, so 290 square feet of landscaped area and **3 trees are required**. There is a sufficient landscape area and number of trees surrounding the parking lot to meet this requirement. However, we recommend that the landscape plans include a table that indicates which trees meet this

requirement.

- c. **General Landscaping.** A mixture of evergreen and deciduous trees shall be provided at the rate of 1 tree for each 3,000 square feet of landscaped open space area. Although Sheet L-2 of the site plan states that there is 52,783 square feet of open space area (thus requiring 18 trees), the required open space areas typically exclude rights-of-way, detention ponds, and other areas for which landscaping requirements already apply. Therefore, the open space area is likely far less than 52,783 sq. ft. We recommend that the applicant recalculate the open space areas and ensure that the required number of trees are shown on the plans. If additional trees are required, there is sufficient area on the site to plant them.
 - d. **Size of Plant Materials.** Section 4.41 of the Zoning Ordinance lists the suggested plant materials and required sizes. The proposed materials are generally at the minimum recommended size at planting, with the expectation of quick growth. The Japanese Lilac Tree is proposed at 1 ½ inch caliper, but Section 4.41(1) required deciduous trees to be at least 2.5" diameter at breast height (D.B.H.).
 - e. **Storm Water Ponds.** Section 4.40(3)(o) of the Zoning Ordinance requires that detention ponds have trees and plantings around the perimeter, and several of the required trees and shrubs are used to meet this requirement. The bio-swale is planted with a mixture of groundcover and perennial species native to Michigan. Details for these materials are included on Sheet 5 and the landscaping plans. Section 4.56 of the Zoning Ordinance requires a pond to have aeration/mosquito control and fencing for safety. The method of mosquito control must be shown on the plans. The fencing must be decorative black wrought iron-appearing, though the Planning Commission can approve alternatives if it finds them to be more compatible with the site's surroundings. Because the pond is a bio-swale and no residential areas are nearby, an alternative barrier may be reasonable depending on the typical volume and depth of water in the bio-swale. We will defer to the recommendation of Township staff and the Township Engineer.
 - f. **Maintenance.** Per Section 4.42 of the Zoning Ordinance, provisions for irrigation and maintenance of landscape material must be noted.
7. **Fences.** A 6-foot high fence is proposed around the building and yard areas. Sheet 6 includes the details of the fence, which is proposed to be a 6-foot high chain link fence with fabric. Section 4.30(f) of the Zoning Ordinance requires fences in nonresidential districts to be constructed of ornamental/decorative materials such as rod and rail or stockade. Section 4.30(f) only permits the Planning Commission to approve non-decorative materials if the fence is located in the rear and not directly visible from public rights-of-way. Because the sides of the fence facing Sheldon Road and Yost Road will be visible from the right-of-way, these sides must be constructed of ornamental/decorative materials.
 8. **Trash Disposal.** Sheet 3 of the site plan states that the site will not have a dumpster and that a roll out trash container will be utilized and stored inside the building.
 9. **Lighting.** Sheet L201 contains the photometric plan, which shows no off-site light trespass. The fixture specifications are described on the plans and cut sheets were submitted. We recommend that only the full cutoff fixtures shown in the cut sheets be approved.

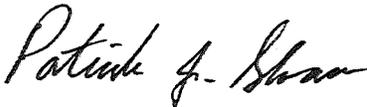
10. **Signs.** Sheet 3 of the plans states that no signage is proposed at this time. Any signage proposed in the future will be reviewed administratively for compliance with the Zoning Ordinance.
11. **Tree Removal Permit.** The applicant does not propose to remove any trees and thus a tree removal permit will not be required.

RECOMMENDATION

Although there are still some items that require correction or revision, we believe these items can be handled during final site plan review because the use and layout of the site complies with the Zoning Ordinance. Therefore, we recommend that the Planning Commission approve the preliminary site plan with the following conditions:

1. Building material samples be presented to the Planning Commission for review and approval.
2. The installation of sidewalks be deferred by either the applicants submitting funds in escrow or making a sufficient commitment to the Township for future sidewalk installation.
3. The landscape plans include a table that indicates which trees meet the applicable requirements (i.e., front yard landscaping, parking lot landscaping, and open space landscaping).
4. The open space area be recalculated to exclude rights-of-way, detention ponds, and other areas for which landscaping requirements already apply, and that the required number of trees be included on the plans.
5. The size of the Japanese Lilac Tree be increased to at least 2.5" D.B.H.
6. An acceptable method of mosquito control for the detention pond be included on the plans.
7. The pond area be surrounded by decorative fencing or an alternative barrier to be determined at or before final site plan review.
8. The landscape plans include provisions for irrigation and maintenance pursuant to Section 4.42.
9. The proposed fence be constructed of ornamental/decorative materials on the north and west sides pursuant to Section 4.30(f) of the Zoning Ordinance.
10. The light fixtures be full cutoff fixtures only.

Respectfully submitted,
McKENNA ASSOCIATES



Patrick J. Sloan, AICP
Senior Principal Planner

- c: Ron Akers, Van Buren Township Director of Planning & Economic Development
Matt Best, Van Buren Township Deputy Director of Planning & Economic Development
David Nummer, Wade Trim, Township Engineers
David McNally, Van Buren Township Fire Marshal
Matthew Diffin, Diffin-Umlor at mdiffin@diffin-umlor.com
Nicholas Mendenhall, Schonscheck, Inc. at nick@schonscheck.com



WADE TRIM

December 9, 2016

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

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

Re: Denski Warehouse
Recommendation for Preliminary Site Plan Approval

Dear Ms. Thompson:

At your request, we have reviewed the preliminary site plan package dated November 30, 2016 for the proposed warehouse building located at 5809 Sheldon Road in Van Buren Township. The Project involves the construction of a 7200-SF warehouse building with supplemental parking, utilities, and storm water management. Our comments on the preliminary site plan are as follows:

General

While the subject site is located within Van Buren Township, the closest available public utilities (water and sanitary) to service the building are located northwest in Canton Township. We understand the Township has approved the connections to be located outside of their jurisdiction, and that Canton Township shall be permitting the connections to their system. We feel that the proposed site layout will not impede the orderly buildout and extension of the Van Buren Township public systems.

Water Main

Due to the connection to Canton Township public water main, the water service shall comply with and be reviewed by Canton Township. We understand that the proposed layout has been evaluated and found acceptable for fire protection with respect to the existing hydrants in proximity.

Sanitary Sewer

Due to the connection to Canton Township public sanitary sewer, the sanitary lead shall comply with and be reviewed by Canton Township.

Wade Trim Associates, Inc.
25251 Northline Road
P.O. Box 10
Taylor, MI 48180

734.947.9700
800.482.2864
734.947.9726 fax
www.wadetrim.com



Storm Water Management

A bio-retention area sized to handle the 10-year storm for the site has been proposed. It appears that an initial review by Wayne County Department of Public Services has been performed. While the bio-retention area is sized in compliance with Van Buren Township standards, in the event that it must increase in size, there is adequate open space on site to accommodate it.

Site Layout/Grading

Site access is provided off Sheldon Road and the configuration of the proposed parking lot provides for adequate vehicular and pedestrian circulation to the building. A curbed perimeter is proposed around the entire paved area, and all parking stalls are double striped. A pavement cross-section in compliance with Van Buren Township standards has been proposed. The site has preliminary grading which directs all site storm water through the storm water management system and ultimately to the McKinstry Drain.

It is noted that the Developer has requested a deferred waiver for the installation of sidewalks along Sheldon and Yost Roads.

Recommendation

We are recommending that the Planning Commission grant preliminary site plan approval at this time. The Developer should be aware that, following preliminary approval, a detailed engineering review will be required as a prerequisite to final site plan approval. If you have any questions regarding this project, please contact our office at 734.947.2793.

Very truly yours,

Wade Trim Associates, Inc.



Carmelle G. Tremblay, EIT



David M. Nummer, PE

DMN:CGT;jel
VBN 2273-01T
[12082016Thompson.docx](#)

cc: Mr. James Taylor, Director of Public Works
Mr. Ron Akers, Director of Planning and Economic Development
Mr. Mathew Best, Deputy Director of Planning and Economic Development

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

Van Buren Fire Department
46425 Tyler Rd
Belleville, MI 48111



November 30th 2016

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

Re: 16-038
Denski Warehouse
5809 Sheldon Rd
Belleville MI

Project Overview:

I have reviewed the revised site plan for proposed warehouse building. **NFPA 1 2012** and **NFPA 101-2012** were used for this review.

1. A Knox Box is required on building. Location to be determined by Fire Marshal prior to install.
NFPA 1 16.3.4.3
2. **An updated digital cad layout** of the warehouse/site will need to be emailed to this department prior to completion of project.
3. NFPA 101 chapter 42 storage occupancies were used for this review. All exit discharge; lighting and life safety requirements of this chapter shall apply.
4. Phone message was left with Nicholas Mendenhall at Schonscheck, Inc. It was to let him know that NFPA is the adopted fire code for Van Buren Township, and any construction plans will need to reference them when addressing life safety.

Plan is still approved as submitted with above exceptions

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

Respectfully submitted,

David McInally
Fire Marshal

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.

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 Update –Article 9 (Parking, Loading, and Access Management) and Article 11 (Signs).

DATE: December 9, 2016

Introduction. At the September 28, 2016 Planning Commission meeting, we discussed the ongoing updates to the existing Zoning Ordinance and proposed a series of 6 meetings to review all of the proposed articles. So far, the following meetings have been held:

- **Meeting 1 (October 12th):** Review of Article 12 (Administrative Procedures), Article 13 (Administrative Organization), and Article 14 (Nonconformities).
- **Meeting 2 (October 26th):** 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 9th):** Review of Article 8 (Environmental Performance) and Article 10 (Landscaping and Screening).

At the upcoming meeting on December 14, 2016, we will review Article 9 (Parking, Loading, and Access Management) and Article 11 (Signs).

Please note that each section of the Draft Zoning Ordinance includes a reference of the current section of the existing Zoning Ordinance or a reference that it is a new section. This will allow the user to refer to the existing Zoning Ordinance. Proposed deletions are located in the margins and proposed additions are underlined.

Major Changes Proposed. The following are the major changes proposed to Articles 9 and 11:

Article 9. Parking, Loading, and Access Management. This is a new article that includes the existing parking and loading regulations, and builds on those regulations by adding access management provisions that include standards for driveways, cross access easements, and sidewalks. The significant changes proposed are as follows:

- **Shared Parking.** Currently, the Planning Commission may permit two (2) or more buildings to share parking, provided the parking lots shall not be less than the sum of the requirements for the individual uses. We propose provisions allowing for fewer spaces if the peak parking times of the uses are different. For example, a shared parking lot between an office and a bar could have fewer spaces because the peak parking of the office is during a weekday and the peak parking of the bar is at nighttime. In determining whether to grant fewer parking spaces, the most recent edition of Parking Generation published by the Institute of Traffic Engineers (ITE) or other acceptable standard must be used. Parking Generation includes several parking studies for most land uses that include data on peak times and proportions of parking to the floor area of the use.

- **Maximum Parking Allowed.** Currently, the number of spaces in a parking lot cannot be exceeded the minimum number of spaces by more than 20% unless the Planning Commission allows a greater number based on documented evidence. We have added language citing the most recent edition of Parking Generation as an acceptable standard because we have used Parking Generation in many cases to either approve or deny a larger parking lot.
- **Minimum Parking Required.** The Planning Commission is currently permitted to lower the minimum number of required parking spaces based on a reasonable standard that accounts for current or future employment and/or level of current or future customer traffic. We have added language citing the most recent edition of Parking Generation as an acceptable standard because we have used Parking Generation in many cases to either approve or deny a smaller parking lot.
- **Required Parking for Uses Not Provided in the Zoning Ordinance.** The table of required parking spaces based on land use has been revised based on how current standards compare to Parking Generation. Most of the changes are minor and will require fewer parking spaces for most uses. Again, because the Planning Commission retains the right to increase or decrease the required number of parking spaces, nonconformities can be resolved without the requirement for the applicant to go to the Board of Zoning Appeals.
- **Curbing.** Currently, 3 different sections of the Zoning Ordinance address curbing requirements, so they are consolidated into 1 section in this Article.
- **Landscaping.** Currently, there are several paragraphs of text in the parking regulations that address landscaping. This text will be deleted and replaced with a reference to the landscaping and screening requirements of Article 10 where parking lot landscaping is addressed.
- **Lighting.** The lighting standards will be deleted and replaced with a reference to the lighting requirements of Section 8.105 where parking lot lighting is addressed.
- **Driveways and Access Management.** The new section on driveways is relocated and modified from current Section 16.07B(2), which are the access management requirements of the Ecorse Haggerty Road Overlay District (EHROD). These standards were relocated and modified because they are very good standards that have broad applicability. Driveway access can be a difficult topic for the Planning Commission to convey to the applicants, so written standards will help the Township in that regard. The requirements for driveways include limits on numbers of driveways, spacing, and design standards for service roads and shared driveways. However, the Planning Commission is permitted to modify the standards based on a list of criteria, so the standards have flexibility where required. Finally, provisions have been added permitting the Planning Commission to require a traffic impact study.
- **Sidewalks.** The requirement for sidewalks is currently in the General Ordinances. The proposed section in this part of the Zoning Ordinance combines existing Section 16.07B(10) of the EHROD and Section 14.05(2)(b) of the OT District. Both sections include reasonable sidewalk standards that should be applied to all developments in the Township. At the same time, both sections allow for flexibility by the Planning Commission for the location of interior sidewalks and this flexibility is maintained in the proposed general standard.

Article 11. Signs. This article includes all of the sign provisions of current Section 4.23. There are many user-friendly changes proposed such as additional graphics, more detailed sign definitions and descriptions, and a table of regulations for each zoning district. In addition to these changes, we are also required to make changes to the standards that are currently based on the content of the message or the speaker. In June of 2015 the U.S. Supreme Court decided a case where it held a municipality's sign ordinance unconstitutional because it violated the First Amendment by regulating non-commercial signs based on the content of the message and the speaker. As a result of this decision, each community in the United States must review its sign regulations to determine if it regulates signs in accordance with the Court's decision

and, if not, how to legally amend its ordinance. Because the Court's decision was unclear on many content-related standards (e.g., whether communities can still regulate on-site commercial signage different than off-site commercial signage), content-based regulations will differ between communities.

Please note we included several editorial notes in the margins of the draft Zoning Ordinance to better describe the changes proposed and the rationale.

- **Purpose and Intent.** The new text of this section is a compilation of model sign codes referenced in the Michigan Sign Guidebook, which published by Scenic Michigan and the Planning & Zoning Center at MSU. This section addresses Public Safety, Community Aesthetic Quality and Character, Free Speech, Effective Communication, Economic Development, and Ease of Administration.
- **Definitions.** The section of sign definitions is split into 2 sub-sections: 1 sub-section that defines each type of sign, and 1 sub-section defining other sign-related terms:
 - **Sign Type Definitions.** While most of the terms defining signs by type are kept, many changes are proposed to better clarify these terms including adding graphics. New terms were added to define signs that exist even if they will be prohibited in the township. All of the terms define the sign by the type without addressing the content of the sign, and all references to content have been removed. By thoroughly defining sign types, it will become much easier to regulate them or prohibit them.
 - **General Definitions.** Most of the general definitions related to signs are the same or have minor changes, but the following 3 definitions were added with respect to content: Non-Commercial Sign, On-Premise Commercial Sign, and Off-Premise Commercial Sign. These terms are highlighted in this section and throughout the article to call out where content is regulated. We will defer to the Township Attorney regarding the degree to which the Township can consider content. For example, it is unlawful for an ordinance to regulate political signs different from any other sign with non-commercial content. Therefore, by having a general definition of "Non-Commercial Sign" there will be no distinctions between non-commercial messages.
- **Substitution Clause.** Every ordinance regulating signs should have a substitution clause, which permits any lawful sign to contain a non-commercial message. Because it is unlawful for the government to favor commercial speech over non-commercial speech, the substitution clause will allow a sign intended for commercial speech to also permit non-commercial speech.
- **Measurement of Sign Area and Height.** While the standards for measuring signs are mostly the same, a few minor edits are proposed to clarify how to measure certain areas and heights.
- **Prohibited Signs in All Zoning Districts.** Many changes to this section are proposed based on sign types that are not addressed in the Zoning Ordinance but are typically prohibited such as Animated Signs, Festoons and Air-Activated Signs (except holiday decorations), Projector-Image Signs, and Commercial People Signs. Because these terms are defined earlier, they are easier to regulate.
- **Exempt Signs Permitted in All Zoning Districts.** This section also includes many changes based on sign types that are commonly exempt from regulations such as government signs, traffic control signs, address numbers (provided maximum areas are not exceeded), decorations commemorating a holiday, and non-commercial flags. Limiting the size and number of non-commercial flags can be controversial, so we do not recommend doing so in the sign regulations. Flagpole height and setback are regulated in the General Provisions (Article 9).
- **Zoning Districts Regulations.** The best way to regulate different types of signs in different areas is to do so by zoning district. Although there are currently sign regulations applicable to certain zoning districts, we recommend making them more comprehensive. Section 11.108 includes a table for each of the following groups of zoning districts that regulates sign type (with minimum references to content), number, height, area, and setbacks. As you see in the editorial comments in the margin of the draft Zoning Ordinance, many of the regulations are the same or similar to the existing regulations. However, they are formatted in a manner that is easy to interpret and administer.

- **AG, R-1, R-2, RM, and RMH Districts.** The sign regulations of these districts are split into 2 different use classifications: 1) single-family, duplex, triplex, and quadplex uses; and 2) residential developments and non-residential uses. Because governments are very limited in their ability to regulate signs differently based on land use, we recommend making the groups of land uses as large as possible. For example, under the current standard, entrance signs to residential developments are different from other non-residential uses in the same zoning district. Because this regulation could be challenged, we recommend grouping a large class of uses together and regulating them the same.
- **C, C-1, C-2, and FS Districts.** Currently, there are regulations unique to the C district, and we recommend preserving those differences. However, where possible, the regulations of the C, C-1, C-2, and FS districts were merged. The current sign regulations for commercial districts permit a maximum overall sign area, which creates conflicting standards. For example, while a business may be permitted wall signage according to the building frontage and monument signage according to the lot frontage, the total sign area can be reduced based on the lot frontage. This creates competing standards that are unnecessary if wall signage and monument signage can be appropriately sized. Therefore, we recommend deleting overall sign limitations for a lot and instead put limits based on sign types. This change will make the sign regulations easier to administer and understand in the commercial zoning districts.

The commercial district sign regulations also attempts to correct some use-specific standards that could be challenged. For example, drive-thru restaurants are currently allowed more signage for a menu board while other commercial drive-thru uses (banks, pharmacies, etc.) are not allowed additional signage because they don't have a menu. We recommend that an additional freestanding sign be permitted for any use in these districts with an approved drive-thru lane.

- **OT District.** The regulations for signs in the OT District are mostly the same. The changes include 10-foot minimum setbacks from a lot line, location requirements for directional signage, and new provisions for temporary signs that are more descriptive.
- **M-1, M-T, M-2, and AP Districts.** The regulations for signs in the M-1, M-T, M-2, and AP Districts are mostly the same. The changes include 10-foot minimum setbacks from a lot line, location requirements for directional signage, and new provisions for temporary signs that are more descriptive.
- **Billboards.** Although there is a new sub-section that only permits billboards in the M-2, M-T, and M-2 zoning districts, this requirement is take from the existing Sign Schedule of Regulations. Therefore, the zoning district regulations for billboards won't change.
- **Illumination and Changeable-Copy.** The illumination and changeable-copy standards of several sections of the Zoning Ordinance are consolidated into Section 11.114. The frequency of 1 message change per hour is retained and new standards were added to require the change to be instantaneous with no movement or animation. New internal illumination standards are proposed, which limit the maximum luminance to the ambient light at all times except that the luminance level shall not exceed 700 nits (approximately 7% brightness) from 30 minutes before dusk until dawn. At nighttime, very little illumination is required for visibility. Finally, all electronic message center signs and internally illuminated signs must be equipped with a photocell and automatic dimmer.
- **Appeals.** The proposed appeals standards in Section 11.116 are in addition to the variance standards of Article 12, Chapter 4, and address standards unique to signs such as visibility, obstructions, traffic safety, and natural features.
- **Severability.** This is a new sub-section that cross-references the existing severability standards of the Zoning Ordinance which means that if one section is adjudged unconstitutional or invalid, the remainder of the Zoning Ordinances is not affected.

We look forward to reviewing these articles with you at the December 14, 2016 Planning Commission meeting.

Article 9 Parking, Loading, and Access Management

Section 9.101 Off-Street Parking Requirements (currently 6.01)

In all zoning districts, off-street parking for the keeping and parking of self-propelled motor vehicles shall be provided at the time of erection or enlargement of any main building or structure. The number of off-street parking spaces, in conjunction with all land or building uses, shall be provided prior to the issuance of a certificate of occupancy as hereinafter prescribed.

- (A) **Parking Location.** Off-street parking spaces may be located within a side or rear yard and within the rear setback unless otherwise provided in this Ordinance. Off-street parking is prohibited within an established front yard or within an established side yard setback unless otherwise provided in this Ordinance.
- (B) **Non-Residential.** Off-street parking for nonresidential uses shall be either on the same lot or within three hundred (300) feet of the building it is intended to serve, measured from the nearest public entrance to the building to the nearest point of the off-street parking lot, except as may be provided for by this Ordinance.
- (C) **Residential.** Required residential off-street parking spaces shall consist of a parking strip, parking bay, driveway, garage, or combination thereof, and shall be located on the premises they are intended to serve. Such parking spaces shall also be subject to the provisions of Article 7, Chapter 2 in residential districts.
- (D) **Residential Restrictions.** Parking is prohibited on a residential front or side lawn, easement, or public right-of-way. Vehicles may only be parked in those areas designated as parking areas. Such designated areas, when located within a subdivision or condominium development, must be surfaced with concrete, asphalt, or a similar material that is durable, smooth, and dustless.
- (E) **Limits on Changes.** Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities meeting the standards of this article are provided elsewhere or the parking requirements of the site change.
- (F) **Existing Parking.** Off-street parking existing at the effective date of this Ordinance, in connection with the operation of an existing building or use, shall not be reduced in size to an amount less than hereinafter required for a similar new building or new use.
- (G) **Shared Parking.** Collective provision for off-street parking facilities for two (2) or more buildings or uses may be permitted by the Township, so long as collective provisions are not in conflict with other provisions of this Ordinance. Such facilities shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with Section 9.102 herein unless the owner(s) can submit a parking study demonstrating that fewer parking spaces are acceptable based on different peak parking times for the respective buildings or uses. In determining whether to allow fewer parking spaces in a shared parking lot, the Planning Commission shall consult the most recent edition of the Parking Generation.

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Article 9: Parking, Loading, and Access Management

published by the Institute of Traffic Engineers (ITE), or other acceptable standard. Adequate pedestrian access shall be provided between the shared parking lot and the associated buildings and uses.

A written shared parking agreement between joint users in a form approved by the Planning Commission and Township attorney shall be recorded with the Wayne County Register of Deeds. The agreement shall assure the continued availability of the off-site parking facilities for the uses it is intended to serve.

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(H) Parking Deferment. Where the property owner can demonstrate or the Planning Commission finds that the required number of parking spaces is excessive and the proposed parking will meet the demand for the proposed use, the Planning Commission may approve fewer parking spaces provided the following conditions are met:

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(1) That a reserved area be shown on the site plan of sufficient size to meet the parking space, circulation, and maneuvering requirements of this article, including dimensions and dotted parking lot layout. The reserved area shall be retained as open space.

(2) The reserved area designated as deferred parking shall be on the same lot as the principal use.

(3) The reserved area proposed shall not be in a required setback, required landscape area, or required greenbelt.

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<#>The site plan shall show the area where parking is being deferred, including dimensions and dotted parking lot layout. ¶

(4) A written legal agreement, provided by the applicant, which has been approved by the Township attorney, shall include provisions to construct the deferred parking and the agreement shall be referenced on the site plan.

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(5) The legal agreement shall include provisions for the owner to construct the deferred parking at such time as there have been three (3) documented violations from the Building Department.

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(6) The Building Department may require posting of a performance guarantee to cover the estimated construction cost of the deferred parking with a refund in two (2) years if the additional parking is not found to be necessary.

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(I) Maximum Parking Allowable. In order to minimize excessive areas of pavement which depreciate aesthetic standards and contribute to higher rates of storm water runoff and higher micro temperatures, exceeding the minimum parking space requirements of Section 9.102 by greater than twenty percent (20%) is prohibited, except as approved by the Planning Commission. In its request for additional parking spaces, the applicant must submit a parking study to the Planning Commission demonstrating that additional parking spaces are needed based on the nature of the use and/or peak times thereof. In determining whether to grant additional parking spaces, the Planning Commission shall also consult the most recent edition of the Parking Generation, published by the Institute of Traffic Engineers (ITE), or other acceptable standard,

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Article 9: Parking, Loading, and Access Management

(J) Minimum Parking Required. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the schedule contained in Section 9.102 herein; however, the Planning Commission may modify the numerical requirements for off-street parking based on evidence that another standard would be more reasonable based of the level of current or future employment and/or level of current or future customer traffic. In determining whether to permit fewer parking spaces, the Planning Commission shall consult the most recent edition of the *Parking Generation*, published by the Institute of Traffic Engineers (ITE), or other acceptable standard.

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(K) Required Parking for Uses Not Provided. In the case of a use not specifically provided for herein, the Planning Commission shall determine the off-street parking requirements for such use based on the most recent edition of the *Parking Generation*, published by the Institute of Traffic Engineers (ITE), or other acceptable standard applicable for that use or a similar use,

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(L) Limits on Storage. The storage of merchandise or vehicles for sale, including automobiles, trucks, and recreational vehicles, or the repair of vehicles is prohibited in a parking area. The use of semi-trailers for storage purposes on the premises within a commercial, office, or similar zoning district for five (5) or more consecutive days is prohibited. Semi-trailers for storage purposes shall not be permitted in any residential zoning district. This provision shall not prohibit residing property owners and/or tenants from displaying personal vehicles for sale on the premises for no more than thirty (30) consecutive days. (Refer to Section 7.121)

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(M) Snow Removal and Storage. All off-street parking and loading facilities required by this Article shall be maintained free of accumulated snow, standing water, debris or other materials which prevent full use and occupancy of such facilities in accordance with the intent of the Article, except for temporary periods of no more than five (5) days in the event of heavy rainfall or snowfall. All parking lots shall have adequate areas for snow storage that do not interfere with the required parking or circulation.

(N) Parking Structures. Parking structures serving an on-site use or as a shared parking area pursuant to Section 9.101(G) shall be permitted only in the RM, C, C-1, C-2, and OT Districts. All parking structures shall comply with the required setbacks for the district in which it is located, be designed as an integral element of the site plan, and be compatible in design, color, and type of material as the principal building on site.

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(O) Carports and Garages. In multiple-family developments, each parking space in a carport or garage shall be counted in meeting the parking space requirement on a one-to-one basis. Carports and garages in multiple-family dwelling developments shall have a maximum height of fourteen (14) feet, measured from the grade to the peak of the structure. Carports shall be at least partially screened on any side facing a public or internal street or drive unless the side is used for entrance and exit.

(P) Changes in Use. Should the use of the land or building change, the parking shall be provided based on the new use(s). For example purposes only, should an approved elderly housing facility for independent or dependent are convert to general occupancy, the parking shall be provided based on the requirements for multiple-family dwellings.

Article 9: Parking, Loading, and Access Management

(Q) **Parking Measurement Standard.** When units of measurement determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half (½) shall be disregarded and fractions over one-half (½) shall require one (1) parking space.

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(R) **Parking Calculation Standard – Floor Area.** For the purpose of computing the number of parking spaces required based on floor area, the definition of usable floor area shall govern unless otherwise stated in this Ordinance.

(S) **Parking Standard – Linear Seating.** For the purpose of computing the number of parking spaces required based on benches, pews, or other linear seating, each twenty-four (24) inches of benches, pews, or other such linear seating shall be counted as one (1) seat.

~~Deleted: In calculating bench seating for places of assembly,~~

(T) **Parking Standard – Employee Based.** For the purpose of computing the number of parking spaces required based on the number of employees, the parking shall be calculated based on the number of employees likely to be on the premise during the peak shift.

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Section 9.102 Minimum Number of Parking Spaces Required

The minimum number of parking spaces required for each use is stated in Table 4 below.

Table 4. Minimum Number of Parking Spaces Required

| Minimum Number of Parking Spaces Required | |
|--|--|
| Land Use | Number of Parking Spaces Per Unit of Measure |
| (A) Residential | |
| (1) Single- or Two-Family Unit | Two (2) per dwelling unit. |
| (2) Multiple-Family Dwelling | Two (2) per dwelling unit for the first twenty (20) units plus one and a half (1.5) per each dwelling unit thereafter. |
| (3) Housing for the Elderly: Independent Living | One and a quarter (1.25) per dwelling unit plus one (1) per employee. |
| (4) Housing for the Elderly: Dependent Living | |
| (a) Congregate Care | One (1) per two (2) units plus one (1) per employee in the largest shift. |
| (b) Assisted Living | One (1) per four (4) residents plus one (1) per employee in the largest shift. |
| (c) Nursing/Convalescent | One (1) per four (4) beds plus one (1) per employee in the largest shift. |
| (5) Mobile Home Parks | Two (2) per mobile home site and one (1) per employee of the mobile home park plus one quarter (0.25) per unit for visitor parking which shall be located convenient to the area served. |
| (B) Institutional | |
| (1) Religious Institutions and Places of Indoor Assembly | One (1) per three (3) seats or six (6) feet of linear seating in the main assembly area for areas with fixed seating plus one (1) per two (2) employees. For facilities without fixed seating, (1) per twenty (20) square feet in the main assembly area plus one (1) per two (2) employees. |
| (2) Hospital | One (1) per two (2) beds plus two (2) per three (3) employees on the largest working shift. |

Commented [PS197]: This table was revised based on our review of how current standards compare to Parking Generation, which is published by the Institute of Traffic Engineers and provided several examples based on use and size.

~~Deleted: Two (2) per dwelling unit plus 0.25 per bedroom for visitor to be evenly distributed throughout the off-street parking area. Each phase shall comply with these regulations.~~

~~Deleted: One and a quarter (1.25) spaces per each one (1) bedroom unit and 1.5 spaces per each two (2) or more bedroom units plus one (1) per employee in the largest shift.~~

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Article 9: Parking, Loading, and Access Management

| Minimum Number of Parking Spaces Required | |
|--|--|
| Land Use | Number of Parking Spaces Per Unit of Measure |
| (3) Elementary and Junior High Schools (Grades K-8) | One (1) per teacher, employee, or administrator <u>plus one (1) per classroom.</u> |
| (4) High School (Grades 9-12) | One (1) per teacher, employee, or administrator <u>plus one (1) per three (3) students.</u> |
| (5) Private Clubs or Lodge Halls | One (1) per three (3) <u>seats or six (6) feet of linear seating in the main assembly area for areas with fixed seating plus one (1) per two (2) employees.</u> For facilities without fixed seating, (1) per twenty (20) square feet in the main assembly area <u>plus one (1) per two (2) employees.</u> |
| (6) Golf Course Driving Range | <u>One (1) per tee.</u> |
| (7) Golf Course, Miniature | <u>Three (3) per hole.</u> |
| (8) Golf Course, Par Three | <u>Three (3) per hole.</u> |
| (9) Golf Course/Country Club | <u>Three (3) per hole plus one (1) per three (3) persons of total capacity where dining facilities are included.</u> |
| (10) Golf Course/Banquet Hall/Lounge | <u>One per two (2) seat, plus spaces required for golf course.</u> |
| (11) Swimming, Tennis Clubs or Similar Uses (Non-Commercial Operated by a Resident Organization) | <u>Three and a half (3.5) per one thousand (1,000) square feet of gross floor area plus three and a quarter (3.25) spaces per tennis court.</u> |
| (12) Fraternity or Sorority | One (1) per three (3) permitted active members allowed within the maximum occupancy load as established by local, county or state fire, building, or health code. |
| (13) Stadium, Sports Arena or Similar Place of Outdoor Assembly. | One (1) per four (4) seats or six (6) linear feet of benches. |
| (14) Day Care Facilities (Adult Day Care or Child Day Care) | One (1) per employee in the largest working shift and one (1) per ten (10) persons cared for at any one time, plus stacking spaces for five (5) vehicles with ten (10) feet by twenty (20) feet for each stacking space. |
| (15) Library | One (1) per three (3) persons allowed within the maximum load as established by local, county or state fire, building or health codes and one (1) per employee in the largest working shift. |
| (16) Public Recreation Centers | <u>One (1) per 200 square feet of gross floor area.</u> |
| (C) Business and Commercial | |
| (1) Shopping Centers | <u>Four and a half (4.5) per one thousand (1,000) square feet of gross floor area.</u> |
| (2) Vehicle Wash (Automatic) | One (1) per employee on the largest work shift. <u>Stacking for at least five (5) vehicles per car wash lane, plus two (2) parking spaces for each washing stall.</u> |
| (3) Vehicle Wash (Self-Service) | <u>Two (2) stacking spaces per washing stall, plus two (2) drying spaces per washing stall.</u> |
| (4) Beauty Parlor | <u>One (1) per employee plus two (2) per service chair.</u> |
| (5) Bookstore | One (1) per <u>225 square feet gross useable floor area.</u> |
| (6) Bowling Alley | <u>Two (2) per bowling lane and one (1) per employee in addition to the requirements for each accessory use, such as a restaurant or bar.</u> |

- Deleted:** In addition, one (1) for three (3) seats in the auditorium/multi-purpose room with fixed seating. For auditoriums/multi-purpose rooms without fixed seating, no less than one (1) for each three (3) persons allowed within ten (10) maximum occupancy load as established by local, county, or state fire, building or health codes.
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- Deleted:** In addition, one (1) for each three (3) seats in the auditorium/multi-purpose room with fixed seating. For auditoriums/multi-purpose rooms without fixed seating, no less than one (1) for each three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes.
- Deleted:** allowed with the maximum occupancy load as established by local, county or state fire, building or health codes.
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- Deleted:** One (1) space per every two (2) member families plus the requirements for any accessory uses plus one (1) per staff member on the largest shift.
- Deleted:** Five (5) spaces
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- Deleted:** 25,000 - 400,000 Five (5) spaces per 1,000 square feet gross leaseable area.¶
- ¶ 400,000 - 600,000 . 4.5 spaces per 1,000 square feet gross leaseable area.¶
- ¶ > 600,000 . Four (4) spaces per 1,000 square feet gross leaseable area. When a restaurant, lounge or other establishment whose primary business offers prepared food for sale or consumption on the premises or carry-out and is a part of a planned commercial (...)
- Deleted:** for each
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- Deleted:** Five (5) parking spaces per washing bay or coin operated) plus one (1) space for every two (2) persons working q...
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Article 9: Parking, Loading, and Access Management

| Minimum Number of Parking Spaces Required | |
|--|--|
| Land Use | Number of Parking Spaces Per Unit of Measure |
| (7) Dance Hall, Roller Skating Rink, Exhibition Halls, and Commercial Assembly Halls without Fixed Seats | One (1) per three (3) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes. |
| (8) Standard Restaurant (Sit Down without Liquor License) | One (1) per two (2) seats of legal capacity for the facility, plus one (1) per employee on the largest shift. |
| (9) Standard Restaurant (Sit Down with Liquor License) | One (1) per two (2) seats of legal capacity for the facility, plus one (1) per employee on the largest shift. |
| (10) Bars, Taverns, Lounges, Nightclubs | One (1) parking space per fifty (50) square feet of gross floor area. |
| (11) Fast Food Restaurants with Drive-Through | One (1) per two (2) seats of legal capacity for the facility and one (1) per employee on the largest shift, plus five (5) stacking spaces between the pick-up window and the order station and ten (10) stacking spaces which do not conflict with access to required parking spaces per order pickup station. If located within one-half (1/2) mile of an expressway, at least two (2) of the required spaces shall be longer spaces designated for recreational vehicles and semi-trucks. |
| (12) Carry-Out Restaurants or Delicatessen | Six (6) spaces plus one (1) space for each employee on peak shift. Parking areas devoted to the consumption of food on the premises shall be computed separately for such seating areas. |
| (13) Furniture and Appliance, Household Equipment, Repair Shops, Showroom of a Tradesperson or Decorator | One (1) per eight hundred (800) square feet of gross floor area and one (1) per two (2) employees, plus one (1) per company/commercial vehicle. |
| (14) Gasoline Service Station and Vehicle Service | One (1) per gas pump, two (2) per service area or stall, and one (1) per employee on peak shift in addition to any other on-site uses such as retail. In no instance shall a required parking space or its maneuvering area conflict with vehicles being fueled or serviced or awaiting to be fueled or serviced. |
| (15) Laundromats and Coin Operated Dry Cleaners | One (1) per two (2) washing and drying machines. |
| (16) Mortuary Establishments | One (1) per fifty (50) square feet of gross floor space and one (1) per employee, plus one (1) per funeral vehicle stored on the premises. |
| (17) Motel, Hotel, or Other Commercial Lodging Establishment | One (1) per guest or sleeping room and one (1) per employee, in addition to the requirements for each accessory use, such as a restaurant or bar. |
| (18) Motor Vehicle Sales and Service Establishments | One (1) per two hundred (200) square of gross floor space of interior sales room and two (2) per auto service stall in the service room. In no instance shall such a facility provide less than ten (10) parking spaces. Customer parking shall not be used for the storage or display of vehicles. |
| (19) Retail Stores (Individual Stores except as Otherwise Specified Herein) | |
| (a) Less than 25,000 square feet | One (1) per 200 square feet of useable floor area. |

Deleted: 14 spaces per 1,000 square feet of usable floor area or (.5) spaces per seat, whichever is greater, plus any spaces required for any banquet or meeting rooms.

Deleted: 22 spaces per 1,000 square feet of gross useable floor area.

Deleted: 25 spaces per 1,000 square feet of gross useable floor area.

Deleted: 22 spaces per 1,000 square feet of gross usable floor area.

Deleted: plus spaces for employees to a peak shift plus

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Deleted: Two (2) for each lubrication stall, rack, or pit; plus two (2) for each gasoline pump island, plus one (1) for each 200 square feet of gross floor space devoted to retail sales plus one (1) for each employee in the maximum shift. In no instance shall a required parking space or its maneuvering area conflict with vehicles being fueled or awaiting to be fueled.

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Article 9: Parking, Loading, and Access Management

| Minimum Number of Parking Spaces Required | |
|---|--|
| Land Use | Number of Parking Spaces Per Unit of Measure |
| (b) 25,001 to 50,000 square feet | One (1) per 200 square feet of useable floor area for the first 25,000 square feet plus one (1) per 250 square feet of useable floor area for the second 25,000 square feet. |
| (c) Greater than 50,000 square feet | One (1) per 200 square feet of useable floor area for the first 25,000 square feet, plus one (1) per 250 square feet of useable floor area for the second 25,000 square feet, plus one (1) per 350 square feet for each 25,000 square feet of useable floor area thereafter. |
| (20) Carry-Out Services (Excluding Restaurants) such as Dry Cleaner, Meat Markets, Bakeries, Clothing Repair, etc. | One (1) per thirty (30) square feet of floor area devoted to customer assembly and/or waiting area and one (1) per employee on peak shift. Any carry-out with food consumption on the premises shall be classified as a Carry-Out Restaurant or Delicatessen |
| (21) Pool or Billiard Parlors, Card Rooms, Arcades, or Other Similar Establishments | One (1) per three (3) persons of maximum occupancy as established by local, county, or state fire, building, or health codes, plus one (1) parking space per employee on peak shift. |
| (22) Drive-Through Establishments (Excluding Restaurants) | Eight (8) stacking spaces per drive-through lane in addition to the requirements for other principal or accessory uses such as a bank or pharmacy. |
| (23) Mini-Warehouse Facility | Two (2) for the manager's residence plus one (1) per twenty-five (25) storage units, to be located at the office at the storage complex. In no instance shall less than five (5) parking spaces be provided on-site. |
| (D) Offices | |
| (1) Banks | One (1) for each three hundred (300) square feet of gross floor space plus the required stacking spaces for any Drive Through Establishment (Excluding Restaurants). |
| (2) Business Offices and Professional Offices, excluding medical offices | One (1) per three hundred (300) square feet of ground floor area. |
| (3) Professional Offices of Doctors, Dentists, Similar Medical Professionals, Outpatient Care, and Urgent Care Facilities | One (1) per two hundred (200) square feet of gross floor area and one (1) per employee on peak shift. |
| (E) Industrial | |
| (1) Industrial Establishments, Light Manufacturing, Assembly, Production, and Processing, and Related Accessory Offices | Five (5), plus either one (1) per each 550 square feet gross floor area or one (1) per each employee at peak shift, whichever is greater. |
| (2) Research and Development and Testing Facilities | Five (5) plus four (4) per 1,000 square feet gross floor area plus one (1) per each employee at peak shift. |
| (3) Wholesale/Warehouse Storage Establishments (Non-Retail Warehouse) | Five (5) plus one (1) per 1,750 square feet of gross floor area plus one (1) per 350 useable square feet of office, sales or similar space. |
| (4) Distribution Center or Similar Facility | Five (5) plus one (1) per 1,500 square feet of gross floor area plus one (1) per 350 useable square feet of office, sales or similar space plus one (1) per truck or company vehicle operating from the premises. |

Deleted: Parking needs for areas devoted to the consumption of food on the premises shall be computed separately for such areas.

Deleted: One (1) per one hundred (100) square feet of gross floor space or one (1) for each two (2) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, whichever is greater.

Deleted: four (4) stacking spaces for each drive-up window, plus two (2) stacking spaces for each 24-hour teller

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Deleted: <#>Medical, Clinical, Outpatient Care, 24-Hour Urgent Care Facilities

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Deleted: computed on the basis of the greatest number of persons employed

Deleted: , plus one (1) space per 350 usable square feet of office, sales or similar space

Article 9: Parking, Loading, and Access Management

Section 9.103 Barrier-Free Parking Required

Each parking lot that services a building entrance, except single- or two-family residential or temporary structures, shall provide parking spaces for the physically handicapped which shall be located as close as possible to walkways and entrances. All parking lots shall be designed in conformance with Michigan State Act No. 1 of the Public Acts of 1996 as amended, and the Americans with Disabilities Act, as summarized in Table 5 below.

Table 5: Barrier-Free Parking Requirements

| Total Spaces Required | Barrier-Free Spaces Required |
|-----------------------|---|
| 1-25 Spaces | 1 Space |
| 25-50 | 2 Spaces |
| 51-75 | 3 Spaces |
| 76-100 | 4 Spaces |
| 101-150 | 5 Spaces |
| 151-200 | 6 Spaces |
| 201-300 | 7 Spaces |
| 301-400 | 8 Spaces |
| 401-500 | 9 Spaces |
| 501-1,000 | 2% of total |
| Greater than 1,000 | 20, plus one (1) for each 100 spaces over 1,000 |

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Section 9.104 Off-Street Parking Space Layout Standards, Construction, and Maintenance (currently 6.02)

Whenever the building of an off-street parking facility is required, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations.

Deleted: off-street parking requirements in Section 6.01 above require the

Plans for development of any parking lot must be submitted to the Township Planning Commission and must be approved by the Planning Commission prior to the start of construction. Construction shall be in accordance with the requirements of the Township engineer.

(A) Surface. The entire parking area, including parking spaces and maneuvering lanes, required under this Article shall be provided with asphaltic or concrete surfacing in accordance with specifications approved by the Township engineer. Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.

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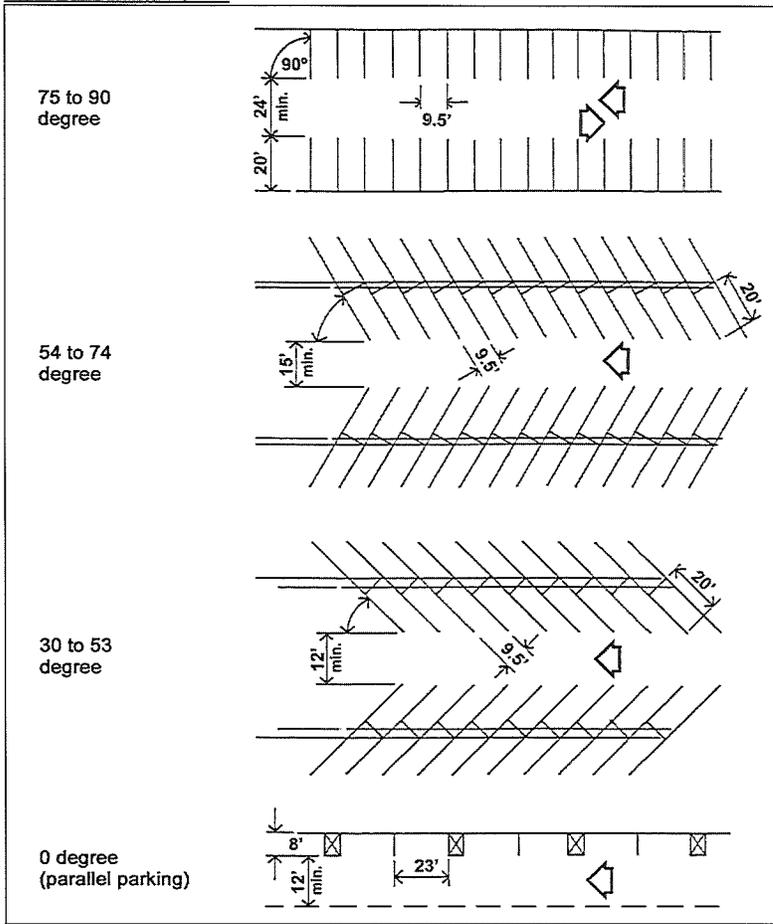
(B) Dimensional Layout. Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements:

Article 9: Parking, Loading, and Access Management

Table 6. Parking Layouts

| Parking Pattern | Maneuvering Lane Width | Parking Stall Width | Parking Stall Length | Total Wide of One Tier of Spaces Plus Maneuvering Lane | Total Wide of Two Tiers of Spaces Plus Maneuvering Lane |
|----------------------|------------------------|---------------------|----------------------|--|---|
| 0 Degrees (Parallel) | 12 feet | 8.0 feet | 23 feet | 20 feet | 28 feet |
| 30-53 Degrees | 12 feet | 9.5 feet | 20 feet | 32 feet | 52 feet |
| 54-74 Degrees | 15 feet | 9.5 feet | 20 feet | 35 feet | 55 feet |
| 75-90 Degrees | 24 feet | 9.5 feet | 20 feet | 44 feet | 64 feet |

Figure 6. Parking Layouts



Article 9: Parking, Loading, and Access Management

- (C) Double Striping. Except for parallel parking, all parking spaces shall be clearly striped with four (4) inch wide double lines, twenty-four (24) inches apart, to facilitate movement and to help maintain an orderly parking arrangement.
- (D) Shorter Parking Stall Length. The requirements for parking stall length may be reduced by two (2) feet where 90-degree parking abuts a sidewalk, other pavement, or sodded area at the front of the stalls provided such pavement or sidewalk measures a minimum of eight (8) feet in width, or at least two (2) additional feet of greenbelt are provided. This is to account for the vehicle overhang.
- (E) Stacking Space Dimensions. All stacking spaces shall be ten (10) feet wide by twenty (20) feet long. Stacking spaces shall not block parking aisles or circulation around a building.
- (F) Maneuvering Lane Width. All maneuvering lanes shall be of sufficient width to permit one-way traffic movement, except that 90-degree pattern shall permit two-way movement.
- (G) Maneuvering Lane Access. All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street, or requiring the use of a street for a maneuvering lane shall be prohibited. Parking spaces shall be clearly identified and marked with durable striping to distinguish the boundaries of the maneuvering lane and parking stalls.
- (H) Driveway Access. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles in accordance with Section 9.106. Ingress and egress to a parking lot lying in an area zoned for other than single-family residential use shall not be across land zoned for single-family residential use.
- (I) Curbs and Other Barriers. Except for those parking areas serving a single- and two-family dwelling unit, concrete curbs, sidewalks and other items as necessary for the protection of the public and adjoining properties shall be provided and maintained around all parking areas, including where parking spaces abut landscaping, property lines or required setback areas. The Planning Commission may approve an alternative design when opportunity exists to substantially improve the water quality of the site. In all cases where parking lots abut public sidewalks, a concrete curb at least six (6) inches high shall be installed so that a motor vehicle cannot be driven or parked within two (2) feet of a public sidewalk.
- (J) Storage Prohibited. Parking lots may not be used for the storage or parking of junked or wrecked vehicles of any type or used as a storage area for industrial equipment or material or used as a dump for refuse of any description. In addition, no motorized recreation vehicles or boats shall be parked or stored in off-street parking areas.
- (K) Driveway Distance from Single-Family Residential Zone. Each entrance and exit to and from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least twenty-five (25) feet distance from adjacent property located in any single-family residential district.
- (L) Landscaping and Screening. Parking areas shall be landscaped and screened pursuant to Article 10.

Commented [PS198]: The curbing requirement combines the requirements of 3 different sections in this Article that address curbing.

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Commented [PS199]: The Landscaping and Screening Article will include provisions for buffering, interior landscaping, and frontage landscaping.

Deleted: A masonry wall shall be provided on all sides of the off-street parking area abutting or adjacent to a residential district. The obscuring wall shall not be less than six (6) feet in height measured from grade of the residential property line. The wall shall be made of the same or compatible material in terms of texture and quality with the material and color of the principal building.¶

<#>¶

<#>All land between the required obscuring wall and the front property line or street right-of-way line shall be kept free from refuse and debris and shall be landscaped per Section 4.40.3(c). The ground shall be planted and kept in lawn. All such landscaping and planting shall be maintained in a healthy, growing condition, neat and orderly in appearance. ¶

<#>¶

The Planning Commission, upon application by the property owner of the off-street parking area, may waive or modify the wall requirement by approving either an earth berm or evergreen screen in its place. The Planning Commission may also waive the wall requirement of this Section. Location of a required wall shall be determined in accordance with the applicable provisions for side yards and building setback lines.

Article 9: Parking, Loading, and Access Management

- (M) ~~Lighting.~~ Parking areas shall be illuminated pursuant to *Section 8.105*.
- (N) ~~Maximum Parking Aisle Length.~~ Parking aisles shall not exceed three hundred (300) feet without a break in circulation.
- (O) ~~Attendant Shelter Building.~~ No parking lot shall have more than one (1) attendant shelter building. All shelter buildings shall conform to setback requirements for structures in the district in which it is located. These requirements shall not apply to toll booths or similar uses.

Section 9.105 Off-Street Loading and Unloading (currently 6.03)

On the same premises with every building, structure or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading and unloading in order to avoid undue interference with public use of dedicated rights-of-way. Such space herein defined as a loading space (zone) shall be provided as follows:

| Total Floor Area of the Building | Off-Street Loading Space Requirements |
|---------------------------------------|---|
| Office Use | |
| 0 - 10,000 square feet | One (1) usable loading space 10 ft. x 25 ft. in area |
| 10,001 - 50,000 square feet | One (1) usable loading spaces 10 ft. x 50 ft. in area |
| Over 50,000 square feet | Two (2) usable loading spaces 10 ft. x 50 ft. in area |
| Commercial and Industrial uses | |
| 0 - 1,400 square feet | One (1) usable loading 10 ft. x 25 ft. in area |
| 1,401 - 20,000 square feet | One (1) usable loading space 10 ft. x 50 ft. in area |
| 20,001 - 50,000 square feet | Two (2) usable loading spaces each 10 ft. x 50 ft. in area |
| Over 50,000 square feet | Three (3) usable loading spaces plus one (1) space for each fifty thousand (50,000) square feet in excess of fifty thousand (50,000) square feet each 10' x 50' in area |

- (A) All loading spaces shall be in addition to the off-street parking area access drive and maneuvering lane requirements.
- (B) Off-street loading space shall have a clearance of fourteen (14) feet in height.
- (C) Off-street loading space may be completely enclosed within a building or may occupy a portion of the site outside of the building, provided that where any portion of a loading space is open to public view from a public way, ~~the~~ space shall be screened in accordance with *Article 10*.
- (D) All loading and unloading in an industrial district shall be provided off-street in the rear yard or interior side yard and shall in no instance be permitted in a front yard. In those instances where exterior side yards have a common relationship with an industrial district across a public thoroughfare, loading and unloading may take place in ~~the~~ exterior side yard when the setback is equal to at least fifty (50) feet.

Section 9.106 Driveways and Access Management

Commented [PS200]: The lighting section will include standards for parking lot lighting.

Deleted: All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only and shall be installed in such a manner as to allow the reduction of the amount of light after normal parking hours each day. The height of light poles shall not exceed the height of the primary structure and shall conform to the lighting standards of Section 4.23(a).

Deleted: ¶
 <#>Internal parking lot landscaping shall be provided and designed in conformance with the requirements specified in Section 4.40.3 (b).¶

Deleted: Except for those serving single and two-family dwelling, all parking lots shall provide concrete curbing so that no part of a parked vehicle will extend beyond the property line or into required landscaped areas or pedestrians ways. The Planning Commission may approve an alternative design when opportunity exists to substantially improve the water quality of the site.¶

Commented [PS201]: The curbing and sidewalk requirement was relocated to an earlier sub-section to consolidate all of the related requirements.

Deleted: ¶
 <#>In all cases where parking lots abut public sidewalks, a concrete curb at least six (6) inches high shall be installed so that a motor vehicle cannot be driven or parked within two (2) feet of a public sidewalk.¶

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Deleted: *Article 10**Article 10*

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Commented [PS202]: This is a new section that was relocated and modified from current Section 16.07B(2), which are the access management requirements of the Ecorse Haggerty Road Overlay District (EHROD). These standards were relocated and modified here because they are very good standards that have broad applicability. Driveway access can be a difficult topic for the Planning Commission to convey to the applicants, so written standards will help the Township in that regard.

Article 9: Parking, Loading, and Access Management

The following driveway spacing, access management, and traffic impact requirements shall apply to all development except single-family and two-family homes.

(A) General Standards for Driveway Location. Driveways shall be located so as to minimize interference with the free movement of traffic, to provide adequate sight distance and to provide the most favorable driveway grade. Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the road authority and upon written certification from the adjacent property owner agreeing to such encroachment.

(B) Standards for the Number of Nonresidential Driveways. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway or a service drive. Where it is not possible to provide shared access, this access may be by a single driveway. One (1) additional driveway may be allowed for properties with a continuous frontage of over five hundred (500) feet and one (1) additional driveway for each additional five hundred (500) feet of frontage. The Planning Commission may determine additional driveways are justified due to the amount of traffic generated by the use without compromising traffic operations along the public street, based upon a traffic impact study submitted by the applicant.

(C) Driveway Spacing Standards.

(1) Between Driveways. The minimum spacing between two (2) nonresidential driveways on the same side of the road shall be based upon posted speed limits along the parcel frontage. The minimum spacings indicated below are measured from centerline to centerline. For sites with insufficient road frontage to meet the driveway spacing standards below, the Planning Commission may modify the spacing requirements.

| <u>Posted Speed Limit (Mile Per Hour)</u> | <u>Minimum Driveway Spacing (Feet)</u> |
|---|--|
| <u>30</u> | <u>155</u> |
| <u>35</u> | <u>185</u> |
| <u>40</u> | <u>225</u> |
| <u>45+</u> | <u>300</u> |

(2) Offsets. To reduced left-turn conflicts, new nonresidential driveways should be aligned with driveways or streets on the opposite side of the roadway where possible. If alignment is not possible, driveways should be offset a minimum of two hundred fifty (250) feet along an arterial roadway and one hundred fifty (150) feet along other roadways.

(3) Spacing from Intersections. Minimum spacing requirements between a proposed nonresidential driveway and an intersection either adjacent or on the opposite side of the street shall meet the following standards. For sites with insufficient road frontage to meet the intersection spacing standards below, the Planning Commission may modify the spacing standards.

Article 9: Parking, Loading, and Access Management

| Location of Driveway | Minimum Spacing for a Full Movement Driveway | Minimum Spacing for a Channelized Driveway Restricting Left Turns |
|---|--|---|
| Along an Arterial Road from intersection of another Arterial | 250 feet | 250 feet |
| Along an Arterial Road from intersection with a local street | 175 feet | 175 feet |
| <i>All measurements are from the near edge of the proposed driveway, measured at the throat perpendicular to the street, to the near land edge of the intersection street or pavement edge for uncurbed sections.</i> | | |

(D) Nonresidential Boulevard Entrance Driveway. When a boulevard entrance is proposed, a fully curbed island shall separate the ingress and egress lanes. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will normally use the driveway. The minimum area of the island shall be one hundred eight (180) square feet. The boulevard island shall be landscaped as Interior Parking Lot Landscaping pursuant to Section 10.103(B)(2), and such landscaping shall be tolerant of roadway conditions. Direct alignment of boulevard entrances is discouraged, unless a traffic signal is provided.

(E) Nonresidential Driveway Visibility. Nonresidential driveways shall meet the clear vision requirements of Section 7.108.

(F) Service Road or Shared Driveway Design Standards.

(1) Location. Shared driveways or service roads shall generally be parallel or perpendicular to the front property line and may be located either in front of, adjacent to, or behind, principal buildings. In considering the most appropriate alignment for a service road, the Planning Commission shall consider the setbacks of existing building and anticipated traffic flow for the site.

(2) Access Easement. Shared driveways and service roads shall be within an access easement recorded with the Wayne County Register of Deeds, which permits traffic circulation between properties. This easement shall be sixty (60) feet wide, except an access easement parallel to a public street in front of the building may be forty (40) feet wide. The required width shall remain free and clear of obstructions, and shall not be used for parking unless approved by the Planning Commission.

(3) Driveway Storage Length. A driveway storage area shall be provided between the intersection of the service drive with an arterial road and an internal circulation lane. The depth of the storage area shall be sufficient to accommodate expected vehicle queues. As a guideline, the minimum storage area should be at least sixty (60) feet. A larger or smaller storage area may be required depending upon the trip generation characteristics of uses served by the drive.

(4) Maintenance. Each property owner using a shared driveway or service drive shall be responsible for its maintenance. The Planning Commission shall require a copy of the

Article 9: Parking, Loading, and Access Management

maintenance agreement between all property owners responsible for the shard facility to ensure that an agreement is in place to provide adequate maintenance.

(G) Modification of Standards for Special Situations. During site plan review, the Planning Commission shall have the authority to modify the standards of this Section 9.106 upon consideration of the following:

- (1) The standards of this Section would prevent reasonable access to the site.
- (2) Access via a shard driveway or service/frontage road is not possible due to the presence of existing buildings or topographic conditions.
- (3) Roadway improvements (such as the addition of a traffic signal, center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.
- (4) The use involves the redesign of an existing development or a new use which will generate less traffic than the previous use.
- (5) The proposed location and design is supported by the Michigan Department of Transportation (MDOT) or Wayne County as an acceptable design under the existing site conditions. The Planning Commission may also request the applicant provide a traffic impact study to support the requested access design.
- (6) The modification shall be of the minimum amount necessary, but in no case shall spacing of a full-access driveway be less than sixty (60) feet, measured centerline to centerline.
- (7) Where there is a change in use or expansion at a site that does not comply with standards of this Ordinance, the Planning Commission shall determine the amount of upgrade needed in consideration of the existing and expected traffic pattern and the capability to meet the standards of this Ordinance to the extent practical.

(H) Traffic Impact Studies. The Planning Commission may require a traffic impact study (TIS) for all development proposals that it reviews. The TIS shall be accordance with and meet the standards of the Township. The TIS shall be submitted by the developer or applicant to determine the potential future traffic conditions on adjacent roadways once a proposed development is finished. TIS shall predict the peak-hour operational conditions at site driveways and road intersections affected by the development. The results of the TIS shall be used in the final design of access points and internal circulation and may identify necessary off-site road improvements. At a minimum, the TIS shall meet standards as published by the Southeast Michigan Council of Governments (SEMCOG) and MDOT in the handbook titled *Evaluating Traffic Impact Studies* and shall be found acceptable by the Planning Commission prior to being used.

Section 9.107 Sidewalks

All developments requiring site plan review shall provide sidewalks along all public streets and major thoroughfares. Interior sidewalks shall also be provided within the development to provide circulation between the parking areas and the public right-of-way: the parking areas and the building entrance(s):

Commented [PS203]: This section combines existing Section 16.07B(10) of the EHROD and Section 14.05(2)(b) of the OT District. Both sections include reasonable sidewalk standards that should be applied to all developments in the Township. At the same time, both sections allow for flexibility by the Planning Commission and this flexibility should be maintained in the proposed general standard.

Article 9: Parking, Loading, and Access Management

and adjacent development(s) where practical. Sidewalks shall be five (5) feet wide (unless a greater width is required elsewhere in this Ordinance) and shall conform to the Township engineering and sidewalk standards. The Planning Commission may modify the location of interior sidewalks during site plan review based on the adequacy of the on-site circulation.

Article 11 Signs (currently 4.23)

Section 11.101 Purpose and Intent (Currently 20.336)

The sign regulations in this Article are intended to balance the public and private interests. The purpose of this Article is to promote a safe, well-maintained, vibrant, and attractive community while accommodating the need for signs to inform, direct, identify, advertise, advocate, promote, endorse, and otherwise communicate information. To that end, the regulations of this Article allow for a variety of sign types and sizes. The objectives of this Article are:

- (A) Public Safety. To promote the free flow of motorized and non-motorized traffic and protect motorists, passengers, and pedestrians from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, or illegible signage that results in confusion and hindrance of vision. Also, to protect public safety by prohibiting or removing signs that are structurally unsafe or poorly maintained.
- (B) Community Aesthetic Quality and Character. To protect and enhance the physical appearance of the community (including the preservation of its historic and cultural resources, scenic areas and viewsheds, and the dark night sky) and property values by preventing blight, visual clutter, excessive lighting, and out-of-scale signage that degrade the aesthetic views and/or property values of the community. Also, to promote signage that contributes to the streetscape element and aids in creating a "sense of place," and to limit commercial signage in residential districts as a means of preserving the residential and aesthetic character of the district.
- (C) Free Speech. To ensure that the constitutionally guaranteed right of free speech is protected and to allow signs as a means of communication.
- (D) Effective Communication. To encourage the appropriate design, scale, and placement of signs in a manner that communicates effectively to the intended reader.
- (E) Economic Development. To allow for adequate and effective signage for businesses to inform, identify, and communicate effectively.
- (F) Ease of Administration. To have standards and administrative review procedures that are simple for property owners, tenants, and sign installers to understand and follow. Signs that are lawfully erected and maintained under the provisions of this Article are consistent with customary usage.

Section 11.102 Definitions (Currently 20.337)

The following words and phrases shall have the meanings set forth in this Section when they are used in this Section:

- (A) Sign Definitions, Sign Types. The following definitions apply to types of signs based on the characteristics of the sign without respect to the content of the message:

Commented [PS222]: The new text of this section is a compilation of model sign codes referenced in the Michigan Sign Guidebook, which published by Scenic Michigan and the Planning & Zoning Center at MSU.

Deleted: It is hereby determined that regulation of this location, size, placement and certain features of signs is necessary to enable the public to locate goods, services and facilities without difficulty and confusion, to promote traffic safety, safeguard public health and welfare and prevent wasteful use of natural resources in competition among business for attention.¶

¶ In addition, it is the intent of this Ordinance to assure the continued attractiveness of the total community environment through the adoption of discretionary controls designed to preserve scenic, aesthetic and economic values within the Township.¶

¶ It is further determined that signs which may lawfully be erected and maintained under the provisions of this Ordinance are consistent with customary usage.

Deleted: ¶
¶ Nothing in this Ordinance shall be construed so as to prohibit ideological or noncommercial advertising on any sign on which commercial advertising is permitted.

Commented [PS223]: The deleted comment permitting noncommercial advertising on a sign on which commercial advertising is permitted is relocated to the section titled, "Substitution Clause." A Substitution Clause is a First Amendment requirement and should have its own section.

Commented [PS224]: It is essential to define each type of sign, regardless of whether it is permitted or prohibited. By defining these sign types, it will become much easier to regulate them or prohibit them, which is later in this article.

Article 11: Signs

(1) Air-Activated Signs. A Temporary Sign that is an air inflated object, which may be of various shapes, is made of flexible fabric, rests on the ground or structure and is equipped with a portable blower motor that provides a constant flow of air into the device. Air-activated signs are restrained, attached, or held in place by a cord, rope, cable, or similar method.

(2) Animated Sign. A sign that has any visible moving part either constantly or at intervals; flashing, scintillating, intermittent, or osculating lights; visible mechanical movement of any description; or other apparent visible movement achieved by any means that move, change, flash, osculate or visibly alters in appearance to depict action, create an image of a living creature or person, or create a special effect or scene. This definition does not include Changeable-Copy Signs and Electronic Message Center (EMC) Signs that are in compliance with this Article.

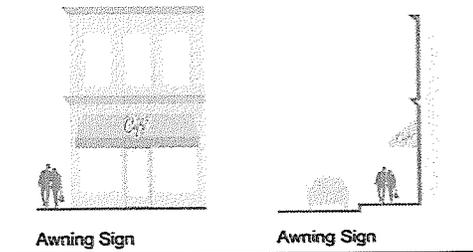
Commented [PS225]: The definition of "moving sign" was incorporated into this definition.

(3) Awning Sign. A permanent Projecting Sign painted or screen printed on the exterior surface of an awning. Such signs may be internally illuminated pursuant to the requirements of this Ordinance. See definition of "Awning" in Section 11.102(B)(3).

Commented [PS226]: The current definition of "Awning Sign" is split into 2 definitions: "Awning Sign" (which describes the sign type) and "Awning" (which describes the structural composition of an awning).

Deleted: A fireproof space frame structure with translucent flexible reinforced vinyl covering designed in awning form, but whose principal purpose and use is signage

Deleted: by fluorescent or other light sources in fixtures approved under national and local electrical codes



(4) Balloon Sign. A Temporary Sign that is an air inflated object, which, unlike air-activated signs, retains its shape. A balloon sign is made of flexible fabric, rests on the ground or structure, and may be equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached, or held in place by a cord, rope, cable, or similar method.

(5) Banner Sign. A sign on paper, cloth, fabric or other flexible or combustible material of any kind that is attached flat either to a wall or temporarily to a permanent sign face,

Deleted: , either with or without frames



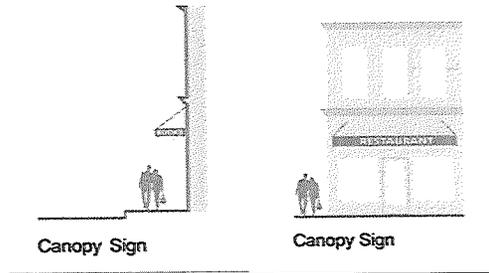
(6) Bench Sign. A sign applied to or affixed to the seat or back of a bench.

Article 11: Signs

(7) Billboard Sign (Outdoor Advertising Sign). A permanent Freestanding Pole Sign erected, maintained, and used in the outdoor environment for the primary purpose of the display of commercial or noncommercial messages unrelated to the business or profession conducted or to a commodity, service, or activity sold or offered upon the premises where such sign is located.

Deleted: A non-accessory freestanding sign upon which a display can be posted or otherwise affixed in a manner that is readily changed.

(8) Canopy Sign. A permanent Projecting Sign affixed to the side or bottom surface(s) of an attached or freestanding canopy. Such signs may be internally illuminated pursuant to the requirements of this Ordinance. See definitions of "Canopy" in Section 11.102(B)(5) and Section 11.102(B)(6).



(9) Changeable-Copy Sign. A permanent sign or portion thereof on which the copy or symbols change either automatically through electrical or electronic means (e.g., time and temperature units), or manually through placement of copy and symbols on a panel mounted in or on a track system.

Deleted: part of a sign that, by means of electronically illuminated characters, provides a varying message to the public

(10) Electronic Message Center (EMC) Sign. An electrically activated changeable-copy sign whose variable message and/or graphic presentation capability can be electronically programmed. EMCs typically use light emitting diodes (LEDs) as lighting sources.

(11) Fascia Sign. See definition of "Wall Sign."

(12) Festoons. A string of ribbons, pennants, spinners, streamers, tinsel, small flags, pinwheels, or lights, typically strung overhead and/or in loops.

(13) Flag. A sign on paper, cloth, fabric or other flexible or combustible material of any kind that is attached to a permanent conforming pole or attached flat to a wall.

(14) Freestanding Sign. A sign supported by one or more uprights, poles, pylons, monuments or braces placed in the ground and not attached to any building or other structure. Freestanding signs include, but are not limited to, Pole Signs and Monument Signs.

Deleted: Ground

Deleted: freestanding

(15) Incidental Sign. A small sign, usually 2 square feet or less, designed and located to be read only by people within the site and generally not visible or legible from the right-of-way or adjacent properties. Examples of incidental signs include, but are not limited to, credit card signs, signs indicating hours of business, no smoking signs, signs used to

Article 11: Signs

designate bathrooms, handicapped signs, traffic control signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices, and other signs providing information to be read at close proximity. The Planning Director shall determine whether a sign is an Incidental Sign, based on the visibility of the sign from the lot line and right-of-way and/or the number of signs in close proximity of each other, and the Planning Director may deny a Incidental Sign if it is a sign that is regulated by another standard in this Article.

(16) Interior Sign. A sign placed within a building, but not including a window sign as defined by this Ordinance, that is not visible from any public street, sidewalk, alley, park or public property.

Deleted: and located within a building

(17) Marquee Sign. See definition of "Projecting Sign" and "Canopy Sign."

Deleted: A sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building.

(18) Monument Sign. A base-mounted, freestanding sign placed in the ground and not attached to any building or other structure. A Monument Sign shall have a solid supporting base equal to or greater than the width of the sign face constructed of a decorative and durable material (e.g., masonry), and shall have no separations between the sign face and the base. The supporting base shall have a minimum 24-inch vertical height.

Deleted: base

Deleted: monument

Deleted: sign



Monument Sign

(19) Mural. A Wall Sign that is painted or drawn on the exterior surface of a structure.

Deleted: ~~↳~~Moving Sign. A sign that has motion either constantly or at intervals or that gives the impression of movement through intermittent, flashing, scintillating or varying intensities of illumination.¶

(20) People Sign. A portable sign held by a person and displayed for the purposes of expressing a message.

(21) Pole Sign. A type of Freestanding Sign that is elevated above the ground on poles or braces.



Pole Sign

(22) Portable Message Sign. A sign attached to or pulled by a vehicle that includes a manual and/or electronic changeable copy sign, an electronic graphic display sign, a video display sign, or multi-vision/tri-vision sign that may be displayed or affixed to a movable object such as but not limited to a car, truck, trailer, or similar transportation device. A "Portable Message Sign" shall not include a "Vehicle Sign."

Article 11: Signs

(23) Projector-image Sign. A sign that is displayed through light by a projector.

(24) Projecting Sign. A sign attached to a building or other structure, and extending beyond the attachment surface by more than eighteen (18) inches. A "Projecting Sign" is differentiated from a "Wall Sign" based on the distance the sign projects from the surface of the building. Projecting Signs consist of "Awning Signs," "Canopy Signs," and "Marquee Signs."

- Deleted:** erected and
- Deleted:** at one (1) end of a
- Deleted:** , pole
- Deleted:** or any part thereof

(25) Revolving Sign. An animated sign that revolves around an external axis driven by wind, or electromechanical devices.

- Deleted:** Any
- Deleted:** rotates

(26) Roof Sign. A sign that is erected, constructed, and maintained upon, against, or above the roof or parapet of a building or any portion thereof. A sign mounted upon a mansard fascia that does not project above the highest point of the roof or parapet shall be a "Wall Sign."

Commented [PS227]: A new definition, modified based on the existing definition of "Revolving Sign."

- Deleted:** Any
- Commented [PS228]:** The existing definition of "Portable Sign" is split into 2 definitions: "Sandwich Board Sign" and "Vehicle Sign."

(27) Rotating Sign. An animated sign that rotates around an internal axis driven by wind, or electromechanical devices.

- Deleted:** sign
- Deleted:** which
- Deleted:**

(28) Sandwich Board Sign. A portable Temporary Sign or sign board that is free standing and not permanently anchored or secured to either a building, structure, or the ground. Often referred to as "sidewalk signs," sandwich board signs include, but are not limited to, so called "A" frame, "T" shaped, or inverted "T" shaped stands. See also "Yard Sign."

- Deleted:** ; such as
- Deleted:** , or any sign attached to a trailer or other vehicle not accessory to the vehicle or its use, but used with the express intent of advertising

(29) Support Pole Sign. A Temporary Sign that is attached as an appendage to a sign, sign support, light pole, utility pole, or any part of a pole or support.

Commented [PS229]: "Support Pole Sign" replaces the definition of "Parasite Sign," and the definition is modified to be content-neutral.

- Deleted:** sign
- Deleted:** intended to draw attention to any one (1) or more of various services, items for sale, contests, etc. and is
- Deleted:** an accessory

(30) Vehicle Sign. A sign painted or otherwise attached to a vehicle, including signs on a truck trailer. A "Vehicle Sign" shall not include a "Portable Message Sign."

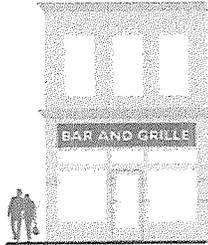
- Deleted:** principal building, accessory building or other structure located on a development site

(31) Wall Sign. A sign attached to, painted on, inscribed, or otherwise set upon the exterior wall or surface of any building, no portion of which projects more than eighteen (18) inches from the wall and which may not project above the roof or parapet line. A "Wall Sign" shall also include a sign mounted upon a mansard fascia that does not project above the highest point of the roof or parapet. Any other sign upon, against, or above the roof or parapet of a building or any portion thereof is defined as a "Roof Sign."

Commented [PS230]: The existing definition of "Portable Sign" is split into 2 definitions: "Sandwich Board Sign" and "Vehicle Sign." The references to content in this definition are removed.

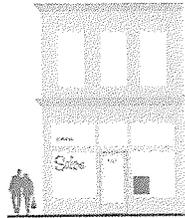
- Deleted:** or sign board which is free standing and not permanently anchored or secured to either a building, structure or the ground; such as, but not limited to, so called "A" frame, "T" shaped or inverted "T" shaped stands, or any sign
- Deleted:** or other vehicle not accessory to the vehicle or its use, but used with the express intent of advertising
- Commented [PS231]:** The deleted text defining a roofline conflicts with the existing definition of "Roof Sign." We recommend removing this conflicting language and simplifying the definition by referring to the definition of "Roof Sign."
- Deleted:** The roofline meaning the vertical distance measured from the established grade to the highest point of the roof surface for flat roofs; to the deck line of mansard roofs; and the average height between eaves and ridge boards for gable, hip and gambrel roofs.

Article 11: Signs



Wall Sign

(32) Window Sign. A sign that is painted on or attached to a window or glass door that is intended to be viewed from the exterior, including signs located inside a building but visible primarily from the outside of the building.



Window Sign

(33) Yard Sign. A portable Temporary Sign or sign board that is freestanding and temporarily anchored or secured to the ground. See also "Sandwich Board Sign."

(B) Sign Definitions, General.

- (1) Abandoned Sign. A sign that no longer identifies or advertises an ongoing business, product, location, service, or activity conducted. Whether a sign has been abandoned shall be determined by the intent of the owner of the sign and shall be governed by applicable Case Law and Statutory Law on abandoned structures.
- (2) Alteration. Any change in copy, color, size, or shape, which changes appearance of a sign, or a change in position, location, construction, or supporting structure of a sign, except that a non-structural copy change on a sign is not an alteration.
- (3) Awning. A fireproof space frame structure with translucent flexible reinforced vinyl or canvas covering designed in awning form, and extending outward from the building wall.
- (4) Building Frontage. The length of the front (entry) portion of a building occupied by a single tenant, often facing a street fronting to the premises on which the tenants is located.

Commented [PS232]: The current definition of "Awning Sign" is split into 2 definitions: "Awning Sign" (which describes the sign type) and "Awning" (which describes the structural composition of an awning).

Deleted: but whose principal purpose and use is signage

Deleted: Such signs may be internally illuminated by fluorescent or other light sources in fixtures approved under national and local electrical codes.

Commented [PS233]: This definition is modified to accommodate building frontages that also face a side lot line. It is also modified to apply to non-business entities.

Deleted: business

Deleted: business

Article 11: Signs

- (5) Canopy, Attached. A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points.
- (6) Canopy, Freestanding. A multi-sided overhead structure supported by columns, but not enclosed by a wall.
- (7) Grade, Sign. The average elevation of an area within a radius (of the sign base) equal to two (2) times the height of the sign, based on the highest and lowest measurements.
- (8) Height, Maximum. Shall be measured from grade to the highest edge of the sign surface or its projecting structure.
- (9) Height, Minimum. Shall be measured from grade to the lowest edge of the sign surface or its projecting structure.
- (10) Marquee. See definition of "Canopy, Attached."
- (11) Owner. A person, firm, partnership, association, company, or corporation and/or its legal successors, heirs, and assigns.
- (12) Premises. A "lot" in the same ownership or control which is not divided by a street.
- (13) Sign. A name, message, identification, image, description, display, or illusion which is affixed to, painted, or otherwise located, set upon, or in, a building, bench, structure or land and which directs attention to an object, product, place, activity, person, institution, idea, message, or business and which is visible outdoors. The definition does not include goods orderly displayed in a window.
- (14) Sign Area. The entire area within a circle, triangle, rectangle, oval, or other geometric shape enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame or other material or element forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding the necessary supports or uprights on which such sign is placed. An awning shall not be deemed to be a sign frame. The area of signage on an awning shall be calculated as provided under Section 11.104.
- (15) Sign Erector. Any person engaged in the business of erecting, altering or removing signs on a contractual or hourly basis.
- (16) Sign, Non-Commercial. Any sign consisting only of non-commercial content.
- (17) Sign, On-Premise Commercial. A sign that contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered for sale upon the premises where the sign is located. Examples of on-premise commercial signs include, but are by no means limited to, real estate signs, garage sale and yard sale signs.

- Deleted: Maximum
- Deleted: lowest
- Deleted: of
- Deleted: Minimum
- Deleted: public
- Commented [PS234]: The definition is modified to apply to all signs (incidental, interior, and exterior) and content-based language is removed.
- Deleted: identified
- Deleted: light, balloon, banner
- Deleted: or
- Deleted: or
- Deleted: piece of
- Deleted: from any public or private street, sidewalk, alley, park or public property
- Deleted: The definition includes interior and exterior signs but not signs primarily directed at persons within the premises of the sign owners.
- Deleted: business
- Deleted: The definition does not include religious symbols or paintings that do not display lettering and do not advertise a business, product or service.
- Deleted: color
- Deleted: ;
- Deleted: Section 20.400 (a), Single face signs
- Deleted: ¶
- Political Signs. A sign solely for the purpose of providing information relating to the election of a person to public office or to a political party, or to a matter to be voted at an election called by a public body, or any other public issue or expression of opinion.
- Deleted: On-premises sign. A sign that advertises only goods, services, facilities, events or attractions available on the premises where located or identifies the owner or occupant or directs traffic on the premises. All other signs are off-premises signs.

Article 11: Signs

signs advertising a permitted on-site commercial use, and signs of a contractor or other commercial entity affiliated with an on-site project under development.

(18) Sign, Off-Premise Commercial. A sign that contains a message related to a business or profession conducted or to a commodity, service, or activity sold or offered for sale off the premises of where the sign is located.

(19) Sign, Temporary. A sign, with or without a structural frame, intended for a limited period of display,

Section 11.103 Substitution Clause (new)

Any lawful sign permitted under the provisions of this Ordinance may contain a non-commercial message.

Section 11.104 Measurement of Sign Area and Height (Currently 20.400)

The total sign area is to be expressed in square feet and shall be computed as herein set forth.

(A) Single face sign total area shall be computed as the number of square feet within lines drawn at the outer perimeter forming any single and/or combination of geometric shapes, such as a square, rectangle, triangle, oval, or circle encompassing the extreme limits of an individual letter(s), word(s) message(s), representations, emblem or any similar figure, including open space(s), together with any frame or other material forming an integral part of display used to differentiate such sign from the background against which it is placed.

(B) Double-face signs having two (2) faces of equal size arranged and/or positioned back to back and parallel or with the faces at an included angle of not more than thirty (30) degrees in the plain or vertical views the area of the sign shall be computed as one half (1/2) of the total area of the two (2) faces. When the faces of such a sign are not of equal area, then the area of the sign shall be computed as the total area of the largest face. When signs have three (3) to four (4) faces of equal size arranged and/or positioned with the faces at an angle of more than thirty (30) degrees in the plain or vertical view, the area of the sign shall be computed as the total area of the largest two (2) faces. The area of three-dimensional signs shall be measured by computing the total area of the largest two (2) faces measured at a two-dimensional view.

(C) When two (2) single-face wall signs are arranged and/or positioned within (36) inches of each other, the area of the two (2) signs shall be computed as one (1) single face sign and total area shall include the open space between the two (2) separate faces.

(D) The height of the sign shall be measured from the sign grade. The maximum sign height shall be measured from the sign grade to the top of the sign. The minimum height, if applicable, shall be measured from the sign grade to the bottom of the sign.

Section 11.105 Prohibited Signs in All Zoning Districts (Currently 20.407)

The following signs are prohibited in all zoning districts, notwithstanding anything to the contrary in this Article.

Deleted: A sign advertising a project under development, erected for the period of construction, identifying its developers, contractors, engineers, brokers and architects.¶
Real Estate Signs. A sign advertising only that the property said sign is located upon is for sale, rent or lease and other information that is essential to the proposed real estate transaction.

Deleted: Non-accessory sign. A sign relating to a business activity, use or service not performed on the premises or to a product not fabricated, produced, handled or sold on the same premises upon which the sign is displayed.

Commented [PS235]: The content-based distinctions of this definition should be removed.

Deleted: An information or banner

Deleted: , including decorative displays for holidays or public demonstrations, not including accessory signs as defined under (a) above, or signs pertaining to sale, rent or lease or property

Commented [PS236]: This is a First Amendment requirement, which has been required in sign ordinances since *Metromedia, Inc. v. City of San Diego* (1981).

Deleted: and permitted in the "Schedule of Sign Regulations" attached to and made part of this code

Deleted: Section

Article 11: Signs

- (A) Animated signs (including revolving signs and rotating signs), except for changeable-copy signs explicitly permitted in this Article or approved in conjunction with a Temporary Land Use Permit in accordance with Section 7.120 and Section 11.106(J).
- (B) Festoons, except for decorations commemorating a holiday or approved in conjunction with a Temporary Land Use Permit in accordance with Section 7.120 and Section 11.106(J).
- (C) Air-activated signs and balloon signs, except for decorations commemorating a holiday or approved in conjunction with a Temporary Land Use Permit in accordance with Section 7.120 and Section 11.106(J).
- (D) Any sign that is deemed structurally or electrically unsafe by the Building Official.
- (E) Support pole signs, including signs attached to light poles, utility poles, street sign post, and trees. Prohibited support pole signs shall not include support pole signs lawfully installed by an authorized public entity.
- (F) Abandoned Signs.
- (G) Vehicle signs when the subject vehicle is not parked in an approved parking space or operating lawfully.
- (H) Portable message signs unless operating lawfully in a public or private road right-of-way.
- (I) Roof signs.
- (J) Bench signs.
- (K) Projector-image signs.
- (L) Commercial people signs. The basis of prohibiting commercial people signs is that the movement and proliferation of commercial people signs would degrade traffic safety and community aesthetics.
- (M) Any sign located in a public or private right-of-way, unless permitted by the road agency or explicitly permitted elsewhere in this Ordinance.
- (N) Any sign containing off-premise commercial content, except as permitted by Section 11.108 and Section 11.109. Any sign structure or frame that was previously an on-premise commercial sign but no longer supports or contains a sign relating to a commercial activity, business, or usage on the premises which has been discontinued for one hundred eighty (180) days or longer shall be removed in accordance with this Section 11.115(A) or brought into compliance with this Article.

Deleted: Signs which incorporate in any manner or are illuminated by any flashing or moving lights. This Section does not prohibit barber poles which otherwise meet the provisions of this Section.

Deleted: Exterior banners, pennants, spinners and streamers, other than a banner or pennant used as a permitted sign under provisions of Section 20

Deleted: Any sign that has any visible motion other than permitted flags of government units, corporate flags, or banners and other than governmental units, corporate flags, or banners and other than permitted change of message on changeable message.

Deleted: which

Deleted: Any sign erected on a utility pole, street sign post or landscaping

Deleted: street signs of any political subdivision or public transit agency of this State

Deleted: Any business sign now or hereafter existing which no longer advertising a bona fide business conducted or a product sold

Deleted: Signs, displayed on any vehicle or trailer vehicle or trailer

Deleted: or trailer

Deleted: in such a manner that the obvious intent is to attract attention to a business, service or commodity on the premises

Commented [P5237]: The distinctions between "roof signs" and "wall signs" are in the definitions section.

Deleted: mounted

Deleted: except those mounted upon a mansard facia that do not project above the highest point of the roof or parapet

Deleted: ¶
Real estate signs that indicate the subject property has been sold, leased or rented.¶

Deleted: , which are not both permanently anchored to the ground and located behind the right-of-way

Deleted: supporting

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Article 11: Signs

Section 11.106 Exempt Signs Permitted Signs in All Zoning Districts (Currently 20.402 and 20.408)

The following signs shall be permitted in all zoning districts according to the regulations of this Ordinance and subject to the following provisions. No permit shall be required for signs enumerated below otherwise stated. Such exemptions, however, shall not be construed to relieve the owner of the sign from responsibility for its proper location, erection, maintenance, and removal.

- (A) Decorations commemorating a holiday that are not displayed in a manner that promotes commercial activity.
(B) Temporary signage in accordance with Section 11.107 and Section 11.108, unless otherwise stated in this Ordinance.
(C) Any sign required by the Charter Township of Van Buren to notice a required public hearing for a rezoning or special land use, to be erected, displayed, and removed according to the requirements of the Charter Township of Van Buren.
(D) Signs erected on a Township, County, State, or Federal building or land by the authorized public agency.
(E) Incidental signs, subject to approval by the Planning Director.
(F) Interior signs.
(G) Any lawful sign in a public or private right-of-way installed by an authorized public agency, including but not limited to, street signs and address signs.
(H) Private traffic control signs that conform to the requirements of the Michigan Manual of Uniform Traffic Control Devices.
(I) Address numbers, being essential for public safety and emergency response, with a numeral height no greater than six (6) inches for each dwelling unit and eighteen (18) inches for any other use, including multiple-family buildings.
(J) Festoons, air-activated signs, animated signs, and balloon signs are permitted only for Temporary Land Uses, provided all of the proposed sign information is included in the temporary use application and that the temporary land use has been approved in accordance with Section 7.120.
(K) Non-commercial flags.

Commented [PS238]: This section combines existing sections for "Exempt Signs" and "Permitted Signs in All Zoning Districts." Many of the existing standards are content-based and unlawful. As a result, they are revised to minimize content-based distinctions, and most are relocated to the section regulating signs based on the zoning district.

- Deleted: Signs
Deleted: each
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Deleted: erection
Deleted: and

Commented [PS239]: Currently, for premises in that are not single-family or two-family residences, 64 sq. ft. of permanent sign area is permitted in the R-1 and R-2 districts, 100 sq. ft. of permanent sign area is permitted in the AG district, and 15 sq. ft. is permitted per building in the RM and RMH districts. Rather than make standards different, it is simpler to state the requirements for monument signs, pole signs, and wall signs and apply them to residential developments and non-residential uses within these zoning districts.

In addition to the monument sign regulations, the RM and RMH district regulations currently allow for up to 16 sq. ft. of signage to advertise units for sale or rent. This is a content-based distinction that should be removed. With the monument sign and the permanent wall sign area permitted, uses in these zoning districts can display this message if they choose.

Finally, the Zoning Ordinance currently permits 32 sq. ft. of commercial signage in all zoning districts. Section 11.108 will be more explicit regarding how much on-premise commercial signage is permitted based on the zoning district.

Deleted: which announce the name, occupancy and information of the use or admission to the premises. The flag of any nation or state which is respectfully displayed

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Commented [PS240]: The Zoning Ordinance currently allows certain temporary signs in conjunction with a temporary land use, so the sub-section was re-written to be more precise about the type of sign and the Temporary Land Use section.

Section 11.107 General Provisions in All Zoning Districts (Currently 20.406)

The following conditions shall apply to all signs erected or located in any zoning district:

- (A) Sign Location.

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- (1) Right-of-Way Prohibited. No sign, except those established and maintained by the Township, County, State or Federal Governments pursuant to Section 11.106, shall be located in, project into, or overhang a public right-of-way or dedicated public easement. Deleted: overhand

- (2) Clear Vision Triangle Area Prohibited. No sign shall be located in the clear vision triangle area described in Section 7.108. Deleted: No sign over thirty (30) inches in height shall be located within, project into, or overhang the triangular area formed at the intersection of any two (2) street right-of-way lines (existing or proposed) by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five (25) feet from their point of intersection, unless visual under-clearance can be assured on the plans.

- (3) Projections. No sign shall project beyond or overhang the wall or any permanent architectural feature (e.g., awning, canopy, or marquee) by more than eighteen (18) inches and shall not project above or beyond the highest point in the roof or parapet. Deleted: ,

- (4) Safety. No sign shall be permitted at any location that, in the sole discretion of the Building Inspector, creates any type of safety hazard or visual impediment to pedestrian or vehicular traffic. In making this determination, the Building Inspector shall cite any relevant building or electrical codes, provisions of this Ordinance or other Township ordinances, and/or findings or studies of the Public Safety Department and/or a traffic engineer. Deleted: ¶
<#>Construction signs advertising buildings or projects under construction may be erected and maintained for a period not to exceed the term of construction and such sign shall be erected on the site of construction. Said sign shall advertise only the building or project under construction and information related thereto such as its developers, contractors, engineers, brokers and architects.¶

- (B) Sign Height. No sign otherwise permitted shall project above the maximum sign height limitation of the zoning district as specified in the "Schedule of Regulations," in Article 4. Deleted: .

- (C) Liability Insurance. If the vertical distance of a sign above the grade is greater than the horizontal distance from the sign to the street right-of-way line and so located as to be able to fall or be pushed onto public property, then the owner of such sign shall keep in force a public liability insurance policy in the amount of one hundred thousand dollars (\$100,000) for injury to one (1) person and three hundred thousand dollars (\$300,000) for injury to more than one (1) person and property damage insurance in the amount of twenty-five thousand dollars (\$25,000) for damage to property. The insurance certificate shall provide for notification of the Building Inspector ten (10) days prior to expiration of insurance or change of policy. In lieu of an insurance policy as required herein, an owner may present satisfactory proof annually to the Township attorney that the owner is financially capable of self-insurance in the above amounts. The liability limits required under this Section shall be periodically reviewed by the Township Board and may be modified by resolution of the Board. Deleted: Section 20.407
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- (D) Landscaping. The area surrounding ground signs shall be landscaped. The landscaping shall be maintained such that the sign remains visible to passing motorists.

Article 11: Signs

Section 11.108 Zoning District Regulations (Currently 20.409)

(A) Sign Regulations Applicable to the AG, R-1, R-2, RM, and RMH Districts

| Sign Type | AG, R-1, R-2, RM, and RMH Districts (Single-family, duplex, triplex, and quadplex lots only) | AG, R-1, R-2, RM, and RMH Districts (Residential Developments [e.g., subdivisions, site condominiums, multi-family, and mobile home parks] and Non-Residential Uses only) |
|--|---|--|
| Monument Signs | Not Permitted | Maximum Number: 1 per frontage of a lot or development. Maximum Height: 6 feet. Maximum Area: 40 sq. ft. Minimum Setback: 30 feet from a lot line. |
| Permanent Freestanding Directional Signs | Not Permitted | Maximum Number: 1 per entrance or exit, plus 1 per 100 linear feet of driveway. Maximum Height: 4 feet. Maximum Area: 6 sq. ft. Location: Not more than 6 feet from a driveway or sidewalk. |
| Permanent Wall Signs | Maximum Number: 1 per lot Maximum Area: 2 sq. ft. | Minimum Height (Projecting Sign Only): 8 ft. Maximum Area (Total): 40 sq. ft. |
| Permanent Projecting Signs | Not Permitted | |
| Banner Signs | Not Permitted | Maximum Number: 1 per lot. Maximum Area: 32 sq. ft. or the area of the permanent sign if temporarily covering the permanent sign. Maximum Duration: 30 days per 6-month period. |
| Flags (On-Premises Commercial)* | Not Permitted | Maximum Number: 1 per lot. Maximum Area: 45 sq. ft. |
| Yard Signs (Non-Commercial) | Maximum Number: 4 per lot. Maximum Height: 5 feet. Maximum Area (Total): 24 sq. ft. Minimum Setback: 5 ft. from any lot line. | |
| Yard Signs (On-Premises Commercial)* | Maximum Number: 1 per lot. Maximum Height: 5 feet. Maximum Area: 6 sq. ft. each. Minimum Setback: 5 ft. from any lot line. | Maximum Number: 1 per lot. Maximum Height: 8 feet. Maximum Area: 32 sq. ft. Minimum Setback: 15 feet from any lot line. |
| Yard Signs (Off-Premises Commercial)* | Maximum Number: 1 per lot. Maximum Height: 3 feet. Maximum Area (Total): 3 sq. ft. Minimum Setback: 5 ft. from any lot line. Maximum Time Placement: 30 days in a calendar year. The purpose of limiting the number, size, location, and duration of temporary off-premise commercial signage (as defined in Section 11.102(B)(18)) in residential zoning districts is to prevent the proliferation of off-site commercial signs in existing or planned residential areas, which would have a detrimental effect on traffic safety, aesthetics, and residential character of the area. | |
| Window Signs | Maximum Area (Total): 15% of the window area. | |

*Note: Section 11.103 permits any lawful sign to contain non-commercial content.

Commented [PS241]: Currently, for premises in that are not single-family or two-family residences, 64 sq. ft. of permanent sign area is permitted in the R-1 and R-2 districts, 100 sq. ft. of permanent sign area is permitted in the AG district, and 15 sq. ft. is permitted per building in the RM and RMH districts. Rather than make standards different, it is simpler to state the requirements for monument signs, pole signs, and wall signs and apply them to residential developments and non-residential uses within these zoning districts.

In addition to the monument sign regulations, the RM and RMH district regulations currently allow for up to 16 sq. ft. of signage to advertise units for sale or rent. This is a content-based distinction that should be removed. With the monument sign and the permanent wall sign area permitted, uses in these zoning districts can display this message if they choose.

Commented [PS242]: Currently, 1 subdivision entrance sign, apartment sign, condominium complex sign, or mobile home park sign is permitted not to exceed 40 sq. ft. Other uses are permitted a monument sign or bulletin board sign not to exceed 32 sq. ft. This regulation should be more broad and to apply equally to all residential developments and non-residential uses within the district.

Commented [PS243]: While this proposed amendment is intended for directional signs, we cannot require that certain content be provided on them. Therefore, we must be more descriptive and content-neutral. Currently, these signs are permitted as "directional signs" that contain content restrictions and are regulated differently based on a use.

Commented [PS244]: Currently 2 sq. ft. are permitted for address signs. Address signs are proposed to be exempt, with the 2 sq. ft. to be used for any other permitted message.

Commented [PS245]: Section 20.402(7)(b) permits a banner sign of up to 32 sq. ft. for 30 days in a 6-month period, so we recommend permitting this by right.

Commented [PS246]: Section 20.402(9) currently permits a corporate flag to be no more than 45 sq. ft., so there is no change proposed.

Commented [PS247]: Currently, single-family and multi-family residential uses are permitted 1 sign up to 6 sq. ft. in area and 5 feet in height that advertises the property for sale. Non-residential uses are permitted 1 sign up to 32 sq. ft. in area and 10 feet high. Both regulations require removal within 30 days of sale or lease. In addition, construction signs are permitted for non-residential buildings (64 sq. ft. in area, 12 ft. high, and removed upon completion of construction) and residential developments (1 sign up to 32 sq. ft. in area). All of these regulations are content-based because it regulates the content of the commercial message and are dependent on a certain event happening. We recommend making distinctions between individual residential uses and developments in the same zoning district, but to generally permit "on-premises commercial" signage which will pertain to any lawful commercial activity occurring on the site without respect to the content of the on-premise commercial message.

Article 11: Signs

(B) Sign Regulations Applicable to the C, C-1, C-2, and FS Districts

| Sign Type | C District | C-1, C-2, and FS Districts |
|---|---|---|
| Monument Signs | <p>Maximum Number: 1 per frontage of a lot or development.</p> <p>Maximum Height: 8 feet. On lots or developments with 2 or more major tenants, the maximum height is 10 feet.</p> <p>Maximum Area: 25 sq. ft. on lots with <200 ft. of frontage; 50 sq. ft. on lots ≥200 ft. but < 400 ft. of frontage; and 75 sq. ft. on lots with ≥400 ft. of frontage.</p> <p>Minimum Setback: 10 feet from a lot line and twice the height from a residential zoning district.</p> <p>Corner lots with a monument sign located near and oriented to 2 or more abutting streets shall have only 1 monument sign for the lot or development.</p> <p>A lot with an approved drive-thru lane may have 1 additional monument sign per approved drive-thru lane located within 6 feet of the drive-thru lane, not greater than 8 feet high, not greater than 60 sq. ft., and not visible from the right-of-way or any lot line. Screening may be required pursuant to Article 10.</p> | <p>Maximum Number: 1 per frontage of a lot or development.</p> <p>Maximum Height: 8 feet. On lots or developments with 2 or more major tenants, the maximum height is 10 feet.</p> <p>Maximum Area: 30 sq. ft. on lots with <200 ft. of frontage; 60 sq. ft. on lots with ≥200 ft. but <400 ft. of frontage; and 90 sq. ft. on lots with ≥400 ft. of frontage.</p> <p>Minimum Setback: 10 feet from a lot line and 100 feet from a residential zoning district.</p> |
| Permanent Freestanding Directional Signs | <p>Maximum Number: 1 per entrance or exit, plus 1 per 100 linear ft. of driveway.</p> <p>Maximum Height: 4 feet.</p> <p>Maximum Area: 6 sq. ft.</p> <p>Location: Not more than 6 feet from a driveway or sidewalk.</p> | |
| Permanent Wall or Projecting Signs | <p>Min. Height (Projecting Sign Only): 8 ft.</p> <p>Maximum Area (Total): 2 sq. ft. per linear ft. of building frontage, not to exceed 100 sq. ft. per business or 50% of the façade exclusive of window and door openings.</p> <p>For multiple-tenant buildings, the sign area for each tenant shall be based on that tenant's linear feet of building frontage.</p> | <p>Min. Height (Projecting Sign Only): 8 feet.</p> <p>Maximum Area (Total): 3 sq. ft. per linear ft. of building frontage, not to exceed 300 sq. ft. per business or 50% of the façade exclusive of window and door openings.</p> |
| Freestanding Canopy Signage | Not Permitted | <p>Maximum Area: On a lot with an approved freestanding canopy, 1 sq. ft. per linear foot of freestanding canopy, not to exceed 40 sq. ft.</p> |
| Banner Signs | <p>Maximum Number: 1 per business.</p> <p>Maximum Area: 32 sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.</p> <p>Maximum Duration: 30 days per 6-month period.</p> | |
| Flag (Commercial) | <p>Maximum Number: 1 per lot.</p> <p>Maximum Area: 45 sq. ft.</p> <p>Note: Section 11.103 permits any lawful sign to contain non-commercial content.</p> | |
| Yard Signs | <p>Maximum Number: 1 per lot.</p> <p>Maximum Height: 8 feet.</p> <p>Maximum Area (Total): 32 sq. ft.</p> <p>Minimum Setback: 10 ft. from any lot line.</p> | |
| Sandwich Board Signs | <p>Maximum Number: 1 per business</p> <p>Maximum Height: 3 ft.</p> <p>Maximum Area: 6 sq. ft.</p> <p>Location: Within 15 ft. of the primary building entrance door.</p> | |
| Window Signs | <p>Maximum Area (Total): 15% of the window area.</p> | |

Commented [PS248]: The sign regulations for commercial districts permit a maximum sign area, which creates conflicting standards. For example, while a business may be permitted wall signage according to the building frontage and monument signage according to the lot frontage, the total sign area can be reduced based on the lot frontage. This creates competing standards that are unnecessary if wall signage and monument signage can be appropriately sized. Therefore, we recommend deleting overall sign limitations for a lot and instead put limits based on sign types.

Commented [PS249]: The requirements for number, height, area, and setback of monument signs are proposed to be the same, except that all monument signs must be at least 10 feet from a lot line and monument signs for multi-tenant commercial buildings was lowered to 8 feet. Having separate heights for multi-tenant buildings will cause different sizes of monument signs based on the use.

Commented [PS250]: Drive-thru restaurants are permitted 40 sq. ft. for a menu board. This is a content-based regulation that is likely not permitted. Permitting an additional monument sign for all drive-thru uses (without regard to content) is an attempt to make the sign less about the speaker and more about the need for a drive-thru land use to have additional signage.

Commented [PS251]: While this proposed amendment is intended for directional signs, we cannot require that certain content be provided on them. Therefore, we must be more descriptive and content-neutral. Currently, these signs are permitted as "directional signs" that contain content restrictions and are regulated differently based on a use.

Commented [PS252]: Currently, there is 3 sq. ft. of wall signage permitted per 1 linear ft. of building frontage, not to exceed 200 sq. ft. per business or 300 sq. ft. in a multi-tenant building. This limits larger commercial buildings, especially those with a single tenant. Merging these 2 requirements will make the ordinance easier to administer, especially when buildings are converted from single-use to multi-tenant use, and vice versa.

Commented [PS253]: Currently 40 sq. ft. is permitted for gas stations, but this will apply to all uses with a freestanding canopy.

Commented [PS254]: Section 20.402(7)(b) permits a banner sign of up to 32 sq. ft. for 30 days in a 6-month period, so we recommend permitting this by right.

Commented [PS255]: Section 20.402(9) currently permits a corporate flag to be no more than 45 sq. ft., so there is no change proposed.

Commented [PS256]: Same requirement.

Article 11: Signs

(C) Sign Regulations Applicable to the OT District

| Sign Type | OT District |
|---|---|
| <u>Primary Monument Sign</u> | <p>Maximum Number: 1 per lot or development.</p> <p>Maximum Height: 20 feet.</p> <p>Maximum Area: 80 sq. ft.</p> <p>Minimum Setback: 10 feet from a lot line</p> |
| <u>Secondary Monument Sign</u> | <p>Maximum Number: 1 per each major thoroughfare upon which the site has frontage.</p> <p>Maximum Height: 12 feet.</p> <p>Maximum Area: 40 sq. ft.</p> <p>Minimum Setback: 10 feet from a lot line</p> |
| <u>Interior Monument Signs</u> | <p>Maximum Number: 2 per lot or development.</p> <p>Maximum Height: 6 feet.</p> <p>Maximum Area: 12 sq. ft.</p> <p>Location: At least 50 feet away from all other signs.</p> <p>Minimum Setback: 10 feet from a lot line</p> |
| <u>Permanent Freestanding Directional Signs</u> | <p>Maximum Number: 1 per entrance or exit, plus 1 per 100 linear ft. of driveway.</p> <p>Maximum Height: 4 feet.</p> <p>Maximum Area: 6 sq. ft.</p> <p>Location: Not more than 6 feet from a driveway or sidewalk.</p> |
| <u>Permanent Wall or Projecting Signs</u> | <p>Minimum Height (Projecting Sign Only): 8 feet.</p> <p>Maximum Area (Total): 2 sq. ft. per 1 linear ft. of building frontage, not to exceed 100 square feet per business.</p> |
| <u>Banner Signs</u> | <p>Maximum Number: 1 per business.</p> <p>Maximum Area: 32 sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.</p> <p>Maximum Duration: 30 days per 6-month period.</p> |
| <u>Flag (Commercial)</u> | <p>Maximum Number: 1 per lot.</p> <p>Maximum Area: 45 sq. ft.</p> <p><i>Note: Section 11.103 permits any lawful sign to contain non-commercial content.</i></p> |
| <u>Yard Signs</u> | <p>Maximum Number: 1 per lot.</p> <p>Maximum Height: 8 feet.</p> <p>Maximum Area (Total): 32 sq. ft.</p> <p>Minimum Setback: 10 ft. from any lot line.</p> |
| <u>Sandwich Board Signs</u> | <p>Maximum Number: 1 per business</p> <p>Maximum Height: 3 ft.</p> <p>Maximum Area: 6 sq. ft.</p> <p>Location: Within 15 ft. of the primary building entrance door.</p> |
| <u>Window Signs</u> | <p>Maximum Area (Total): 15% of the window area.</p> |

Commented [PS257]: No change to monument sign regulations, except that all monument signs must be 10 feet from a lot line.

Commented [PS258]: Currently, 1 additional secondary monument sign is permitted in the OT district for each frontage. No changes are proposed.

Commented [PS259]: Currently, all business/industrial parks, airports, public parks, airports, and similar public and semi-public uses are permitted 2 additional monument signs not more than 6 feet high, 12 sq. ft., or within 50 feet of another sign. Because this is a speaker-based standards, we recommend permitting these in the OT, M-1, M-T, M-2, and AP districts. Similar uses in residential and commercial districts would still be able to have "Permanent Accessory Freestanding Signs."

Commented [PS260]: While this proposed amendment is intended for directional signs, we cannot require that certain content be provided on them. Therefore, we must be more descriptive and content-neutral. Currently, these signs are permitted as "directional signs" that contain content restrictions and are regulated differently based on a use.

Commented [PS261]: Section 20.402(7)(b) permits a banner sign of up to 32 sq. ft. for 30 days in a 6-month period, so we recommend permitting this by right.

Commented [PS262]: Section 20.402(9) currently permits a corporate flag to be no more than 45 sq. ft., so there is no change proposed.

Article 11: Signs

(D) Sign Regulations Applicable to the M-1, M-T, M-2, and AP Districts

| Sign Type | M-1, M-T, M-2, and AP Districts |
|---|---|
| Primary Monument Sign | <p>Maximum Number: 1 per lot or development.</p> <p>Maximum Height: 18 feet.</p> <p>Maximum Area: 64 sq. ft.</p> <p>Minimum Setback: 10 feet from a lot line</p> |
| Industrial Park or Other Multi-Business Development Monument Sign | <p>Maximum Number: 1 per each industrial park or other multi-business development.</p> <p>Maximum Height: 5 feet.</p> <p>Maximum Area: 80 sq. ft.</p> <p>Minimum Setback: 10 feet from a lot line.</p> <p>Location: At the entrance to the industrial park or multi-business development.</p> |
| Interior Monument Signs | <p>Maximum Number: 2 per lot or development.</p> <p>Maximum Height: 6 feet.</p> <p>Maximum Area: 12 sq. ft.</p> <p>Location: At least 50 feet away from all other signs.</p> <p>Minimum Setback: 10 feet from a lot line</p> |
| Permanent Freestanding Directional Signs | <p>Maximum Number: 1 per driveway entrance or exit, plus 1 per 100 linear ft. of driveway.</p> <p>Maximum Height: 4 feet.</p> <p>Maximum Area: 6 sq. ft.</p> <p>Location: Not more than 6 feet from a driveway or sidewalk.</p> |
| Permanent Wall or Projecting Signs | <p>Minimum Height (Projecting Sign Only): 8 feet.</p> <p>Maximum Area (Total): 3 sq. ft. per 1 linear ft. of building frontage, not to exceed 200 square feet per business.</p> |
| Banner Signs | <p>Maximum Number: 1 per business.</p> <p>Maximum Area: 32 sq. ft. or the area of the permanent sign if temporarily covering the permanent sign.</p> <p>Maximum Duration: 30 days per 6-month period.</p> |
| Flag (Commercial) | <p>Maximum Number: 1 per lot.</p> <p>Maximum Area: 45 sq. ft.</p> <p>Note: Section 11.103 permits any lawful sign to contain non-commercial content.</p> |
| Yard Signs | <p>Maximum Number: 1 per lot.</p> <p>Maximum Height: 8 feet.</p> <p>Maximum Area (Total): 32 sq. ft.</p> <p>Minimum Setback: 15 ft. from any lot line.</p> |
| Sandwich Board Signs | <p>Maximum Number: 1 per business</p> <p>Maximum Height: 3 ft.</p> <p>Maximum Area: 6 sq. ft.</p> <p>Location: Within 10 ft. of the primary building entrance door.</p> |
| Window Signs | <p>Maximum Area (Total): 15% of the window area.</p> |

Commented [PS263]: No change to monument sign regulations, except that all monument signs must be at least 10 feet from a lot line.

Commented [PS264]: Currently, 1 additional secondary monument sign is permitted in the M-1 and M-2 districts. Because the M-T district and AP district are intended to have the same sign regulations, no changes are proposed.

Commented [PS265]: Currently, all business/industrial parks, airports, public parks, airports, and similar public and semi-public uses are permitted 2 additional monument signs not more than 6 feet high, 12 sq. ft., or within 50 feet of another sign. Because this is a speaker-based standards, we recommend permitting these in the OT, M-1, M-T, M-2, and AP districts. Similar uses in residential and commercial districts would still be able to have "Permanent Accessory Freestanding Signs."

Commented [PS266]: While this proposed amendment is intended for directional signs, we cannot require that certain content be provided on them. Therefore, we must be more descriptive and content-neutral. Currently, these signs are permitted as "directional signs" that contain content restrictions and are regulated differently based on a use.

Commented [PS267]: No change to wall sign regulations, except to allow for projecting signs.

Commented [PS268]: Section 20.402(7)(b) permits a banner sign of up to 32 sq. ft. for 30 days in a 6-month period, so we recommend permitting this by right.

Commented [PS269]: Section 20.402(9) currently permits a corporate flag to be no more than 45 sq. ft., so there is no change proposed.

Article 11: Signs

Section 11.109 Billboards (Currently 20.409(6)(e))

(A) Locations. Billboards are permitted only along limited access, interstate highways in accordance with the following regulations and any other applicable provision of this Article.

Deleted: Section

(B) Zoning Districts. Billboards are permitted in the M-1, M-T, and M-2 zoning districts only in accordance with the provisions of this Article. Billboards are prohibited in all other zoning districts.

Commented [PS270]: Although this text is new, it is taken from the existing Sign Schedule of Regulations, which only permits billboards in the M-1, M-T, and M-2. Therefore, the zoning district regulations will not change for billboards.

(C) Maximum Area. No billboard sign shall have a total area of both faces in excess of seven hundred (700) square feet or three hundred fifty (350) square feet per sign face. Billboards with two (2) sign faces shall be positioned back to back and parallel or with the faces at an included angle of not more than thirty (30) degrees in the plain or vertical views of the sign.

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(D) Minimum Height. Billboards shall have a maximum height not greater than thirty (30) feet from sign grade. Billboards having a sign area of two hundred (200) square feet or less shall have a maximum height of one (1) foot for each two (2) feet they are set back from any right-of-way, not to exceed thirty (30) feet in height.

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Deleted: Such signs

(E) Minimum Setbacks.

(1) From Other Billboards. No billboard shall be closer than one thousand five hundred (1,500) feet to any other billboard on the same side of the right-of-way.

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(2) From Any Other Signs. One hundred (100) feet from any other sign on the site.

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(F) Maximum Number of Billboards in the Township. No additional billboard shall be erected at any time when there are twenty-five (25) or more billboards in the Township (i.e., the number of billboards in existence in 1985, when this provision was originally adopted).

Deleted: on-premises

Deleted: faces

(G) Access. Marginal access roads may be required by the Township to assure adequate vehicular access for billboard service and maintenance.

Deleted: Planning Commission

(H) Illumination and Changeable Copy. The illumination and changeable messaging of the billboard sign must comply with Section 11.114.

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Section 11.110 Permits and Applications (Currently 20.401)

(A) Permit Required. It shall be unlawful for any person to erect, re-erect, alter or relocate any permanent sign unless a permit shall have been first obtained from the Building Inspector, except as provided in Section 11.106, and a permit fee paid in accordance with the schedule adopted by resolution of the Township Board. Any sign that makes use of electricity shall, in addition to a sign permit, require an electrical permit, regardless of size.

Deleted: the EXEMPT - SIGNS Section 20.402 below

(B) BZA Approval Required. The Board of Zoning Appeals must approve any sign that does not meet the requirements of this Zoning Ordinances, pursuant to Section 11.116 and Article 12, Chapter 4.

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Article 11: Signs

(C) **Permits.** Permits for the erection of signs shall only be issued to persons qualified to carry on such work under the provisions of this Article.

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(D) **Permit Expiration.** A sign permit shall be come null and void if the work for which the permit was issued is not completed within six (6) months of the date of issue.

(E) **Applications.** Applications for sign permits shall be made upon forms provided by the Building Department for this purpose and shall contain the following information:

- (1) Name, address, and phone number of applicant.
- (2) Location of the building, structure, or lot on which the sign is to be attached or erected.
- (3) Position of the sign on the building, structure, or lot on which the sign is to be attached or erected.
- (4) Position of the sign in relation to nearby buildings, structures, property lines, and right-of-ways, existing or proposed.
- (5) Two (2) copies of the plans and specifications and method of construction and attachment to the building or the ground.
- (6) Copies of sheets and calculations, if deemed necessary, which show the structure is designed for dead load and wind pressure in accordance with the regulations adopted by the Township.
- (7) Name and address of the sign erector.
- (8) Insurance policy and/or performance guarantee as required herein.
- (9) Such other information as the Building Inspector may be required to show full compliance with this and all other applicable laws of the Township and the State of Michigan.
- (10) When public safety so requires, the application containing the aforesaid material shall, in addition, bear the certificate or seal of a registered structural or civil engineer as a condition to the issuance of a permit.
- (11) Indicate the zoning district in which the sign is to be located.

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(F) **Servicing.** No permit shall be required for ordinary servicing, repainting of existing sign message, or cleaning of a sign. No permit is required for change of message of a sign designed to allow for message change without a change of structure, including a bulletin board or billboard. Structural changes to a sign frame or support shall require a permit.

Section 11.111 Compliance Certificate Required (Currently 20.405)

Article 11: Signs

(A) **Compliance Certification.** All signs shall be inspected at original installation and if found to be in full compliance with the provisions this Article, shall be issued a Certificate of Compliance.

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(B) **Inspections.** The Building Inspector may cause existing signs to be inspected on a periodic basis, at least once every two (2) years to determine continuation of compliance with the provisions of this Article.

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(C) **Inspection Fee.** An inspection fee may be established by the Township Board and reviewed periodically. Such fee shall be charged to the owner of each sign inspected, at the time of inspection, provided that such fee shall not be imposed more than once in any year.

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(D) **Concealed Work.** In cases where fastenings are to be installed and enclosed in such a manner that the Building Inspector cannot easily remove material to see the fastenings and material used, the Building Department may advise the sign erector so that the inspection may be made before concealment, if such inspection is deemed necessary by the Building Inspector.

(E) **Removal of Signs.** Should any sign be found unsafe, insecure, improperly maintained, or constructed or not in accordance with the requirements of this Section, the erector and/or owner shall be required to make any such sign safe, secure, and otherwise in compliance with the requirements of this Article within thirty (30) days of written notice. Failure to comply shall result in an order to remove the sign within forty-eight (48) hours from the time of notification of writing to that effect from the Building Department.

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(F) **Exception.** Existing signs determined to be unsafe and an immediate hazard to health or safety shall be removed, repaired, or secured within twenty-four (24) hour of notification.

(G) **Exemptions.** Exempt signs as provided in Section 11.106, shall not be issued a Certificate of Compliance.

Deleted: Section 20.402

(H) **Responsibility of Compliance.** The owner of any property on which a sign is placed and the owner of the sign are declared to be equally responsible for the erection, safety, and condition of the sign and the area in the vicinity thereof subject to provisions of Section 11.113,

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Deleted: Section 20.404

Section 11.112 Sign Erector Requirements (Currently 20.403)

Permits may be issued only to licensed persons in compliance with the following provisions.

(A) **License application.** Any person before engaging or continuing in the business of erecting or repairing signs in the Township shall apply for a sign erector's license subject to the following conditions:

Deleted: an annual

(1) **Insurance Certificates.** Before a license is issued, the installing company shall submit for filing with the Township Clerk a valid Certificate of Insurance, approved by the Township attorney, for Public Liability in the amount of one hundred thousand dollars (\$100,000) for injuries to one (1) person and three hundred thousand dollars (\$300,000) for injury to more than one (1) person, and Property Damage Insurance in the amount of twenty-five thousand dollars (\$25,000) for damage to any property due to the actions of himself or any of his agents or employees. The certificate shall provide for notification of the Building Inspector ten (10) days prior to expiration of insurance. The liability limits

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Article 11: Signs

required under this Section shall be periodically reviewed by Township Board and may be modified by resolution of the Board.

(2) **Lapsing of Insurance.** If at any time, the insurance of any sign erector is permitted to lapse, his license and right to obtain permits shall automatically be revoked until a current certificate of insurance is filed with the Building Department.

(3) **Notification of Change.** A sign error shall notify the Building Department of any change in address and if a firm or corporation, any change in ownership or management if other than that indicated on the insurance.

(B) **Revocation.** The license may be suspended or revoked as otherwise provided for in this Code.

Section 11.113 Construction and Maintenance Requirements (currently 20.404)

(A) **Material and Design.** All signs shall be designed, constructed, and maintained in conformity with the provisions for materials, loads and stresses of the latest adopted edition of Township Building Code and requirements of this Article.

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(B) **Fastenings.** All signs must be erected in such a manner and with such materials to remain safe and secure during the period of use and all bolts, cables, and other parts of such signs shall be kept painted and free from corrosion. Any defect due to the fault of the erector shall be repaired by the erector.

(C) **Fire Escapes.** No signs of any kind shall be attached to or placed upon a building in such a manner as to obstruct any fire escape.

(D) **Support Location.** No pole, cable, or support of any nature shall be placed on any publicly owned property, street, right-of-way, or proposed street right-of-ways.

Commented [PS271]: The sub-sections on "Changeable Message Signs," "Flashing," "Illumination," and "Shielding" are relocated to a new section titled, "Illumination and Changeable Copy."

(E) **Proximity to Electrical Conductors.** No sign shall be erected so that any part including cables and guys will be within ten (10) feet of any electrical conductor, street lamp, traffic light or other public utility pole standard, or ten (10) feet of a high voltage wire.

Deleted: <#>Changeable Message Signs. The message change cycle of a changeable message sign shall be not less than one (1) hour per message, except in a combined time, date and temperature sign where the change cycle shall not be less than two (2) seconds. No message shall travel, flash or scroll.¶
¶ <#>Flashing Signs. Flashing or intermittent illumination of signs shall be prohibited.¶

(F) **Sanitation.** Property surrounding any ground or monument sign shall be kept clean, sanitary, and free from obnoxious and offensive and offensive substances, free from weeds, rubbish and inflammable material.

(G) **Traffic Interference.** No advertising device shall be erected or maintained which simulates or imitates in size, color, letter, or design any traffic sign or signal or other word, phrase, symbol or character in such a manner as to interfere with, mislead, or confuse traffic.

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¶ <#>Illumination. No sign shall be externally illuminated by other than continuing white light in accordance with the requirements of the provision of this Section. In no case shall any open spark or flame be used for display purposes unless specifically approved by the Building Inspector. Neon tubing signs shall be permitted.¶
¶ <#>Shielding. Any external lighting for the illumination of signs shall be directed away from and shall be shielded from any adjacent lots and shall be so arranged as to not adversely affect driver visibility on adjacent public thoroughfares.¶

(H) **Maintenance.** All signs shall be maintained in a condition of good repair. Peeling or missing paint, holes, broken, cracked, bent, warped, rotted, discolored, sagging, out-of-plumb, rusted, or missing material or parts shall be repaired within sixty (60) days of written notification by the Building Inspector.

Article 11: Signs

- (I) **Compliance with Building Code.** The building code adopted by the Township shall regulate the construction and maintenance of signs unless the provisions of this Article are more stringent.

Deleted: Section

Section 11.114 Illumination and Changeable-Copy (Currently 20.404(5), (6), (9), and (10))

- (A) **Frequency of Copy Change.** The message change cycle of a changeable-copy sign shall be not less than one (1) hour per sign. ~~Animated signs are prohibited unless explicitly permitted by this Article.~~
- (B) **Electronic Message Center Copy Change.** The copy of an electronic message center sign must change instantaneously. ~~Flashing, scrolling, fading, dissolving, osculating, spinning, twirling, video display, or other type of motion are prohibited.~~
- (C) **External Illumination and Shielding.** No sign shall be externally illuminated by other than continuing white light in accordance with the requirements of the provision of this Article and Section 8.105. In no case shall any open spark or flame be used for display purposes unless specifically approved by the Building Inspector. Any external lighting for the illumination of signs shall be directed away from and shall be shielded from any adjacent lots and shall be so arranged as to not adversely affect driver visibility on adjacent public thoroughfares.
- (D) **Internal Illumination.** The maximum luminance level of an electronic message center sign or other internally illuminated sign shall exceed the ambient light at all times, except that the luminance level shall be 700 nits from 30 minutes before dusk until dawn, as determined by the National Oceanic and Atmospheric Association (NOAA). All electronic message center signs and other internally illuminated signs shall be equipped with a photocell and automatic dimmer, and a cut sheet for the sign must be submitted to the Township at the time of permit application showing compliance with these requirements.

Commented [PS272]: We cannot permit different durations of messaging based on the content of the message. Rather, we should state where changeable-copy signs are permitted (and prohibited), and make the frequency change the same for all changeable-copy signs.

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Deleted: time, date and temperature sign where the change cycle shall not be less than two (2) seconds. No message shall travel, flash or scroll.

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Section 11.115 Nonconforming Signs (Currently 20.410)

- (A) **Removal of Nonconforming Signs (Currently 20.411).** If the owner of a sign or the premises on which a sign is located changes the location of a building, property line or sign, or changes the use of the land or building so that any sign on the premises is rendered nonconforming, such sign must be removed or made to conform to this Article.
- (B) **Lawful Existing Signs.** Any sign lawfully existing at the time of adoption of this Article which does not fully comply with all provisions shall be considered a legal nonconforming sign and may be permitted to remain as long as the sign is properly maintained, there is no increase in nonconformity, and the sign is not detrimental to the health, safety, and welfare of the community except as hereafter provided.
- (C) **Continuance.** A nonconforming sign shall not be:

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Article 11: Signs

- (1) Expanded or changed to another nonconforming sign unless the sign is specifically designed for periodic message change. Deleted: be e
- (2) Relocated or structurally altered so as to prolong the life of the sign or so as to change the shape, size, type, placement or design of the sign. Deleted: be r
- (3) Repaired or re-erected after being damaged if the repair or re-erection of the sign would cost more than fifty (50) percent of the cost of an identical new sign. Deleted: be r
- (D) **Alteration.** No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provisions of this Article. For the purpose of this Article only, the term "altered" or "reconstructed" shall not include normal maintenance; changing of surface sign space to a lesser or equal area, ornamental molding, frames, trellises or ornamental features or landscaping below the base line; or the addition, construction, installation or changing of electrical wiring or electrical devices, backgrounds, letters, figures or characters or other embellishments. Nonconforming signs and sign structures shall be removed or made to conform within ninety (90) days of the termination of the use to which they are accessory. Deleted: be
Deleted: Section
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- (E) **Intent.** It is the intent of this Article to encourage eventual elimination of signs that, as a result of the adoption of this Article, become nonconforming and to administer this Article to realize the removal of illegal nonconforming signs and to avoid any unreasonable invasion of established private property. Deleted: Section
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Section 11.116 Appeals (Currently 20.412)

Any person aggrieved by any decision, ruling or order from the Building Department, may make an appeal to the Board of Zoning Appeals (BZA) in accordance with Article 12, Chapter 4 of this Ordinance. In determining whether a variance is appropriate, the BZA shall also study the sign proposal, giving consideration to any extraordinary circumstances, such as those listed below, that would cause practical difficulty in complying with the sign standards. The presence of any of the circumstances listed may be sufficient to justify a practical difficulty; however, the BZA may decline to grant a variance even if certain of the circumstances is present.

Commented [PS273]: Additional standards were added above and beyond the typical variance standards of Article 12, Chapter 4.

- (A) Permitted signage could not be easily seen by passing motorists due to the configuration of existing buildings, trees, or other obstructions, which cannot be legally and/or practically removed.
- (B) Permitted signage could not be seen by passing motorists in sufficient time to permit safe deceleration and exit. In determining whether such circumstances exist, the BZA shall consider the width of the road, the number of moving lanes, the volume of traffic, and speed limits.
- (C) Existing signs on nearby parcels would substantially reduce the visibility or advertising impact of a conforming sign on the subject parcel.
- (D) Construction of a conforming sign would require removal or severe alteration to natural features on the parcel, such as but not limited to: removal of trees, alteration of the natural topography, filling of wetlands, or obstruction of a natural drainage course.

Article 11: Signs

(E) Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger the health or safety of passers-by.

Section 11.117 Enforcement (currently 20.413)

This Ordinance section shall be administered and enforced by the Building Department.

Section 11.118 Severability

See Section 1.105, which applies to the Zoning Ordinance in its entirety.

Deleted: The BZA may grant a variance as provided for in this Zoning Ordinance.¶



Memo

TO: File

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

RE: Administrative Approvals – Wal Mart and Wendy’s Renovations

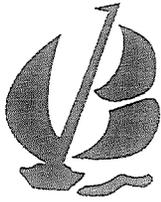
DATE: December 9, 2016

When the proposed new construction or remodeling constitutes an addition to an existing building or use, site plan review procedures may be modified, at the discretion of the Director of Building and Planning, to provide for an administrative review by Township staff in lieu of a more formal review by the Planning Commission. Township staff may conduct an administrative review provided both of the following are true:

1. No variances to the Ordinance are required.
2. The proposed new construction would not increase the total square footage of the building greater than twenty-five (25) percent or one thousand (1,000) square feet, whichever is less.

Both Wal Mart and Wendy’s Restaurant have applied to remodeling their interior as well as renovate their elevation. Staff reviewed the plans and approved them administratively since no variances were required and no changes in the square footage was planned at either project.

The plans are attached to this memo for your reference. Both projects will require sign permits from the Township.



Charter Township of Van Buren

BOARD OF TRUSTEES

SUPERVISOR
Kevin McNamara

CLERK
Leon Wright

TREASURER
Sharry A. Budd

TRUSTEE
Sherry A. Frazier

TRUSTEE
Kevin Martin

TRUSTEE
Reggie Miller

TRUSTEE
Paul D. White

December 9, 2016

Van Buren Township Planning Commission
46425 Tyler Road
Van Buren Township, MI 48111

RE: Airport Zoning Regulations

Dear Commissioners,

There has been some confusion regarding the Township's zoning authority and regulations regarding site plan review at Willow Run Airport. This has recently been brought to our attention due to a few upcoming projects. We have met with representatives from the Wayne County Airport Authority (WCAA) and have had positive discussions regarding this issue. The following is intended to discuss the Township's zoning authority over the property, discuss the current regulations in our Zoning Ordinance, and offer a strategy to address future Willow Run projects.

Zoning Authority

Per discussions with the Township Attorney it is our position that we do have zoning authority over the airport property. Our authority would be in addition to other land use requirements that the airport is required to abide by, including requirements by the FAA. Due to the additional FAA guidelines there is the potential for conflict and confusion between some of the design standards (i.e. landscaping) and requirements. For example the FAA does not allow for certain types of landscaping on the airport property due to their wild life attraction potential.

Current Zoning Regulations

The Township currently has a section of the Zoning Ordinance which establishes standards for the Willow Run Airport property. This section of the Zoning Ordinance requires that if an airport is owned by a public governmental agency (Willow Run is owned by the Wayne County Airport Authority), that agency shall have control of the location and design of the permitted uses on the property. Additionally, the Zoning Ordinance requires that the public agency shall meet the following requirements:

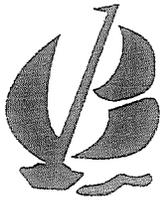
1. The uses located on the airport zoned property shall meet the area, height and placement regulations of the district they are customarily located in as indicated by the schedule of regulations.
2. Uses located on airport zoned property shall meet the parking and loading requirements of the Zoning Ordinance.
3. Uses located on airport zoned property shall meet the industrial performance standards in the Zoning Ordinance.

Lastly, the section of the Zoning Ordinance also requires that for all uses permitted in an AP, Airport 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. It is my understanding that this section in the past has not been fully implemented and as a result there has been a large amount of confusion regarding the approval processes on the Willow Run property.

In addition to the Township's zoning regulations, the airport authority also has their own zoning regulations for site design on the airport property.

Potential Solutions for Future

After discussions with the WCAA and evaluating at the Township's options, we have identified three (3) potential solutions to address this situation. They are as follows:



Charter Township of Van Buren

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TRUSTEE
Kevin Martin

TRUSTEE
Reggie Miller

TRUSTEE
Paul D. White

1. Treat the airport like any other commercial/industrial development: If this is the option selected there will be substantial confusion with regards our site design standards and the FAA requirements. Additionally, it may act as a disincentive for development to occur at the airport as it is likely most approvals will eventually become a negotiation between the WCAA and the Township.
2. Consider requiring site plan approval on the site within a specific distance of the property line: Romulus uses this approach with Detroit Metro Airport, but this option could be limiting and less effective as Willow Run is a smaller airport. Additionally, we could have similar problems as listed above in solution #1.
3. Require uses on the airport property to meet similar standards as are currently in the Zoning Ordinance, but adjust the requirements to allow for an administrative review by staff: This option would require the airport to maintain the existing requirements and staff would review these administratively. Using this option, the potential for regulatory conflicts regarding site design is limited and staff would still report to the Planning Commission regarding uses approved. It is likely staff would request to add a few additional requirements to further address a few minor concerns.

Staff Recommendation

My recommendation to the Planning Commission is to consider the option to require uses on the airport property to meet the existing standards we have in the Zoning Ordinance (plus a few minor additional ones) and adjust the requirements to allow for administrative review by staff. This option codifies what was occurring previously and limits potential conflict between Township and WCAA zoning regulations. The FAA guidelines that the airport is required to follow focuses on safe air travel. As Township staff does not have an airport planning background I feel that this is most appropriately handled by the WCAA. The existing Township requirements that the airport has to follow are fairly straightforward and can be easily addressed by staff. The Zoning Ordinance also requires that the Planning Commission be notified of administrative approvals, so we can ensure the Planning Commission is aware of what is occurring on the property. Lastly, allowing for a quick administrative approval may prove to be an incentive for development on the airport property.

I anticipate that we may add a few minor standards to the Zoning Ordinance for this process regarding exterior appearance of the airport property from Beck and Ecorse Roads and add an option to allow the Planning Commission to review the site plan at staff's request. If this is the option selected by the Planning Commission staff will work with the WCAA to create requirements which are mutually beneficial and bring the language back to a future Planning Commission meeting.

I look forward to the Planning Commission's comments regarding this item. Please feel free to contact me with any further questions.

Sincerely,

Ron Akers, AICP
Director of Planning and Economic Development

20.800

**ARTICLE XVIA
AP AIRPORT DISTRICT.**

20.801

SECTION 16.01A STATEMENT OF PURPOSE.

The intent of this District is to create an area of open land suitable for airport activity, including land uses customarily associated with this activity, such as runways, landing areas or other facilities.

20.802

SECTION 16.02A PERMITTED USES.

In the AP District, no uses shall be permitted, unless otherwise provided in this Ordinance, except the following:

- a. Airports, heliports, landing areas, runways, taxiways, aircraft hangers and tie down areas, approach surface and transitional surfaces.
- b. Commercial and service establishments catering primarily to persons using the airport including sit-down restaurants, barber shops, automobile rental and leasing agencies, banks, travel agencies and similar uses.
- c. Wholesaling and warehousing establishments requiring air transport.
- d. Research or testing laboratories related to the aviation industry.
- e. Transportation facilities including truck terminals, bus depots and similar uses.
- f. Assembly and fabricating plants which use an airplane taxiway from the main airport runway directly to the manufacturing firm.
- g. Off-street parking lots and structures as provided in Article VI.
- h. Terminals, accessory buildings and other uses customarily incidental to an airport operation.
- i. Package expediting service.

20.803

SECTION 16.02B PERMITTED USES AFTER SPECIAL APPROVAL.

The following uses shall be permitted subject to the conditions hereinafter specified and subject to requirements of Section 20.823 and 20.423.

- a. Sexually oriented businesses shall be permitted subject to the standards in 20.448, Section 4.49, regulated uses and shall be subject to special approval review as required by Sections 20.445 and 20.823 but shall not be subject to the standards for granting special approval in Section 20.445, paragraph (F) or

Section 20.823 paragraph (f). (Amended by Ord. 2-16-99, Eff. 3/11/99.)
(Amended by Ord. 12-21-99(1), Eff. 1-20-00.)

20.804

SECTION 16.03A AREA, HEIGHT AND PLACEMENT REGULATIONS.

- a. The area, height and placement regulations of any airport, landing area, runway, taxiway, aircraft hangar, terminal or tie down area, approach surface, transitional surface or other facility for the operation of aircraft shall be in accordance with current Federal Aviation Agency, Michigan Aeronautics Commission and the Detroit Metropolitan Wayne County Airport Zoning Board of Appeals' regulations. If the airport is owned by a public governmental agency, that agency shall have control of the location and design of the permitted uses on the property zone AP, Airport. The public agency shall meet the following requirements:
 1. Uses located on airport zoned property shall meet the area, height and placement regulations of the district they are customarily located in as indicated by Article XVII.
 2. Uses located on airport zoned property shall meet the parking and loading requirements of Article VI.
 3. Uses located on airport zoned property shall meet the industrial performance standards of Section 16.06.
- b. If the airport is privately owned, development of the permitted uses shall be in accordance with the following provisions:
 1. The effect of airport traffic on surrounding land uses shall be determined, including the possibly detrimental effect of truck traffic moving through primarily residential areas and if the effect is found to be detrimental to the surrounding properties or the general Township, uses creating such traffic shall not be permitted to locate with the airport.
 2. Uses located on airport zoned property must meet the area, height and placement regulations of the zone they are customarily located in as indicated by Article XVII.
 3. Uses located on airport zoned property must meet the parking and loading requirements of Article VI.
 4. Uses located on airport zoned property must meet the industrial performance standard of Section 4.45.

20.805 **SECTION 16.04A SITE PLAN REVIEW.**

For all uses permitted in an AP 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.



Memo

TO: Planning Commission

FROM: Ron Akers, AICP
Director of Planning and Economic Development

RE: Review of Temporary Land Use Request #TLU 16-046 – Mobile Hydrogen Refueling Station at Ricardo, Inc.

DATE: December 9, 2016

Ricardo, Inc is request a Temporary Land Use permit for a Mobile Hydrogen Refueling Station for Toyota Fuel Cell vehicles at 40000 Ricardo Dr. The use is proposed to be from December 15, 2016 to February 13, 2017. Per Section 4.44 of the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

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

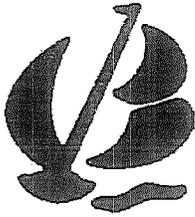
- 1. Adequacy of parking and access** (Section 4.44.c.1) – The location of the mobile hydrogen fueling station is not in any parking area. Per submitted information, the distance between the required barrier around the fueling station and the opposite curb is 25' which per the Zoning Ordinance is sufficient for two-way traffic on the site. (24' minimum)
- 2. Adequate drainage** (Section 4.44.c.2) – The mobile hydrogen fueling station will be parked on existing pavement and should have no impact on site drainage.
- 3. Compatibility with surrounding land uses** (Section 4.44.c.3) – The mobile hydrogen refueling station is located on the existing Ricardo property and is located a few hundred feet from the adjacent properties to the north and west. Due to this and the nature of the green house and industrial uses, staff anticipates very little impact on these properties. I-275 is located to the east of the property and staff also anticipates no impact on the road traffic. The Wayne County Community College property is to the south, but Tyler road which separates the properties is elevated so it can pass over the freeway. Due to this there should be no impact on the adjacent properties.
- 4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site** (Section 4.44.c.4) – There are no proposed buildings or structures to be constructed.
- 5. Sufficient setbacks from road right-of-ways and lot lines** (Section 4.44.c.5) – The closest property line to the trailer would be over 50 feet. This exceeds the minimum front yard setback requirement.

6. **Adequate utilities** (Section 4.44.c.6) – The only utilities required is a 110A line. The applicant indicated they would be running an extension cord from the building to address this.
7. **Trash disposal and site clean-up** (Section 4.44.c.7) – The temporary use involves one (1) trained technician performing the fueling of the vehicle. Staff anticipates limited waste involved with the land use. Any waste can be disposed of inside the vehicle on site.
8. **Sanitary facilities** (Section 4.44.c.8) – There are sanitary facilities located within the existing building.
9. **Hours of operation** (Section 4.44.c.9) – Per a discussion with the applicant the hours of operation would be during normal business hours. Staff does not have any concerns regarding this item.
10. **Outdoor light and signs** (Section 4.44.c.10) – There is existing signage on the trailer, but there is no additional signage proposed per conversation with the applicant.
11. **Other licenses and permits required** (Section 4.44.c.11) – N/A
12. **Potential noise, odor, dust, and glare** (Section 4.44.c.12) – Per conversation with the applicant, the hydrogen refueler gives off little if any noise.
13. **Fire lanes, fire protection, and security** (Section 4.44.c.13) – The Fire Department has recommended approval of the temporary use permit. The trailer will be behind an eight foot security barrier.
14. **Off-site impacts of traffic volumes** (Section 4.44.c.14) – There should be no impact on off site traffic volumes.
15. **Necessity of performance bond to ensure prompt removal** (Section 4.44.c.15) – The trailer will be removed upon completion of the temporary use period.
16. **Other concerns which may impact the public health, safety, or general welfare** (Section 4.44.c.16) – None at this time.

Recommendation

Based on the above review of the approval criteria staff recommends approval of the temporary land use permit subject to the following condition:

1. Compliance with any conditions set forth in the 12-9-16 Fire Department review letter.



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

DATE: 11/16/2016

BUSINESS NAME: Ricardo, Inc.

CONTACT PERSON: Colin Kimber PHONE # 734-306-2264

SUPERVISOR FOR SITE: Ted Byrne PHONE # 734-262-6470

EVENT TITLE: Mobile Refueling Station

TYPE OF EVENT: Temporary refueling station for Toyota Fuel cell vehicles DATE(S): 12/12/16 - 2/12/17

LOCATION OF EVENT: Back lot of facility (see attached layout drawing)

ADDRESS OF LOCATION: 4000 Ricardo Drive, Van Buren Township, Detroit, MI 48111-1641

PROPERTY OWNER REPRESENTATIVE: Ted Byrne PHONE # 734-262-6470

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

OTHER _____

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 \$ 1,650 BOND FEE \$ _____ TOTAL \$ 1650

[Signature]
(SIGNATURE OF APPLICANT)

11/28/16
(DATE SIGNED)

(APPROVED BY)

(DATE SIGNED)

November 28, 2016

Charter Township of Van Buren
46425 Tyler Road
Belleville, M 48111

Van Buren Township,

This document serves as the requested document as part of the submission for the temporary use permit for the *Air Products Mobile On-Site Hydrogen Fueler* to be located at:

Ricardo, Inc.
4000 Ricardo Drive, Van Buren Township, Detroit, MI 48111-1641

This refueling unit is requested in support of Toyota and their new Hydrogen Fuel Cell Electric Vehicles. Since there are a very limited number of local hydrogen fueling stations throughout the State, Toyota Motor Sales is offering a hydrogen mobile refueling unit (manufactured and maintained by Air Products) to be placed temporarily to refuel the vehicles during this testing period. While this is a temporary solution, it will go a long way to ensure Toyota drivers have an option to refuel at a location at which they need to conduct testing. The actual fueling will be performed by a trained technician. Toyota has executed several similar projects in California using the same temporary mobile fueling stations to allow for other testing of new vehicles.

Proposed Trailer Schedule –

| Date | Approximate Time | Activity |
|--------------------|------------------|----------------------------|
| 12/12/2016 | 10:00 am | Load in and set up Trailer |
| 12/13/16 - 2/12/17 | Dedicated Times | Refueling of vehicles |
| 2/13/16 | 10:00 am | Load out the trailer |

On-Site Hydrogen Fueler

The refueling trailer being provided is an Air Products HF-150 Mobile Hydrogen Fueler. Some basic facts are outlined and pictured below.

| | |
|------------------------|--------------------|
| Service Pressure | 46 MPa (6600 psig) |
| Total Capacity 150 kg, | 63,450 SCF |
| Dispenser Press. | 35 MPa (5076 psig) |
| Gasoline Equiv. | 150 gallons |
| DOT Compliant | |



Please see the supplementary Specification Sheet (Attachment 1), Safety Shut-off Features (Attachment 2), and Set-Back Distances document (Attachment 3), attached to this brief for more in-depth information on this trailer. The Set-Back Distance checklist (Attachment 3) is based upon NFPA 55, Chapter 10, 2010 and the trailer placement site has been remotely reviewed by Air Products and will be confirmed and signed off on when the trailer has been delivered.

Sincerely,

Air Products



Att1 Datasheet-
HF-150 Mobile ...



Att2
AP_HF150_Detai...



Att3 Air Products
C Sting For...

Attachment 4 is the Fueling Protocol and Site Safety Measures that Toyota, Ricard, and APEX are putting in place to aid in the safe operation of the mobile fueler. These items have not been confirmed by Air Products.

Attachment 4- Ricardo Fueling Protocol and Site Safety Measures

Fueling Protocol

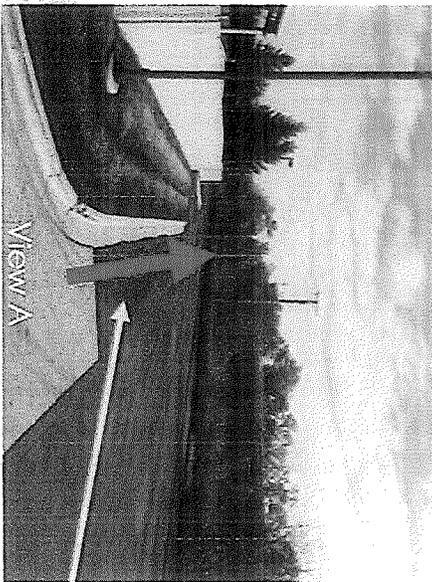
- *Fueling performed by authorized personnel only*
- *No unauthorized personnel in fueling area*
- *No unauthorized equipment or vehicles in fueling area*
- *Fueling only during designated times*
- *Mobile fueler may be secured, but unmanned when not fueling*
- *No smoking in fueling area*
- *Portable fire extinguisher (20-B:C) in fueling area*

Safety Measures

The fueling trailer will be protected from any vehicle impact by k-rail barriers placed around the perimeter. Chain link fence, with a locked gate will enclose the k-rail and trailer to keep the public out of the fueling area. A portable fire extinguisher will be on site as well.

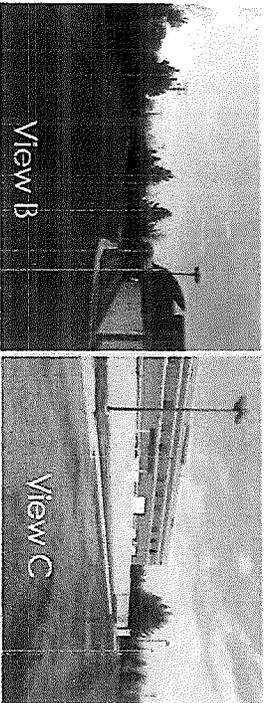
Please feel free to contact our office with any questions surrounding the Mobile Hydrogen Fueler.

**PROPOSED FUELER
LOCATION**



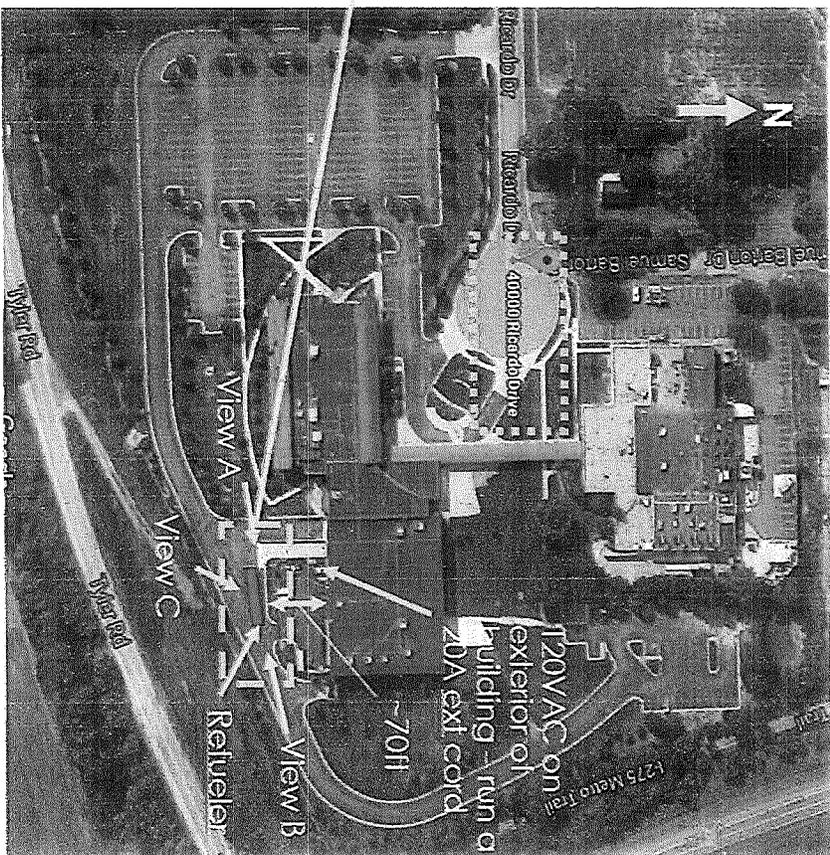
View A

Fueler Parker Parallel to Curb



View B

View C





TECHNICAL DATA SHEET

EQUIPMENT: HF-150 MOBILE HYDROGEN FUELER

| <i>Design Parameters</i> | <i>Specification</i> | <i>Units of Measure</i> |
|------------------------------------|----------------------|-------------------------|
| Service Pressure | 6,600 (45) | psig (MPa) |
| Total Capacity | 147 | kg |
| Usable capacity for H35 service | 70-90 | kg |
| Dispensing Pressures (H35 service) | 5,076 (35) | psig (MPa) |
| Trailer Length | 26 (7.9) | feet (meters) |
| Trailer Width | 8.5 (2.6) | feet (meters) |
| Trailer Height | 7.0 (2.2) | Feet (meters) |
| Total Weight | 43,500 (19,731) | pounds (kg) |
| Utilities Required | None | |



DISPENSER DETAILS:

| <i>Item</i> | <i>Details</i> |
|--------------------|---|
| Vehicle Interface | SAE J2600 Compliant, Drive away / Breakaway Protection |
| Wireless Telemetry | Standard |
| Fill Types | Per APCI fueling spec. |
| Fill Method | PLC Automated Eight Tube Cascade |
| User Interface | Controlled personnel access by PIN (personal identification number) |

EQUIPMENT DETAILS:

| <i>Description</i> | <i>Material</i> | <i>Details/Comments</i> |
|------------------------|----------------------------|--|
| Storage Vessels | High Strength Carbon Steel | Meets D.O.T. Requirements |
| Valves | Stainless Steel | Per ASME B31.3 |
| Relief Vent | Stainless Steel | Relief valve set point 7000psig (48 MPa) |
| Pressure Relief Device | Brass | Per ASME B31.3 |
| Thermal Relief Device | Rupture Disk | Meets D.O.T. Requirements |

SITE REQUIREMENTS:

| <i>Item</i> | <i>Details</i> |
|----------------------|--|
| Foundations Required | None – Can be sited on Macadam Surfaces or gravel with proper supports |
| Electrical | None – Self Contained Power (Solar Panel, battery operated) |
| Water | None Required |
| Phone | None – Wireless telemetry included |
| Grounding Rod | Yes – required at site |
| Siting Distances | Per NFPA 55 – Air Products should provide site evaluation |

TRANSPORTATION REQUIREMENTS:

| <i>Item</i> | <i>Details</i> |
|------------------------|--|
| Trailer Design | Complies with 49 CFR |
| Transport Requirements | Air Products Delivered and Set up for Operation, Tractor Trailer |

AIR PRODUCTS ADDITIONAL SERVICES

- HYDROGEN REPLENISHMENT
- DELIVERY AND PICKUP
- USAGE TRACKING
- KNOWH₂OSM HYDROGEN SAFETY TRAINING

Air Products SmartFuel® HF-150 HYDROGEN FUELER

The HF-150 Hydrogen Fueler is a self-contained 350 bar hydrogen fueling trailer that holds approximately 150 kg (63,450 SCF) of hydrogen at a maximum settled pressure of 6600 psig. It is pulled by a tractor, parked, and left in a secure location until it needs to be refilled, at which point it may be taken to an Air Products facility for refilling or filled in place. The HF-150 requires no utilities but may be powered by 120V if used for long periods of time. The trailer must be grounded. When vehicles being fueled from the station are not parked on concrete, a grounding connection is provided by the HF-150.

Below is a listing of the HF-150's major safety features:

General:

- Equipment sited in conjunction with customer with appropriate setbacks, compliant with NFPA 2, "Hydrogen Technologies Code"
- Local and remote emergency stop buttons, which isolate all H2 storage tubes and stop the flow of H2 during fueling.
- **When idle or in an alarm state, the fueler is always considered to be in a safe mode; all actuated valves are closed except during a normal fueling operation.**
- Open top for maximum ventilation.
- Complete HAZOP analysis of fueler design
- Over a decade of successful operating experience: Eight HF-150 units are currently operating in California
- PIN code to control access to fueling operation

Fueling Operation:

- The HF-150 is grounded when parked at all times. A ground connection is provided for vehicle fueling.
- Fueling hose and vent hose breakaway connections.
- No Smoking, No Cell Phones, No Open Flames, and 350 Bar Hydrogen Labeling in Fueling Hose Compartment, compliant with NFPA 2
- Leak detection systems for the dispenser when idle (between fuelings) and also during fueling
- Use of hoses that significantly exceed burst pressure requirements.

Shutdowns:

The following table shows conditions that will shut down the fueler:

| Control | Action |
|---------------------|--|
| E-Stop (Remote) | Close All Valves; System Shutdown; Remove Power to Control |
| E-Stop (Panel) | |
| Hose Break | Close All Valves; Halt Fill Process; Screen Display of System Shutdown |
| Slow Leak | |
| Excess Flow | |
| Transmitter Failure | |
| Low Temperature | |

| | |
|--|---|
| High Temperature in Back Cabinet | Close All Valves; Halt Fill Process; Screen Display of System Shutdown; Energize External Beacon |
| Hydrogen Gas Detected at 25% of LFL (1% Hydrogen) During Fueling | |

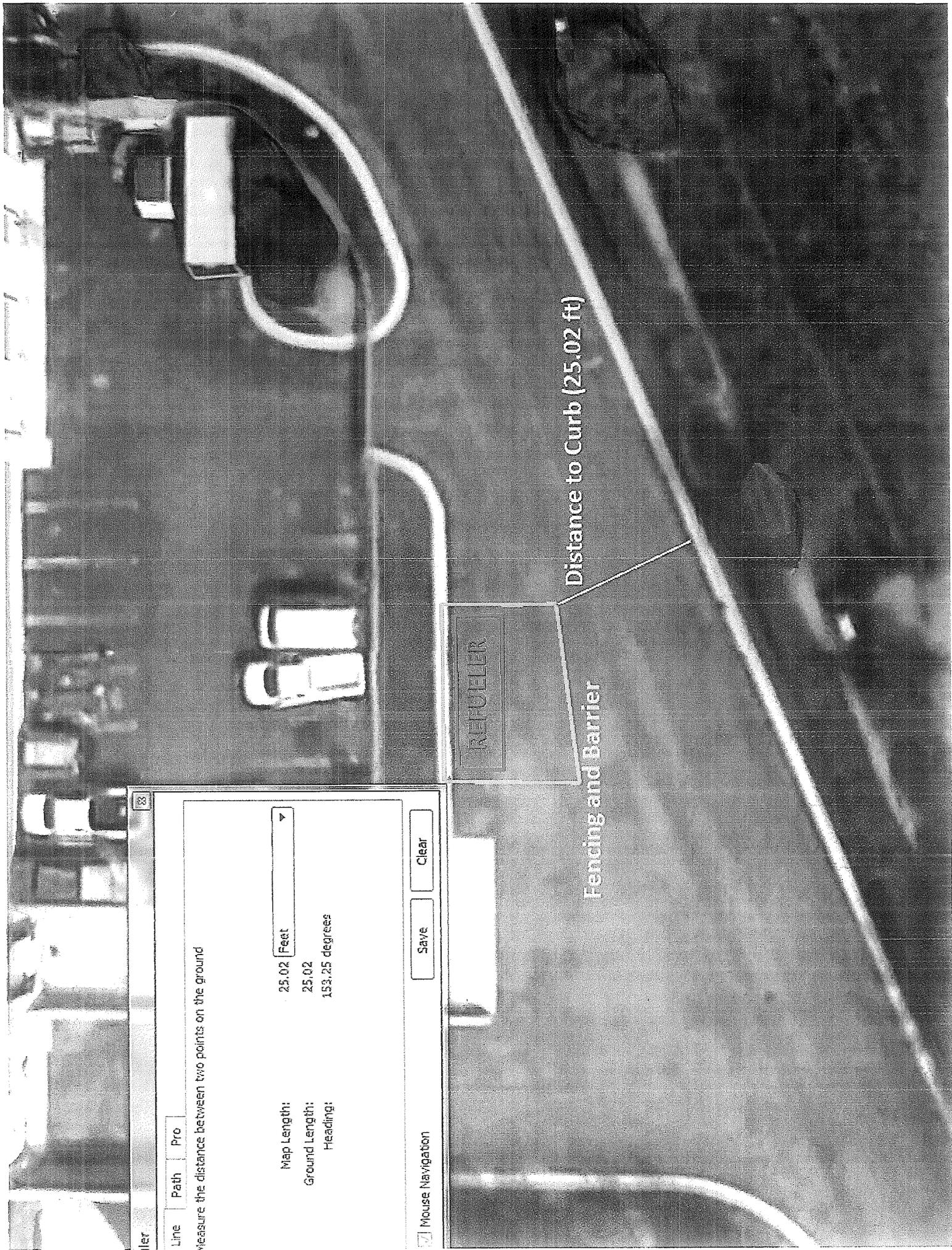
Attachment 3 - Set-Back Distance Checklist



| | |
|------------------|------------------|
| Date: | Category: |
| Customer: | |
| Location: | |

| Type of Outdoor Exposure NFPA 55, Chapter 10, 2010 Edition | Minimum Distance Required (shortest distance between exposure and nearest point of H2 system) | | |
|--|--|------------|-------|
| | 3000 to 57500 psi Nearest 5 (ft) <small>For use with 2 1/2" SST, 600 WPG max pipe detection systems</small> | Evaluation | Notes |
| (1) Lot lines (greater of a or b); Includes lot lines to other customer owned properties | 20 | | |
| (2) Exposed persons other than those involved in servicing of the system ^a | 10 | | |
| (3) Buildings and structures; Combustible construction ^d | 10 | | |
| (3) Buildings and structures; Noncombustible non-fire-rated construction ^a | 10 | | |
| (3) Buildings and structures; Fire-rated construction with a fire resistance rating of not less than 2 hours ^f | 5 | | |
| (4) Openings in buildings of fire-rated or non-fire-rated construction (doors, windows, and penetrations) Openable ^a ; Fire-rated or non-fire-rated | 20 | | |
| (4) Openings in buildings of fire-rated or non-fire-rated construction (doors, windows, and penetrations) Unopenable ^a ; Fire-rated or non-fire-rated | 10 | | |
| (5) Air Intakes (HVAC, compressors, other) ^a | 20 | | |
| (6) Fire barrier walls or structures used to shield the bulk system from exposures ^f | 5 | | |
| (7) Unclassified electrical equipment ^g | 15 | | |
| (8) Utilities (overhead) including electric power, building services, hazardous materials piping ^d | 10 | | |
| (9) Ignition sources such as open flames and welding ^a | 20 | | |
| (10) Parked cars ^c | 10 | | |
| (11) Flammable gas storage systems, including other hydrogen systems above ground; Nonbulk ^d (<400 scf for hydrogen) | 10 | | |
| (11) Flammable gas storage systems, including other hydrogen systems above ground; Bulk ^h | 15 | | |
| (12) Aboveground vents or exposed piping and components of flammable gas storage systems, including other hydrogen systems below ground ^d Gaseous or cryogenic | 10 | | |
| (13) Hazardous materials (other than flammable gases) storage below ground ^d ; Physical hazard materials or health hazard materials | 10 | | |
| (14) Hazardous materials storage (other than flammable gases) above ground ^d ; Physical hazard materials or health hazard materials. | 10 | | |
| (15) Ordinary combustibles, including fast-burning solids such as ordinary lumber, excelsior, paper, and combustible waste and vegetation other than that found in maintained landscaped areas ^d | 10 | | |
| (16) Heavy timber, coal, or other slow-burning combustible solids ^d | 10 | | |
| Systems within 50' of aboveground storage of all classes of flammable and combustible liquids shall be located on ground higher than such storage, except where dikes, diversion curbs, grading, or separating solid walls are used to prevent accumulation of these liquids under the system. | Review | | |
| Distances apply to the unloading connection on delivery equipment | Review | | |
| Oxygen Storage >20,000 scf - Hydrogen storage 25,000 cubic feet or less (see oxygen site evaluation) | 25 | | |
| Oxygen Storage >20,000 scf - Hydrogen storage 25,000 cubic feet or more (see oxygen site evaluation) | 50 | | |
| Is there a ground rod located within 25 feet of the fueler to ground the fueler? | YES/NO | | |
| Is there adequate room to allow easy access for the fuel cell vehicle to maneuver? | YES/NO | | |
| Is the fueler located in a secure area? | YES/NO | | |
| Is there adequate room to maneuver the fueler to locate it in the fueling position (drop area of 50' x 15' with a turn radius of 70')? | YES/NO | | |
| Is there adequate room to refill the mobile fueler using the Hydra, if required? If refilling with Hydra, complete Hydra site evaluation form | YES/NO | | |
| Will a remote dispenser be connected to the mobile fueler? If remote dispenser is within APCI scope, complete NFPA 52 site evaluation form. | YES/NO | | |

Air Products Confidential



ier

Line Path Pro

Measure the distance between two points on the ground

Map Length: 25.02 Feet

Ground Length: 25.02

Heading: 153.25 degrees

Mouse Navigation

Save Clear

REFUELLER

Fencing and Barrier

Distance to Curb (25.02 ft)

Akers, Ron

From: Vrabel, Steven L. <VRABELSL@airproducts.com>
Sent: Thursday, December 8, 2016 10:55 AM
To: McNally, David; Akers, Ron
Cc: Best, Matthew; Kretz, Christine Peck; Bell, Shawn
Subject: RE: Fuel Cell Refueling Unit Permit (Air Products)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi David,

Thank you for reaching out for clarification! Please see answers in red below. If you have any additional questions at all please don't hesitate to call.

Thanks,
Steve

Steve Vrabel
Project Engineer

Customer Stations
T 480.752.6015
C 714.227.3850
E vrabelsl@airproducts.com

tell me more

www.airproducts.com

This communication is intended solely for the person addressed and is confidential and may be privileged. If you receive this communication incorrectly, please return it immediately to the sender and destroy all copies in your files. If you have questions, please contact the sender of this message.

From: McNally, David [mailto:DMcNally@vanburen-mi.org]
Sent: Thursday, December 08, 2016 6:30 AM
To: Akers, Ron; Vrabel, Steven L.
Cc: Best, Matthew; Kretz, Christine Peck; Bell, Shawn
Subject: RE: Fuel Cell Refueling Unit Permit (Air Products)

I am working on the review and will have it by tomorrow for you. I do have a couple of questions,

1. What is being fueled? Toyota Fuel Cell Vehicles
2. Will there be any fuel inside the building after testing hours? Fuel is not being sent to the building. Cars will pull up to the mobile fueler and fill directly from the unit.
3. Is the system inside the building designed for this type of hazard? Fuel will not be sent to the building and instead sent directly to the vehicle that is refueling. These vehicles are indeed designed for the use and storage of the fuel.
4. Is the testing confined to the testing labs in the building, property or traveling around the township? I believe the testing will be in operation of the fuel cell vehicles. I am not aware of the confines or details of the testing but I would assume these vehicles may be tested through driving.

Fire Marshal David C. McNally

Van Buren Fire Department

Mail: 46425 Tyler Rd; Belleville, MI 48111
HQ: 7891 Belleville Rd; Belleville, MI 48111
Cell:313-410-0302
Office: 734-699-8900 ext 9416
Station: 734-699-8928
Fax:734-699-6575
website: www.vanburen-mi.org

From: Akers, Ron
Sent: Thursday, December 08, 2016 8:07 AM
To: Vrabel, Steven L.
Cc: Best, Matthew; Kretz, Christine Peck; McNally, David
Subject: RE: Fuel Cell Refueling Unit Permit (Air Products)

Steven,

I cannot do a credit card payment over the phone, so a check will work just fine. Please make the check out to Van Buren Township and mail to the following address.

Van Buren Township
Attn: Ron Akers
46425 Tyler Road
Van Buren Township, MI 48111

If approval is granted on the 14th then I will sign the temporary permit the following day.

Thanks,

Ron Akers, AICP
Director of Planning & Economic Development
Charter Township of Van Buren
rakers@vanburne-mi.org
Ph: 734-699-8913
Fax: 734-699-8958

From: Vrabel, Steven L. [<mailto:VRABELSL@airproducts.com>]
Sent: Wednesday, December 7, 2016 5:42 PM
To: Akers, Ron <rakers@vanburen-mi.org>
Cc: Best, Matthew <mbest@vanburen-mi.org>; Kretz, Christine Peck <KRETZCM@airproducts.com>; Vrabel, Steven L. <VRABELSL@airproducts.com>
Subject: RE: Fuel Cell Refueling Unit Permit (Air Products)
Importance: High

Hi Ron,

Got your VM and tried to call back. Sorry for the phone tag, today has been . For the permit fee, can you take Credit Card over the phone? Or do you require a check sent to the city office?

To answer your access question, if you look at the attached picture, the trailer (with fence and barrier) should have more than enough room for truck access. The trailer is 8 ft wide, so with a fence and barriers against the unit there should be about 25 ft of access to the edge of the driveway (yellow line) to get around the unit.

Also, pending your meeting on the 14th, how soon after that would we expect to have the permits issued to be able to install the unit?

Lastly, I just saw a mistake in the address of the site. The address of the site is 40000 Ricardo Drive vs 4000 as listed in the permit application. I apologize for this mistake.

Thanks,
Steve

Steve Vrabel
Project Engineer

Customer Stations
T 480.752.6015
C 714.227.3850
E vrabelsl@airproducts.com

tell me more

www.airproducts.com

This communication is intended solely for the person addressed and is confidential and may be privileged. If you receive this communication incorrectly, please return it immediately to the sender and destroy all copies in your files. If you have questions, please contact the sender of this message.

From: Akers, Ron [<mailto:rakers@vanburen-mi.org>]
Sent: Wednesday, December 07, 2016 12:57 PM
To: Vrabel, Steven L.
Cc: Best, Matthew
Subject: RE: Fuel Cell Refueling Unit Permit (Air Products)

Steve,

I tried to call you, but you were unable to answer. Our Fire Department is in the process of reviewing this application and I have this on the schedule for the December 14, 2016 Planning Commission meeting. The application fee which will need to be paid is \$1,650. This needs to be paid as soon as possible. The only concern that I have identified at this time is with regards to vehicle access. I need to know the distance between the fenced in mobile refueling area and the curb. We will need to know if there is enough width available for truck access on the site. I will provide you with our reviews after they are finalized. Please let me know if you have any additional questions.

Thanks,

Ron Akers, AICP
Director of Planning & Economic Development
Charter Township of Van Buren
rakers@vanburne-mi.org
Ph: 734-699-8913

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

Van Buren Fire Department
46425 Tyler Rd
Belleville, MI 48111



12-9-2016

Department Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Temporary land use permit
40000 Ricardo Dr

16-046

To whom it may concern:

I have reviewed a set of email attachments submitted by Colin Kimber for a temporary use permit for the Air Products Mobile On-Site Hydrogen fueler trailer submitted to my office on 12-7-2016

Project Overview:

The refueling unit is requested in support of Toyota and their new Hydrogen Fuel Cell Electric Vehicles. Since there are limited number of local hydrogen fueling stations throughout the state, Toyota Motor Sales is offering a refueling unit to be placed temporarily to refuel the vehicles during this testing period.

NFPA 2 and NFPA 55

1. Dispensing facilities shall be certified as meeting the requirements of this code by qualified engineer with expertise and competence in the design, fabrication and construction of the hydrogen containers, piping systems, site fire protection, gaseous detection, emergency shutdown provisions, isolation, drainage, site spacing, fire protection equipment, operating procedures, worker protection and other components of the facility.
NFPA 2 10.2.1.1
2. A hazard analysis shall be conducted on the hydrogen fueling system installation by a qualified engineer with proven expertise in hydrogen fueling systems, installations and hazard analysis techniques.
NFPA 2 10.2.1.2
3. Hydrogen dispensing systems shall be leak tested after final installation to prove them free from leaks at a pressure equal to at least the normal service pressure of that portion of the system.

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.

- 4. System maintenance shall be performed as required by manufactures instructions. **NFPA 2 10.3.1.10.1**
- 5. Dispensing equipment shall be provided with hydrogen gas detection, leak detection, and flame detection at the fueling area. **NFPA 2 10.3.1.11**
- 6. **Notification of unauthorized release.** The fire department shall be notified immediately or in accordance with approved emergency procedures when an unauthorized release becomes reportable understate, federal, or local regulations. **NFPA 2 10.3.1.18.1**
- 7. Personnel shall be trained in the hazards of the materials employed and actions required by the emergency plan. The level of training to be conducted shall be consistent with the responsibilities of the persons to be trained in accordance with 4.11.1 through 4.11.4 **NFPA 2 4.10.4**
- 8. Emergency response liaison personnel shall do the following: **NFPA 2 4.11**
 - 1. Aid emergency responders in pre-planning responses to emergencies
 - 2. Identify locations where (GH2 or LH2) are located.
 - 3. Have access to material safety data sheets.
 - 4. Be knowledgeable in the site emergency response procedures. **NFPA 2 4.11.3.2**
- 9. Protection from vehicular damage **NFPA 2 4.14-4.14.1.2**

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

If you have any questions about this plan review report, please feel free to contact me

Respectfully submitted,

David C McNally
 Fire Marshal
 Van Buren Fire Department