

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
MAY 11, 2016
MINUTES**

Chairperson Thompson called the meeting to order at 7:32 p.m.

ROLL CALL:

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

Excused: None.

Staff: Director Akers and Secretary Harman.

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

Audience: Six (6).

APPROVAL OF AGENDA:

Motion Kelley, Boynton second to approve the agenda of May 11, 2016 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Boynton, Budd second to approve the regular meeting minutes from April 13, 2016 as presented. Motion Carried.

PUBLIC HEARING: None.

CORRESPONDENCE: None.

NEW BUSINESS:

ITEM # 1 16-016 – TEMPORARY LAND USE

TITLE: THE APPLICANT, ANGRY TIGER FIREWORKS LLC, IS REQUESTING FINAL APPROVAL TO HOST A FIREWORKS TENT FOR A PERIOD EXTENDING BEYOND THE AS-A-RIGHT SEVEN CONSECUTIVE DAYS OR LESS REQUIREMENT FOUND IN SECTION 4.44 OF THE TOWNSHIP ZONING ORDINANCE.

LOCATION: THIS SITE IS LOCATED AT THE METRO PARK PARTY STORE AT 41001 EAST HURON RIVER. THE SUBJECT LOCATION IS ON THE SOUTH SIDE OF HURON RIVER DRIVE, WEST OF HAGGERTY.

Franco Mattei of Angry Tiger Fireworks LLC gave the presentation. The proposed layout is the same as the previous two years. The applicant is requesting a temporary land use permit for operations from June 24, 2016 through July 5, 2016 with hours of operation from 8:00 a.m. to 10:00 p.m.

Director Akers presented Deputy Director Best's review letter dated 5-4-16 recommending approval subject to the seven (7) conditions in the review letter.

Commissioners discussed the seven conditions in Deputy Director Best's letter including: a site plan layout with proposed use and facilities, accurate setbacks, trash disposal and cleanup agreement with the property owner, sanitary facilities/use of bathroom, copy of the Fireworks Retail Facility Non-permanent License, staffing, measures to secure fireworks and approval from the Van Buren Township Fire Marshall. The Commissioners agreed four (4) fire extinguishers are to be located in the tent.

No comments from the audience.

Motion Kelley, Boynton second to grant final approval to Angry Tiger Fireworks LLC to host fireworks tent sales beyond the as-a-right seven consecutive day requirement in the Township Zoning Ordinance 06-02-92, as amended, located at the Metro Parkway Party Store at 41001 East Huron River Drive subject to the recommendations in Deputy Director Best's staff review letter dated 5-4-16 with final review and approval taken care of by the Planning Department along with Fire Department approval and four (4) fire extinguishers to be located on site. Motion Carried. (Letter Attached)

ITEM # 2 16-017 – TEMPORARY LAND USE

TITLE: THE APPLICANT, ANGRY TIGER FIREWORKS LLC, IS REQUESTING FINAL APPROVAL TO HOST A FIREWORKS TENT FOR A PERIOD EXTENDING BEYOND THE AS-A-RIGHT SEVEN CONSECUTIVE DAYS OR LESS REQUIREMENT FOUND IN SECTION 4.44 OF THE TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.

LOCATION: THIS SITE IS LOCATED AT STACKS AT 45378 ECORSE. THE SUBJECT LOCATION IS ON THE NORTHEAST CORNER OF ECORSE AT BELLEVILLE ROAD.

Franco Mattei of Angry Tiger Fireworks LLC gave the presentation. The applicant is requesting a temporary land use permit for operations from June 24, 2016 through July 5, 2016 with hours of operation from 8:00 a.m. to 10:00 p.m. The site is located the northeast corner property of Ecorse at Belleville Road.

Director Akers presented Deputy Director Best's review letter dated 5-4-16 recommending approval subject to the seven (7) conditions referenced in the review letter.

Commissioners discussed entrance locations to the property.

No comments from the audience.

Motion Kelley, Boynton second to grant final approval to Angry Tiger Fireworks LLC to host fireworks tent sales beyond the as-a-right seven consecutive day requirement in the Township Zoning Ordinance 06-02-92, as amended, located at 45378 Ecorse Road subject to the conditions in Deputy Director Best's review letter dated 5-4-16 with final review and approval taken care of by the Planning Department along with Fire Department approval and four (4) fire extinguishers to be located on site. Motion Carried. (Letter Attached)

ITEM # 3 16-015 – PRELIMINARY SITE PLAN

TITLE: THE APPLICANT, MAYSER USA, INC., IS REQUESTING PRELIMINARY SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A 50,346 SQ. FT MANUFACTURING BUILDING AND RELATED SITE IMPROVEMENTS.

LOCATION: PARCEL NUMBER V125-83-017-99-0014-704, (SCHOONER DRIVE). THE SITE IS APPROXIMATELY 8.91 ACRES (14.58 TOTAL) AND IS LOCATED IN THE M-2, GENERAL INDUSTRIAL DISTRICT. THIS SITE IS LOCATED ON THE SOUTH SIDE OF MICHIGAN AVENUE, BETWEEN DENTON AND BECK.

Allen Scott of Rand Construction, Civil Engineer Wayne Perry and Architect Carl Volmer, along with two (2) representatives from Mayser gave the presentation for the applicant. The applicant will request a parcel split to separate the 14.58 acres for phase 1 of a 4 phase project. The proposed 50,346 square foot building will sit on 8.9 acres with access from Schooner Drive from the east and the south. The applicant is asking for a parking reduction for phase 1 to 120 parking spaces. Site plans were displayed and the exterior façade consists of masonry brick and pre-finished metal panes, windows will be clear with a slight green tint and canopies will be Mayser red.

Patrick Sloan of McKenna Associates presented the preliminary site plan review letter dated 5-5-16 recommending the Planning Commission approve the preliminary site plan subject to the conditions referenced in the letter.

David Nummer of Wade Trim presented the preliminary site plan review letter dated 4-6-16 recommending preliminary site plan approval.

Fire Inspector Shawn Bell's review letter dated 5-4-16 recommends preliminary approval subject to applicant providing digital cad layout of the building prior to final C of O inspection.

Commissioners discussed the stormwater detention pond location and different types of screening, ability of the detention pond to support the additional phases of the project, masonry brick for the exterior, rooftop mechanical screening not shown on site plan, 2:1 tree ratio for non-desirable vs. desirable tree species, reducing the number of parking spaces to 120, and limiting the use of Denton Road having no truck traffic as agreed to by the applicant.

No comments from the audience.

Motion Boynton, Budd second to grant preliminary site plan approval to Mayser USA, Inc. to construct a 50,346 square foot manufacturing building with related site improvements located at parcel number V125-83-017-99-0014-704, Schooner Drive, approximately 8.91 acres of 14.58 total acres in the M-2, General Industrial District on the south side of Michigan Avenue subject to the conditions in the Fire Department review letter dated 5-4-16, Wade Trim review letter dated 5-6-16, McKenna Associates review letter dated 5-5-16 along with the Planning Commission's acceptance of 120 parking spaces, 2:1 tree ratio for non-desirable vs. desirable species, a tree to be placed in the peninsula without the hydrant and light pole, clarification of the screening for rooftop equipment to be provided, further discussion with the applicant to work towards resolution of detention pond

screening and Denton Road not to be used for truck traffic as agreed to by the applicant. Motion Carried. (Letters Attached)

GENERAL DISCUSSION:

Director Akers gave a brief update on the Lakeshore Ordinance. The subcommittee consisting of fourteen (14) residents/stakeholders will have their first meeting on May 23, 2016.

Commissioners inquired when construction is going to start at the Menard's site. Director Akers will follow up with Menard's and provide an update at the next Planning Commission meeting.

Motion Boynton, Budd second to adjourn at 8:58 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



Memo

TO: Planning Commission

FROM: Matthew R. Best, M.S.
Deputy Director – Planning and Economic Development

RE: Review of Temporary Land Use Request #TLU16 -016 – Angry Tiger Fireworks
Agenda Item for May 11, 2016

DATE: May 4, 2016

Angry Tiger Fireworks LLC is requesting a Temporary Land Use permit for a tent sale of fireworks at the Metro Park Party Store located at 41001 E. Huron River Drive. The use is proposed to be from June 24, 2016 through July 5, 2015, 8:00 a.m. to 10:00 p.m. Per Section 4.44 of the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

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

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

- 1. Adequacy of parking and access** (Section 4.44.c.1) – *The drawings submitted are illegible, and must be revised to clearly show the proposed use and facilities.* Based on a review of satellite images, the site currently appears to have 35 public parking spaces, 2 of which appear to be handicapped reserved. The proposed 20’x 20’ pole tent will maintain a 10-foot clearance for parking around it. The site will also have a 14-foot high storage container with a 10-foot additional setback. This proposal will result in a loss of 6 regular parking spaces. Based on our observations of parking levels on the site, we do not believe the temporary loss of 6 parking spaces will result in a parking shortage on the site.
- 2. Adequate drainage** (Section 4.44.c.2) – The site is in an existing parking lot that already has storm water drainage. The pole tent will not affect the amount of impervious surface or water that would be diverted into the storm system.

3. **Compatibility with surrounding land uses** (Section 4.44.c.3) – The proposed use is retail sales in a parking lot of an existing shopping plaza. Therefore, the proposed use is compatible with on-site uses.
4. **Size, height, and type of construction of proposed buildings and structures in relation to surrounding site** (Section 4.44.c.4) – The pole tent and storage container are temporary in nature and tent sales regularly take place in parking lots, so no impacts are expected to the surrounding sites.
5. **Sufficient setbacks from road right-of-ways and lot lines** (Section 4.44.c.5) – The tent is proposed to be located at the northeast corner of the site. Although the applicant notes that the setback is over 50 feet from the adjoining rights-of-way for Haggerty Road and Huron River Drive, the applicant appears to be measuring these setbacks from the road surface – not from the right-of-way. *Based on aerial imagery, the northeast corner of the parking lot appears to be about 9 feet from the right of way of E. Huron River Drive and about 24 feet from the right-of-way of Haggerty Road. The plans must show the proper dimensions and layout. We recommend that a 25-foot clear vision triangle area be maintained at the intersection, which is the area formed at the corner intersection of the 2 right-of-way lines. This area is formed by measuring 25 feet along both right-of-way lines from the point of intersection, with the third siding being a line connecting these 2 sides.*
6. **Adequate utilities** (Section 4.44.c.6) – Angry Tiger will supply its own electrical generation. The generator and electrical hook-up will be inspected to ensure compliance with National Fire Protection Association requirements.
7. **Trash disposal and site clean-up** (Section 4.44.c.7) – Angry Tiger will be responsible for all trash disposal and site clean-up. *Such agreement should be between the applicant and the shopping center owner and a copy must be provided for Township records.*
8. **Sanitary facilities** (Section 4.44.c.8) – Due to the short nature of the customer shopping, no sanitary facilities will be provided. *However, the application must have provisions for employee sanitary facilities, such as approved use of a bathroom in the main building or a porta-potty.*
9. **Hours of operation** (Section 4.44.c.9) – From 8:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses.
10. **Outdoor light and signs** (Section 4.44.c.10) – No exterior lights are provided. It is likely that interior lights will be hung by the tent company. Although no temporary commercial sign permit requests have been received, the Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Any temporary signage must comply with the Zoning Ordinance before it obtains a sign permit from the Building Department.
11. **Other licenses and permits required** (Section 4.44.c.11) – The applicant has provided the Township with a copy of their State Tax License. *A copy of a license authorizing the applicant as a Consumer Fireworks Retail Facility must be provided by the applicant prior to the establishment of the temporary use.* The Van Buren Fire Marshall has separately issued a review letter.

- 12. Potential noise, odor, dust, and glare** (Section 4.44.c.12) – The proposed temporary use should not increase the noise, odor, dust of glare from their use.
- 13. Fire lanes, fire protection, and security** (Section 4.44.c.13) – The Van Buren Fire Marshall has reviewed the application for adequacy of fire lanes and fire protection. *Information regarding staffing of the site during business hours must be noted. Provisions for security of the fireworks must be included in the application materials. In most cases, staff is present on-site 24 hours per day or the fireworks are locked in a fire-proof storage unit until the fireworks are returned for display the following day.*
- 14. Off-site impacts of traffic volumes** (Section 4.44.c.14) – The roads in the immediate vicinity are major Township roads, and this temporary use is not likely to impact their flow or travel volumes.
- 15. Necessity of performance bond to ensure prompt removal** (Section 4.44.c.15) – The property owner will be responsible for ensuring the site is returned to its pre-sale condition.
- 16. Other concerns which may impact the public health, safety, or general welfare** (Section 4.44.c.16) – There are no additional concerns; however, the applicant is subject to the regulations of Act 256 and applicable regulations of the Fire Department.

Recommendation

This is the third year Angry Tiger Fireworks is requesting a temporary use permit from the Planning Commission to operate a fireworks tent in the Township. Although there are several application items missing, the temporary use should function well on the site if an accurate layout plan is submitted and all of the conditions are met. Therefore, we recommend approval of this application subject to the following conditions:

1. That the layout plan be revised to show the proposed use and facilities.
2. That accurate setbacks be shown on the plans, and that a 25-foot clear zone triangle be maintained at the intersection of Haggerty Road and E. Huron River Dr.
3. The applicant provides the Township with a copy of an agreement with property owner for trash disposal and clean-up of site after use.
4. That the applicant provide for employee sanitary facilities, such as approved use of a bathroom in the main building or a porta-potty.
5. The applicant provide the Township with a copy of a consumer Fireworks Retail Facility non-permanent license prior to the establishment of the temporary use.
6. The applicant provides clarification on staffing of the tent and measures to secure fireworks after hours.
7. The applicant obtains approval from the Van Buren Township Fire Marshall.



Memo

TO: Planning Commission

**FROM: Matthew R. Best, M.S.
Deputy Director – Planning and Economic Development**

**RE: Review of Temporary Land Use Request #TLU16 -017 – Angry Tiger Fireworks
Agenda Item for May 11, 2016**

DATE: May 4, 2016

Angry Tiger Fireworks LLC is requesting a Temporary Land Use permit for a tent sale of fireworks at the Stacks Party Store located at 45378 Ecorse Road. The use is proposed to be from June 24, 2016 through July 5, 2015, 8:00 a.m. to 10:00 p.m. Per Section 4.44 of the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

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

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

- 1. Adequacy of parking and access** (Section 4.44.c.1) – *The drawings submitted are illegible, and must be revised to clearly show the proposed use and facilities.* Based on a review of satellite images, the site currently appears to be a vacant corner lot. This site was utilized most recently as a staging area for the reconstruction of the intersection at Ecorse and Belleville. The lot is unpaved, with access to Belleville and Ecorse Roads. Parking areas must be clearly defined on the site plan. The proposed 20’x 20’ pole tent must maintain a 10-foot clearance for parking around it. The site proposes to have a 14-foot high storage container with a 10-foot additional setback. Based on our observations of parking levels on similar sites, we do believe there will be adequate parking on the site.
- 2. Adequate drainage** (Section 4.44.c.2) – The site is in an existing unpaved lot that already has adequate storm water drainage. The pole tent will not change the amount of impervious surface or water
- 3. Compatibility with surrounding land uses** (Section 4.44.c.3) – The proposed use is retail sales in a vacant lot. Therefore, the proposed use is compatible with surrounding uses.

- 4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site** (Section 4.44.c.4) – The pole tent and storage container are temporary in nature and tent sales regularly take place in a vacant lot with adequate vegetative buffer, so no impacts are expected to the surrounding sites.
- 5. Sufficient setbacks from road right-of-ways and lot lines** (Section 4.44.c.5) – The tent is proposed to be located at the northeast corner of the site. Although the applicant notes that the setback is over 50 feet from the adjoining rights-of-way for Belleville Road and Ecorse Road, the applicant appears to be measuring these setbacks from the road surface – not from the right-of-way. *The plans must show the proper dimensions and layout. We recommend that a 25-foot clear vision triangle area be maintained at the intersection, which is the area formed at the corner intersection of the 2 right-of-way lines. This area is formed by measuring 25 feet along both right-of-way lines from the point of intersection, with the third siding being a line connecting these 2 sides.*
- 6. Adequate utilities** (Section 4.44.c.6) – Angry Tiger will supply its own electrical generation. The generator and electrical hook-up will be inspected to ensure compliance with National Fire Protection Association requirements.
- 7. Trash disposal and site clean-up** (Section 4.44.c.7) – Angry Tiger will be responsible for all trash disposal and site clean-up. *Such agreement should be between the applicant and the property owner and a copy must be provided for Township records.*
- 8. Sanitary facilities** (Section 4.44.c.8) – Due to the short nature of the customer shopping, no sanitary facilities will be provided. *However, the application must have provisions for employee sanitary facilities, such as a porta-potty.*
- 9. Hours of operation** (Section 4.44.c.9) – From 8:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses.
- 10. Outdoor light and signs** (Section 4.44.c.10) – No exterior lights are provided. It is likely that interior lights will be hung by the tent company. Although no temporary commercial sign permit requests have been received, the Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Any temporary signage must comply with the Zoning Ordinance before it obtains a sign permit from the Building Department.
- 11. Other licenses and permits required** (Section 4.44.c.11) – The applicant has provided the Township with a copy of their State Tax License. *A copy of a license authorizing the applicant as a Consumer Fireworks Retail Facility must be provided by the applicant prior to the establishment of the temporary use.* The Van Buren Fire Marshall has separately issued a review letter.
- 12. Potential noise, odor, dust, and glare** (Section 4.44.c.12) – The proposed temporary use should not increase the noise, odor, dust of glare from their use.

- 13. Fire lanes, fire protection, and security** (Section 4.44.c.13) – The Van Buren Fire Marshall has reviewed the application for adequacy of fire lanes and fire protection. *Information regarding staffing of the site during business hours must be noted. Provisions for security of the fireworks must be included in the application materials. In most cases, staff is present on-site 24 hours per day or the fireworks are locked in a fire-proof storage unit until the fireworks are returned for display the following day.*
- 14. Off-site impacts of traffic volumes** (Section 4.44.c.14) – The roads in the immediate vicinity are major Township roads, and this temporary use is not likely to impact their flow or travel volumes.
- 15. Necessity of performance bond to ensure prompt removal** (Section 4.44.c.15) – The property owner will be responsible for ensuring the site is returned to its pre-sale condition.
- 16. Other concerns which may impact the public health, safety, or general welfare** (Section 4.44.c.16) – There are no additional concerns; however, the applicant is subject to the regulations of Act 256 and applicable regulations of the Fire Department.

Recommendation

This is the third year Angry Tiger Fireworks is requesting a temporary use permit from the Planning Commission to operate a fireworks tent in the Township. Although there are several application items missing, the temporary use should function well on the site if an accurate layout plan is submitted and all of the conditions are met. Therefore, we recommend approval of this application subject to the following conditions:

1. That the layout plan be revised to show the proposed use and facilities.
2. That accurate setbacks be shown on the plans, and that a 25-foot clear zone triangle be maintained at the intersection of Belleville Road and Ecorse.
3. The applicant provides the Township with a copy of an agreement with property owner for trash disposal and clean-up of site after use.
4. That the applicant provide for employee sanitary facilities, such as a porta-potty.
5. The applicant provide the Township with a copy of a consumer Fireworks Retail Facility non-permanent license prior to the establishment of the temporary use.
6. The applicant provides clarification on staffing of the tent and measures to secure fireworks after hours.
7. The applicant obtains approval from the Van Buren Township Fire Marshall.

May 5, 2016

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

Subject: VBT-16-015 SPR; Mayser Polymer; Site Plan Review #2; Plans Revision Dated April 28, 2016

Dear Commissioners:

The applicant, Mayser Polymer, proposes to build a 50,346-square foot industrial and manufacturing building, including office space, on an 8.91-acre portion of a 14.58-site in the Michigan Avenue Industrial Park on Schooner Drive. We have reviewed the site plan 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. Zoning and Use.** The site is zoned M-2, General Industrial District. M-2 zoning is on the north, south, and east sides of the site, and M-1 zoning is to the west, across Schooner Drive. Sheet SP notes that the proposed uses are automotive parts manufacturing, materials storage, product warehousing, and related offices. These uses are all permitted in M-2.
- 2. Lot.** The site is 14.58 acres, but the site plan shows only 8.91 acres for the Mayser site at this time. The applicant must clarify how the remainder of the lot will be used and maintained, and if the parcel will be split. If the parcel is planned to be split, a land division application and Township approval will be required.
- 3. Setbacks.** The site is U-shaped, with Schooner Drive frontage on three sides. Therefore, front yard setback requirements apply to all three sides abutting Schooner Drive. The site complies with all front and rear setback requirements.
- 4. Access and Circulation.** Two proposed driveways are spaced about 500 feet apart to serve the parking lot. The north drive also provides access to the loading area and keeps traffic for the loading area away from vehicles in the parking lot.

A 5-foot wide sidewalk is proposed along a portion of Schooner Drive, and an 8-foot wide sidewalk is proposed along the edge of the parking lot nearest the building, connecting to the Schooner Drive sidewalk. The Schooner Drive sidewalk is only proposed to extend for about half the site frontage and will end at a point even with the west side of the parking lot. The remainder of the sidewalk along Schooner Drive is proposed to be constructed in subsequent phases as part of future expansions, according to Sheet DP.

- 5. Parking and Loading.** Parking calculations are on Sheet SP. Based on the industrial parking standards of Section 6.01 of the Zoning Ordinance, 181 parking spaces are required. The plan

also lists “Necessary Parking,” a calculation proposed by the applicant that lists total parking required as 112 spaces and the parking provided as 120 spaces. The 112 “Necessary Parking” spaces are computed as follows: 33 parking spaces for the office employees at peak shift, 37 parking spaces for the manufacturing employees at peak shift, 37 parking spaces for shift change parking, and 5 spaces for guest parking.

Under Section 6.01.10, the Planning Commission may 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 the level of current or future customer traffic. According to a letter from Julius Rummel, COO of Mayser USA, Inc., Mayser’s Canton facility has 0.9 parking spaces per employee at the peak shift and there have been no issues with congestion to date. In the past, the Planning Commission has accepted the standard of 5 spaces plus 1 space for every employee on the largest working shift, or 1 per 550 square feet of gross floor area. Both methods require would require fewer than 120 parking spaces, so we recommend that the 120 parking spaces proposed be approved.

6. Landscaping. Our comments are as follows:

- a. Landscaping Adjacent to the Right-of-Way.** Section 4.40(3)(b) of the Zoning Ordinance requires a continuous landscape screen at least 36” in height or a 36” high decorative wall with plantings provided between the parking lot and the road right-of-way. The applicant proposes 3 types of evergreen trees at 6-7 feet in height and 3 types of deciduous trees at 2-2.5” caliper between the parking area and Schooner Drive. Section 4.41(1)(e) requires deciduous trees to be a minimum 2.5” caliper, so the tree size must be increased accordingly. We believe that the double row of trees proposed between the parking lot and Schooner Drive satisfies the intent of the shrub requirement and recommend that the Planning Commission approve it as proposed.

A minimum of 1 tree per 50 linear feet of frontage is also required where paved ground surfaces are adjacent to the public right of way. The site has about 700 feet of frontage, requiring **14 trees**. There are 19 trees provided which means 5 trees may be used toward satisfying other applicable landscaping requirements, or as tree replacements.

- b. Vehicular Surface Landscaping.** Interior landscaping shall account for 5% of the paved vehicular surface area. On that basis, 4,185 square feet of landscape area is required and 4,582 square feet is proposed. Also there must be 1 tree per 100 square feet of vehicular surface landscape area. Based on the 4,582 square feet provided, **46 trees** are required, and the landscape plan complies.

Each parking lot landscape island must be at least 360 square feet and have at least one tree. All proposed landscape islands appear to comply with dimensional requirements, but one island on the north side of the parking lot must have a tree added and one island along the east edge of the parking lot also needs a tree.

- c. General Landscaping Requirements.** One tree per 3,000 square feet of landscape open space is required. Based on the 8.91 acre site’s 168,651 square feet of open space, 56 trees are required. The plan notes 140 trees are provided for this requirement, all of which are

the existing trees that are to be preserved on the part of the parcel that is not included at this time. While the Planning Commission can allow existing trees to count towards general site landscaping, the trees the applicant proposes to use are all trees that will likely be cut down in a future expansion phase. The applicant must plant new trees on the open space associated with the current building, or place the required number of trees in a permanent easement for preservation. Planting additional trees around the stormwater pond will help fulfill the General Landscaping requirements as well as the stormwater pond buffering requirements described below. Another option would be for the site plan to be amended to have less total open space in the first development phase, which would reduce the number of trees needed to fulfill this requirement. Correction of this deficiency must be addressed to the satisfaction of the Planning Commission.

- d. Stormwater Pond.** The Ordinance requires that stormwater ponds have a natural design, aeration/mosquito control, fencing for safety, and trees and plantings around the perimeter. According to the applicant's letter, the stormwater pond will have a submerged aeration system to reduce the potential breeding of mosquitos. Sheet L-2 shows the distribution of shrubs and seed mix around the pond. The table of shrubs lacks specific information about the size of each shrub, with some being listed as #1, #3, #5, etc. Section 4.41 requires shrubs to be at least 4 feet in height, so the size of the proposed shrubs must be increased accordingly.

The pond must be designed to have a less rectangular and more naturalized shape. The Planning Commission may waive the fence requirement if it finds that other protective features have been sufficiently integrated into the pond design for safety. In the applicant's letter, it states that a fence is not proposed because the basin is not located adjacent to pedestrian areas, side slopes are 1:6 (i.e. 1 foot vertical per 6 feet horizontal), and the pool depth is 4 feet. The 1:6 slope is not sufficient for safety in lieu of a fence; the Township has typically required 1:10 slope and a shelf around the perimeter, therefore as designed, decorative fencing must be provided. We also recommend that additional trees be planted around the perimeter of the stormwater pond to improve buffering.

- e. Signs.** One wall sign is proposed on the east side of the building. There are no monument signs except for permitted directional signs proposed. The proposed wall sign will be 85 square feet and complies with the Ordinance.

7. Lighting. The photometric plan submitted and light details comply with the Ordinance.

- 8. Architecture and Building Details.** Façade materials are proposed as a band of concrete masonry units (smooth face and split face) from grade to a height of 8 feet, windows at 3 feet 4 inches above grade to a height of 8 feet, and metal siding for the rest of the building. We recommend the masonry be extended to a height of 11 feet 4 inches to match the east entrance of the building and extended at this height across the entire east face, wrapped around the east portion of the south face to the southwest corner of the patio. This will break up the long façade of the building and add interest, more consistent with the character of nearby buildings.

The locations and screening of any rooftop equipment must be specified on the plan. Details, location and screening of any transformer pad must also be provided.

9. **Tree Removal Permit.** Prior to final site plan approval, a tree removal permit will be required. Our comments below are offered for the applicant’s information. Replacement trees must be installed to compensate for trees removed from the site. Further, required replacement trees do not count toward the number of trees needed to comply with landscaping requirements, but are over and above those requirements.

The tree removal lists on Sheet L-1 and TS show 118 trees to be removed. The existing tree list on Sheet TS includes 258 trees on the site. Section 4.45.e.6.b.ii. states a minimum of 37% of existing trees of 5 inch D.B.H. or greater must be preserved. The plan shows 140 trees to be preserved, which exceeds this requirement. The 140 trees include two trees numbered 122 and 128 on Sheet TS, which are both dead. Since dead trees do not count toward preservation, a total of 138 trees are being preserved. The dead trees must be removed.

All live trees over 5 inches D.B.H. that are removed must be replaced in accordance with the following table in Section 4.45.E.10.a, except as otherwise permitted. Even tree species that are defined as “removable” still must be replaced.

Minimum Replacement	Replacement Ratio Tree Size (# of replacement trees per # of removed trees)	Number of Required Replacement Trees Per 100 Removed
Coniferous (Ht.)		
4-6 feet	1 : 1.0	100
6-8 feet	1 : 1.5	67
8 feet or greater	1 : 2.0	50
Deciduous (D.B.H.)		
2-3 inches	1 : 1.0	100
3-4 inches	1 : 1.5	67
4 inches or greater	1 : 2.0	50

The tree inventory contains 258 total trees, including 2 dead and 138 to be preserved, leaving 118 trees proposed for removal and requiring replacement at the ratios in the table above. The plan currently proposes 44 replacement trees at a ratio proposed by the applicant - 1 replacement tree for each 5 “undesirable” trees removed (e.g., Cottonwood, Ash, Box Elder, Elm – 92 trees) and 1 replacement tree for every other tree removed (26 trees). The 1:5 ratio yields far fewer replacement trees than the Ordinance requires and far fewer than the Commission has required for “undesirable” trees on other sites, like Menards. We recommend the Commission require the replacement ratio to be 1 replacement tree for each 2 “undesirable” trees removed, which would require 28 additional replacement trees (total 72 replacements).

The number of replacement trees can be reduced by increasing the size of the trees planted as replacements in accordance with the table above. For example, a replacement conifer of 8 feet or greater could replace 4 undesirable trees or 2 other trees. We recommend that replacement trees be planted around the stormwater pond to improve the required buffer area. A payment in lieu of tree planting may also be accepted by the Township. These changes will be required prior to tree permit approval at the time of final site plan approval.

RECOMMENDATION

The applicant has revised the plan and addressed many of our previous comments. Although there are still several items that must be addressed on revised plans, the items in this letter can be addressed during final site plan review. Therefore, we recommend the Planning Commission grant preliminary site plan approval, subject to the following conditions:

1. Clarify what the uses will be for the remainder of the lot, and if the parcel is intended to be split. If the parcel is planned to be split, a land division application and Township approval will be required.
2. The size of deciduous trees shall be increased to a minimum of 2.5" caliper and the size of shrubs to a minimum of 4 feet in height.
3. Plant one tree in the island on the north side of the parking lot and one tree in the island along the east edge of the parking lot.
4. Comply with the general landscaping requirement as described in Comment 6.c. above.
5. Address the stormwater pond items in Comment 6.d. above.
6. Extend the masonry across the east façade wrapped to the southwest corner of the patio, to a height of 11 feet 4 inches to match the east entrance of the building.
7. Clarify the location of any rooftop equipment and detail how it will be screened from view, or indicate if this equipment is located elsewhere.
8. Provide dimensions, location and screening of any transformer pad.
9. Tree permit approval prior to final site plan approval.
10. Approval of the Township Engineer and all agencies with jurisdiction.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



Stephen Hannon
Assistant Planner



WADE TRIM

May 6, 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: Mayser Polymer
Preliminary Site Plan Approval

Dear Ms. Thompson:

At your request, we have reviewed the preliminary site plan package dated April 28, 2016 for the proposed Mayser Polymer development located on Schooner Drive. The Project involves the construction of a new 50,000 SF building with the provision for the addition of three additional 50,000 SF buildings. The Developer has addressed our concerns and, therefore, we are comfortable recommending preliminary site plan approval for this site. We have the following comments to offer in regard to the major engineering components of this project.

Water Main

The Developer is proposing a 12-inch water main extension across the northern portion of the site that will create a looped water main system with the existing water main on Schooner Drive. The new water main has been placed such that it can serve the expansion buildings, should they be constructed at some point in the future.

Sanitary Sewer

Sanitary sewer service is being provided by the existing sewer on Schooner Drive. At the request of the Township, the Developer has located their service connection downstream of the Schooner Drive sanitary pump station so that the new service will not impact the capacity of the station.

Storm Water Management

The Developer is proposing the use of an open detention pond to satisfy the storm water management requirements. The pond design complies with both Township and County standards.

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



Charter Township of Van Buren
May 6, 2016
Page 2

Site Layout/Paving/Grading

Site access is provided off of Schooner Drive on two locations. The configuration of the proposed parking lot corresponds with the overall development plan for the site and will not be impacted should the additional buildings be constructed in the future.

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.



David M. Nummer, PE

DMN:ka

VBN 2267-01T

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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



May 4th. 2016

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

Mayser Polymer
16-015 SPR

Director,

I have reviewed a set of revised plans submitted to your office on a 4-28-16-2014 for the above referenced project.

Project Overview:

The revised plan review was for new construction of a 50,346 square foot facility,

Comments for conditional Approval:

All of the following required conditions have been meet per revised plan. Please note highlighted condition # 8 regarding FDC.

1. Provide the location of the existing fire hydrants on the site plan.
Recommend an additional hydrant at the north west end of building as hydrant at the South West end of building is isolated and located within the 49.5 ft. collapse zone.
2. Provide locations of the new water main / hydrants on future submittals.
3. Provide location of the Fire Department Connection on future submittals. A fire hydrant shall be located within 100 feet of the fire department connection.
(Recommend relocating hydrant for FDC to North East parking lot Island. This will allow connection to the FDC without isolating the remaining north and west end of the building.)
4. Provide a detail on the address of the building. The detail shall indicate the dimensions of the address and indicate the colors of the materials. The address shall be a minimum of 6" high numbers and shall contrast with the background of the building.
5. Provide a Knox Box on the address side of the building. The location and mounting height of the Knox box is to be discussed with a representative of the Fire Marshal's office prior to installation.
6. Provide separate sheets with fire protection features in future submittals. The fire safety plans shall be labeled accordingly.
7. **Provide fire lane along curb on north drive of building to ensure fire department access.**

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.

8. FDC shall have a 4" storz connection with a 30 degree down turn, FDC sign with required system pressure.

With the above considerations, the site plan is approved at this time.

The fire department requires involvement in the continuing plan review, inspection, and Certificate of Occupancy process and will require various inspections during the construction phases and immediately prior to opening to verify compliance with the appropriate codes. One set of as built construction drawings, schedules, and details, as it relates to construction, fire protection and response, will be required, as well as a **digital cad layout** of the building by this department prior to our final C of O inspection.

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

If you have any questions about this plan review report, please feel free to contact me at (734)699-8900 ext. 9431

Respectfully submitted,

Shawn Bell
Van Buren Fire Department
Fire Inspector / Certified Plan Examiner