

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
July 23, 2014
MINUTES**

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

ROLL CALL:

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

Excused: Thompson.

Staff: Secretary Harman.

Planning Representatives: McKenna Associates, Sally Hodges and Wade Trim Associate, David Nummer.

Audience: Five.

APPROVAL OF AGENDA:

Motion McKenna, Johnson second to approve the agenda of July 23, 2014 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, McKenna second to approve minutes from July 9, 2014 as presented.

Motion Carried.

UNFINISHED BUSINESS:

ITEM # 1 CASE # 14-006

TITLE: THE APPLICANT, DAVID BOUGHAN, IS REQUESTING A TEMPORARY LAND USE PERMIT FOR A HAUNTED HAYRIDE BEYOND THE TWO CONSECUTIVE WEEKENDS ALLOWED AS A RIGHT IN THE ZONING ORDINANCE FOR TEMPORARY LAND USES UNDER SECTION 4.44 OF THE TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.

LOCATION: THIS SUBJECT SITE IS LOCATED ON PARCEL TAX ID NUMBER V-125-83-138-99-0013-000, ALSO KNOWN AS 15851 MARTINSVILLE ROAD. THE SITE IS LOCATED ON THE EAST SIDE OF MARTINSVILLE ROAD, BETWEEN HULL AND FRET ROADS. THE SITE IS IN THE AG, AGRICULTURAL AND ESTATES ZONING DISTRICT.

Presentation given by applicant, Erika Boughan. The applicant detailed the parking layout, discussed the implementation of directional signs in the parking area, light fixture on the site, no food or pumpkin sales during the hayride and additional port-a-jons to be located on the site. The applicant also displayed a sign that will be put up and taken down every night the hayride operates.

Sally Hodges of McKenna Associates presented her review letter dated 7-18-14 recommending temporary land use approval subject to the conditions listed in the letter.

Commissioner Johnson read the Police Department review letter dated 7-1-14 recommending approval.

Commissioner discussed location of the property. No comments from the audience.

Motion Kelley, McKenna support to approve a temporary land use permit for a haunted hayride beyond the two consecutive weekends allowed as a right in the zoning ordinance at 15851 Martinsville road for the proposed dates set forth in the packet subject to the conditions in the McKenna review letter dated 7-18-14 and police department review letter dated 7-1-14. Motion Carried. (letters attached)

NEW BUSINESS:

TITLE: THE APPLICANT, COSTCO WHOLESALE, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL TO CONSTRUCT AN APPROXIMATELY 347,720 SQUARE FOOT DEPOT/TRUCK TERMINAL ON THE 71.84 ACRE SITE ZONED M-2 LOCATED BEHIND BAYLOFF INDUSTRIAL BUILDING.

LOCATION: PARCEL TAX ID NUMBERS V-125-83-013-99-0002-704, V-125-83-013-99-0001-000 AND V-125-83-013-99-0011-000, BELLEVILLE ROAD, LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN MICHIGAN AVENUE ON THE NORTH AND VAN BORN ROAD ON THE SOUTH, ABUTTING THE RAILROAD RIGHT-OF-WAY TO THE SOUTH.

Ted Johnson, President of Design Strategies, Costco Development Manager for Midwest Projects gave the presentation. The applicant displayed a PowerPoint presentation to commission members and the audience. The presentation displayed a rendered site plan, discussed working with Bayloff on the adjoining property easement documents and purchase of property to the south, a signalized intersection, truck traffic patterns routed around the lower portion of Belleville Road, building façade materials, landscape plan and stormwater management at the site.

Sally Hodges of McKenna Associates presented her review letter dated 7-18-14 recommending the Commission share its comments with the applicant but withhold preliminary site plan approval until the BZA has acted. Therefore, recommend that the Planning Commission give direction to the applicant regarding the issues discussed in the review letter in preparation for preliminary site plan approval at an upcoming meeting.

Dave Nummer of Wade Trim presented his review letter dated 7-18-14 recommending preliminary site plan approval subject to the conditions in the letter.

Commissioner Johnson read the Fire Department review letter dated 7-21-14 recommending approval subject to conditions in the letter.

Commissioners discussed the abutting property to the south, the upcoming BZA meeting on 8-12-14, the entrance medians, island striping, curb cuts and landscape, Fire Department access with the islands landscaped, canopy at the guard house, the number of trees located on the property and revised light height proposal. Commissioners approve of the presented exterior building façade materials. The Planning Commission will wait to take action on preliminary site plan in late August after the upcoming BZA meeting.

McKenna Associates will discuss the canopy at the guardhouse along with striping and landscape of the island areas with the architect.

GENERAL DISCUSSION:

Motion Kelley, Budd second to adjourn at 9:05 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

July 18, 2014

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

**Subject: VBT-14-006 TLU, Boughans Haunted Hayride of Fright; 15851 Martinsville Road
Temporary Land Use Review #1; Revised Plans Dated 7/7/14**

Dear Commissioners:

The applicant, David Boughan, is requesting a Temporary Land Use permit for a haunted hayride at the farm at 15851 Martinsville Road, which is located on the east side of the road between Hull and Fret Roads. The site has historically been used as a tree farm, but many of mature trees have been cleared and these areas have been converted to seasonal crops. The applicant proposes to take passengers on a haunted hayride along existing farm lanes on the site.

The site and surrounding parcels to the north, east, and south are zoned AG, Agricultural and Estates District. The parcels to the west across Martinsville Road are zoned R-1B, Single Family Residential. The use is proposed to be in the evenings Friday through Sunday from September 19, 2014 through November 2, 2014. Temporary uses that operate for more than two (2) consecutive weekends require Planning Commission approval. The Planning Commission held a public hearing on Wednesday, July 9, 2014.

We 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)

- a. The site has 2 curb cuts from Martinsville Road, one of which will be used for ingress and the other used for egress. There will be 3 employees along the 2-way drive that will direct traffic from the entrance to the parking area. The width of the drive will be 20 feet and the entrance to the parking lot will be 25 feet wide.
- b. The plan states that the parking area is 396' x 129', with an area partitioned for ticket sales, portable restrooms, and hay storage. According to the July 7, 2014 use statement, the parking lot is proposed to fit 100 cars and 5 barrier free spaces. Section 6.02 of the Zoning Ordinance requires the parking spaces to be 9.5' x 20' and the aisles to be 24 feet wide. Based on the dimensions of the parking area, there is sufficient room for the 105 parking spaces proposed in this area. Overflow parking for up to 30 cars will be handled by a 118' x 114' parking area, which is large enough for 30 cars. However, we recommend that the applicant submit a scaled

parking lot layout plan for both parking lots to be administratively approved by the Building Department and Fire Department prior to opening the business for the season. Since the parking lot will not be paved, it need not be striped, but the parking and aisles must follow an orderly pattern in accordance with the Zoning Ordinance.

- c. According to the July 7, 2014 use statement, there will be 2 wagons: one wagon seats 20 and the other wagon seats 25. There will be 25 rides on Friday and Saturday evening, and 15 rides on Sunday evening. This will allow for up to 2,500 customers on Friday and Saturday evenings. There will be 25-30 on-site employees to accommodate customers.
 - d. Barrier free parking spaces must be specifically marked in accordance with Section 6.01.22 of the Zoning Ordinance.
 - e. There is only one point for vehicles to enter and exit the parking area. Although a worker is proposed to be stationed at this point to direct traffic, we also recommend that signage be added so that vehicles do not mistakenly turn down the "tractor only" lanes. We recommend that any Planning Commission approval be subject to Fire Department approval of the plans for sufficient emergency vehicle access prior to opening the business for the season.
2. **Adequate drainage (Section 4.44.c.2.).** The vast majority of the site is permeable surfaces such as crop fields and dirt. Therefore, runoff is not a concern.
 3. **Compatibility with surrounding land uses (Section 4.44.c.3).** As noted in this letter, the large lot single-family residential dwellings to the west and south could be negatively impacted by exterior lighting and noise generated by the use. These light fixtures should be monitored to ensure they do not cause glare or shine onto adjacent properties, and the generators should be appropriately buffered and position so as to minimize the off-site impact of noise. The Planning Commission held a public hearing on July 9, 2014, and there were no concerns raised from any neighbors with respect to off-site impacts.
 4. **Size, height, and type of construction of proposed buildings and structures in relation to surrounding site (Section 4.44.c.4.).** The proposed temporary structures are the Sales Office and Clown Tent. Based on the description of the Sales Office and Clown Tent submitted by the applicant, the sizes are appropriate for the site, and the Clown Tent is an open, unroofed enclosure.
 5. **Sufficient setback from road rights-of-way and lot lines (Section 4.44.c.5.).** All proposed structures associated with the temporary use appear to exceed Zoning Ordinance setback requirements, although the plan should show a minimum rear yard setback of 35 feet between the Clown Tent and the east lot line. The site to the east is vacant (wooded and agriculture) and the Clown Tent will be at least 300 feet from any other lot line, so the Clown Tent is unlikely to cause a nuisance.
 6. **Adequate utilities (Section 4.44.c.6.).** The plans state that generators will be used for electrical service.
 7. **Trash disposal and site clean-up (Section 4.44.c.7.).** According to the use statement, there will be trash cans set up at the office and in the parking lot and the trash will be cleaned up nightly.

- 8. Sanitary facilities (Section 4.44.c.8.).** Two (2) portable restrooms are proposed. The applicant proposes cleaning these restrooms weekly and more often if needed. We recommend adding 2 more portable restrooms.
 - 9. Hours of operation (Section 4.44.c.9.).** The specific hours of operation are 7:00 p.m. to midnight on Fridays and Saturdays and 7:00 p.m. to 10:00 p.m. on Sundays, from September 19, 2014 through November 2, 2014. The application materials also state that the pumpkin patch will be open from 10:00 a.m. to dusk. We recommend that the pumpkin patch and all other activities, including sales, be closed before 7:00 p.m. on evenings when the haunted hayride is open.
 - 10. Outdoor lighting and signs (Section 4.44.c.10.).** The plans show 2 sets of floodlights to illuminate the parking lot. There will be 2 sets of floodlights to illuminate the parking lot, and the applicant states that the floodlight will not shine past the farm. These light fixtures should be monitored to ensure they do not cause glare or shine onto adjacent properties. The site plan shows a “Red Flashing Light” at the entrance, but does not state the purpose or specifications of this light. Flashing signs are not permitted, and the red light is subject to approval by the Township Public Safety Department.
- The proposed identification sign is a vinyl banner. The dimensions and location of all proposed signs must be submitted and are subject to approval by the Township Building Department.
- 11. Other licenses and permits required (Section 4.44.c.11.).** Evidence of all required permits and approvals, if any, must be provided to the Township prior to commencing operations.
 - 12. Potential noise, odors, dust and glare (Section 4.44.c.12.).** If the recommendations discussed above are satisfactorily addressed, the use should not create negative impacts from noise, odors, dust or glare.
 - 13. Fire lanes, fire protection and security (Section 4.44.c.13.).** According to the use statement, there will be fire extinguishers at the Clown Tent, the Ticket Office, with the generators, and on each wagon. It also states that in the case of a fire or emergency, all traffic will be stopped so that emergency vehicles can get to the back of the farm. The fire route is shown on the plans, and emergency measures are subject to the Township Public Safety Department’s approval.
 - 14. Off-site impacts of traffic volumes (Section 4.44.c.14.).** All traffic will access the site via Martinsville Road. Martinsville Road can likely accommodate the traffic volumes, and the site will overflow parking and on-site staff directing cars for better circulation.
 - 15. Necessity of a performance bond or insurance to ensure prompt termination and removal of the use, clean up or compensation for the impacts if the temporary use (Section 4.44.c.15.).** The Planning Commission may require a performance guarantee to ensure restoration of the site at the end of the season.
 - 16. Other concerns which may impact the public health, safety or general welfare (Section 4.44.c.16.)**
The extent of impacts to the surrounding area is impacted by the use is managed and operated.

This letter has noted several issues with respect to traffic, parking, noise, lighting, and garbage disposal. The application is only for September 19, 2014 through November 2, 2014, so any issues that arise during the operations can be addressed in a subsequent year if the applicant proposes the use again.

RECOMMENDATION

We recommend that the Planning Commission approve the Temporary Land Use application for the proposed dates and times in 2014, subject to the following conditions:

1. A scaled parking lot layout plan to be provided for both parking lots, subject to approval by the Planning Department and Fire Department;
2. Barrier free parking spaces shall be marked per Section 6.01.22 of the Zoning Ordinance;
3. Directional signs added so that vehicles do not mistakenly turn down the "tractor only" lanes;
4. Fire Department review and approval of the plans for emergency vehicle access;
5. Light fixtures shall be positioned to ensure they do not shine onto adjacent properties;
6. The generators shall be buffered and positioned to minimize off-site noise;
7. A minimum rear yard setback of 35 feet dimensioned between the Clown Tent and the east lot line, and this noted on the site plan;
8. Addition of two more portable restrooms;
9. The pumpkin patch and all non-hayride activities, including sales, shall be closed before 7:00 p.m. on evenings when the haunted hayride is open;
10. The flashing light at the entrance is subject to approval of the Township Public Safety Department.
11. The dimensions and locations of all proposed signs must be submitted for review and approval by the Township Building Department; and
12. Evidence of all required permits and approvals, if any, shall be submitted to the Township prior to commencing operations.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



Patrick J. Sloan, AICP
Principal Planner

Boughans Haunted HayRide of Fright 2014

September

Friday-19	Saturday-20	Sunday-21
Friday-26	Saturday-27	Sunday-28

October

Friday-3	Saturday-4	Sunday-5
Friday-10	Saturday-11	Sunday-12
Friday-24	Saturday-25	Sunday-26
Friday-31		

November

Saturday-1	Sunday-2
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Time Open

Friday and Saturday 7pm to 12am - 5hrs.
 Sunday 7pm to 10pm - 3hrs.

Pumpkin Patch Open

Monday to Sunday 10am til Dusk
 September-19 til October-30

HayRide Open for 18 days

David Boughan
 15851 Martinsville Rd.
 Belleville, Mi. 48111
 734-325-6533

APPROVED
 Van Buren Township
 Fire Department

[Signature]
 Date: 5-18-14

Revised 4-30-14



MEMORANDUM

To: Brenda Kurtz
From: Lt. Kenneth Floro
Date: 07-01-14
Re: Boughans Hay Ride of Fright

The VanBuren Township Police Department does not see any immediate issues or concerns with the preliminary planning of this event. However, we are noting that we reserve the right to address any and all issues that may arise at the time of the event related to Michigan Compiled Law, Van Buren Township Ordinances, traffic concerns and any emergency condition that may develop.

Please feel free to contact Lt. Kenneth Floro if you have any questions or concerns.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lt. Kenneth Floro".

Lt. Kenneth Floro