

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
OCTOBER 26, 2016  
MINUTES - DRAFT**

Chairperson Thompson called the meeting to order at 7:30 p.m.

**ROLL CALL:**

**Present:** Franzoi, Jackson, Atchinson, Budd and Thompson.

**Excused:** Boynton and Kelley.

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

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

**Audience:** Eight (8).

**APPROVAL OF AGENDA:**

**Motion Jackson, Atchinson second to approve the agenda of October 26, 2016 as presented.**

**Motion Carried.**

**APPROVAL OF MINUTES:**

**Motion Franzoi, Budd second to approve the regular meeting minutes of October 12, 2016 as presented. Motion Carried.**

**PUBLIC HEARING:**

**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.**

**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.**

**Motion Franzoi, Atchinson second to open the Public Hearing. Motion Carried.**

Architect Ron Chiesa gave the presentation for the applicant. The applicant has been working to design a retail building for over a year; the proposed building will have a drive-thru restaurant and two (2) tenant spaces. The tenants will be low volume users. The applicant displayed a color rendering of the retail building and discussed: reduced building size to accommodate parking and turn radius, forty (40) parking spaces on site, the number of stacking spaces, site to have no left turn traffic, the site is set up for cross access if/when it is available and the applicant is looking at additional property.

No comments from the audience.

Commissioners discussed the side parking and possible interference from the drive-thru traffic and signage regarding RV and trailer parking on the site.

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

**Motion Atchinson, Budd second to close the Public Hearing. Motion Carried.**

**ITEM # 2                    16-028 – SPECIAL LAND USE APPROVAL**

**TITLE:                        THE APPLICANT, MICHAEL BERRY, IS REQUESTING A SPECIAL LAND USE PERMIT TO OPERATE A DRIVE THRU RESTAURANT AT 11175 HAGGERTY ROAD, VAN BUREN TOWNSHIP, MI 48111.**

**LOCATION:                    PARCEL NUMBER V-125-83-051-99-0003-005 (11175 HAGGERTY ROAD). THE SITE IS APPROXIMATELY 1.68 ACRES. IT IS LOCATED IN THE C-1, GENERAL BUSINESS DISTRICT. THIS SITE IS LOCATED ON THE EAST SIDE OF HAGGERTY ROAD BETWEEN I-94 AND TYLER ROAD.**

**Motion Atchinson, Franzoi second to open the Public Hearing. Motion Carried.**

Applicant Michael Berry gave the presentation. A Subway franchisee had rented out the restaurant portion of the site for the past 10 years, their contract has ended and the tenant does not wish to renew. The applicant is bringing forward a proposed Tim Horton's with a drive-thru for the location. The site exceeds parking and meets the requirements for stacking spaces and RV parking.

No comments from the audience.

Commissioners discussed the location of the proposed Tim Hortons and its proximity to the two (2) other Tim Hortons located in Van Buren Township, the previous tenants at the location (Subway and Tubby's) and the applicants reasoning for the Tim Hortons as the new tenant.

**Motion Budd, Jackson second to close the Public Hearing. Motion Carried.**

**NEW BUSINESS:**

**ITEM # 2                    14-022 – FINAL SITE PLAN APPROVAL**

**TITLE:                        THE APPLICANT, BELLEVILLE DEVELOPMENT, INC., IS REQUESTING FINAL SITE PLAN APPROVAL TO CONSTRUCT A HOTEL AND SITE IMPROVEMENTS AS REQUIRED IN SECTION 12.02 OF THE ZONING ORDINANCE 06-02-92, AS AMENDED.**

**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 THE N. I-94 SERVICE DRIVE.**

Andy Andre of Budd Design gave the presentation for the applicant. The applicant is requesting final site plan approval to construct a Marriott extended stay hotel and site improvements. The applicant has made several changes to the site plan including the following: adjusting the height of the building after rezoning, moving the building as far east as possible on the site, raised the berm height to eight (8) feet tall with plantings, incorporated LED lighting with motion sensors, cross over parking for less road traffic and created an outdoor gathering space for residents and guests. The retention basin is in the final review stages with Wayne County, the County wants full access to the retention basin with a gradual slope. The applicant is revising calculations for the tree permit.

Patrick Sloan of McKenna Associates presented his review letter dated 10-21-16 recommending the applicant resubmit the final site plan addressing the conditions of the preliminary site plan approval including the required landscaping, storm water pond fencing or screening, tree placement and sidewalks.

David Nummer of Wade Trim presented his review letter dated 10-12-16 recommending final site plan approval subject to the conditions referenced in the letter.

Fire Marshall McInally's review letter dated 10-17-16 recommends final site plan approval subject to the conditions referenced in the letter.

Commissioners discussed screening around the retention pond, Wayne County access to the retention pond, landscape buffering in lieu of fencing, fencing of the retention pond for safety, final landscape plans, slope of the retention pond, depth of the pond when full, the use of decorative fencing and landscaping around the pond and adding gate for Wayne County access, and adding a sidewalk to access the Hampton Inn sidewalk to access the back of the property.

No comments from the audience.

**Motion Budd, Franzoi second to grant Belleville Development, Inc., final site plan approval subject to the conditions of the Wade Trim review letter dated 10-12-16, Van Buren Township Fire Department review letter dated 10-17-16, and the applicant is required to make the following changes to the site plan dated 10-14-16 based upon the McKenna Associates review letter dated 10-21-16:**

- a. Update the zoning labels on sheet C2 as specified in the McKenna letter comments.**
- b. The applicant will need to combine the parcels into one (1) parcel.**
- c. The applicant shall plant an additional tree on the east side of the parking lot entrance.**
- d. The applicant shall provide calculations for the landscaping adjacent to the residential area.**
- e. The shrubs located in the landscape buffer along the North Service Drive must be spaced no farther than 4 feet on center.**
- f. The detention pond will be fenced with landscaping to be worked out with planning staff.**
- g. The applicant shall provide cross access easement documents with corresponding legal descriptions and shall be submitted to the Township for review and approval.**

- h. The applicant to provide crosswalk to the sidewalk at the adjacent hotel.
- i. That building elevations be included in the final site plan.
- j. The applicant shall add a cross walk from the patio area to the building.
- k. The applicant shall provide details of all proposed signs.

Final site plan approval will be subject to the applicant obtaining tree removal permit approval from the Planning Commission at a later meeting and all items a-k have been reviewed and approved by staff. Motion Carried (Letters Attached)

**ITEM # 3                    16-028 – SPECIAL LAND USE APPROVAL**

**TITLE:                    THE APPLICANT, MICHAEL BERRY, IS REQUESTING A SPECIAL USE PERMIT TO OPERATE A DRIVE THRU RESTAURANT AT 11175 HAGGERTY ROAD, VAN BUREN TOWNSHIP, MI 48111.**

**ITEM # 4                    16-028 – FINAL SITE PLAN APPROVAL**

**TITLE:                    THE APPLICANT, MICHAEL BERRY, IS REQUESTING FINAL SITE PLAN APPROVAL TO OPERATE A DRIVE THRU RESTAURANT AT 11175 HAGGERTY ROAD, VAN BUREN TOWNSHIP, MI 48111.**

**LOCATION:                PARCEL NUMBER V-125-83-051-99-0003-005 (11175 HAGGERTY ROAD). THE SITE IS APPROXIMATELY 1.68 ACRES. IT IS LOCATED IN THE C-1, GENERAL BUSINESS DISTRICT. THIS SITE IS LOCATED ON THE EAST SIDE OF HAGGERTY ROAD BETWEEN I-94 AND TYLER ROAD.**

Applicant Michael Berry explained the layout of the site and informed the Commission he was there to answer any questions.

Patrick Sloan of McKenna Associates presented his special land use review letter dated 10-21-16 recommending approval subject to the conditions referenced in the letter.

No comments from the Commission or the audience.

**Motion Atchinson, Franzoi second to recommend to the Township Board of Trustees to grant a special use approval based on the findings in the McKenna Associates review letter dated 10-21-16, Township approval of the 104 foot distance from the driveway at the N. I-94 Service Drive to the intersection with Haggerty Road as acceptable, subject to the condition of preliminary and final site plan approval.**

**ROLL CALL:**

**Yeas: Jackson, Atchinson, Budd, Franzoi and Thompson.**

**Nays: None.**

**Excused: Boynton and Kelley.**

**Motion Carried. (Letter Attached)**

Patrick Sloan of McKenna Associates presented his final site plan review letter dated 10-12-16 recommending final site plan approval subject to the conditions referenced in the letter.

David Nummer of WadeTrim presented his final site plan review letter dated 10-13-16 recommending final site plan approval.

Fire Marshall McNally's review letter dated 10-3-16 recommends final site plan approval.

No comments from the Commission or the audience.

**Motion Franzoi, Budd second to grant final site plan approval to Michael Berry to operate a drive thru restaurant at 11175 Haggerty Road subject to the conditions in the McKenna Associates review letter dated 10-21-16, Wade Trim review letter dated 10-13-16 and Fire Department review letter dated 10-3-16. Motion Carried. (Letters Attached)**

**ITEM # 5                      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 3 (ZONING DISTRICTS AND PERMITTED USES)**
- B. ARTICLE 4 (SCHEDULE OF REGULATIONS)**
- C. ARTICLE 5 (DEVELOPMENT STANDARDS FOR SPECIFIC USES)**

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 3 – Zoning Districts and Permitted Uses, Article 4 – Schedule of Regulations and Article 5 – Development Standards for Specific Uses.

Commissioners discussed finding how to find the links when reading a paper copy, rezoning to mixed, regulated plan or conditional rezone and having further discussion on mixed use with it being the most significant change.

**GENERAL DISCUSSION:** None.

**Motion Franzoi, Budd second to adjourn at 9:33 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary

David C. McNally II  
Fire Marshal  
O: 734-699-8900 ext9416

Van Buren Fire Department  
46425 Tyler Rd  
Van Buren Twp., MI 48111



October 17, 2016

Building and Planning  
46425 Tyler Road  
Belleville, MI 48111

Re: Town Place Suites and Hotel SPR 14-031SPR

I have reviewed the plans by Bud Design & Engineering Services, Inc. for the above referenced project. **NFPA 1** Fire Code (2012 Edition), **NFPA 13** (2007 Edition) and **NFPA 101**, Life Safety Code (2012 Edition), and **NFPA 72** Fire Alarm Code (2007 Edition), were the primary reference documents used for this review. Please note that all NFPA standards apply as adopted by Van Buren Twp.

**In the last review it was missed by this department that a standpipe was also required on every level in the West stairwell as well.** The plan reviewed today did not include the standpipe in the West stairwell as requested in previous reviews. I spoke with Jeff Peltier from Bud Design. He was emailed the previous review letter and said he would email the change to the building department. He also indicated construction plans will reflect the change when submitted. **With these corrections the plans are approved, once the building department confirms the change.**

The plans reference new construction for a four story extended stay, hotel.

Below are the following items of concern:

1. The FDC for the building on the submitted plan notes a location on the north wall, east side of the structure. Please relocate the FDC to the north side of the east exterior wall.

AHJ

2. The FDC connection will be a 4 inch Storz fitting with a 30 degree downturn as required by the AHJ. \_\_\_\_\_ **NFPA 13 6.8.1.2**

3. Hydrants shall be two 4 inch Storz connections not threaded.

**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.

AHJ

4. The building shall be provided with an automatic sprinkler system in accordance with NFPA 13, *Standard for the Installation of Automatic Sprinkler Systems*.

NFPA 1 13.3.2.27.2

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. The location of a key box, (Knox Box) shall be indicated on future submittal. The Knox Box location will be verified prior to the installation on the building.

NFPA 1 18.2.2.1

7. Please verify that construction and finish components comply with NFPA 101, specifically chapter 28, as adopted by the Township of Van Buren.

AHJ

8. Standpipe with 1 ½ inch connection in the East stairwell for each floor **as well as the West stairwell.**

AHJ

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. Van Buren Fire Department reserves the right to request changes if a life safety issues are found during final walk through.

Respectfully Submitted,

David C McInally- Fire Marshal

October 21, 2016

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

**Subject: VBT-14-031 SPR; Towne Place Suites Hotel; Site Plan Review #6;  
Plans Dated October 14, 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 March 9, 2016, the site plan was granted preliminary approval with conditions. We have reviewed the final site plan for adherence to these conditions, and we offer the following comments for your consideration.

#### COMMENTS

The preliminary site plan was approved with conditions including those from the McKenna review letter dated February 11, 2016. These conditions are described as follows:

1. **Correcting the zoning labels on the site plan.** Sheet C2.0 still shows two labels on Parcel II with R-1B zoning and one with C-2 zoning. This entire parcel is zoned C-2, and the zoning label must to be corrected on this sheet. This condition has not been met.
2. **Application for lot combination prior to final site plan approval and completion of that combination before any construction permits are granted for the site.** It is our understanding that the applicants have not yet applied for a lot combination, so this condition has not yet been met.
3. **The landscape plan shall be revised and comply with all the requirements noted in Comment 4 above.** The individual landscaping comments are as follows:
  - a. *The landscape plan should distinguish between those trees used for right-of-way landscaping and those which are used for parking lot landscaping.* This distinction has been indicated on the plan. This condition has been met.
  - b. *There should also be one additional tree on the east side of the parking lot entrance to continue the street tree line there.* No tree is shown in this location. This condition has not been met.
  - c. *Calculations must be included for the landscaping adjacent to residential area standard, and compliance addressed.* This calculation is not included on the landscape plan. This condition has not been met.

- d. We recommend that the applicant submit landscape cross-sections (at the same horizontal and vertical scale) for two locations: west to east from Lot 42 of the Willow Gardens subdivision to the building, and northwest to southeast from Lot 46 of the Willow Gardens subdivision to the building. No cross-sections were included with the landscape plan. This condition has not been met.*
- e. The plan must label which trees are being counted to satisfy the vehicular surface landscape requirement, and these trees must be located in and around the parking lots. These distinctions have been indicated on the plan. This condition has been met.*
- f. There appear to be about 60 trees in and around the parking lots, and thus it is likely that more will be needed to comply. There are 84 trees required and 86 were counted on the plans, so this condition has been met. However, the plan states that there are 87 parking lot trees planted, so we recommend that the applicants correct this discrepancy.*
- g. Additional trees may be required to satisfy the intent of the regulations and for required tree replacements. The landscape plan should be updated to include all of the required trees. The calculation for landscaping adjacent to residential areas must be included to determine if this condition has or has not been met.*
- h. All shrubs in the landscape buffer along the North Service Road must be spaced no farther than 4 feet on center. The plan still notes that these will be spaces at 5 feet on center. This condition has not been met.*
- 4. Redesign of the storm water pond to have a more naturalized shape and fencing, subject to the determination of the Planning Commission.** The pond has been redesigned with a similar shape as the previous plan. However, Wayne County storm water engineering requirements limit the options to effectively design a naturalized shape for a storm water pond. Therefore, the pond as proposed has an appropriate shape. There are still no details on any fencing around the pond, which is required for the safety of guests and children who will be on site. This condition has not been met.
- 5. The cross access easement documents with corresponding legal descriptions must be submitted for Township review and approval prior to final site plan approval, and recorded required prior to permits being issued for the site.** It is our understanding that these legal documents have not yet been submitted to the Township, so this condition has not been met.
- 6. Addition of a sidewalk along the access drive to the parking lot at the back of the site.** The final site plan shows no changes from the previous plan. This condition has not been met.
- 7. Building elevations are subject to the approval of the Planning Commission. Color renderings of the elevations should be presented at the meeting along with samples of proposed façade materials for Planning Commission review and approval. The brick used should be true clay brick as required for other developments in the area. The materials and color of the roof and windows must also be noted on the elevations.** Building elevations were not included as part of this submittal. We recommend that the elevations be included in the plan set and that the material samples and colors be presented at the next Planning Commission meeting.

- 8. Addition of a crosswalk from the patio area to the building. Measures to enhance the appearance of the area near the pedestrian overpass structure must be addressed to the Commission's satisfaction.** There is a walkway leading from the patio area to the building, but there still must be a crosswalk designated through pavement markings, stamped concrete, or some other method. Additional landscaping or some other enhancement near the overpass would also help make this corner an attractive entryway to the area, and is still needed on the site plan. This condition has not been met. Finally, we recommend that the "Walking Path" shown on sheet C3.0 from the building sidewalk to the parking lot curb be barrier free.
- 9. Details of all proposed signs, as described in Comment 11 above.** Details of all proposed signs including entrance, directional, and wall signs with height, dimensions, area calculations, and means of lighting still must be submitted. This condition has not been met.
- 10. Tree permit approval prior to final site plan approval.** It is our understanding that the tree permit has not yet been submitted by the applicants, so this condition has not yet been met.
- 11. Approval of the Township engineer and all agencies with jurisdiction.** We defer to each of the agencies and the Township engineer for their approvals.

Finally, the final site plan has been modified to show new sidewalk that was recently installed by the DDA along the N. I-94 Service Drive. Although this is a different location than the proposed sidewalk on the preliminary site plan, the changed sidewalk location did not substantively change the site plan.

## RECOMMENDATION

There are several conditions of preliminary site plan approval that have not been satisfied on the final site plan. Although many of these conditions are minor and could be adopted as conditions of final site plan approval, there are many missing items at this time that will impact the appearance of the site such as required landscaping, storm water pond fencing or screening, tree replacement, and sidewalks. Therefore, we recommend the applicant resubmit the final site plan addressing the conditions of preliminary site plan approval.

## McKENNA ASSOCIATES



Patrick Sloan, AICP  
Senior Principal Planner



Stephen Hannon  
Assistant Planner



# WADE TRIM

October 12, 2016

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

Attention: Mr. James Taylor, Director of Public Works

Re: Towne Place Suites  
Recommendation for Final Approval

Dear Mr. Taylor:

At your request, we have reviewed the engineering site plan package received digitally by our office on September 27, 2016, and the supplementary pump details received October 10, 2016 for the Towne Place Suites located on the I-94 Service Drive. The Project involves the construction of a new hotel with supplemental parking, utilities and storm water management. Our comments on the engineering site plan are as follows:

## General

As previously requested, the following required easements should be called out on the plans:

- a. Construction easement and agreement for any work outside the property limits and public right-of-way;
- b. Storm water easement and agreement for Towne Place Suites' storm system to be located and maintained within the Hampton Inn property limits; and,
- c. Storm water agreement stating that the Towne Place Suites property accepts drainage from the Hampton Inn property.

## Water Main

All of our water main comments have been addressed and the approved water main plans were submitted to MDEQ for a water supply permit on October 11, 2012.

## Sanitary Sewer

1. The buried manhole in the right-of-way at the southwest corner of the site should be uncovered and raised to grade, and this should be noted on the plans.
2. The Designer has proposed a retaining wall for the sanitary manhole within the influence of the west berm. This is not ideal for maintenance in the event that the sanitary sewer must be repaired. We recommend raising the manhole to grade (berm grade), in place of a retaining wall. The Designer has also provided an access drive for this manhole, as requested. The access drive should be paved as previously requested.

**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



### Storm Water Management

1. A duplex pump system with two pumps designed for 130 GPM (each pump sized for half allowable outflow) at 10-foot head has been proposed for the storm water outlet. After evaluating the proposed pump with the expected system curves, we believe two pumps will provide less than 220 GPM (actual outflow that the pond is designed for). However, at an outflow slightly less than 220 GPM, the design elevation of the pond should still be less than the 5-foot maximum ponding depth and, therefore, we find the pump design acceptable.

We have also previously requested that a third (back-up) pump be provided so that the FIRM capacity of the pump station is equivalent to the actual outflow that the pond is designed for. A back-up pump has not been provided as recommended, however, at 130 GPM outflow (one pump), the design elevation of the pond should still be less than the 5-foot maximum ponding depth. Therefore, the pond appears to be sized adequately for the 100-year storm even if one pump fails. The discrepancy in outflow does not affect the bankfull and first flush outlet sizing and, therefore, we find the overall pond design acceptable (with the exception of the minor forebay comment outlined below). The Designer should be aware, however, that the outflow and 100-year elevation will ultimately be restricted by the pump and not by the design storm orifice restrictor sizing.

2. The H-avg used for the forebay outlet design is 1.20 feet, when it should be 1.80 feet ( $Z_{ff} - Z_{out} = 684.30 - 682.50 = 1.80$ ). This ultimately affects the first flush holding time and makes it approximately 21 hours, which is less than the required 24 hours. The Designer should review and update the forebay outlet sizing to meet requirements.
3. The pond has been designed conservatively with approximately 80,000 CF of excess storage and, therefore, an emergency storm situation is unlikely. However, we would like to reiterate that, in the event of an emergency storm situation greater than the basin and pump can handle, the site may become inundated due to the fact that there is no overflow provided.
4. The discharge elevation of the 4-inch force main differs on sheet 5.3 (685.90 on detail vs. 687.00 in calculations). If the discharge elevation is 685.90, crossing UC11 is not depicted accurately on the profile and the force main will be in direct conflict with the storm sewer from CB-3 to CB-10. If the discharge elevation is 687.00, there will be an approximate 1-foot clearance. The actual discharge elevation should be clarified and the maximum clearance at utility crossings should be represented on the plans.

### Paving/Grading

Twelve-inch culverts have been added to pick-up drainage from the west side of the berms along the west property line. Detailed grading in the area between the berm and the pond has not been provided. We request the Designer evaluate the overland drainage pattern and provide evidence that whatever storm water is picked up from these culverts is directed properly to the pond without causing low points on-site.

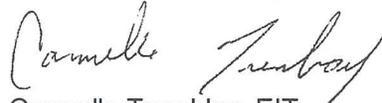
Recommendation

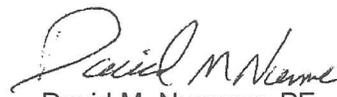
We are recommending approval of these plans contingent on the above noted comments. A PDF copy of the plans, once updated, may be forwarded for final review and approval. Should the Designer/Developer choose to submit through the project extranet, we request to be notified by email or phone.

Please contact our office if you have any questions regarding this Project.

Very truly yours,

Wade Trim Associates, Inc.

  
Carmelle Tremblay, EIT

  
David M. Nummer, PE

DMN:CGT:ka  
VBN 2247-01T

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cc: Mr. Ron Akers, Director of Planning and Economic Development  
Mr. Mathew Best, Deputy Director of Planning and Economic Development  
Mr. Remy Hanna, Belleville Development, Inc.  
Mr. Andrew Andre, PE, Bud Design & Engineering Services, Inc. (Enclosure)

October 21, 2016

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

**Subject: VBT-16-028 SLU; BP Tim Hortons at 11175 Haggerty Road; SLU #2;  
Plans Dated September 30, 2016.**

Dear Commissioners:

The applicant proposes to construct a drive-through Tim Hortons at an already existing BP gas station at 11175 Haggerty Road, which is located at the northeast corner of the intersection of Haggerty Road and North I-94 Service Drive. The site is zoned C-1 (General Business District) and is 1.66 acres in area. The drive-through use requires special use approval in the C-1 District.

#### **COMMENTS**

Special approval uses must meet both the specific non-discretionary standards of Section 12.03(d) and the discretionary standards listed in Section 18.08(f) of the Ordinance. We have reviewed the proposal and have the following comments based on the requirements of the Zoning Ordinance, observation of the site and surroundings, and accepted principles of good planning and design.

#### **Section 18.08(f): General Standards for Special Approval.**

- 1. Promotes the use of land in a socially and economically desirable manner for those persons who will use the proposed land or activity; for those landowners and residents who are adjacent; and for the Township as a whole.** The site is zoned C-1 and located at the corner of Haggerty Road and North Interstate 94 Service Drive. Another gas station is located immediately across the street, otherwise the site is surrounded by vacant land. Drive-thru uses are economically and socially desirable near freeway interchanges.
- 2. Is necessary for the public convenience at that location.** Haggerty Road is a major commercial thoroughfare and the site's location near I-94 makes a drive-thru use potentially convenient for customers and the general public.
- 3. Is compatible with adjacent uses of land.** The site is surrounded by vacant woodlands, so the drive-thru use is well-screened from any future development on adjacent land. All of the surrounding land is also zoned C-1.
- 4. Is designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.** The drive-thru area is designed to allow for the smooth flow of cars using the drive-thru and other users of the site. The public health, safety, and welfare will be protected based on the current site design.

5. **Can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area.** The site's demand for public services and facilities will be commensurate with a commercially used site, and will not likely diminish or adversely affect public services to existing uses in the area.
6. **Will not cause injury to other property in the neighborhood in which it is to be located.** The site as currently designed is not anticipated to cause any adverse effects to the existing uses, marketability, or desirability of the other commercial and residential properties in the area. The site has functioned successfully as a gas station and convenience store for many years, and we are not aware of injury caused to any property in the area as a result of the site's use.
7. **Considers the natural environment and helps conserve natural resources and energy.** Because of the relatively minor site changes, there are no anticipated adverse effects on the area's natural resources. The site does not appear to be located near wetlands or other sensitive natural features. The site's existing and proposed landscaping is covered in our site plan review letter.
8. **Is within the provisions of uses requiring special approval in the zoning district, is in harmony with the purposes and conforms to applicable regulations of the zoning district, and meets applicable site design standards for special approval uses.** The site design has been greatly improved since the previous iteration, addressing several outstanding concerns. Any further concerns with the site plan are covered in our site plan review letter, in which we recommend preliminary site plan approval with conditions.
9. **Is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.** The Township has the authority to approve a drive-through special land use in the C-1 district, so this standard is met.

**Section 12.03(d): Specific Standards for Special Approval.** Section 12.03(d) provides specific standards for drive-in uses in the C-1 District; the proposal's compliance with those standards is evaluated below.

1. **Entrances and exits must be 100 feet from the intersection of any two streets.** There are two (2) existing entrance/exit drives to the site: one at Haggerty Road and one at North I-94 Service Drive. The driveway at Haggerty Road is almost 200 feet from the intersection. The driveway at N. I-94 Service Drive is approximately 104 feet from the intersection if the distance is measured from the driveway to the pavement (not the right-of-way) of Haggerty Road. Although the definition of "intersection" is not defined in the Zoning Ordinance, we believe that the existing driveway on at N. I-94 Service Drive satisfies that 100-foot setback requirement from the intersection.
2. **Must have direct access to a major thoroughfare.** The site has direct access to Haggerty Road and N. I-94 Service Drive, both of which are major thoroughfares.
3. **No lighting or illuminated display shall reflect onto a residential zone.** All adjacent properties are zoned C-1, so this standard is not applicable.

- 4. Consideration must be given to proximity of existing places of congregation of children regarding traffic safety and sanitation.** There are no places that children congregate near the site, so there are no potential issues with this standard.

**RECOMMENDATION**

Based on the above, we find the proposed drive-thru use meets the standards for special use approval, provided the ±104-foot distance from the driveway at N. I-94 Service Drive to the intersection with Haggerty Road is acceptable. We recommend that the Planning Commission recommend special use approval for the drive-thru to the Township Board, subject to the condition of preliminary and final site plan approval.

Respectfully submitted,

**McKENNA ASSOCIATES**



Patrick J. Sloan, AICP  
Senior Principal Planner



Stephen Hannon  
Assistant Planner

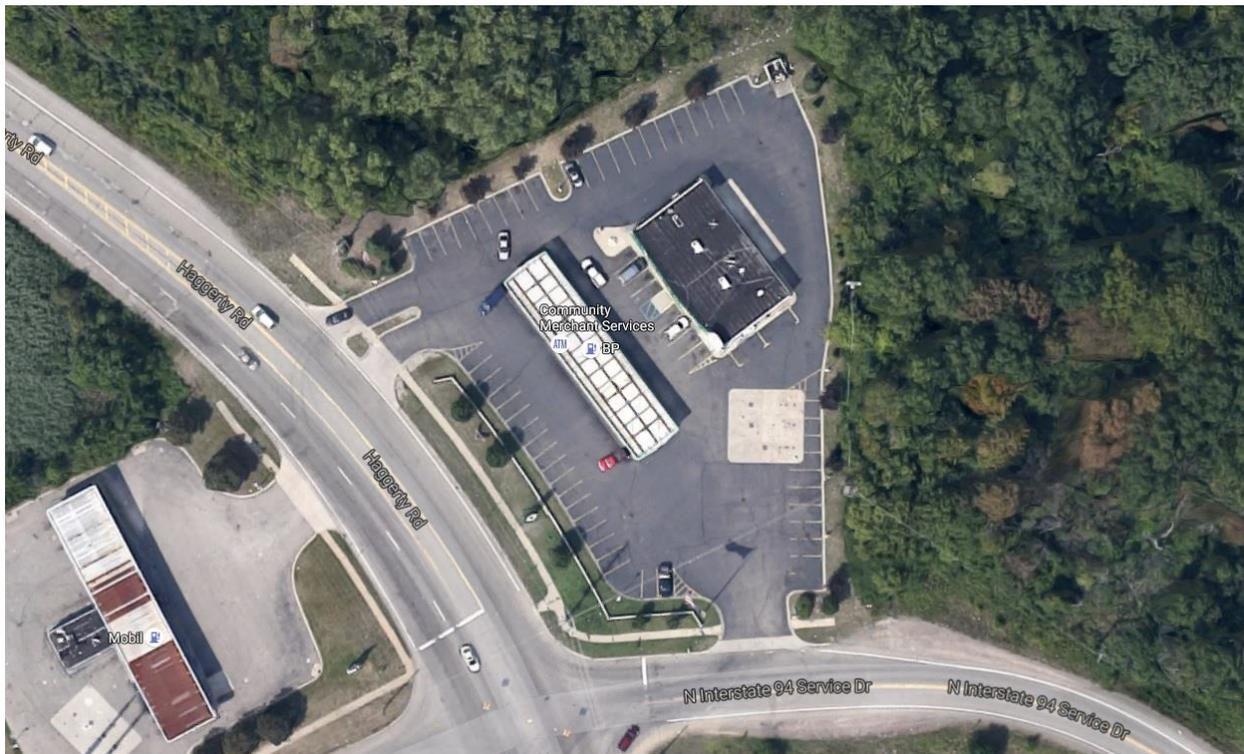
October 21, 2016

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

**Subject: VBT-16-028 SPR; Tim Hortons Drive-Through at 11175 Haggerty Road; Site Plan Review #2; Plans Revision Dated September 30, 2016**

Dear Commissioners:

The applicant proposes to add a drive-through Tim Hortons to an already existing BP gas station at 11175 Haggerty Road, which is located at the northeast corner of the intersection of Haggerty Road and North I-94 Service Drive. The site is 1.66 acres in area. The site is zoned C-1 (General Business District), which permits drive-through uses via Special Land Use approval. Our comments on the special land use application for the proposed drive-through are in a separate letter.



Aerial Image of Site (Source: Google Maps 2016)

We have reviewed the site plan for compliance with the Township's Zoning Ordinance and with sound planning and design principles, and we offer the following comments for your consideration:

## COMMENTS

1. **Use.** Drive-through restaurants are permitted by special use approval in the C-1 District, subject to a recommendation by the Planning Commission and final action by the Township Board of Trustees. Site plan approval by the Planning Commission is also required. A use statement has been added to the plan, stating that the Tim Hortons will occupy the space previously used by the drive-thru Tubby's sub sandwich shop. Tim Horton's will be open 24 hours per day.
2. **Dimensional Requirements.** The required setbacks in the C-1 district are: 75 ft. front yard, 15 ft. side yards, and 25 ft. rear yard. All setback requirements are noted on the plan and met by the existing building and canopy, and no changes to these structures are proposed.
3. **Specific Use Standards.** Please refer to our special use approval letter for a discussion on the specific standards of Section 12.03.d that apply to drive-through facilities.
4. **Site Layout and Circulation.**
  - a. **Stacking Spaces and Drive-Through Bypass Lane.** The required 15 drive-thru stacking spaces are shown, and are now all located on the same side of the access drive from North I-94 Service Drive. This was done by removing the 7 parking spaces within this area of the site and by using more of the existing pavement for a wider turning radius near the building at the drive-thru windows.
  - b. **Drive-Through Turn Radius.** The drive-through turn radius near the building has been widened to allow easier vehicle turns at this part of the site. The drive-through lane is designed to leave enough space for the loading area and for access to the dumpster.
  - c. **Sidewalks.** There are existing sidewalks along frontages adjacent to Haggerty Road and North I-94 Service Drive. Because of the current lack of pedestrian activity, a sidewalk connecting to the building entrance is not necessary at this time. Adding sidewalks can be revisited in the future if development in the area generates more pedestrian activity.
5. **Dumpster.** Section 4.14 of the Zoning Ordinance requires the dumpster to be enclosed on three sides by a brick or decorative concrete wall that matches or complements the building, with the fourth side enclosed by steel-reinforced pressure treated or wolmanized gate. There is an existing dumpster enclosure in the northeast corner of the site. Sheet SP-1 states that this dumpster is enclosed with 6-foot high brick faced walls and a steel gate with inserts. We recommend that pictures be added to the plans and that the gate be changed to a steel-reinforced pressure treated or wolmanized gate. The proposed access to the dumpster has been improved with the reconfiguration of the drive-through lane and addition of an escape area between two of the stacking spaces.
6. **Landscaping and Screening.**
  - a. **Landscaping Adjacent to the Right-of-Way.** Section 4.40(3)(b) of the Zoning Ordinance requires that parking spaces adjacent to rights-of-way to be screened by a continuous landscape screen of at least 3 feet in height or a 3-foot high decorative screening wall. The

parking area is screened by an existing 3-foot high brick wall. One tree is required for each 50 linear feet of frontage. The site has 436 feet of frontage and thus requires 9 trees. There are 11 trees proposed and existing for in front of the wall.

- b. Landscaping Schedule and Other Landscaping Requirements.** The site plan shows 20 “existing deciduous” trees and 10 “existing evergreen” trees. There are 3 Serviceberry trees, 3 Maple trees, and 65 total shrubs proposed to be added on site. The site plan must include the landscape calculations to confirm compliance with the landscaping requirements of Section 4.40 of the Zoning Ordinance, including general landscaping, vehicular surface landscaping, and loading area landscaping. The height or caliper of existing trees and shrubs must also be included.
- c. Maintenance.** Per Section 4.42 of the Zoning Ordinance, provisions for irrigation and maintenance of landscape material must be noted.

**7. Parking and Loading.** Requirements per Section 6.01(C) of the Zoning Ordinance are as follows:

Standard	Applicable Measurement	Number of Spaces Required	Number of Spaces Provided
<b>Gas Station/Convenience Store</b>			
2 spaces per gasoline pump island	5 pump islands	10	10
1 space per 200 sq. ft. of gross floor area	2,766 sq. ft. of gross floor area for retail sales	14	20
1 space per employee in maximum shift	2 at maximum shift	2	
<b>Drive-Through</b>			
22 spaces per 1,000 sq. ft. usable floor area	270 sq. ft. of usable floor area for drive-through use	6	6
1 space per employee in maximum shift	4 at maximum shift	4	4
2 longer spaces for RVs	2 located on north side of site	2	2
<b>Drive-Through Stacking</b>			
5 stacking spaces between pick-up window & order station	5 provided	5	5
10 stacking spaces per order station	10 provided	10	10

- a. Floor Plans and Employee Information.** A floor plan was provided showing the layout of the convenience store and drive-through use. There will be two employees on the maximum shift at the convenience store, and four employees on the maximum shift at the drive-through use.
- b. Parking Space Dimensions.** The length of parking spaces must be shown as a typical dimension. All 90° and 60° spaces must be 9.5 feet wide and 20 feet deep.
- c. Loading Area.** A 10 foot x 25 foot loading area is provided behind the building next to the reconfigured drive-through lane.

- 8. Architecture and Facades.** Building elevations are now provided, which show brick and wall pack as the main materials used. The building is 20 feet tall at its highest point. There are two existing rooftop mechanical units which are not shown on the elevations. These units should be added, and the plans should demonstrate how they are shielded from the view of people at ground level.
- 9. Open Space.** Open space must be set aside on the site, as required by Section 11.05(d)(i), in the amount of not less than 1 sq. ft. per 25 sq. ft. of principal building. This 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. Based on the building area of 4,166 sq. ft., 167 sq. ft. of open space is required. There is an existing patio area near the building designated, which is 240 square feet and is the open space for this site. It is our understanding that there is an existing table and seating area on this patio, so we recommend noting this on the plans.
- 10. Lighting.** A photometric plan is included with the site plan. The most intense light is under the gas canopy at 10.0 foot candles. A new light pole will be installed near the drive-through order window. Sheet SP-2 includes details of the light pole, which will be 14 feet high and contain a fixture that is directed downward. Light trespass onto neighboring properties or into the right-of-way generally does not exceed 1.0 foot candles, which is appropriate for a commercial site surrounded by a mostly vacant area or other commercial sites.
- 11. Signs.** There is an existing monument sign and signs on the building and canopy for the existing gas station use. Details are required for all existing and proposed signs, including dimensions, materials, colors, and lighting. Signs in the C-1 District are regulated by Section 20.409(4) of the Zoning Ordinance.
- 12. Additional Items.** The plans do not scale according to the scale indicated on the plans. The plans must be printed at the appropriate scale.

## RECOMMENDATION

The applicant has revised the site plan and responded to several items from the previous review. While there are still some outstanding items, we believe these can be handled during final site plan review. Therefore, we recommend that the Planning Commission approve the preliminary site plan with the following conditions:

1. Pictures of the existing dumpster enclosure be added to the plans and that the gate be changed to a steel-reinforced pressure treated or wolmanized gate.
2. The site plan must include landscape calculations to confirm compliance with the landscaping requirements of Section 4.40 of the Zoning Ordinance, including general landscaping, vehicular surface landscaping, and loading area landscaping.
3. The height or caliper of existing trees and shrubs must also be included.
4. Provisions for irrigation and maintenance of landscape material must be noted.
5. The length of parking spaces must be shown as a typical dimension.
6. Rooftop units should be added to the elevation drawings and the plans should demonstrate how they are shielded from the view of people at ground level.

7. That the existing table and seating area on the patio be added to the plans.
8. Details are needed for all existing and proposed signs, including dimensions, materials, colors, and lighting.
9. The plans must be printed at the appropriate scale.

Respectfully submitted,  
**McKENNA ASSOCIATES**



Patrick J. Sloan, AICP  
Senior Principal Planner



Stephen Hannon  
Assistant Planner

David C. McInally II  
Battalion Chief / Fire Marshal  
O: 734-699-8900 ext9416

Van Buren Fire Department  
46425 Tyler Rd  
Van Buren Twp., MI 48111



October 3, 2016

Building and Planning  
46425 Tyler Road  
Belleville, MI 48111

Re: Tim Horton's  
11175 Haggerty  
Belleville, Mi. 48111  
16-028

I reviewed the plans given to your office on 8-26 and to me on 8-30 from Ziad El-Baba Engineering, 674 Gauthier Tecumseh, Ontario N8N3P8 Canada

1. ~~Where the drive thru is coming to a point at the building on the South East corner is a problem. I would want striping and signage that indicates fire lane and not to block drive with waiting cars.~~

2. A Knox Box is required on the building for both tenants. The Knox Box location will be verified prior to the installation on the building. [www.knoxbox.com](http://www.knoxbox.com) NFPA 1 18.2.2.1

With the above considerations, the plan set is approved as submitted.

**A digital cad layout** of the building is required 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.

Respectfully Submitted,  
David C McInally

Fire Marshal  
Van Buren Fire Department

***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.



# WADE TRIM

October 13, 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: Tim Horton's – 11175 Haggerty Road  
Recommendation for Approval

Dear Ms. Thompson:

At your request, we have reviewed the preliminary site plan package for the Tim Horton's drive-thru project located at 11175 Haggerty Road.

The site improvements involve minor parking re-striping and the addition of a small curbed island in order to facilitate a drive-thru. Proposed site circulation has been evaluated and found acceptable. All parking spaces shall be double-striped and the existing parking area has a curbed perimeter. There are no utilities or additional paving proposed with this site plan.

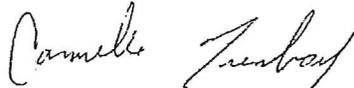
#### Recommendation

Due to the very minor site changes that do not necessitate an engineering review, we would like to offer our recommendation for both preliminary and final site plan approval, accepted at the discretion of the Planning Commission.

If you have any questions regarding this project, please contact our office at 734.947.2768.

Very truly yours,

Wade Trim Associates, Inc.

  
Carmelle Tremblay, E.I.T.

  
David M. Nummer, PE

DMN:CGT:jel  
VBN 2274-01T  
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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

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