

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
MARCH 9, 2016
MINUTES**

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

ROLL CALL:

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

Excused: Jackson.

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

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

Audience: One hundred seven (107).

APPROVAL OF AGENDA:

Motion Kelly, Boynton second to approve the agenda of March 9, 2016 as presented. Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Boynton second to approve the regular meeting minutes from January 27, 2016 as presented. Motion Carried.

CORRESPONDENCE: None.

PUBLIC HEARING:

ITEM # 1 MEDICAL MARIJUANA ORDINANCE AMENDMENT

TITLE: CONSIDER AMENDING THE TEXT OF THE VAN BUREN CHARTER TOWNSHIP ZONING ORDINANCE NO. 6-2-92 BY ADDING A NEW SUBSECTION 16.03i IN THE M-2 GENERAL INDUSTRIAL DISTRICT, PERMITTED USES AFTER SPECIAL APPROVAL PROVIDING FOR THE REGULATION, LOCATION AND OPERATION OF MEDICAL MARIHUANA CULTIVATION FACILITIES.

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

Patrick Sloan of McKenna Associates gave an overview of the proposed amendments and presented his review letter dated 3-3-16 recommending placing the proposed amendments to the Medical Marijuana Ordinance on the March 23, 2016 Planning Commission agenda for a recommendation to the Township Board of Trustees.

Residents inquired about patients growing marijuana in their own home, if patients can be a caregiver, the definition of a caregiver, the number of patients a caregiver can have, how a caregiver distributes to patients, how to become a grower at a cultivation facility and if cultivation facilities will only be permitted in the M-2 district under the ordinance.

Patrick Sloan read the definition of a “caregiver” to explain to the residents what is required of a caregiver in the Medical Marijuana Ordinance.

No comments from Commission members.

Motion Franzoi, Boynton second to close the public hearing. Motion Carried.

OLD BUSINESS:

ITEM # 1 UPDATE ON LAKESHORE ORDINANCE

Director Akers and Deputy Director Best presented the update on the Lakeshore Ordinance. Public outreach sessions for the lakeshore ordinance were held at the Township Hall: Lakeshore Ordinance Public meeting on February 27th, Lakeshore Ordinance Open House on February 22nd and 23rd which included one on one informational meetings in the evening on both dates and a meeting was also held at the BYC (Belleville Yacht Club). Many residents and stakeholders have serious concerns and comments regarding the lakeshore ordinance. Director Akers recommends removing the Lakeshore Ordinance from Planning Commission consideration to better address comments and concerns with residents and stakeholders. Deputy Director Best would like to start by forming a sub-committee including residents and stakeholders to further discuss and address concerns and work towards forming a draft ordinance, then form a larger group to review and receive comments on the draft prior to establishing a public hearing with the Planning Commission.

Commissioners agreed with the process.

Twelve (12) residents addressed the Planning Commission, the discussed items included: little notice/lack of mailing to homeowners in regards to the lakeshore ordinance, no grandfather clause for existing lakefront structures, re-establishing the Lake Committee, FERC license requirements, lake and island maintenance by the Township, lily pad growth, functions of the French Landing Dam, City of Belleville as a stakeholder, are FERC and the Dam needed, money received from the Dam and its use, the purpose of the lakeshore ordinance, the removal of buoy’s, the history of Belleville Lake and the French Landing Dam, requirements of the MDEQ, money from the Dam being used for lake maintenance and removal of logs in the water adjacent to Township and City property. Several members of the audience volunteered to serve on the lakeshore ordinance sub-committee.

Motion Boynton, Franzoi second to move in accordance with the recommendations from Director Akers and Deputy Director Best in a letter dated 2-19-16, the Planning Commission set aside the Lakeshore Ordinance so more clarification and other points that were brought up in the recommendation paragraph can be effectively handled. Motion Carried. (Letter Attached)

NEW BUSINESS:

ITEM # 1 16-004 – TEMPORARY LAND USE

TITLE: THE APPLICANT, PHANTOM OF MICHIGAN, IS REQUESTING FINAL APPROVAL TO HOLD “TENT” SALES OF RETAIL GOODS BEYOND THE SEVEN CONSECUTIVE

DAYS ALLOWED AS-A-RIGHT IN THE ZONING ORDINANCE FOR TEMPORARY LAND USE UNDER SECTION 4.44 OF TOWNSHIP ZONING ORDINANCE 06-02-92, AS AMENDED.

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

Deputy Director Best presented his temporary land use review letter dated 2-2-16 for the Phantom Fireworks temporary land use application. Deputy Director Best recommends approval of the application subject to approval from the Van Buren Fire Marshall, the applicant provide the Township with a current Consumer Fireworks Retail Facility: Non-Permanent license prior to the establishment of the temporary land use and that all proposed signage comply with the Zoning Ordinance.

Fire Marshall, David McNally presented the Fire Department review letter dated 2-8-16 recommending temporary land use approval.

Commissioner Boynton discussed the well-detailed tent layout and evacuation plan provided by the applicant and the possibility of the Fire Marshall helping to impose this as a requirement for future applicants.

No comments from the Commission or the audience.

Motion Boynton, Budd second to grant temporary land use to Phantom Fireworks subject to the Fire Department review letter dated 2-8-16 and recommendations in the review letter submitted by Deputy Director Best dated 2-2-16. Motion Carried. (Letters Attached)

ITEM # 2 THE APPLICANT, BELLEVILLE DEVELOPMENT, INC., IS REQUESTING 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 V125-83-064-99-0002-002, ALSO KNOWN AS 11105 QUIRK ROAD, AND V125-83-064-99-0002-003, WHICH IS VACANT, ARE THE TWO (2) SUBJECT PARCELS OF THIS PROJECT. PARCEL V125-83-064-99-0002-002 MEASURES APPROXIMATELY 7.421 ACRES AND PARCEL V125-83-064-99-0002-003 MEASURES APPROXIMATELY 3.895 ACRES. THESE PARCELS ARE LOCATED NOTHREAST OF THE INTERSECTION OF QUIRK ROAD AND N. I-94 SERVICE DRIVE.

Jim Tiruga gave the presentation for the applicant. The applicant is currently in the process of having the two (2) parcels combined into one (1) parcel, he has the met the requirements provided by the planning engineers and desires to move forward with the project.

Patrick Sloan of McKenna Associates presented the preliminary site review letter dated 2-11-16 recommending the Planning Commission grant preliminary site plan approval subject to the conditions referenced in the letter.

David Nummer of WadeTrim presented the preliminary site plan review letter dated 2-12-16 recommending the Planning Commission grant preliminary site plan approval.

Fire Marshall David McInally presented the Fire Department review letter dated 1-20-16 recommending preliminary site plan approval subject to the eight (8) conditions referenced in the letter.

Commissioners and the applicant discussed making the pond look more natural prior to final site plan approval.

No comments from the audience.

Motion Kelley, Franzoi second to grant preliminary site plan approval to Belleville Development Inc. to construct a hotel and site improvements as required in section 12.02 of the zoning ordinance 06-02-92, as amended, located at 11105 Quirk Road. Subject to the conditions referenced in the McKenna Associates review letter dated 2-11-16, WadeTrim review letter dated 2-12-16 and the Fire Department review letter dated 1-20-16. Motion Carried. (Letters Attached)

GENERAL DISCUSSION:

Commissioner Atchinson discussed the importance of community involvement.

Motion Boynton, Kelley second to adjourn at 9:25 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



Charter Township of Van Buren

BOARD OF TRUSTEES

SUPERVISOR Linda H. Combs	CLERK Leon Wright	TREASURER Sharry A. Budd	
TRUSTEE Philip C. Hart	TRUSTEE Jeffrey L. Jahr	TRUSTEE Brenda J. McClanahan	TRUSTEE Reggie Miller

February 19, 2016

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

Subject: Belleville Lake Shoreline Districts Ordinance

Dear Commissioners:

The Township gave a presentation outlining the proposed Belleville Lake Shoreline Districts Ordinance to the Belleville Yacht Club and held a public presentation/informational session here at Township Hall. Both meetings were well attended, with close to eighty (80) people showing up to each. During those meetings there have been several comments and questions which were presented to staff regarding the proposed ordinance. I have attached to this letter a summary of some of the questions and comments received at those two (2) meetings.

The most frequent comment/concern received, which was specific to the proposed ordinance, was focused on the provisions of the ordinance which stated that no buildings or structures were vested on Township owned property and that the Township could force the removal of buildings or structures at any time without cause and place a lien upon the adjacent property for the cost of removal (section 16.04C.a). While there was language built into the proposed ordinance to address lawful existing uses, many of the people who attended the presentations felt that a written clarification in the proposed ordinance was needed to further define what the specific meaning of "lawful existing" is.

Another comment/concern which was commonly received was that members of the public felt that additional public input should have been sought during the development stages of the proposed ordinance. Many of the residents who attended the two (2) meetings were concerned regarding the amount of authority the proposed ordinance gave the Township and potential long term impacts of this authority.

RECOMMENDATION

Based on the items listed above and comments received in the public informational meetings, it is clear that the majority of the residents who reside around the lake have serious concerns regarding the provisions of the proposed ordinance. It is my belief that at this point in order to address the issues and problems that the proposed ordinance was intended to resolve, the Township will need to make further efforts to work with residents and stakeholders to come to a mutually agreeable solution.

Our recommendation is to remove the proposed Belleville Lake Shoreline Districts Ordinance from consideration after receiving public comment at the Planning Commission meeting.

Respectfully submitted,

Ron Akers, AICP
Director of Planning & Econ. Development
Charter Township of Van Buren

Matthew Best, M.S.
Deputy Director of Planning & Econ. Development
Charter Township of Van Buren

Lakeshore Informational Meeting Questions/Comments - Feb 17, 2016 & Belleville Yacht Club – February 16, 2016

1. Why are we doing this?
2. Is this about Money?
3. What is considered a "lawful" structure?
4. Is this going to be a changing document?
5. What was the extent of the City of Belleville's involvement?
6. Is there a list of the residents that were contacted?
7. Are you voting the ordinance in on the 24th?
8. Can we get more information on FERC licensing?
9. What is the hourly rate of McKenna Associates?
10. How much revenue does the Township make yearly from FERC?
11. Where is the Power plant at?
12. How many members of the Planning Commission live on the lake?
13. How does having a flat roof affect the lake?
14. Why do all roofs need to be regulated?
15. If I were to sell my home would I need to give the new owners my lake letters?
16. At what point would you decide this ordinance is not a good idea?
17. Can the Township, with or without cause, order a structure to be torn down?
18. Will Permits be given without precedence?
19. If something is built out on the lake, but comes up unto my property can the Township tear it down?
20. Is an existing dock that is not within the size requirements of the new draft ordinance going to be "Grandfathered" in, or will it be torn down by the Township?
21. If the MDEQ issued a permit, is that considered a lawful structure that township couldn't tear down?
22. Can we get dates or a timeframe for when the Lakeshore Ordinance was started?
23. Comment was made that lakeshore owners should consider getting involved with the Planning Commission and attend meetings so they could have more of a part in the writing of the Ordinance.
24. Will the next meeting have all the answers to tonight's questions?
25. Who started the Process of getting McKenna Associates involved?
26. What has been the cost of having McKenna Associates work on the Lakeshore Ordinance?
27. Who is on the BZA?
28. Would there be a penalty from FERC if we did not adopt an ordinance?
29. Would there be fines if the ordinance were not adopted?
30. Why would the comments from the residents not be included in the process of drafting this ordinance?
31. Was the Ordinance put out in the newspaper?
32. What has been published as far as notices to the residents?
33. Is there any mention of floating docks in the ordinance?

34. What about Multi-Family dwellings?
35. If FERC approved something would the Township be able to overrule it?
36. Is there a reason the meetings have come up so fast?
37. Why are the meetings being scheduled so close together?
38. Could Lake Owners form a committee that could meet with the Township regarding rules and regulations pertaining to the lake?
39. FERC can come in and tell us to take something down; Does the ordinance protect from that or would it do the same thing?
40. Is the intent of this meeting going to be in the next planning commission meeting and will the comments be brought up?
41. Can the action be tabled at the next planning commission meeting?
42. How many Private properties abut the lake?
43. Why can't a letter be sent out to Lakefront owners?
44. What is driving the proposal of the ordinance?
45. Are we currently complying with FERC Requirements?
46. Another reason to table the action is to better notify the City of Belleville.
47. How is MDEQ involved?
48. Has McKenna Associates done similar work for other cities or townships with Lakes?
49. The biggest soil erosion is Van Buren Park.
50. The proposed regulations went too far.
51. The ordinance is not clear regarding grandfathering existing structures.
52. Why does the Township have interest in regulating people's front yards.
53. Concern regarding the ordinance giving the Township too much authority.
54. The Township should vest existing structures.
55. Did not support any ordinance.
56. Township will have a lawsuit on its hands if the ordinance passes.
57. Do not agree with having to remove dead trees from Township owned property.
58. Don't understand why flat roofs are an issue.
59. Concern regarding the width of docks allowed.
60. Lot coverage makes it unreasonably difficult to place docks on narrow lots.
61. Concern that language which allows Township to remove any structure for any reason will be abused.
62. DEQ regulates buoys and navigational markers, not the Township.
63. Restricting signs is a first amendment violation.
64. Concern that people will have to remove non-conforming structures when they sell their home.
65. Need large dock width for sailboats.
66. Unsure if ordinance would allow major regrading necessary for bank stabilization.
67. Thought addresses along the water was unreasonable.
68. Concern ordinance prevented people from having guests docking their boat on their dock.
69. Six boats is arbitrary when FERC allows ten.
70. Concern Ordinance would prevent homeowners from dredging a channel.
71. Felt Township was irresponsible with files.
72. Did not like Township being able to write tickets.
73. Concerns regarding boardwalk width, wanted to be able to have deck adjacent to lake.

74. Concern that docks for duplexes would require FERC approval.
75. Many lake front owners are out of state for the winter and were unaware of this proposed ordinance.
76. This seems like a money grab from the Township.
77. The Township should talk to the city before adopting any ordinances.

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

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



February 8, 2016

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

Re: Phantom of Michigan Fireworks Temporary Land use TLU16-004

I have reviewed the plans submitted to my office on February 4th and found their application is in compliance of the state regulations for fireworks sales. They are also following NFPA 1123, 1124 and 1125 as well.

The Van Buren Fire Department has an approved agreement with the State of Michigan to inspect all permitted fireworks sites in Van Buren Township. These inspections will be conducted by the fire marshal's office, with those inspection reports going to the state for verification or enforcement if required.

The fire department requires involvement in the final inspection process and will verify compliance with the appropriate codes. Review and approval with conditions by the Authority Having Jurisdiction, shall not relieve the applicant of the responsibility of compliance with these *Codes*.

Respectfully Submitted,

David C. McNally II
Fire Marshal

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



Memo

TO: Van Buren Township Planning Commission

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

RE: Review of Temporary Land Use Request #TLU16-004 – Phantom Fireworks
Agenda Item for February 10th, 2016

DATE: February 2nd, 2016

Phantom of Michigan, Inc. is requesting a Temporary Land Use permit for a tent sale of fireworks at the Lakewood Shopping Plaza at 2095 Rawsonville Road. The use is proposed to be from June 15, 2016 through July 5, 2016, 10:00 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.

In reviewing past applications for this temporary land use, the current application and the requirements of Section 4.44 for temporary use approval, the following comments are pertinent to the Planning Commission.

1. Adequacy of parking and access (Section 4.44.c.1)

The site currently has 877 public parking spaces, 31 of which are handicapped reserved. The tent, portable storage container, and surrounding space will only remove approximately 39 regular parking spaces, The site will still have adequate parking while the temporary land use is ongoing.

2. Adequate drainage (Section 4.44.c.2)

The site is in an existing parking lot that already has storm water drainage. The tent and storage container 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 uses are compatible.

4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site (Section 4.44.c.4)

The tent and portable 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 sales area is setback 58 feet from the right-of-way of the South I-94 Service Drive and 30 feet from the adjoining outlot of the plaza to the east.

6. Adequate utilities (Section 4.44.c.6)

Phantom 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)

Phantom will be responsible for all trash disposal and site clean-up in relation to their agreement with Schostak Brothers and Company, managing agent for Lakewood Shopping Center.

8. Sanitary facilities (Section 4.44.c.8)

Due to the short nature of the customer shopping, no sanitary facilities will be provided.

9. Hours of operation (Section 4.44.c.9)

From 10:00 a.m. to 10:00 p.m. Although Van Buren Township has a Fireworks Ordinance (adopted in 1986) which requires fireworks sales to conclude at 9:00 p.m., Act 256 preempts this requirement as there is no restriction on the hours of operation for other temporary uses. However, we are not aware of any complaints with Phantom closing at 10:00 p.m. in previous years, so the hours of operation are reasonable.

10. Outdoor light and signs (Section 4.44.c.10)

No exterior lights are provided. Interior lights will be hung by the tent company. The Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Phantom requests a banner to measure 5' x 16' (80 sq. ft.). Phantom's 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)

A current Consumer Fireworks Retail Facility: Non-Permanent license must be provided by the applicant prior to the establishment of the temporary use. The Van Buren Fire Marshall shall be separately issuing 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 or glare from their use.

13. Fire lanes, fire protection, and security (Section 4.44.c.13)

The Van Buren Fire Marshall shall review the application for adequacy of fire lanes and fire protection. The site will be staffed with 3-6 employees during open hours. During non-operating hours, all products will be returned to their fire-proof storage unit and locked up until the materials are returned for redisplay 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 will not 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 will be the fifth (5th) year that Phantom has operated at this location, and I am not aware of any complaints or issues that have taken place in the previous years. Per my review of the application, I recommend approval of this application subject to the following three (3) conditions:

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

Respectfully submitted,

Matthew R. Best, M.S.
Deputy Director
Planning and Economic Development
Van Buren Township

February 11, 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 #5 and TRP #1;
Plans Dated February 2, 2016**

Dear Commissioners:

The applicant proposes to develop a new 121-room suites motel at the northeast corner of Quirk Road and the North I-94 Service Road. 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 C-2 Subject to Conditions in accordance with the Rezoning with Conditions Agreement between Van Buren Township and Belleville Development, Inc. dated December 2, 2015. Per the rezoning the two parcels must be combined and this must be shown on the plan. If this has not yet been accomplished, application must be made before final site plan approval and the combination must be completed before any permits are issued. Also, the applicant must remove the labels showing Parcel II as "Zoned R-1B" as this is no longer the zoning of the site.

According to the use statement, the hotel will operate 24 hours a day, 365 days a year, and will have 10 employees on the largest shift. The building includes a pool, fitness room, and several meeting rooms. Accessory parking is proposed around the building at the northeast corner of the site. The site plan includes a portion of the adjacent Hampton Inn and Holiday Inn Express hotel sites to the east. The proposed parking lot at the northeast corner of the Towne Place Suites lot will be shared with the other two hotels.

2. **Dimensional Requirements.** Updated building elevations have been submitted which include the building height dimensions and a peaked roof as required by the Rezoning with Conditions Agreement. All building setback requirements are met.
3. **Site Layout and Adjacent Uses.** This site abuts an established single family residential district and care must be taken to not adversely impact this area. According to the Township Master Plan, this site is in the Gateway Commercial plan district which requires careful site planning to limit disturbances to adjacent residential uses. This includes landscaping and screening of the site from the residential district, which is reviewed in the landscaping section of this report.

4. **Landscaping.** Within the DDA, all sites are strongly encouraged to exceed Ordinance minimums in landscaping requirements. Also, each requirement must be met separately, meaning that plant materials cannot be double-counted for the various separate requirements or the tree replacements required by the Ordinance.
- a. **General Landscaping.** There must be a minimum of 1 tree for each 3,000 square feet of open space on the site. The site has 237,134 square feet of open space and requires a total of **79 trees** for general landscaping. The utility locations have been added on the landscape plan sheet to help identify any conflicts with tree location. Two trees on the north lot line appear to interfere with the storm sewer line; these should be adjusted to accommodate and shrubs used for infill.

The plan proposes to include 48 preserved trees as part of the number required for general landscaping. Retained trees may count toward the number of required landscape trees at the discretion of the Planning Commission, however those trees cannot simultaneously count toward the number of trees required for tree replacement.

- b. **Landscaping Adjacent to Right-of-Way.** There must be a minimum 5 foot wide landscape buffer strip within 10 feet of the site's paved surface. The site has 563 feet of frontage along the North I-94 Service Road and needs **12 trees** to meet this requirement. The site has 878 feet of frontage along Quirk Road and needs **18 trees** to meet this requirement.

13 such trees are proposed along the North I-94 Service Road frontage. The landscape plan should distinguish between those trees used for right-of-way landscaping and those which are used for parking lot landscaping. There should also be one additional tree on the east side of the parking lot entrance to continue the street tree line there.

There are 66 trees proposed along Quirk Road, which exceeds the total number required in this area for both right-of-way landscaping (18 trees) and landscaping adjacent to residential areas (29 trees) *see below*, which is 47 required trees.

- c. **Landscaping Adjacent to Residential Properties.** For screening the single family neighborhood west of Quirk Road, a berm of varying height (3 ft. to 8 ft.) and planted with a mix of deciduous and evergreen trees and shrubs is proposed. A similar berm with a single row of evergreen trees is proposed along the north lot line. A minimum of **29 trees** are required for the berm along Quirk Road and **20 trees** along the north lot line. Calculations must be included for this landscape standard, and compliance addressed. Along Quirk Road, there are 66 trees proposed, which are enough trees to meet both this standard and the right-of-way landscaping standard.

In order to better evaluate the effectiveness of the proposed screening from Quirk Road, 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. The berm and plantings may need to be altered based on the effectiveness of the screening, including varying the slope, shape, height, and thickness of plantings.

d. Vehicular Surface Landscaping.

- i. *The total landscaped area must equal at least 5% of the paved area. Sheet L1.0 shows the required calculations; 5,138 square feet is required and 8,353 square feet is proposed for vehicular surface landscaping.*
 - ii. *Each landscaped island must be at least 360 square feet. The parking lot islands in the rear parking lot meet this requirement.*
 - iii. *There must be 1 tree per 100 square feet of vehicular surface landscaping. The plan notes that with 8,353 square feet of interior landscaping, 84 trees must be provided. The site plan lists 87 trees as being provided under this requirement. The plan must label which trees are being counted to satisfy this requirement, and these trees must be located in and around the parking lots. Vehicle surface landscaping trees may not count toward other landscaping requirements. 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.*
- e. **Other Landscaping Requirements.** The site requires a minimum of 224 trees based on the individual landscape section requirements listed above. 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, and the plan should be organized/labelled to show which trees satisfy which provision. A simple way to do this is to put the various requirements and calculations in a table on the plan.

All shrubs in the landscape buffer along the North Service Road must be spaced no farther than 4 feet on center, not 5 feet as noted. The purpose of this spacing is to ensure the plants grow together as a hedge and create the required screen for parked vehicles.

5. **Stormwater Pond.** Sections 4.40(3) (o) and 4.56 of the Zoning Ordinance require vegetation, landscaping, and protective fence design features for stormwater basins. An aerator is noted for mosquito control. The pond shape should be refined to have a more naturalized shape, and the required fencing installed, subject to the Commission's determination.
6. **Parking Requirements.** Parking calculations are provided for the combined parking lots of Town Place Suites, Hampton Inn, and Holiday Inn Express. According to Section 6.01(9), the total number of parking spaces shall not exceed 120% of the minimum. The minimum number of spaces for the combined sites is 476, the maximum is 571, and 563 spaces are proposed.

The parking lots are proposed to be connected with the Hampton Inn and Holiday Inn Express parking lots. Cross access easements for traffic to travel between the sites and shared parking are outlined on the site plan. The easement documents with corresponding legal descriptions must be submitted for Township review and approval prior to final site plan approval, with recording required prior to permits being issued for the site.

7. **Sidewalks.** A new sidewalk is proposed to connect from the front of the building to the public sidewalk along the North I-94 Service Road, and a 5 foot wide sidewalk will be constructed along the site's Quirk Road frontage. We continue to recommend that sidewalk be added along the

access drive to the parking lot at the back of the site, as discussed in a previous staff review meeting.

8. **DDA Standards and Architecture.** This site is within the Township DDA. The DDA has invested heavily in public improvements for the utilities, streetscape, roads, and landscaping within its boundaries. The applicant has modified his elevations to include a high percentage of brick in the facades. The proposed colors are noted as Rose, Rawhide, Hopsack, and Tumbleweed; in order for the Commission to evaluate the proposal we recommend color renderings of the elevations be submitted for review. Also, samples of proposed facade materials must be provided to the Planning Commission for 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 provided on the plan.

Since it will not be on the roof, the location and screening of the HVAC equipment must be identified on the plan. The plan should clarify if there are exterior air conditioning units proposed for each room.

9. **Amenities.** All sites within the C-2 district must provide amenities, such as outdoor seating, bike racks, pedestrian plaza/respite area, and similar features to enhance the site for future users. A front patio area is proposed near the southwest corner of the site with details for the benches and bike racks. There should be a crosswalk to connect the patio to the building. We also continue to encourage the applicant to pursue satisfying part of his amenity requirement by making some aesthetic improvements at the base of the pedestrian overpass, such as agreement to cut the grass, weed and pick-up litter.
10. **Lighting.** A photometric plan and cut sheets have been submitted as requested. The proposed light level does not exceed 1 foot-candle over the lot line of a residential district, as required by Section 4.45(b) (10). The pole height of 25 feet complies.
11. **Signs.** There is a proposed monument sign near the southeast corner of the lot, and proposed wall signs at the south and east faces of the building. Details of all proposed signs (including entrance and directional signs) with height, dimensions, area calculations, and means of lighting must be submitted. The wall sign area shall be calculated as the area of the rectangle formed by the extent of the sign face, as illustrated in Section 20.400(1).
12. **Tree Removal Permit.** A tree removal permit will be required. While the tree removal permit approval is typically not required until time of final site plan approval, we have provided our comments to assist the applicant in preparing those plans. Replacement trees must be installed to compensate for any trees removed from the site. Further, required replacement trees do not count toward the number of trees needed for the landscaping requirements, but are over and above those requirements.

The tree inventory on Sheet C2.1 appears to include trees that are not located on the development site and must be corrected. The inventory lists 102 trees as being saved, but the landscape plan only shows and lists 48 saved trees. The landscape plan must match the tree inventory for how many trees are planned to be preserved.

At least 38 trees on the hotel site to the east were included in the inventory. This site is already developed and trees to be removed from developed sites do not require replacement. There are also about 5 trees in the Quirk Road right of way listed in the inventory. All of these trees should be removed from the inventory.

Section 4.45.e.6.b.II of the Ordinance requires preservation of at least 37% of existing trees (5 inch D.B.H. or greater); unless otherwise approved by the Planning Commission. Based on the current inventory's 264 trees, preservation of 98 trees would be 37%. Obviously if the inventory is refined and corrected as discussed, these numbers may change. Also, tree #2078 is listed as dead and as to be saved. Dead trees should not be saved.

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.

Replacement Type and Size	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 applicant proposes to remove 162 trees based on the current tree inventory. The required tree replacements can be accomplished by planting additional trees, increasing the size of required landscape trees to greater than the Ordinance minimum sizes (according to the table above), or by making a payment in lieu of tree planting, subject to Planning Commission approval.

RECOMMENDATION

The applicant has revised the plan and satisfied most of our previous comments. The items that remain are primarily landscape-related and can be completed and required as part of the Final Site Plan approval process. Therefore, we recommend the Commission grant preliminary site plan approval subject to the following conditions:

- a. Correcting the zoning labels on the site plan.
- b. Application for lot combination prior to final site plan approval and completion of that combination before any construction permits are granted for the site.
- c. The landscape plan shall be revised and comply with all the requirements noted in Comment 4., above.
- d. Redesign of the storm water pond to have a more naturalized shape and fencing, subject to the

determination of the Planning Commission.

- e. 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.
- f. Addition of a sidewalk along the access drive to the parking lot at the back of the site.
- g. 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.
- h. 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.
- i. Details of all proposed signs, as described in Comment 11 above.
- j. Tree permit approval prior to final site plan approval.
- k. Approval of the Township engineer and all agencies with jurisdiction.

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



Stephen Hannon
Assistant Planner

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

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



January 12, 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.

I have the following items requiring further detail / attention:

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.

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

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

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

6. 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 **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.

Respectfully Submitted,

David C McNally- Fire Marshal



WADE TRIM

February 12, 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: Towne Place Suites
Preliminary Site Plan

Dear Ms. Thompson:

At your request, we have reviewed the preliminary site plan dated February 2, 2016 for the proposed Towne Place Suites located on the I-94 Service Drive in Van Buren Township. The Project involves the construction of a new building and supplemental parking. The Developer has addressed most of our concerns and, therefore, we are 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 has proposed an 8-inch public water main loop around the building, connected to the water main along both Quirk Road and the I-94 Service Drive. A 4-inch domestic service line and a 6-inch fire protection line have been proposed. Adequate hydrant coverage for the building has also been provided.

Sanitary Sewer

There is no public sanitary sewer proposed for this site. A 6-inch sanitary lead for the building has been provided which connects to the 10-inch sanitary sewer along the I-94 Service Drive.

Throughout the preliminary site plan process, we have discussed maintenance access for the existing sanitary sewer which cuts across the southwest corner of the site, as it is currently under the influence of the berm in this area. We will continue to work with the Engineer throughout the engineering review to determine an adequate solution to this conflict.

Storm Drainage

Storm water management has been provided to account for all site run-off, including collection from the back side of the berms located along the north and west property lines. A preliminary review of the detention pond sizing has been performed and the Designer has provided adequate storage for the 100-year storm. The Designer has indicated on the plans that the site outlets to the I-94 Service Drive and, ultimately, to the MDOT system.

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.wadetrilm.com



Charter Township of Van Buren
February 12, 2016
Page 2

Site Layout

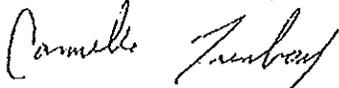
Access to the site is provided from the I-94 Service Drive and cross access with the neighboring Hampton Inn and Holiday Inn Express has been proposed. Curb and gutter is provided for all paved areas and a 5-foot concrete walk has been proposed along Quirk Road. The site layout provides for adequate circulation and sufficient pavement cross sections have been proposed for both standard and heavy-duty pavement. We would like to note that the pedestrian path to the gathering/public space is not currently ADA compliant and the Developer may want to consider providing accessibility.

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 there are any questions on this project or our recommendation, please contact our office at 734.947.2793.

Very truly yours,

Wade Trim Associates, Inc.



Carmelle G. Tremblay, E.I.T.


David M. Nummer, PE

DMN:CGT:ka.
VBN 2247-01T
20160212Thompson.docx

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



Bud Design & Engineering Services, Inc.

10775 S. Saginaw St. Suite B | Grand Blanc, MI 48439 | Ph: 810.695.0793 | Fax: 810.695.0569 | www.buddeslgn.com

February 2, 2016

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

RE: TownePlace Suites / Site Plan Review #4

Bud Design & Engineering Services, Inc. (BDE) is in receipt of reviews for the project. BDE has updated plans based on the comments and also provided an itemized narrative response to the items below.

WadeTrim Associates, Inc. Review (January 15, 2016)

General

1. The legal labels on the survey plan have been coordinated with the legal description.
2. The parking stalls will be double striped as indicated on Note 7 of sheet C3.0.
3. A note regarding off-site improvements has been added to sheet C3.0.

Water and Sanitary

1. A notation has been made on sheet C2.2 for the abandonment of existing services to the existing buildings.
2. Public water main is located within a 12-foot wide easement as noted on sheet C5.0.
3. Shrubbery around the hydrant at the northeast portion of the building has been removed.

Storm Water Management

1. Storm inlets have been provided along the northern portion of the berm to collect run-off.
2. Clarification of the storm connection near the pump station has been made.
3. Stage-storage calculations have been updated.
4. Outlet of the storm from the site has been noted on C5.0.



Bud Design & Engineering Services, Inc.

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Paving/Grading

1. Pavement sections on C6.0 have been updated.
2. The driveway access to the TownePlace Suites has been revised to be 25-feet.

Landscaping

1. Tree plantings have been coordinated with utility locations.

Charter Township of Van Buren Review (January 18, 2016)

1. Zoning and Use

- Notation on the plans has been made referring to the zoning. Lot combination will be applied for with the Township.

2. Dimensional Requirements

- The building height is 45-feet as dimensioned on sheet A200.

3. Site Layout and Adjacent Uses

- No comment necessary.

4. Landscaping

- Identification of landscaping that applies to a particular requirement has been made on the updated plan set.
- Underground utility locations are depicted on the plan.
- The serbian yew size has been indicated to be 30-inches with the planting schedule.
- Additional evergreen landscaping has been placed along the Quirk Road berm in the vicinity of the residential area adjacent to the location of the hotel.

5. Stormwater Pond

- Notation on sheet L1.0 has been made for the aeration of the storm basins.
- The pond has been re-designed to be more natural and flowing. A cross-section has been provided for the length of the detention basin and sediment forebay. The slopes are 6-horizontal to 1-vertical. This slope is within the Wayne County standards for safety concerns and very manageable for maintenance.



Bud Design & Engineering Services, Inc.

10775 S. Saginaw St. Suite B | Grand Blanc, MI 48439 | Ph: 810.695.0793 | Fax: 810.695.0569 | www.buddeslgn.com

6. Parking Requirements

- Parking calculations have been updated. The proposed parking is within the maximum allowed.
- Cross-access areas are depicted on sheet C3.0.
- Relocation of parking areas along the west side of the main access have been made to the area north of the TownePlace Suites.

7. Sidewalks

- Guests that will park in the northern parking area are the long-term guests. Shuttle service from the hotel will provide access for the guests in place of a sidewalk.

8. DDA Standards and Architecture

- The building has a peaked roof as indicated on A200.
- Rooftop equipment will not be utilized and is so noted on the architectural plans.
- Colored renderings will be provided prior to the Planning Commission meeting.

9. Amenities

- The "Gathering Space" has been further detailed on sheet C3.0. Seating areas with a raised landscape area will be incorporated within the space. In addition, bike racks are proposed as well. Details have been provided on sheet C6.0 for the bike rack and bench.

10. Lighting

- No comment necessary.

11. Signs

- Signs and sign areas are noted on A200. A separate sign permit will be applied for.

10. Tree Removal Permit

- The application for tree removal is forthcoming.



Bud Design & Engineering Services, Inc.

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Van Buren Fire Department Review (January 12, 2016)

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.
 - o The location of the FDC has been adjusted to be on the north side of the building toward the east side.
2. The FDC connection will be a 4 inch Stortz fitting with a 30 degree downturn as required by the AHJ.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
3. Hydrants shall be two 4 inch Stortz connections not threaded.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
4. The building shall be provided with an automatic sprinkler system in accordance with NFPA 13, *Standard for the Installation of Automatic Sprinkler Systems*.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
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.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.
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.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0. The proposed location is shown near the front entrance on sheet C5.0.
7. Please verify that construction and finish components comply with NFPA 101, specifically chapter 28, as adopted by the Township of Van Buren.
 - o Construction will comply with the requirements.
8. Standpipe with 1-1/2 inch connection in the East stairwell for each floor.
 - o "Van Buren Fire Department Notes" has been added to sheet C5.0.