

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
FEBRUARY 22, 2017
MINUTES**

Chairperson Thompson called the meeting to order at 7:35 p.m.

ROLL CALL:

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

Excused: Franzoi.

Staff: Director Akers and Secretary Harman.

Planning Representatives: Wade Trim Associate, David Nummer.

Audience: Five (5).

APPROVAL OF AGENDA:

Motion Boynton, Kelley second to approve the agenda of February 22, 2017 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Jackson, Boynton second to approve the regular meeting minutes of February 8, 2017 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 CASE #14-007

TITLE: THE APPLICANT, MENARD, INC., IS REQUESTING APPROVAL FOR THE DEVELOPMENT OF A RETAIL BUILDING WITH OUTSIDE STORAGE OF SUPPLIES. OUTDOOR STORAGE OF SUPPLIES IS A SPECIAL LAND USE IN THE C-2 DISTRICT, AND REQUIRES A PUBLIC HEARING. THIS HEARING IS BEING HELD IN ACCORDANCE WITH SECTION 13.03 (PERMITTED USES WITH SPECIAL APPROVAL) OF THE ZONING ORDINANCE.

LOCATION: PARCEL NUMBER V125-83-061-99-0005-721, WHICH IS CURRENTLY VACANT, IS THE SUBJECT OF THIS HEARING. THE SITE IS APPROXIMATELY 27.24 ACRES AND IS LOCATED IN THE C-2, EXTENSIVE HIGHWAY BUSINESS ZONING DISTRICT. THIS SITE IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN TYLER ROAD TO THE NORTH AND I-94 TO THE SOUTH.

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

Nick Brenner a corporate council member of Menard, Inc. gave the presentation. Mr. Brenner displayed the site plan for the retail building with outdoor storage including two retention ponds on the site plan. The exterior façade of the building is red brick with tan block and a landscape buffer with trees is included in the landscape plan to reduce light and noise to the neighboring condominium development. The proposed schedule for the development is a 9-month process. Menard, Inc. is prepared to move forward with the previously approved project, the only changes to the site plan are a size reduction to the outdoor storage area and modifications to the landscape plan.

Commissioners discussed the continued effort made by Menard, Inc. to address residents light and noise concerns in the neighboring Meadows of Van Buren condominiums.

Resident on Endicott Street, the northwest side of the proposed development, is in support of the Menard retail building.

Motion Budd, Kelley second to close the public hearing. Motion Carried.

NEW BUSINESS:

ITEM # 1 CASE # 17-004 – 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 THE 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 EASTSIDE OF RAWSONVILLE ROAD, SOUTH OF THE I-94 SERVICE DRIVE.

Randy Edmonds with Phantom of Michigan gave the presentation. Phantom of Michigan is requesting to hold “tent” sales of retail goods from June 23, 2017 through July 5, 2017 with hours of operation of from 10:00 a.m. to 10:00 p.m. This is their 5th year of operation at the same location.

Director Akers presented his review letter dated 2-14-17 recommending approval of the application subject to the Van Buren Fire Marshall approval, the applicant provide the Township with a current Consumer Fireworks Retail Facility: Non-Permanent license prior to establishment of temporary use and all proposed signage comply with the Zoning Ordinance.

Director Akers presented Fire Marshal McNally’s review letter dated 2-2-17 recommending approval as the application is in compliance.

Motion Boynton, Atchinson second to grant Phantom of Michigan temporary land use approval to hold “tent” sales of retail goods beyond the seven consecutive days allowed in the township zoning ordinance, located in the Lakewood Shopping Center, 2095 Rawsonville Road, including recommendations in the Township staff review letter dated 2-14-17 and Fire Marshal McNally’s review letter dated 2-2-17. Motion Carried. (Letters Attached)

ITEM # 2 CASE # 14-007 (SLU, TRP & SPR)

TITLE: THE APPLICANT, MENARD, INC., IS REQUESTING SPECIAL APPROVAL RECOMMENDATION, A TREE REMOVAL PERMIT AND FINAL SITE PLAN APPROVAL FOR THE DEVELOPMENT OF A RETAIL BUILDING WITH OUTSIDE STORAGE AND SALE OF SUPPLIES. OUTDOOR STORAGE AND SALE OF SUPPLIES IS A SPECIAL LAND USE IN THE C-2 DISTRICT.

LOCATION: PARCEL NUMBER V125-83-061-99-0005-721. THIS SITE IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN TYLER TO THE NORTH AND I-94 TO THE SOUTH.

Director Akers presented his review letter dated 2-17-17 providing a review of Menard Inc.'s request to renew their prior Township approvals in order for the store to begin construction in the spring. Akers included minutes from the 2-14-17 Board of Zoning Appeals meeting in which the BZA renewed the variances requested and required for the approval of Menard, Inc.

No questions or comments from the Commission or the audience.

Motion Kelley, Boynton second to recommend approval to the Township Board of Trustees of the special use request to construct a home improvement store with outdoor sales and outdoor storage of landscaping and home improvement supplies at parcel number V125-83-061-99-0005-721, based on the findings of the December 4, 2014 McKenna & Associates letter, subject to the following:

- 1. The Planning Commission determines that the fence/wall combination at the front of the garden center is not subject to the height limit of Section 4.27d.**
- 2. Conditioned upon the approval of the tree removal permit and final site plan.**

Roll Call:

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

Nays: None.

Absent: Franzoi.

Motion Carried.

Director Akers discussed the McKenna Associates tree removal permit letter dated 6-18-15. No comments from the Commission or the audience regarding the tree removal permit.

Motion Kelley, Budd second to grant the tree removal permit for the Menards project located at parcel number V125-83-061-99-0005-721, based on the findings of the June 18, 2015 McKenna Associates review letter, subject to the condition that the applicant obtain special use approval from the Township Board of Trustees. Motion Carried. (Letter Attached)

Director Akers discussed the McKenna Associates site plan review letters dated June 18, 2015 and December 3, 2014. Staff has reviewed the submitted site plans dated January 17, 2017 and noted a few minor items to be addressed.

David Nummer of Wade Trim Associates noted no impact from the minor change to the site plan. The storm water meets the Wayne County requirements and he recommends final site plan approval.

Commissioners discussed the paving of the road accessing the shopping center to the north and the cross access agreement to be reviewed to the satisfaction of the Planning Director.

Motion Boynton, Kelley second to grant final site plan approval for the Menards project located at parcel number V125-83-061-99-0005-721, based on the findings in the McKenna Associates review letters dated December 4, 2014, June 18, 2015 and the February 17, 2017 Township planning review letter. This approval is subject to the following conditions:

- 1. The streetlight in the northeast corner of the parking lot should be located in the parking lot island rather than the parking space.**
- 2. The mechanical equipment located in a parking lot island should be painted a dark green to blend in with the existing landscape screening.**
- 3. The site plan shall be sealed and signed by a licensed engineer or architect.**
- 4. Final site plan approval shall be conditioned upon Menards obtaining special use approval from the Township Board of Trustees.**

In addition, the Planning Commission recommends that Menards seek permission from Walgreens in order to close the existing curb cut from Belleville Road that is located to the north of Walgreens and conditioned on the satisfaction of review of the cross access agreement by the Planning Director. Motion Carried. (Letters Attached)

ITEM # 3

CASE # 17-005

TITLE:

THE APPLICANT, ALLEN EDWIN HOMES IS REQUESTING AN AMENDMENT TO THE APPROVED COUNTRY WALK SITE PLAN FOR REVISED SINGLE FAMILY ARCHITECTURAL ELEVATIONS.

LOCATION:

THE UNFINISHED COUNTRY WALK SUBDIVISION IS THE SUBJECT OF THE REQUEST. THE DEVELOPMENT IS LOCATED ON THE EAST SIDE OF MARTINSVILLE ROAD, NORTH OF SAVAGE ROAD.

Commissioner Boynton asked to be recused from the discussion, as he is a homeowner's association member of the Country Walk Subdivision.

Motion Kelley, Budd second to permit Commission Boynton to be recused. Motion Carried.

A representative of Allen Edwin Homes gave the presentation. The applicant has been working with Country Walk to populate the subdivision with homes. The permits acquired for construction of sold homes were rescinded as no drawings or elevations had been submitted by Allen Edwin Homes. The applicant has submitted the required drawings and elevations and is looking for approval to begin construction of the sold homes.

Director Akers presented his site plan review letter dated February 17, 2017 in which the applicant was deficient in 3 areas and presented his review letter dated February 22, 2017 in which the applicant had addressed the issues presented in the previous letter. Akers recommends the Planning Commission grant approval subject to the conditions referenced in his review letter dated February 17, 2017.

Commissioners discussed how the applicant will keep track of the lots/home elevations sold to maintain the substantially different requirement, the minimum square footage of 1470 sq. ft., the

number lots remaining to be developed in the Country Walk subdivision and encouraged the developer to work with the homeowners association.

Motion Kelley, Jackson second to grant an amendment to the site plan for the Country Walk Development in order to incorporate Allen Edwin Homes "Elevation Portfolio" dated January 19, 2017 and their "Sideload Garage Portfolio" dated February 21, 2017 both of which depict elevations to be constructed in phase 3 and phase 4 of the Country Walk Development subject to the staff review letter dated February 22, 2017 and conditioned upon: Township Planning Staff reviewing each application for a new single family home in Country Walk phase 3 and phase 4 in order to determine that the new home meets the required setbacks and that the elevation meets the Township's "substantially different" architectural design standards set forth in the PRD agreement for the Country Walk Development. Motion Carried. (Letters Attached)

GENERAL DISCUSSION: None.

Motion Budd, Jackson second to adjourn at 8:57 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



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 #TLU17-004 – Phantom Fireworks
Agenda Item for February 22nd, 2017

DATE: February 14th, 2017

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 23, 2017 through July 5, 2017, 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.

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

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

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



February 2, 2017

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

Re: Phantom of Michigan Fireworks Temporary Land use TLU17-004

I have reviewed the plans submitted to my office on February 1st 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.

TLU 17-004

RECEIVED

JAN 30 2017



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

BY: _____

DATE: 1/6/17

BUSINESS NAME: B.J Alan Company dba Phantom Fireworks

CONTACT PERSON: Richard Tapper PHONE # 330-559-0776

SUPERVISOR FOR SITE: Richard Tapper PHONE # 330-559-0776

EVENT TITLE: Fiureworks

TYPE OF EVENT: Tent Sale DATE(S): June 23- July4 2017

LOCATION OF EVENT: Parking Lot

ADDRESS OF LOCATION: 2095 Rawsonville Road, Belleville Mi. 48111 Lakewood Shopping Center

PROPERTY OWNER REPRESENTATIVE: Dorian Kilgore PHONE # 734-245-0900

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

OTHER 1 banner 5'X16', banner will be tie to the tent ropes

IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS (ATTACHED)

NOTES:
IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, VIBRATION ARE EXPECTED BEYOND THE PROPERTY BOUNDRIES PLEASE EXPLAIN IN SEPARATE LETTER.

ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.

PROCESSING FEE \$ _____ BOND FEE \$ _____ TOTAL \$ _____

Richard Tapper
(SIGNATURE OF APPLICANT)

(DATE SIGNED)

(APPROVED BY)

(DATE SIGNED)



Property Name: Lakewood Shopping Center
Address: 2095 Rawsonville Road

Landlord Lease Terms: June 15th, 2017 through July 15th, 2017

Hours of Operation: June 23rd – July 4th 10:00am –10:00pm

Size of Equipment: Flame Retardant Tent: 40' x 40'
Fire Proof Storage Unit 8' X 40'

Use Clause: The retail sale of consumer sparklers, novelties, and Class C fireworks as permitted by the state of Michigan.

Insurance: \$10 million dollars in product, personal and property liability.
Participants-3-6 people
We follow NFPA 1123, 1124, and 1125 regulations.

Thank You,

Richard Tapper
State Regional Manager/ Michigan
330-559-0776

Exhibit A

Van Buren Twp, I-94 & 2095 Rawsonville Road Lakewood Center 48111



T- PoleTent 40'X40' S- Storage Unit 8'X40' X- Generator

There are no gas stations, propane stations, flammable gas bulk dispenser, etc on this property or surrounding properties within 300 feet.

Over 800 parking spaces available on the asphalt, using 30 parking spaces. There is no parking within 10 feet of the tent.

There are public ways within 150 feet of the tent and storage unit.

X [Signature]

VanBuren Lakewood Center



**B.J. ALAN COMPANY
PHANTOM OF MICHIGAN, INC**

555 Martin Luther King Jr. Blvd. Youngstown, OH 44502
330-746-1064

PROPERTY PERMISSION FORM

The undersigned, owner and/or controlling party, of the property listed below hereby grants permission to Phantom of Michigan, INC dba, B.J. Alan Company to use the property for the temporary sale of fireworks at the following location:

Name: Lakewood Shopping Center **Parcel No:**

Address: 1-94 and 2095 Rawsonville Road

City: Belleville **ST:** MI. **Zip:** 48111 **County:** Wayne

This Temporary Use Permission Form is for the purposes of obtaining state and local licenses, permits, and other uses pertinent to the retail sale of Class C state approved fireworks at the location for the 2017 season.

Schostak Brothers & Co., INC

As managing agent for Lakewood Shopping Center LLC



Signature

Lynore M. Clark, CSM, CRX

Name- Please Print - Property Owner/Controller of Property

Director of Property Management - Shopping Centers

Schostak Brothers & Co., Inc, as managing agent for
Company/Title Lakewood Shopping Center LLC

1-5-17

Date

PHANTOM FIREWORKS 40' X 40' TENT

REVISION

DATE

DESCRIPTION

CHECKED BY: ABE

DRAWN BY: JDS

JOB NO.: 2018-09

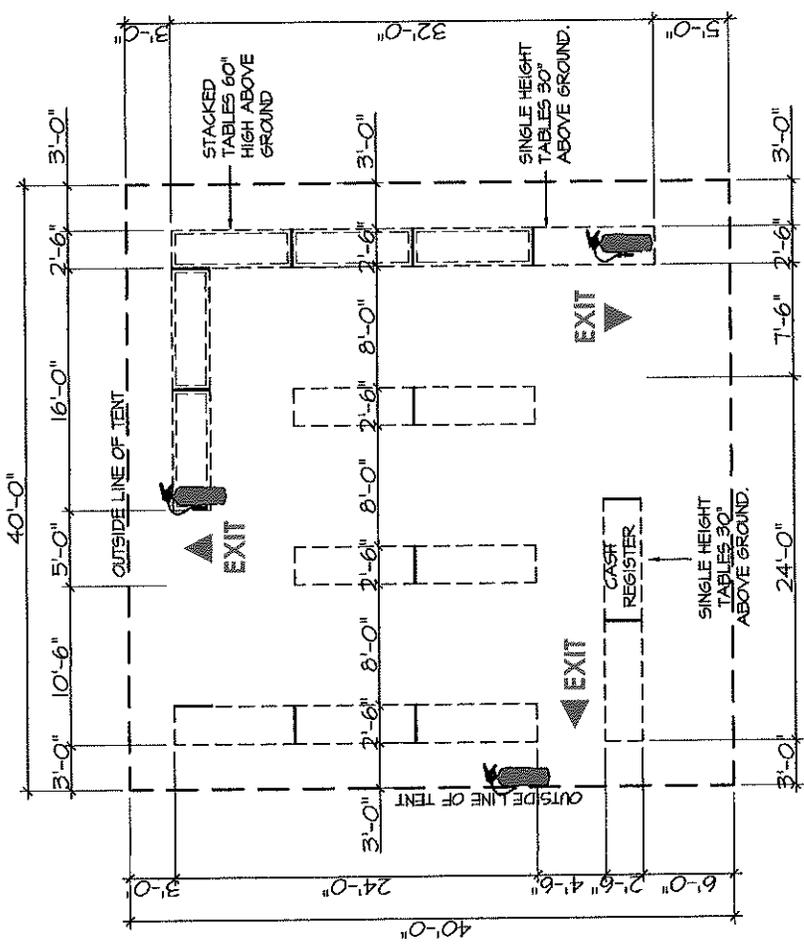
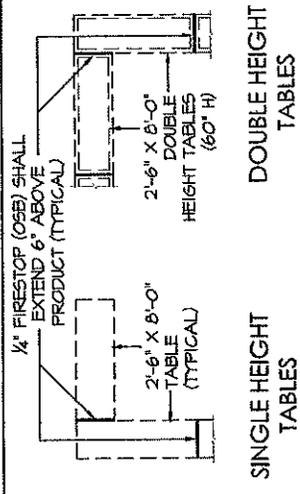
SHEET NO. 1

A-1.04

DATE: 06-09-2018

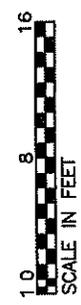
- ### GENERAL NOTES
- TENT SHALL HAVE (2) TWO FIRE EXTINGUISHERS LOCATED ON OPPOSITE SIDES OF THE STRUCTURE. MAINTAIN A MAXIMUM TRAVEL DISTANCE OF NOT GREATER THAN 35'-0" TO EITHER EXTINGUISHER. PROVIDE (1) ONE 5# ABC CHEMICAL RATED 3A BC AND (1) ONE 2 1/2 GALLON RATED 2A.
 - TENT SHALL HAVE (3) THREE EXITS AS SHOWN ON THE FLOOR PLAN DRAWING.
 - SINGLE HEIGHT TABLES SHALL BE 30" ABOVE THE GROUND.
 - STACKED TABLES SHALL BE 60" ABOVE THE GROUND.
 - THE AISLE AND EXIT WIDTHS SHALL BE 48" OR GREATER AS SHOWN ON THE FLOOR PLAN.
 - ALL MERCHANDISE SHALL BE SET BACK FROM THE TENT PERIMETER A MINIMUM OF 3'-0".
 - WEIGHT OF PRODUCT IS 10,400 POUNDS.
 - FLAME BREAK LOCATIONS ARE AT 8'-0" INTERVALS AND SHALL EXTEND UP VERTICALLY 6" ABOVE THE PRODUCT. NO FLAME BREAK IS REQUIRED WHEN A 48" OR GREATER SPACE IS BETWEEN TABLES.
 - PERCENTAGE OF PRODUCT IS EQUAL OR LESS THAN 40% OF THE FLOOR AREA OF THE TENT.
 - PERCENTAGE OF PRODUCT TO FLOOR AREA OF 40 X 40 TENT IS 21.25%.

TYPICAL FIRESTOP DETAIL



A 40' X 40' TENT LAYOUT AND EVACUATION PLAN

SCALE: 1/8" = 1'-0"



AGENCY CUSTOMER ID: _____

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY Britton-Gallagher and Associates, Inc.		NAMED INSURED Phantom Fireworks Eastern Region, LLC 555 Martin Luther King Jr Blvd Youngstown OH 44502	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

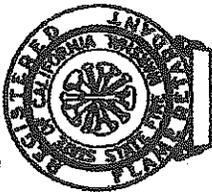
contract.

Products/Completed Operations Coverage follows form through both excess policies listed on certificate.



Sign Banner on Tent- Tent is 18' High
5'X16'

Certificate of Flame Resistance



REGISTERED APPLICATION NUMBER

F121.4

Date of Manufacture

4/22/98

Order Number

183683

MANUFACTURERS OF THE FINISHED TENT PRODUCTS DESCRIBED HEREIN

This is to certify that the materials described have been flame-retardant treated (or are inherently nonflammable) and were supplied to:

S & R TENT
30124 CALAHAN

ROSEVILLE MI 48066

Certification is hereby made that: The articles described on this Certificate have been treated with a flame-retardant approved chemical and that the application of said chemical was done in conformance with California Fire Marshal Code, equal to exceeds NFPA 701, CPAI 84, ULC 109. The method of the FR chemical application is:

Serial #:

(0001)

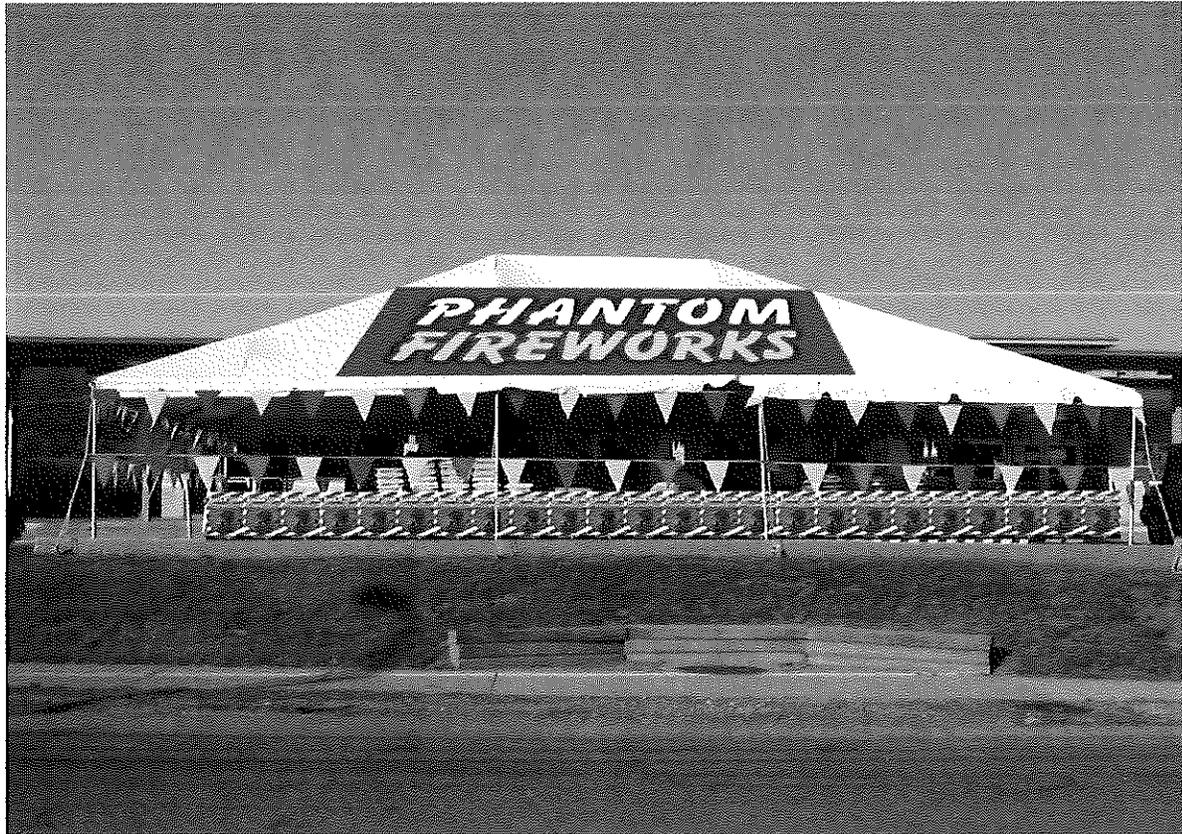
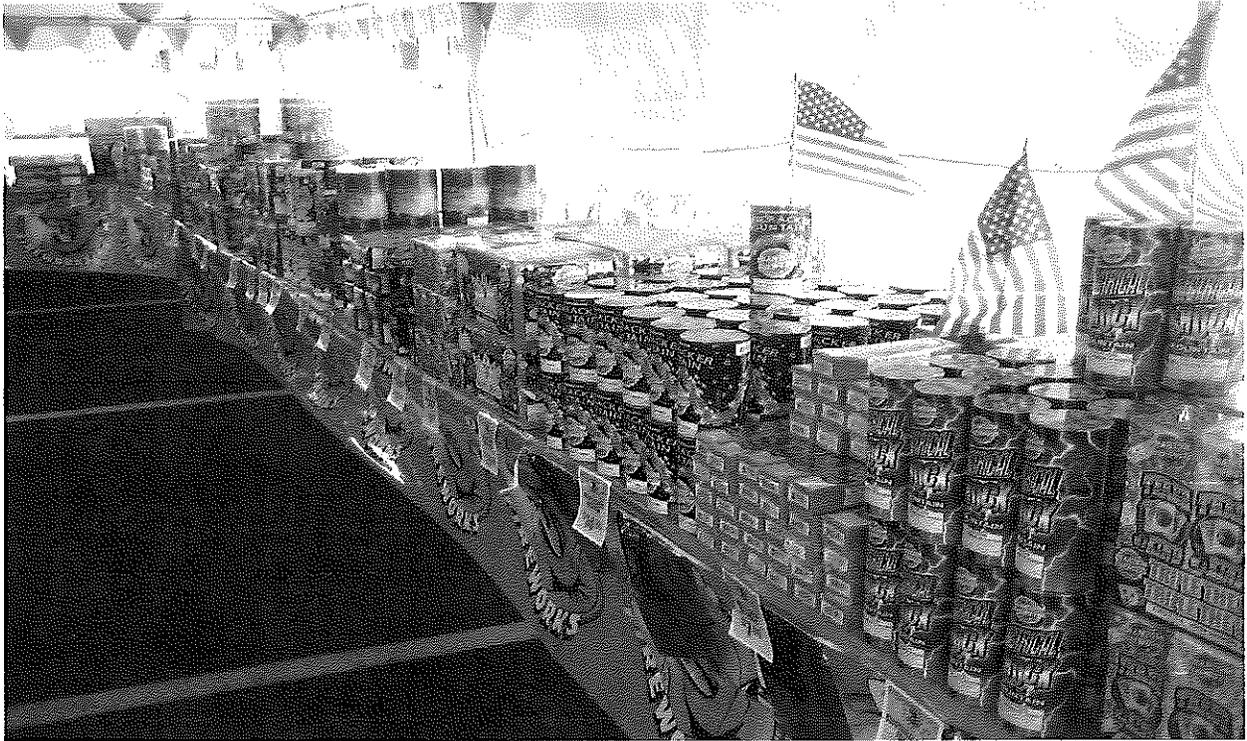
Description of item certified:

40 x 40 Party Mate Tent

Flame Retardant Process Used Will Not Be Removed By Washing And Is Effective For The Life Of The Fabric

JOHN BOVILLE & CO
STATESVILLE, NC

Name of Applicator of Flame Resistant Finish



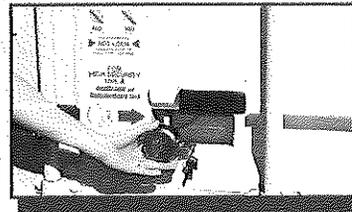
PORTABLE STORAGE CONTAINERS



- Container delivered to your home or business provides secure & convenient ground level access.
- Units available with shelving and painted light beige for quality appearance.
- All steel containers include your choice of patented door & locking systems.
- Easy opening, waist high, single lever doors on one end, both ends or sides.
- Sizes range from 10' to 40' lengths and 8' or 10' widths.

ANYONE CAN SELL STORAGE - WE SELL SECURE STORAGE!

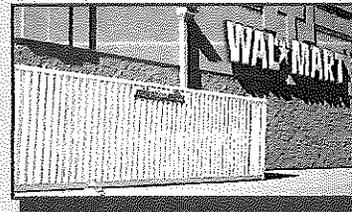
Our patented high security locking system includes three solid interior locking bars, padlock pocket and concealed lever lock. It also utilizes Mobile Mini's exclusive high security ContainerGuard Lock™.



COMMERCIAL APPLICATIONS

Trusted for Over 25 Years

Ideal for job site, additional warehouse or seasonal storage needs. Mobile Mini's secure containers are available in 100 different sizes and configurations to meet your needs at your location. Our high security containers are used by over 100,000 customers nationwide.



RESIDENTIAL APPLICATIONS

Storage Made Easy

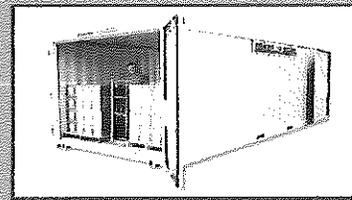
Ideal for home remodels! A Mobile Mini storage container delivered to your home provides easy and convenient, ground-level access and easy opening doors. Our hassle free low cost service allows you to access your belongings anytime at your location and eliminates the need to rent a truck or drive to a self storage facility.



WIDER IS BETTER

10' Wide Storage Units

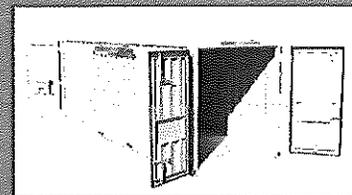
An exclusive Mobile Mini product, our extra-wide storage units are ideal for palletized storage. 20% more square footage, but 40% more usable space compared to a standard 8' wide unit! Units are 10' wide and available in lengths of 18' or 25'.



DOORS WHERE YOU NEED THEM

Maximize your Storage Space

Our standard rental units are equipped with our exclusive high-security doors on one end. We also offer rental units with our doors on both ends or on the sides for efficient storage and convenient side or end access. Side door configurations are available with one to four side double doors. The choice is yours!



December 4, 2014

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

Subject: VBT-14-007 SLU Menards, Belleville Road; Special Land Use Review #4; Plans Dated 11/18/14

Dear Commissioners:

The applicant, Menards, proposes to construct a home improvement store on Belleville Road, north of Walmart. The overall site is approximately 27 acres, and includes the Menards parcel and two future out lots. The site is zoned C-2 Extensive Highway Business District. The proposed home improvement store includes outdoor sales (garden center) and outdoor storage of landscaping and home improvement supplies, which are permitted by special approval in the zoning district. The special approval public hearing was held on August 27, 2014, and many comments were made by the public. Subsequently the applicant hosted a meeting with members of the public to answer specific questions about the development. Our site plan review comments are provided under separate cover.

COMMENTS

The applicant has requested several variances from the BZA, some of which are from the specific standards for special use approval. Therefore, if the Planning Commission recommends special approval, the next step would be for the applicant to be heard by the BZA – before consideration of special approval is placed on the Township Board’s agenda.

The requested special approval uses must meet both the specific standards of Sections 14.05 and 4.27 and the discretionary special approval standards listed in Section 18.08.f. of the Zoning Ordinance. Our comments that follow are based on the requirements of the Zoning Ordinance, observation of the site and surroundings, and accepted principles of good planning and design.

- 1. Requirements for Special Approval.** Both the discretionary and non-discretionary standards of the Ordinance are considered below.
 - a. 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 located in the Township’s primary commercial center along the Belleville Road corridor, and is the last major vacant parcel available west of Belleville Rd. between the Farmer Jack shopping center and Tyler Rd. The proposed development is economically desirable for the community, and the Township’s Belleville Road District Master Plan amendment reported a market need/demand for a home improvement store. Over the past decade, the Township has spent considerable funds on streetscape and other public improvements along Belleville Rd., and has enforced a consistent pattern of amenities and design features on new site developments, consistent with the goal of

becoming a premier community. The proposed building and site layout fronting on the cross access drive circulation system enhances the overall master plan and design for the Belleville Road corridor. These changes are socially and economically desirable.

Further, the site design incorporates desirable significant screening for abutting residential areas to the north and west, including a 14 foot tall building that surrounds the entire yard area at the rear, 14 foot tall evergreen trees planted along the north lot line to buffer the view of the building wall, and preservation of the wooded area along the west and north west perimeter which will be enhanced with plantings of replacement trees. Outdoor storage and sales are an essential part of the home improvement store's business. The screening and design measures proposed will mitigate potential off site impacts and allow this desirable use to function to the benefit of residents and the public at large.

- b. Is necessary for the public convenience at that location.** The Menards store is well situated at the north end of the established cross access drive that parallels Belleville Rd., the Township's primary commercial district. Customers and delivery traffic will be able to easily access the site using the new traffic light at the north drive and the north-south cross access drive. The use, including outdoor storage and sales, will serve the public convenience by being closer to the Township's center of population, and by offering a wide variety of home improvement supplies, a market that is underserved in the Township.
- c. Is compatible with adjacent uses of land.** The site is master planned and zoned C-2, Extensive Highway Business, and has been so for many years. C-2 is one of the most intensive commercial districts in the Township. The building and rear open storage yard surrounded by minimum 14 foot high walls, will be visually compatible with other sites in the C-2 district. The proposed landscaping, tree replacement and woods preservation, orientation of traffic flow away from residential uses, and site amenities will be compatible with the surrounding uses. Noise will be limited to daytime hours; lights are shielded and have been kept below the height of the pallet racking building around the storage yard to limit glare; dust will be minimal since the ground surfaces will be paved; a greenbelt of 14 foot tall evergreen trees will be planted along the north lot line where the buildings are closest to the condos. All these factors will make the use compatible with adjacent uses of land.
- d. Is designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected.** The outdoor storage and sales yard is enclosed with buildings/fence, and screened and buffered from the neighbors. The retail store and yard will operate only during normal daytime and evening hours, not a 24 hour business. As described above, noise, lights and dust will be controlled, thus protecting the public health, safety and welfare. The convenient access to Belleville Rd. at the new traffic light will minimize traffic conflicts, particularly if the existing cross access driveway just north of Walgreens at Belleville Rd. is closed. Then the site would comply with the 500 foot driveway separation requirement, as is being recommended in our site plan review.
- e. 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 increase slightly but will not adversely affect public services or facilities.

- f. **Will not cause injury to other property in the neighborhood in which it is to be located.** The site improvements are an investment in the community and the landscaping, buffering, and circulation design of the site will protect neighboring properties from harm.
- g. **Considers the natural environment and helps conserve natural resources and energy.** The site design preserves existing mature trees along the west boundary of the site in consideration of the natural environment and this helps conserve resources. By locating on an infill site in the Township's downtown, both energy and the environment are protected and sustained.
- h. **Is within the provisions of uses requiring special approval in the zoning district, is in harmony with the purposes and conforms to the applicable regulations of the zoning district, and meets applicable site design standards for special approval uses.** Sections 14.05 and 4.27 contain specific standards that apply to outdoor storage and sales uses in the C-2 District. The proposal's compliance with these standards is evaluated below.

1. **Outdoor Storage.** Uncovered storage of materials is proposed in specific areas within the "yard area" created by the pallet racking building and the warehouse building enclosure. The materials stored in the pallet racking building are not outdoor storage, they are covered. Outdoor storage in the C-2 district is subject to the following specific requirements, in addition to other general requirements of the Zoning Ordinance:

- i. **Must be located at least 100 feet from a public right of way.** This standard is met.
- ii. **Must be located at least 200 feet from a residential district.** The majority of the open storage is in the vicinity of the garden center. The southwest part of the pallet racking building enclosure is 100 feet from the single-family residential district to west, but the materials stored outside of a building are 180 feet away from the nearest residential district boundary, which is a public street. However, because of a jog in Menards' west parcel boundary, the nearest residential lot line is over 200 feet from the uncovered materials within the courtyard.

On the north part of the site, small quantities of some items are proposed to be stored next to the main building and located less than 200 feet from the lot line. The applicant has indicated that they will attempt to relocate those items to a conforming location and will show that when the site plan is resubmitted for final site plan approval. The applicant has applied for a variance from the 200 foot setback requirement; that variance request should be greatly reduced or eliminated by relocating materials out of the 200 setback.

- iii. **No required yard spaces (i.e. spaces reserved for setbacks) may be used for outdoor storage.** The proposed storage area meets the setback requirements of the C-2 district (i.e., 35 feet front yard, 25 feet side yard, and 20 feet rear yard).
- iv. **Roadway access must be provided for emergency vehicles.** There is gated access (fire lane) to the outdoor storage area both north and south of the principal building allowing circulation around the entire building. The gate has a Knox Box for Fire Department

access, with the location and mounting height to be coordinated with the Fire Department.

- v. **Must be screened from view from all streets and on all sides which border residential or commercial zoned property by a 6 ft. wall or landscaping with a fence.** The outdoor storage will be screened by the main store, the warehouse building, and the pallet racking building, a minimum of 14 feet tall.
 - vi. **Stored materials may not be stored in stacks more than 6 feet high.** This standard applies to any storage that is not within the principal or accessory buildings. The plans state that the uncovered stored materials located south of the store will be up to 14 feet in height. The applicant has also stated that the uncovered materials stored east of the warehouse would also be up to 14 feet in height. The items stored will be contained in specially designed racks which support the materials up to the 14 foot height, and some products stored will not use that entire height. The applicant has applied for a variance from the maximum storage height.
 - vii. **The outdoor storage area must be surfaced in a manner acceptable to the Planning Commission and appropriate for its intended use.** The outdoor storage area is proposed to be paved with heavy-duty asphalt.
 - viii. **Mud and debris must not be transported from the site onto adjacent roadways.** The storage area will be paved and enclosed, so this standard is met.
2. **Garden Center.** The proposed garden center is part of the outdoor storage area and is also subject to Section 4.27. Section 4.27.d requires a 6 foot high fence capable of intercepting wind-blown trash and other debris. The front fence/wall combination at the garden center is proposed to be approximately 14 feet above the grade of the parking lot. In this case, the fence is set upon a decorative wall and the total structure acts as a wall connecting the pallet racking building to the main building, and we believe it is not a fence as intended to be regulated by Section 4.27.d. The applicant has applied for a variance from the maximum fence height to permit the 14 foot high structure, but based on the above, we recommend the Planning Commission determine that the requested variance is not necessary.
- i. **Is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.** The proposed use will be consistent with the Township's police power, provided that appropriate findings are made to support such a decision.

RECOMMENDATION

We recommend the following:

1. That the Planning Commission make a determination that the fence/wall combination at the front of the garden center is not subject to the height limit of Section 4.27.d.;
2. That the Planning Commission recommend that the Township Board approve the special use for outdoor storage and sales for Menards, subject to final site plan approval; and

3. That because the applicant has several variance requests under consideration by the BZA, the Planning Commission's special approval recommendation shall be not forwarded to the Township Board until after the BZA has approved or denied those variance requests.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP
Senior Vice President

June 18, 2015

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

**Subject: VBT-14-007 SPR, Menards; West side of Belleville Road north of Walmart;
Site Plan Review #6; Plans of Various Dates and Sealed 6/10/15**

Dear Commissioners:

The applicant, Menards proposes to build a home improvement store with outdoor sales and storage, a special approval use, on the west side of Belleville Road, north of Walmart. The special approval public hearing was held on August 27, 2014. The Planning Commission recommended special approval on December 10, 2014, subject to the applicant receiving several variances. Variances for signs and the height of outdoor storage were granted by the BZA on January 15, 2015 and the subsequently the Township Board granted special approval. The Planning Commission also granted preliminary site plan approval subject to several conditions on December 10, 2014.

We have reviewed the revised plans for compliance with the conditions of preliminary site plan approval, the variances and special approval and offer the following comments for your consideration:

- 1. *The boundaries of the land to be owned by Menards must be dimensioned and shown on the site plan. A land division application to separate the Menards site from the out lots must be submitted, including the easements and maintenance agreements for the cross access drives for review and approval by the Township. The approved easements must be recorded prior to issuance of a certificate of occupancy.*** The parcel boundaries are dimensioned and labelled on the site plan, and according to the assessor's office the necessary land division to separate the Menards parcel from the out lots has been completed. A Declaration of Reciprocal Easement Agreement with Covenants, Conditions and Restrictions has been submitted and is subject to review by the Township. The approved easements must be recorded prior to a certificate of occupancy.
- 2. *Planning Commission approval of the applicant's request to reduce the parking to 421 spaces.*** This condition has been met.
- 3. *All parking spaces must be double striped and this must be noted on the plan.*** This condition has been met.
- 4. *Planning Commission approval of the landscape island locations and correction of Detail 4 on Sheet CT4 to match the landscape plan.*** These items have been satisfied.
- 5. *The existing intersection with Belleville Road just north of Walgreens should be closed.*** This item has not yet been accomplished; however the applicant has been reaching out to various levels of Walgreens' corporate structure trying to achieve vacation of the easement for the existing driveway

and close that extra Belleville Road access point. The site plan notes that the Owner will continue to attempt to obtain an agreement from the owner of the Walgreens property to allow removal of the existing access point and will complete the removal upon receipt of that agreement. We recommend that the Commission approve the driveway access as shown on the site plan, as this closure is an action that neither Menards nor the land owner control.

6. ***The cross access easement for the 30 foot connection to the shopping center to the north must be submitted for Township review and approval prior to final site plan approval, and recorded prior to certificate of occupancy.*** The proposed cross access easement document with legal description and map must be submitted. We previously received a draft of a proposed easement for the parcel to the north, but the currently proposed version must be provided for Township review. It also appears that the cross access easement to the shopping center to the north may be addressed in the Declaration of Reciprocal Easement Agreement with Covenants, Conditions and Restrictions. However, that document as submitted is missing several exhibits, a map of the parcels with easements and legal descriptions of the easements. These deficiencies and any others that may be identified during Township review will need to be addressed prior to any building permit being granted for the site. The easements must be recorded prior to certificate of occupancy.

7. ***The Landscaping and Screening items noted in Comments 3.a. – 3.g. must be satisfied on the plan.***
 - a. The landscaping adjacent to the interior cross access drive has been revised to be primarily deciduous shade trees and the tree spacing is generally 35 feet on center, as required with the preliminary site plan approval. It appears that because of the light pole relocated into the north end of the northerly access drive island, 1 proposed tree has been removed.

 - b. **Vehicular Surface Landscaping.** Three additional trees have been added along the north parking lot perimeter to satisfy the previous 3 tree deficiency from the 100 parking lot landscape trees required. However, because of the above-noted tree removed from the access drive island, one more tree must be added in the parking area to comply with this requirement.

 - c. **General Landscaping.** This condition has been met.

 - d. **Greenbelt adjacent to single-family residential zoning (Section 13.05).** In lieu of a 20 foot greenbelt, the site plan includes a “non-disturb” zone along the west lot line that is a minimum of 50 feet wide. Some of the required replacement trees are proposed to be planted within the non-disturb area to enhance the screening effect. In order to least disturb the existing tree cover, these replacement trees will be park grade 1.5 inch caliper trees and planted at the recommended 1 tree per 400 sq. ft. of area to be covered. This condition has been met.

 - e. ***The fence at the north pond must be decorative wrought iron-type fence, instead of chain link. Details and height of the fencing must be added to the plan.*** Fence height has been noted, however the fence at the north pond is proposed as black vinyl chain link, not decorative wrought iron-type. The use of chain link in this location is subject to the approval of the Commission – we continue to recommend that because of its visibility from the condominium site, that the north pond fence be changed to decorative wrought-iron type fence.

- g. Mechanicals Screening.** A transformer, C.T. cabinet, and generator are still proposed in a landscape island in front of the building. We have asked that this equipment be located in a less visible area. If it must remain in the front location, the equipment should be painted dark green or have additional screening to be less conspicuous. This condition remains to be met.

In addition to the above, the site's landscape areas must be irrigated. We believe this was addressed previously, but it does not appear on the site plan. Drip irrigation is noted for plantings immediately adjacent to the building, but watering must be addressed for the rest of the site's landscaped areas.

- 8. *The use of washed river rock in the landscape islands is subject to the approval of the Planning Commission.*** The Commission has approved washed river rock in the landscape islands.

- 9. *The Building and Amenities items noted in Comment 4.b. & 4.d. must be satisfied on the plan.***

- a.** The color of the windows is noted as clear glass with anodized bronze frames.
- b.** The litter can detail on Sheet CT4 shows a plastic unit, non-decorative unit which is not decorative like those typically approved by the Commission. The proposed trash receptacles are planned to be placed at the front of the building, not along the streetscape; however this item is subject to the approval of the Commission. No additional site amenities are proposed at Belleville Road. We continue to recommend that visible amenities be added near the Belleville Rd. entrance, consistent with other site-provided amenities along the corridor and using the DDA's standard details, as relevant. For example, the entrance to Walgreens from Belleville Road includes brick pavers, a decorative wall, and benches. Enhanced landscaping with public art or other extra features could be another alternative.

- 10. *The pole light in the northeast part of the parking lot immediately next to a landscape island should be relocated to be contained within that island.*** This condition has been met.

- 11. *Removal of the cart corral signs.*** This condition has been met.

- 12. *Signs shall be reviewed at final site plan.*** Our comments on the proposed signs are below.

- a. Total Signage.** The BZA granted a variance to permit the total site signage to be a maximum of 407.7 sq. ft. The proposed signage plan complies with this requirement.
- b. Directional Signage.** Directional signs are permitted, and do not count toward the cap on total amount of signage on the site. The BZA granted a variance to permit 1 "IN" and 2 "OUT" signs at 17.5 feet high, and 1 "Lumber Yard Entrance" sign and 1 "Thank you" sign at 24 sq. ft. and 19 feet high. The proposed signs on the site plan comply.
- c. Wall Signs.** The BZA granted a variance to permit the building wall signs to be up to 317.7 sq. ft. in area. The proposed signs have been reduced in size from those presented on the preliminary site plan, and now the combination of the "Menards, "Garden Center" and "Out" signs comply at a total of 317.62 sq. ft.

- d. Monument Sign.** The proposed monument sign is 90 square feet on a 4 ft. x 20 ft. base, for a total 8 feet in height. The sign complies with the Ordinance dimensional standards; however the monument must be setback a minimum of 10 feet from any sidewalk.
- 13. Tree removal permit approval prior to final site plan approval.** Our tree removal permit review under separate cover recommends approval. This condition will be met if the Commission approves.
- 14. The site plan must be signed and sealed by the professional(s) who prepared it.** This condition has been met.
- 15. Approval of the BZA for variances or compliance with the Ordinance.** The BZA approved several variances as discussed above. This condition has been met.
- 16. Special approval by the Township Board.** Special approval was granted in February 2015.

RECOMMENDATION

Based on the above, we recommend the Commission grant final site plan approval subject to the following conditions:

1. The cross access easements and documents as described in items 1. and 6. above, are subject to review by the Township. The missing exhibits, a dimensioned map of the affected parcels with easements and legal descriptions of the easements must be provided, including the 30 ft. wide cross access easement to the shopping center to the north, and Township comments must satisfactorily address prior to any building permit being granted for the site. The approved easements must be recorded prior to a certificate of occupancy.
2. One more tree must be added in the parking area, as described in 7.b. above.
3. Commission determination of whether black chain link is acceptable in lieu of decorative fence at the north stormwater pond.
4. The mechanicals must be relocated to a less conspicuous location, or better screened if they remain as proposed, in the determination of the Commission.
5. The site's landscape areas must be irrigated.
6. The proposed litter can is subject to the approval of the Commission.
7. Additional visible amenities must be added near the Belleville Rd. entrance, as determined by the Planning Commission and as described in 9.b. above.
8. The monument sign must be setback a minimum of 10 feet from any sidewalk.
9. Tree removal permit approval by the Planning Commission.

Respectfully submitted,

McKENNA ASSOCIATES



Sara J. Hodges, AICP, IAP2
Senior Vice President



Charter Township of Van Buren

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February 17, 2017

Staff Review of Menards Approval Renewals

RE: Menards Renewal of Special Land Use Recommendation, Tree Removal Permit, & Final Site Plan Approval.

Commissioners,

The following is the review of Menard, Inc's request to renew their prior Township approvals in order for the store to begin construction in the spring. The format of this review will include a background of the project and an individual review for each action item that the Planning Commission is required to address. Please consider the following:

Background

Menards has been in discussion with the Township to construct a store on the Belleville Road corridor since prior to 2012. The most recent iteration obtained final site plan approval from the Township Planning Commission in June of 2015 and decided early in 2016 that they would postpone store construction nationally in order to reevaluate the economic conditions after the presidential election. Representatives from Menards contacted the Township in late 2016 and indicated that they planned to resume the construction of the Van Buren Township store. Based on this Township staff reviewed the project and determined that the prior approvals had expired and they needed to be renewed in order to move forward. Menards was before the Board of Zoning Appeals on February 14, 2017 where they renewed several variances that they had been previously granted. These are as follows:

1. Variance in order to allow Menards to store materials up to 14 feet in height, which is 8 feet greater than the maximum allowed in the Zoning Ordinance.
2. Allow the total area of signage to be 407.7 square feet, which is greater than the maximum allowable signage.
3. Granted a variance to allow a 317.7 square foot wall sign on the main building, which is 117.7 square feet greater than the maximum allowed by the Zoning Ordinance.
4. Approved variances from the maximum height and area of directional signs.

The draft minutes of the February 14, 2017 Board of Zoning Appeals meeting has been attached to this letter for your reference. The Planning Commission is required to renew the final site plan approval, the tree permit approval, and the recommendation to the Township Board for the special use approval. The following items are a review of those approvals which require Planning Commission action:

Special Land Use Recommendation

Based on the prior approval, and the limited changes to the site plan staff makes the following recommendation:

Recommend approval to the Township Board of Trustees of the special use request to construct a home improvement store with outdoor sales and outdoor storage of landscaping and home improvement supplies at parcel number V125-83-061-99-0005-721, based on the findings of the December 4, 2014 McKenna & Associates letter, subject to the following:



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1. The Planning Commission determines that the fence/wall combination at the front of the garden center is not subject to the height limit of Section 4.27d.
2. Conditioned upon the approval of the tree removal permit and final site plan.

Tree Removal Permit

Staff has reviewed the previous McKenna & Associates review letter dated June 18, 2015 with the proposed site plan dated January 19, 2017 and the calculations are consistent with the provided plans. The breakdown is addressed in the McKenna letter. The application will plant 236 (equivalent to 390) trees to replace the 1,709 that are being removed. While this is a deficiency of 574 park grade trees and 69 nursery grade trees, Menards has proposed to make up the difference by paying the Township's fee of \$350 per standard tree and \$100 per park tree for a total of \$81,550. Based on this staff is recommending the following action:

Approval of the tree removal permit for the Menards project located at parcel number V125-83-061-99-0005-721, based on the findings of the June 18, 2015 McKenna & Associates letter, subject to the condition that the applicant obtain special use approval from the Township Board of Trustees.

Final Site Plan Approval

Staff has reviewed the submitted site plans dated January 19, 2017 and has compared them to previously submitted site plans and the McKenna & Associates review letters dated June 18, 2017 and December 3, 2014. There are a few minor items to be addressed on the site plan. They are as follows:

- A. The street light in the northeast corner of the parking lot should be located in the parking lot island and not in the parking spaces.
- B. It has been previously discussed that the entrance onto Belleville Road immediately to the north of Walgreens should be removed. It has been recognized that the Menards ownership does not solely own this and thus we cannot make this a condition of approval, but the Planning Commission should clearly indicate their preference and request that Menards seek the closure of the curb opening.
- C. The mechanical equipment located in a parking lot island should be painted dark green in order to add to the existing screening. This should be marked on the plan.
- D. The site plans will need to be sealed and signed by a licensed engineer or architect.

Based on the above mentioned comments staff recommends the following:

Approval of the final site plan submittal for the Menards project located at parcel number V125-83-061-99-0005-721, based on the findings of the McKenna & Associate review letters dated December 4, 2014 and June 18, 2015, and the February 17, 2017 Township Planning review letter. This approval is subject to the following conditions:

1. The street light in the northeast corner of the parking lot should be located in the parking lot island rather than the parking space.
2. The mechanical equipment located in a parking lot island should be painted a dark green to blend in with the existing landscape screening.
3. The site plan shall be sealed and signed by a licensed engineer or architect.
4. Final site plan approval shall be conditioned upon Menards obtaining special use approval from the Township Board of Trustees.

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In addition to this approval the Planning Commission shall recommend that Menards seek permission from Walgreens in order to close the existing curb cut from Belleville Road which is located to the north of Walgreens.

If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

Ron Akers, AICP
Director of Planning and Economic Development



Memo

DATE: February 22, 2017
TO: Planning Commission
FROM: Ron Akers, AICP – Director of Planning & Economic Development
RE: SPR 17-005 Site Plan Amendment regarding Architectural Elevations in Country Walk Subdivision Review #2.

The applicant, Allen Edwin Homes, is requesting architectural approval for additional home plans and façade elevations for residential dwellings in the Country Walk development. There is an existing Planned Residential Development (PRD) Agreement in place for the property which was approved in 2002 and amended in 2005 which had previously expired. There were several homes completed in the development prior to the expiration of the PRD. A Memorandum of Understanding (MOU) between Van Buren Township, the Country Walk Three Homeowners Association, and Blue Country Walk, LLC was executed in July 2015 which outlined the responsibilities of the parties with regards to the completion of the development and required compliance with the PRD agreement.

These plans are subject to the PRD agreement, the MOU, and the standards of the Zoning Ordinance, specifically section 4.54 which addresses specific architectural standards in these types of development.

The following is my second review of the architectural plan based on the conditions in the MOU and PRD agreement. I offer the following comments:

Comments

1. Site Plan

I have attached the plans for each phase to this review. The setbacks, as described in the site plan for the Country Walk approved site plan, depict a front and rear yard setback of 25' and a required side yard setback of 10'. The lots sizes in the development vary in width from 75' to 61' and in depth from 120' to 125'.

The applicant has submitted the dimensions of the home plans that they are planning on constructing. These can be found in the February 21, 2017 response letter from Allen Edwin Homes. The majority of the plans are 40' in width which will fit within the 61' wide lots and meet the side yard setback requirements. A few elevations are 46' and 50' in width, but

these will fit on the wider lots. The depth of the homes range from 34' to 56' which will fit within the front and rear yard setbacks. Based on the submitted information they applicant has complied with this requirement. Staff will verify setbacks at the time of building permit issuance and approval should be conditioned upon the applicant meeting the setback requirements on each individual lot.

2. Floor Area

The PRD agreement requires that the square footages of homes for the 536 units in the subdivision will average at least 1,750 square feet. According to the provided plan the square footage of the proposed elevations of single family dwellings will range from 1,427 square feet to 3,054 square feet. Due to the PRD agreement requiring the square footages of the homes to average 1,750 square feet, it is allowable for the Township to approve a building elevation which is less than 1,750 square feet. Since the majority of the elevations exceed this, I do not believe that approving the smaller elevations will risk violating this standard of the PRD agreement. Staff will evaluate what is existing in the development and ensure that the entire development maintains this requirement.

3. Façade Elevations

The Zoning Ordinance and the PRD agreement have specific requirements to ensure that the Township's "Substantially Different" architectural design standard is met. Section j(ix) of the PRD agreement specifically requires that the "Substantially Different" requirement be met by varying the following two (2) criteria:

- Roof pitch by varying three or more vertical units in twelve from one another (i.e. 6/12, 9/12, 12/12, etc.)
- Location of major design features relative to main mass by varying the location of at least two major design features that include, but are not limited to dormers, gables, garages (i.e. front-entry versus side-entry), and porches.

The Zoning Ordinance requires that this substantially different requirement be maintained from neighboring lots within three (3) lots of the proposed parcel and within three (3) lots of the property across the street. I have preliminarily reviewed the proposed elevations and offer the following:

Roof Pitch

The roof pitch over the main mass of the building is 6/12 and the elevation over the front portion of the building are 8/12. This does not meet the substantially different requirement, but they applicant can meet the requirement by varying the location of major design features.

Location of Major Design Features

There are 58 different combinations of home style and variation in elevation. In order to meet the substantially different requirement an applicant would need to provide a total of eight (8) different elevations which are "substantially different" from one another which

can be accomplished by varying the location of at least two major design features relative to main mass. Based on the additional elevation submittals staff has reviewed eight (8) elevations to ensure that this requirement can be met. The comparison of these elevations are as follows:

**Elevation Comparison Schedule for 17-005 Country Walk Elevations
by Allen Edwin Homes**

	E1600 B3 (Side Entry)	E1600 C3	E2390 C3 (Side Entry)	E2390 B3	E2400 B3 (Side Entry)	E2400 D3	E1870 D3	E2200 A3
E1600 B3 (Side Entry)	X	Y	Y	Y	Y	Y	Y	Y
E1600 C3	Y	X	Y	Y	Y	Y	Y	Y
E2390 C3 (Side Entry)	Y	Y	X	Y	Y	Y	Y	Y
E2390 B3	Y	Y	Y	X	Y	Y	Y	Y
E2400 B3 (Side Entry)	Y	Y	Y	Y	X	Y	Y	Y
E2400 D3	Y	Y	Y	Y	Y	X	Y	Y
E1870 D3	Y	Y	Y	Y	Y	Y	X	Y
E2200 A3	Y	Y	Y	Y	Y	Y	Y	X

Y = Architecturally Different X = Same Elevation

Based on this review of the submitted elevations, the applicant has the ability to meet the architecturally different requirements of the PRD and Zoning Ordinance.

4. Building Materials

Section i(1) of the PRD agreement requires that all 416 detached units feature brick to the belt on the front and side elevations and requires that on specific lots brick will be required on the rear elevation as well. Based on the submitted plans all proposed elevations meet the brick to the belt requirement for the front, side, and rear elevations. This requirement has been met.

5. Side Entry Garages

The PRD agreement requires that at least 30% of the single family detached units have side entry garages and specifically indicates which lots are required to have side entry garages. The language in the PRD Amendment states:

“6.1.11. Side entry garages are required on at least 30% of single-family detached units.

The following 125 single-family detached units will have side-entry garages.

1-4, 15, 16, 34, 36, 47-49, 58-60, 66-68, 70, 75, 76, 82, 86, 92, 93, 96-110, 115, 117, 120, 121, 128, 130, 135-137, 149-151, 153, 159, 164, 165, 171, 173, 177, 178, 185-187, 192-195, 198, 200, 204, 213, 218, 225-228, 235, 237, 240, 244, 247-250, 253, 254, 260, 261, 266, 274, 286-288, 294, 295, 297, 303, 305, 308, 311-313, 317-321, 323, 324, 326, 327, 330, 363, 368, 369, 381, 390, 398, 400, 406, 407, 411, 413-416.”

The applicant has provided additional elevation options with side entry garage for four different elevations. This will meet this requirement.

Recommendation

Based on the comments listed above, staff recommends that the Planning Commission approve an amendment to the site plan for the Country Walk development in order to incorporate Allen Edwin Homes “Elevation Portfolio” dated January 19, 2017 and their “Sideload Garage Portfolio” dated February 21, 2017 both of which depict elevations to be constructed in phase 3 and phase 4 of the Country Walk development. This approval should be based upon the staff review letter dated February 22, 2017 and conditioned upon the following:

1. Township Planning Staff shall review each application for a new single family home in Country Walk Phase 3 and Phase 4 in order to determine that the new home meets the required setbacks and that the elevation meets the Township’s “Substantially Different” architectural design standards set forth in the PRD agreement for the Country Walk Development

IF there are any questions regarding this review please feel free to contact me.

Sincerely,



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