

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, April 10, 2019 – 7:30 PM
Van Buren Township Hall
46425 Tyler Road**

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1: Approval of minutes from the regular meeting of March 27, 2019.

CORRESPONDENCE:

PUBLIC HEARING:

NEW BUSINESS:

ITEM #1: Case 19-001 –PROJECT SYCAMORE - FINAL SITE PLAN APPROVAL

TITLE: THE APPLICANT, JULIAN BEGLIN, IS REQUESTING FINAL SITE PLAN APPROVAL FOR SITE DEVELOPMENT FOR A VISITOR & VEHICLE RECEIVING CENTER BUILDING, ASSOCIATED IMPROVEMENTS, AND SITE HARDENING FOR SECURITY PURPOSES FOR A DATA CENTER USE.

LOCATION: 9000 Haggerty Road. The property is located on the northwest corner of Haggerty Road and Tyler Road.

ACTION ITEMS:

- A. Presentation by Applicant.
- B. Presentation by Township Staff.
- C. Planning Commission discussion.
- D. Planning Commission considers final site plan approval.

ITEM # 2 CASE 19-008 - TNT FIREWORKS – TEMPORARY LAND USE

TITLE: THE APPLICANT, TNT FIREWORKS IS REQUESTING A TEMPORARY LAND USE PERMIT TO CONDUCT A TEMPORARY OUTDOOR FIREWORKS TENT SALE.

LOCATION: 10562 BELLEVILLE ROAD. THIS SITE IS LOCATED IN THE WALMART PARKING LOT, WHICH IS ON THE WEST SIDE OF BELLEVILLE ROAD, NORTH OF THE I-94 NORTH SERVICE DRIVE.

- A. Presentation by the applicant.
- B. Presentation by Township Staff and Consultants.
- C. Planning Commission discussion.
- D. Planning Commission considers action on Temporary Land Use approval.

ITEM #3: CASE 19-010 – BAYSHORE STAIRCASE REPLACEMENT - SITE PLAN APPROVAL

TITLE: THE APPLICANT, BRIGHTON BUILDING COMPANY, IS REQUESTING SITE PLAN APPROVAL TO RECONSTRUCT A SET OF STAIRS AT THE BAYSHORE CONDOMINIUMS.

LOCATION: SUBJECT PROPERTY IS LOCATED ON THE TOWNSHIP OWNED PROPERTY ADJACENT TO THE BAYSHORE CONDOMINIUMS.

ACTION ITEMS:

- A. Presentation by the applicant.
- B. Presentation by Township Staff.
- C. Planning Commission discussion.
- D. Planning Commission considers site plan approval.

ITEM #4: 19-015– UPLAND HOMES - SITE PLAN AMENDMENT

TITLE: THE APPLICANT, UPLAND 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.

ACTION ITEMS:

- A. Presentation by the applicant.
- B. Presentation by the Township Staff and Consultants.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the architectural approval.

GENERAL DISCUSSION:

ADJOURNMENT:

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
March 27, 2019
MINUTES - DRAFT**

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

ROLL CALL:

Present: Kelley, Budd, Boynton and Thompson.

Excused: Franzoi, Atchinson and Jahr.

Staff: Director Akers, Director Best, Planning Intern Stamper and Secretary Harman.

Planning Representatives: None.

Audience: Thirteen (13).

APPROVAL OF AGENDA:

Motion Boynton, Kelley second to approve the agenda of March 27, 2019 as presented.

Motion Carried.

APPROVAL OF MINUTES:

Motion Budd, Kelley second to approve the regular meeting minutes of March 13, 2019 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 19-006 - REZONING

TITLE: THE APPLICANT, CARL G. SPEAKS, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 13440 MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.

**LOCATION: SUBJECT PROPERTY IS LOCATED AT 13440 MARTINSVILLE ROAD.
(PARCEL ID #83-105-99-0003-000)**

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

The applicant, Carl G. Speaks, gave the presentation. Mr. Speaks is in the process of selling his property and was unaware it was zoned M-1, Light Industrial, the zoning of the property has created difficulty in mortgage financing approval for the buyer. Rezoning the property will allow for mortgage approval and the sale to move forward.

Director Akers presented his staff review letter dated 3-19-19 recommending the Planning Commission recommend approval of the request to rezone parcel numbers 83-105-99-0003-000 and 83-105-99-0004-000, 13440 and 13510 Martinsville Road, from M-1 (light industrial) to R1-B (single family residential) based up on the following reasons:

1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map (2018).
2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.

3. The street system has shown that it is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
4. The Township's utilities and services have been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.
5. The requested rezoning does not change Zoning Ordinance but brings the Township further into compliance with the future land use map (2018).
6. The requested rezoning is not expected to result in exclusionary zoning.
7. The sites physical, geological, hydrological and other environmental factors are compatible with the permitted zoning district.
8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.
10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.
11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

No comments from the Commission or the audience.

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

ITEM # 2 19-007 - REZONING

TITLE: THE APPLICANT, BOBBY A. BROWN, IS REQUESTING TO REZONE THE PROPERTY LOCATED AT 13510 MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL.

**LOCATION: SUBJECT PROPERTY IS LOCATED AT 13510 MARTINSVILLE ROAD.
(PARCEL ID #83-105-99-0004-000)**

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

The applicant, Bobby A. Brown, gave the presentation. Mr. Brown has lived at his property for over 30 years and was unaware that it was zoned light industrial until he tried to sell his home. Mr. Brown is requesting to rezone the property to R1-B (single family residential) in order to sell his home.

Director Akers findings for 13510 Martinsville road are the same as 13440 Martinsville Road, reflected in his staff review letter dated 3-19-19 (Public Hearing Item #1).

No comments from the Commission or the audience.

Motion Boynton, Kelley second to close the public hearing. Motion carried.

NEW BUSINESS:

ITEM # 1 & # 2 19-006 & 19-007 - REZONING

TITLE: THE APPLICANTS, CARL G. SPEAKS AND BOBBY A. BROWN, ARE REQUESTING TO REZONE THEIR PROPERTIES LOCATED AT 13440 (CARL G. SPEAKS) AND 13510 (BROWN A. BROWN) MARTINSVILLE ROAD FROM M-1, LIGHT INDUSTRIAL TO R1-B, SINGLE FAMILY RESIDENTIAL

LOCATION: SUBJECT PROPERTIES ARE LOCATED AT 13440 MARTINSVILLE ROAD, PARCEL ID #83-105-99-0003-000 (CARL G. SPEAKS) AND 13510 MARTINSVILLE ROAD, PARCEL ID #83-105-99-0004-000 (BOBBY A. BROWN).

Director Akers had no further comments to present and no comments from the Commission or the audience.

Motion Boynton, Kelley second to recommend the Township Board of Trustees grant applicant Carl G. Speaks, 13440 Martinsville Road, parcel ID #83-105-99-0003-000 and applicant Bobby A. Brown, 13510 Martinsville Road, parcel ID #83-105-99-0004-000 their request to rezone the properties from M-1, light industrial to R1-B, single family residential, subject to the recommendations in the staff review letter dated 3-19-19:

- 1. The requested rezoning is consistent with the Master Plan due to its consistency with the future land use map (2018).**
- 2. The requested rezoning is consistent with the standards in 12-504 of the Zoning Ordinance.**
- 3. The street system has shown that it is capable to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.**
- 4. The Township's utilities and services have been and will continue to be sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the Township.**
- 5. The requested rezoning does not change Zoning Ordinance but brings the Township further into compliance with the future land use map (2018).**
- 6. The requested rezoning is not expected to result in exclusionary zoning.**
- 7. The sites physical, geological, hydrological and other environmental factors are compatible with the permitted zoning district.**
- 8. There is compatibility of all the potential uses allowed in the proposed zoning district with surrounding areas and zoning regarding land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.**
- 9. The boundaries of the requested rezoning district would be reasonable in relationship to surrounding districts and construction on the site will be able to meet the dimensional regulations of the requested zoning district.**
- 10. The requested zoning district is considered to be more appropriate from the Township's perspective than another zoning district.**
- 11. Rezoning the land is more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.**
- 12. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.**

Roll Call:

Yeas: Boynton, Kelley, Budd and Thompson.

Nays: None.

Absent: Atchinson, Franzoi and Jahr.

Motion Carried. (Letter Attached)

ITEM # 3 19-008 – TNT FIREWORKS – TEMPORARY LAND USE APPROVAL

TITLE: THE APPLICANT, TNT FIREWORKS, IS REQUESTING A TEMPORARY LAND USE PERMIT TO CONDUCT A TEMPORARY OUTDOOR FIREWORKS TENT SALE.

LOCATION: 10562 BELLEVILLE ROAD. THIS SITE IS LOCATED IN THE WALMART PARKING LOT, WHICH IS ON THE WEST SIDE OF BELLEVILLE ROAD, NORTH OF THE I-94 NORTH SERVICE DRIVE.

The applicant, TNT Fireworks, was unable to attend the meeting. Commissioners discussed comments in the Fire Marshal's review letter that need to be addressed by the applicant. Commissioners agreed to postpone the discussion to a future meeting when the applicant is present.

Motion Boynton, Kelley second to postpone TNT Fireworks temporary land use approval to allow the applicant to address comments from the Fire Marshal. Motion Carried.

ITEM # 4 19-009 – DTE ENERGY – SITE PLAN AMENDMENT

TITLE: THE APPLICANT, MATT VALASCHO, IS REQUESTING AN AMENDMENT TO THE EXISTING SITE PLAN FOR DTE ENERGY TO PERFORM AN OUTDOOR LIGHTING UPGRADE AND ADD ADDITIONAL SITE LIGHTING FOR DISPLAY PURPOSES ON THE SITE.

LOCATION: 8001 HAGGERTY ROAD. THIS SITE IS LOCATED AT THE EXISTING DTE WESTERN WAYNE CENTER, WHICH IS LOCATED ON THE EAST SIDE OF HAGGERTY ROAD BETWEEN ECORSE ROAD AND TYLER ROAD.

Matt Valascho of DTE Energy gave the presentation. Mr. Valascho is asking for an amendment to the site plan for DTE Energy to perform an outdoor lighting upgrade and additional site lighting for display purposes, the request has been reviewed by staff. The applicant will meet the staff review requirements for Fixtures G and FF, however, intends to seek a variance for fixture X of the demonstration area on the site plan.

Director Akers presented his staff review letter dated March 22, 2019 recommending approval of the changes to the site lighting at 8001 Haggerty subject to the following conditions/considerations:

1. The applicant shall not install the following proposed flood light fixtures:
 - a. Fixture G (LED Flood light)
 - b. Fixture X (LED Flood light)
 - c. Fixture FF (LED Flood light)
2. The Planning Commission allows the applicant to install light fixtures up to 30' as proposed in the submitted plans.

Commissioners asked the applicant to further explain the location and purpose of fixture X. The applicant displayed the location of the fixtures on the site plan. The fixtures will be of limited use, located in an outdoor showroom used as a demonstration area. The demonstration area is used for training contractors or to showcase a product and will only be lit for approximately 5-10 minutes, once or twice a month. Commissioners agreed the lighting will not offend neighboring parcels with the 60 foot tree buffer and discussed the possibly of setting time limits.

Motion Boynton, Kelley second to grant DTE Energy, Matt Valascho, an amendment to the existing site plan for DTE Energy to perform an outdoor lighting upgrade and additional site lighting for display purposes, located at 8001 Haggerty Road in the existing DTE Western Wayne Center, located on the east side of Haggerty Road between Belleville and Ecorse Roads, subject to the recommendations in the staff review letter dated 3-22-19 and to include a recommendation to seek a variance from the BZA for item 1B - Fixture X flood light. Motion Carried. (Letter Attached).

ITEM # 5 19-012 – QUIRK PARK SPLASH PAD – SITE PLAN AMENDMENT

TITLE: THE APPLICANT, VAN BUREN TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY, IS REQUESTING AN AMENDMENT TO THE EXISTING SITE PLAN FOR QUIRK PARK FOR PARK IMPROVEMENTS INCLUDING THE CONSTRUCTION OF A SPLASH PAD.

LOCATION: 46270 AYRES AVENUE. THIS SITE IS LOCATED AT QUIRK PARK ON THE TOWNSHIP HALL CAMPUS. QUIRK PARK IS LOCATED ON THE EAST SIDE OF QUIRK ROAD, SOUTH OF TYLER ROAD.

Lisa Lothringer of Van Buren Township DDA and Marc Russell of Russell Design gave the presentation. The Van Buren Township DDA is requesting an amendment to the existing site plan for Quirk Park for park improvements including the construction of a splash pad. Russell Design displayed a site plan rendering and gave a PowerPoint presentation of the project. The park improvements include replacement of the existing parking lot, parking lot restriping, asphalt path, pavilion, added changing rooms, splash pad with components for all age groups, seating with shade sails, landscaping and berm area, memorial for Egypt Covington with plantings and benches and the landscape plan will include additional shade trees. The existing pavilion will have concrete added for additional seating. The applicant is working with McKenna Associates on signage. The existing play structure will be relocated on the site, if project bids come in well, the play structure will be replaced with the old structure being repurposed at another location. The project has been presented to the Township Board and Recreation Committee, both in which it was well received. Russell Design is prepared to send the project out for bid with the blessing of the Planning Commission.

Director Akers presented his staff review letter dated 3-22-19 recommending approval of the site plans with the following considerations/conditions:

1. The plans will need to be revised to include the following items:
 - a. The dimensions of all lot and property lines
 - b. Zoning classification of the parcels.
 - c. Legal description of the property, parcel ID number and the acreage of the property.

- d. A use statement which describes the nature of the proposed use, a description of the proposed use and other general information describing the use.
 - e. A parking schedule outlining the existing parking on the property and any proposed needs.
 - f. Information on any proposed lighting in the park.
 - g. Add dimensions to the proposed barrier free parking spaces.
 - h. Add a detail sheet for the proposed van accessible handicap sign and post.
 - i. Add a table which identifies the specific number of parking spaces available for Quirk Park.
 - j. Add a table which calculates open space landscaping requirements for the created lawn areas.
 - k. Revise the deciduous tree planting standards from 2.5" to 3" minimum caliper to 3" minimum caliper.
2. That the Township consider combining the two (2) parcels on the Township campus into a single parcel.
 3. That the Planning Commission grants authorization to Township staff to review parking to ensure that it is sufficiently addressed per the Township's Zoning Ordinance at Quirk Park.
 4. That if any exterior lighting is to be added to proposed or existing buildings it be reviewed by the Director of Planning & Economic Development for compliance with the Townships lighting standards.
 5. That the plans for the splash pad will be reviewed by the Township Fire Marshal for compliance with the appropriate Fire Codes.

Director Akers presented the Fire Department review letter dated 3-25-19 recommending approval.

No comments from the Commission or the audience.

Motion Kelley, Boynton second to grant Van Buren Township DDA an amendment to the existing site plan for Quirk Park for park improvements including the construction of a splash pad, located at 46270 Ayres Avenue, based on the conditions and subject to the analysis in the staff review letter dated 3-22-19 and Fire Department review letter dated 3-25-19. Motion Carried. (Letters Attached)

GENERAL DISCUSSION: None.

ADJOURNMENT:

Motion Budd, Boynton second to adjourn at 8:29 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

PLANNING & ZONING APPLICATION

Case number 19-001

Date Submitted 1-17-19

APPLICANT INFORMATION

Applicant JULIAN R. BEGLIN, H.F. LENZ Co (AGENT) Phone 814-269-9300 x398
Address 1407 SCALP AVENUE Fax 814-269-9301
City, State JOHNSTOWN, PA Zip 15904
E-mail jbeglin@hflenz.com Cell Phone Number 814-659-5840
Property Owner JPMORGAN CHASE (C/o. Bob Bachmeier, VP) Phone c: 614-360-8581
(if different than applicant)
Address 9000 HAGGERTY ROAD Fax _____
City, State BELLEVILLE, MICHIGAN Zip 48111
Billing Contact _____ Phone _____
Address _____ Fax _____
City, State _____ Zip _____

SITE/ PROJECT INFORMATION

Name of Project PROJECT SYCAMORE
Parcel Id No. V125-83-044-99-0005-701 Project Address 9000 HAGGERTY ROAD
Attach Legal Description of Property (ATTACHED AS EXHIBIT A)
Property Location: On the WEST Side of HAGGERTY Road; Between TYLER Road
and ECORSE Road. Size of Lot Width 1724.18' Depth 1346.57'
Acreage of Site 53.3 AC Total Acres of Site to Review 53.3AC Current Zoning of Site M-1
Project Description: SITE DEVELOPMENT FOR VISITOR & VEHICLE RECEIVING CENTER BUILDING, ASSOCIATED
IMPROVEMENTS AND SITE HARDENING FOR HIGH SECURITY PERIMETER HARDENING.

Is a re-zoning of this parcel being requested? NO YES (if yes complete next line) NO
Current Zoning of Site M-1 (Light Industrial) Requested Zoning N/A

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? YES YES (if yes complete next line) NO
Section of Zoning Ordinance for which you are applying Article 7, Ch.2, Sec.(4) Fences & Walls in Nonresidential Districts
Is there an official Woodland within parcel? NO Woodland acreage N/A
List total number of regulated trees outside the Woodland area? _____ Total number of trees _____
Detailed description for cutting trees Refer to Landscape Drawings for Tree Removal & Replacement Ratio's.

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

BOB BACHMEIER

Print Property Owners Name

[Signature]

Signature of Property Owner

NATALIE HUFFMAN
Notary Public

State of Colorado
Notary ID # 20114077266

My Commission Expires 12-15-2019

1/10/19

Date

STATE OF ~~MICHIGAN~~ COLORADO
COUNTY OF ~~WAYNE~~

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this 10 day of January, 2019.

Natalie Huffman Notary Public, Arapahoe County, Michigan

My Commission expires 12-15

2019
Rev 1/15/06

EXHIBIT A
CHASE PARCEL

LEGAL DESCRIPTION OF ENTIRE CHASE PARCEL:

Part of the Southeast 1/4 of Section 11, T. 3 S., R. 8 E., Van Buren Township, Wayne County, Michigan, being more particularly described as:

Commencing at the East 1/4 corner of said Section 11; thence N. 88° 52' 36" W. 60.01 feet along the East/West 1/4 line of said Section 11 as occupied to a point on the West right of way line of Haggerty Road (120 feet wide) said point being the POINT OF BEGINNING; thence S. 00° 01' 24" E. 2680.80 feet along the West right of way line of said Haggerty Road to a point On the South line of said Section 11; thence N. 88° 02' 33" W. 1346.75 feet along the South line of said Section 11 said line also being the centerline of Tyler Road (66' feet wide); thence N. 00° 17' 41" e. 350.15 feet; thence N. 00° 12' 44" E. 2310.84 feet to a point on the East/west 1/4 line of said Section 11; and thence S. 88° 52' 36" E. 1334.77 feet along said East/West 1/4 line to the POINT OF BEGINNING. Containing 82.17 acres of land, more or less. Subject to the rights of the public over the South 33 feet for Tyler Road, also subject to any and all other easements or rights of way of record, if any.



**H.F. LENZ
COMPANY**

Michigan Corporation

Engineering

1407 Scalp Avenue
Johnstown, PA 15904
Phone: 814-269-9300

January 8, 2019

TO: Mr. Ron Akers, Director of Planning & Economic Development
Charter Township of Van Buren
46425 Tyler Road
Van Buren Township
Michigan, 48111

PROJECT: Project Sycamore
HFL File No. 2018-0116.30

RE: Parking Exception

H.F. Lenz Company, on behalf of our client JPMorgan Chase, respectfully requests an exception from the parking requirements for the subject project based on the following rationale. The existing building is approximately 348,000 square feet and was originally constructed as office space and bank processing. With the proposed project, the majority of this space will be converted to data center/ data storage with approximately 17,600 square feet remaining as office. The project also involves the construction of a new Visitor and Vehicle Reception Center (VVRC) which is approximately 2,300 square feet of office space.

Therefore, the total office space is approximately 19,900 square feet. As per the Van Buren Township Zoning Ordinance, the parking requirements for office space within an Industrial Warehouse facility is 1 stall per 350 square feet of useable office. Refer to Van Buren Township Zoning Ordinance Section 9.102, Table 4, E, 3. Based on this requirement, the total parking required is 58 stalls. Within the secured perimeter of the site, 100 stalls will remain, and an additional 47 stalls are proposed outside of the secured perimeter as part of the VVRC, which will serve as visitor parking. Therefore, the total parking count will be 147 stalls which exceeds the required 58 stalls.

Should you have any questions or require additional information, please feel free to contact our office at (814) 269-9300.

Sincerely,

H.F. LENZ COMPANY
a Michigan Corporation

Julian R. Beglin, GISP
Associate, Project Manager



MCKENNA

April 2, 2019

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

**Subject: VBT-19-001; Project Sycamore; 9000 Haggerty Road; Final Site Plan Review #3
Revised Site Plans Dated March 22, 2019.**

Dear Commissioners:

The applicant H.F. Lenz Company, on behalf of J P Morgan Chase, proposes to convert an existing 348,000-square foot office and bank processing building into a data center and construct a new 2,300-square foot building on a 53.3-acre site at the northwest corner of Haggerty Road and Tyler Road intersection. The plans also include major changes to the circulation area and parking, as well as the construction of walls and other barriers. The applicant received preliminary site plan approval from the Planning Commission on March 13, 2019, subject to several conditions, which are noted below.

We have reviewed the revised site plan for compliance with the conditions of preliminary site plan approval and offer the following comments (any items that require changes or additional information are underlined):

COMMENTS

1. **Revisions to parking spaces in the new parking lot by angling spaces clarifying one-way circulation or widening aisles to 24 feet for two-way circulation.** This condition has been met. Although the arrows in the new parking lot show one-way movement, the aisles and the access drive into the lot are 24 feet wide allowing for two-way movement of vehicles in conformance to the Zoning Ordinance standards.
2. **Addition of pavement striping or signage on the outer loop of Ecorse Street and the drive aisle immediately east of the existing building.** This condition has been met. The revised plan includes two-way circulation pavement striping for the drive aisle surrounding the building, and a one-way movement exiting out of the site on Ecorse Street along the far east side of the site.
3. **Pursuant to Section 9.101(J) of the Zoning Ordinance, Planning Commission approval of the proposed 58 parking spaces as sufficient to meet the parking requirements of the site. If additional parking is needed in the future based on the use of the site, there is sufficient area on the site to construct new parking areas.** This condition has been met. The Planning Commission granted approval for the parking count proposed at its March 13, 2019 meeting.
4. **Submission of additional details and justification regarding why the required trees and shrubs along Tyler Road cannot be located elsewhere on the site in lieu of the Tyler Road frontage landscaping.** This condition can be met. With a frontage of 1,317 feet on Tyler Road (minus a 30-foot driveway), the total plantings required for Tyler Road frontage are 33 deciduous or evergreen trees, 14 ornamental trees and 263 shrubs. Per Sheet L-3002, the frontage is deficient by 24 deciduous/evergreen trees, 13 ornamental trees and 263 shrubs. Pursuant to Section 10.106 of the Zoning Ordinance, the applicant sought a waiver from the Planning Commission to not provide any additional landscaping along

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Tyler Road. The applicant is concerned that additional plantings would impede line of sight, impact site security, and the site would not have adequate room for planting in the remaining area occupied by the slope of the detention basin. The Planning Commission granted preliminary approval subject to the applicant demonstrating if the required trees and shrubs could be located elsewhere on the site in lieu of the Tyler Road frontage landscaping. The final landscape plan at this time does not indicate an alternate location for the deficient plantings, and Sheet L-3002 includes an explanation that cites blocking clear lines of site, the presence of a decorative fence, required separation from the security fence, and required separation from the stormwater pond. While not waiving the required plantings at its 3/13/19 meeting, the Planning Commission discussed the possibility of the applicant contributing to the Township tree fund in lieu of the missing plants. Currently, there are 118 replacement trees proposed throughout the site to mitigate the trees to be removed. We recommend that the applicant allocate 47 of the "replacement trees" to count toward the required frontage tree requirement (i.e., 24 required deciduous/evergreen trees and 13 required ornamental trees). These trees may remain in their proposed location as an alternate location to the frontage trees, but we recommend that the species meet the Zoning Ordinance requirements for the frontage trees and we recommend that the shortfall of 47 "replacement trees" be mitigated by planting the trees elsewhere in the Township or contributing to the Township tree fund. These conditions can be satisfied administratively.

5. **Clarification regarding trees being included in the landscape plan to meet the interior landscaping requirement.** This condition has been met. Based on the proposed interior landscape area of 3,809 square feet, a total of 13 trees is required. The plan previously proposed 7 new deciduous trees and 6 existing trees to be preserved to meet this requirement. The revised plan proposed 9 new deciduous trees and 4 existing trees to be preserved, and meets the requirement. The tree locations are noted on Sheet L-2002.
6. **Notation of height and width of the berm to demonstrate that it will provide required screening of the VVRC building loading doors from Haggerty Road, and provision of a cross section diagram and a line of sight diagram to ensure adequate screening.** This condition has been met. Sheets A210 and A020 include elevation and line of sight details for the proposed VVRC building and demonstrate that the loading docks will be concealed from direct view of the public rights-of-way by the proposed wall projection, which will create a screen wall. Although a cross section of the landscape berm is not shown, the proposed plantings will only add to the screening and visual appearance of the building.
7. **Pursuant to Section 10.106 of the Zoning Ordinance, Planning Commission approval of existing landscaping for the 344-linear foot area on the south side of the eastern lot line, which includes approximately 36 existing trees (according to the plans), that have grown to maturity and accomplish the intended objective.** This condition has been met. The Planning Commission granted approval for the parking count proposed at its March 13, 2019 meeting.
8. **Pursuant to Section 10.106 of the Zoning Ordinance, Planning Commission approval of a modification of open space landscaping requirements to accept the 86 existing deciduous trees and 22 additional trees proposed, resulting in a shortfall of 307 trees. The applicant has stated that additional trees would impede line-of-sight on the property and create a security issue considering the nature of use on the site.** This condition has been met. The Planning Commission granted approval for the open space landscaping requirements to be modified to accept the 86 existing deciduous trees and 22 additional trees proposed.



9. **Provision of irrigation information on the plans and addition of statement: "Owner agrees to seasonal maintenance program and will replace all diseased, dead or damaged plants, replenish mulch, control weeds, fertilize and prune beginning upon completion of construction of landscaping."** This condition has been met. Sheet L-3002 states that the proposed plant species were specifically selected for endurance with regard to the local climate. Further, the plantings will be provided with irrigation by the landscape installer at the time of planting and until they are established, after which the plants will be weaned off irrigation. Subsequent survival of the plantings will be ensured under a long-term maintenance plan for all landscaping on the site. This is an acceptable proposal. The required notation has also been added to the plan.
10. **Notation of light fixture details on the photometric plan.** This condition has been met. Sheet C-7001 includes manufacturer's cut sheet detail of proposed fixture. The fixture is shoebox style with a flat lens and recessed light source allowing for the light to be downward directed and shielded.
11. **Changes to the elevations of the VVRC building to provide some additional detailing such as faux windows that are compatible with the research-tech appearance of several new businesses down the corridor.** This condition has been met. The applicant has made revisions to the east façade facing Haggerty Road to include what appears to be a narrow band of windows approximately 3' wide x 25' long, placed on the upper 1/3 of the building to break up the façade. It appears the windows are placed higher to conceal any potential view of trucks inside the building. The west façade includes a continuous horizontal band of windows of the same width across the entire façade. The windows are identified with a "D" but there is no legend describing what the various symbols on the elevations represent. While the proposed windows additions improve the building, the windows on the east façade appear to be out of scale. We suggest that the applicant consider extending the band of windows across the east façade to match the band on the west façade and provide the building with some symmetry.
12. **Notation of dumpster enclosure and gate details to meet the requirements of Section 7.122 of the Zoning Ordinance, including masonry walls and steel reinforced wooden gates. The dumpster must be located even with or behind the front line of the VVRC building.** This condition has been met. The dumpster has been relocated to the south side of the drive from Haggerty Road, just west of the drive that goes to the VVRC building. Therefore, the dumpster enclosure is now placed in the side yard. All sheets must show this enclosure location. Details of the proposed dumpster are noted on Sheet A210 and include a masonry enclosure with aluminum coping and steel gates. The detail references Sheet A610 for dumpster gate details; however no such sheet has been included in the site plan submission. The gate must be steel-reinforced wolmanized wood so as to be opaque.
13. **Location of existing dumpsters on the site, serving the main building. If required, changes to existing dumpster enclosures and gates to bring them into compliance with the Zoning Ordinance standards at this time.** This condition can be met. While no other dumpsters are shown, any existing and proposed dumpsters must meet the screening requirements of Section 7.122 of the Zoning Ordinance.
14. **Addition of signage details to the site plan.** This condition can be met. The site plan includes no details of any proposed signage with the exception of directional on-site signage and an address sign at the main access drive off Haggerty Road shown on Sheet C-2004. The existing address sign is well within Zoning Ordinance standards based on our view of the site from Haggerty Road. Owing to the



secure nature of the facility, we assume no additional identification signage is intended for the site; however, a note of clarification should be added to the plans.

RECOMMENDATION

The applicant is seeking final site plan approval at this time. Final site plan approval is granted when all conditions of preliminary approval are met or can be met administratively. While most of the conditions of preliminary approval have been addressed, there remain a few outstanding issues which could be administratively approved. Therefore, we recommend the Planning Commission grant final site plan approval for proposed Project Sycamore, subject to the following items being satisfactorily addressed prior to issuance of any permits:

1. That the applicant allocate 47 of the “replacement trees” to count toward the required frontage tree requirement (i.e., 24 required deciduous/evergreen trees and 13 required ornamental trees). These trees may remain in their proposed location as an alternate location to the frontage trees, but the species must meet the Zoning Ordinance requirements for the frontage trees and the shortfall of 47 “replacement trees” must be mitigated by planting the trees elsewhere in the Township or contributing to the Township tree fund.
2. That the plans include a legend explaining symbols on the architectural elevations and that applicant consider the addition of a horizontal band of windows on the east façade of the VVRC building.
3. All sheets must show the enclosure dumpster enclosure location. The reference to Sheet A610 must be included or corrected. The dumpster enclosure gate must be steel-reinforced wolmanized wood so as to be opaque.
4. Any existing and proposed dumpsters must meet the screening requirements of Section 7.122 of the Zoning Ordinance
5. Notation that no new identification signage is proposed at this time.

Respectfully submitted,

McKENNA



Patrick J. Sloan, AICP
Senior Principal Planner



Vidya Krishnan
Senior Planner

c: Ron Akers, Van Buren Township Director of Planning & Economic Development
Matt Best, Van Buren Township Director of Public Services
Grace Moore, Van Buren Township Developmental Services Department
David Potter, FTCH, Township Engineers
Paul Kammer, FTCH, Township Engineers
David McNally, Van Buren Township Fire Marshal





April 5, 2018
FTCH Project Number 181873
VBT Project Number 19-001

Ms. Carol Thompson
Planning Commission Chairperson
Van Buren Township
46425 Tyler Road
Van Buren Township, MI 48311

Re: Sycamore Project
9000 Haggerty Road
Final Site Plan Review

Dear Ms. Thompson:

At the request of Van Buren Township (VBT), Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) has reviewed the Site Plan dated March 22, 2019, submitted to VBT for Preliminary Site Plan review for the proposed Sycamore Project, which is located at 9000 Haggerty Road.

This proposed project entails the addition of several site improvements at 9000 Haggerty Road. The existing site includes several structures on the west half of the property and parking lots on the east half, with one driveway access to Tyler Road and three driveways accessing Haggerty Road. The proposed improvements include: removal of 390 pavement parking spaces; removal of two drive approaches to Haggerty Road; construction of a Visitor and Vehicle Receiving Center (VVR) structure; construction of a 43-space bituminous pavement parking lot; construction of security measures including blast walls, perimeter fencing, and entrance gates; construction of underground utilities including a storm sewer pipe network, a sanitary sewer lead, and a water service lead; and other various landscaping and site plan improvements. We have attached a summary of our review comments below:

General

The following items are general requirements established as part of the *Engineering Standards Manual, Charter Township of Van Buren (April 2014)*. The applicant must include the following items as part of the construction plans.

1. All utility crossings must be indicated in the profile view and must include the elevations of the top of pipe crossing under and the bottom of pipe crossing over. Utilities must cross with a minimum of 18-inches measured from outside of pipe to outside of pipe.
2. The proposed type of pipe and slope of pipe must be shown in each pipe profile view, both sanitary and storm.
3. Sewers shall be matched at the eight-tenths diameter depth above invert in manholes when changing the internal diameter sizes of sewers or connecting to an existing system.

Water Main Service

Existing: VBT's Geographic Information System (GIS) records indicate a 12-inch water main runs north-south on the west side of Haggerty Road and a 42-inch water main runs north-south on the east side of Haggerty Road and east-west along Tyler Road. A 12-inch water main loop around the existing building services the building and several fire hydrants. There is also one existing fire hydrant along the west side of Haggerty Road and three fire hydrants along the north side of Tyler Road.

Proposed: The applicant's plan proposes an 8-inch privately owned water service connection to the existing 12-inch water main loop within the property via a 12"x12"x8" tee connection, which will run east to service a fire hydrant and service the proposed VVRC building as both the fire flow lead and domestic water service lead.

Comments:

1. Final gate valve locations must be approved by the VBT Water and Sewer Department.
2. Per e-mail dated February 21, 2019, based on the information provided for the casing pipe spacers, end seals, and overall extension of the casing pipe, we have no objection to this design approach for the watermain below the blast wall.
3. Fix callout in profile view to have gate valve at the water main tee connection to be installed in a gate valve well. A "valve box" at the building shutoff is acceptable.

Sanitary Sewer

Existing: VBT's GIS records indicate there is an existing 16-inch sanitary sewer force main running north-south along the east side of Haggerty Road. Records also indicate an existing sanitary sewer manhole at the intersection of Haggerty Road and Tyler Road. The existing development at this location feeds into this manhole by a 10-inch Reinforced Concrete Pipe (RCP) gravity-fed sanitary sewer and flows into an 18-inch RCP gravity-fed sanitary sewer running south from the manhole along the west side of Haggerty Road.

Proposed: The applicant is proposing to install a 6-inch sanitary sewer lead from the south side of the proposed VVRC building and connecting to the existing 10-inch sanitary sewer within the property via a wye connection.

1. The sanitary service line shows a very shallow run between the VVRC to the public 10" sanitary line. In order to prevent freezing and to maintain reasonable velocities, the Township recommends the applicant deepen the sewer pipeline at a slope that will allow for proper crossing of storm lines. Due to this being a private service line, the applicant must provide calculations showing proper velocities within the system, and must provide insulation for any portion of the lead that cannot be placed at a depth sufficient to prevent freezing. Further investigation will be conducted by the Township and the Applicant prior to the Preconstruction meeting.

Storm Sewer

Existing: VBT's GIS records indicate the existing project site drains via roof drain leads, storm drain inlets, and a storm pipe system into an existing onsite detention basin adjacent to Tyler Road. A lift station pumps the storm water from the basin through a stormwater force main into the stormwater manhole at the intersection of Tyler Road and Haggerty Road. Surface runoff along the east and south sides of the property frontage flows into the existing roadside drain ditches. The existing storm system along Haggerty Road drains southerly into the Smock and Spear Drain.

Proposed: The applicant is proposing to construct a roof drain, underdrains, and drain inlets, which will flow into the existing storm drain system and the existing onsite detention basin. The plans indicate removing two asphalt parking lots and reducing the impervious area by one acre. The plans do not propose any modifications to the existing storm drain system downstream of the proposed storm drain tie-ins, including the onsite detention basin.

Comments:

1. Applicant must submit and obtain storm water and right-of-way (ROW) approval from Wayne County before a pre-construction meeting can be scheduled, and an approval letter from Wayne County must be submitted. We understand that the applicant is in conversations with Wayne County regarding their third review; however, it has been indicated that these comments will not significantly change the overall design of the site.
2. Plans must show the depth of the proposed and existing sewer and show the type and strain of loads on top (proposed blast wall).

Soil Erosion and Sedimentation Control (SESC)

1. An SESC Plan shall be provided in accordance with the VBT *Engineering Standards Manual*, Chapter II, Plan Requirements, Paragraph D, SESC Plan Requirements, and in accordance with Wayne County SESC standards. A permit must be acquired from the Wayne County SESC County Enforcing Agency (CEA).
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>
2. SESC plans must account for soil stabilization in the areas of parking lot demolition and removal.

Recommendation

We are recommending the Planning Commission grant the Sycamore Project Engineering and Final Site Plan approval, subject to the review comments noted above and in accordance with VBT's *Engineering Standards* manual. All comments must be addressed and resubmitted for final approval in an Issued-For-Construction plan set prior to the scheduling of the Preconstruction Meeting.

If you have any questions regarding this project, please contact me at 248.324.4791 or dpotter@ftch.com.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.



David L. Potter, PE, CSI-CCCA



Paul J. Kammer, PE

ag2

Attachments

By email

cc: Mr. Ron Akers – Director Planning and Economic Development
Mr. Matthew Best – Director of Public Services
Mr. James Taylor – Director of Water and Sewer

David C. McNally II
Fire Marshal
O: 734-699-8900 ext. 9416

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



April 3, 2019

Department Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Project Sycamore
9000 Haggerty Rd
Van Buren Twp, MI 48111

#19-001
Final site plan approval

To: Ron Akers

I have looked at the site plan submitted called Project Sycamore submitted by H.F. Lenz Company and Omni Associates Architects, with Bryant Joshua Green licensed engineer.

Project Overview:

To construct a secure entrance to the Belleville Technology Center off of Haggerty Rd, remove the South Haggerty Rd entrance, and add a wall around the perimeter.

Please note that **all** applicable **NFPA** codes and standards apply as adopted by the Township of Van Buren. Please address the following items and return, before I can approve submitted site plans.

1. ~~Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first floor of the building is located not more than 150 ft. from fire department access roads as measured by an approved route around the exterior of the building or facility.~~
NFPA 1 18.2.3.2.2
2. ~~Dead-end fire department access roads in excess of 150ft. in length shall be provided with approved provisions for fire apparatus to turn around.~~
3. Fire department access roads shall have an unobstructed width of not less than 20ft. The only location where it is acceptable to reduce width, is the exit drive gate located on the North side of the property leading to Haggerty Road.

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.

4. ~~Knox box lock box requested at both Haggerty and Tyler Rd entrance.~~
5. Two-Way Radio Communication Enhancement Systems are required for all new construction, unless after finished construction the occupant can prove through a signal test with the AHJ that it is not needed. NFPA 1 2012 11.10.1 In all new and **existing buildings**, minimum radio signal strength for fire department communications shall be maintained at a level determined by the AHJ. The main building at 9000 Haggerty will need to be brought up to code, as there are several dead spots in the building currently.

NFPA 72.24.5.2.2.3

6. ~~IF suppressed, the FDC (4inch storz, with 30-degree elbow) will need to be within 50 ft. of hydrant.~~

Plans are approved as submitted.

If you have any questions about this plan review report, please feel free to contact me

Respectfully submitted,

David C McNally
Fire Marshal
Van Buren Fire Department



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

RECEIVED
MAR 04 2019
BY: _____

DATE: 2/27/2019

19-008

BUSINESS NAME: AMERICAN PROMOTIONAL EVENTS INC. DBA: TNT FIREWORKS

CONTACT PERSON: CHARLES FRIESE PHONE # 517.526.3839

SUPERVISOR FOR SITE: CHARLES FRIESE PHONE # 517.526.3839

EVENT TITLE: FIREWORKS TENT SALE

TYPE OF EVENT: TEMP/TENT SALE DATE(S): 6/21 TO 7/5/2019

LOCATION OF EVENT: WALMART PARKING LOT

ADDRESS OF LOCATION: 10562 BELLEVILLE RD, 48111

PROPERTY OWNER REPRESENTATIVE: STORE MANAGER-KEITH PHONE # 734.697.2078

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

OTHER SIGNS ON TENT/BANNERS

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 \$ 1250.00 BOND FEE \$ 400.00 F.D. TOTAL \$ 1650.00

[Signature]
(SIGNATURE OF APPLICANT)

2/27/19
(DATE SIGNED)

(APPROVED BY)

(DATE SIGNED)

Chuck Friese
TNT Fireworks
Regional Manager
friesec@tntfireworks.com



PO Box 7
Three Rivers, MI 49093
Cell 517.526.3839
Fax 866.496.0838

February 27, 2019

Reference: Temporary Fireworks Sale in Walmart Parking Lot

To whom it may concern:

Below is information on the temporary fireworks tent sale.

1. Our company will be selling Michigan approved fireworks.
2. Our sales period will be no longer than from June 21st through July 5th, 2019.
3. Hours of operation will be from 9am through 10pm daily.
4. Sales will be conducted from a tent erected by a local tent rental company with a flame sheet provided.
5. Fire extinguishers and 'no smoking' signs will be present.
6. Overnight security will be provided by the group that is operating the tent (2 people present at all times).
7. Our company will make sure the environment will be kept clean and safe.
8. Our company will also provide all necessary insurance.

Attached is also a rough sketch of the location of the tent in the parking lot of Walmart, a permission letter from Walmart and proof of insurance available upon request.

Also, please let me know if there are any changes or further requirements that need to be met.

Thank you,

Chuck Friese and Jil Wilson
TNT Fireworks
Michigan~Area Managers



702 SW 8th Street
Bentonville, AR 72712
Phone 479.273.4298
Kyle.Thurman@walmart.com

September 20, 2018

To Whom It May Concern,

American Promotional Events, Inc. dba TNT® Fireworks is an approved National Supplier to conduct fireworks promotions on our Walmart parking lots where this type of promotion is legal. All stores have been researched and approved by the Walmart Realty Department. Approximate time frame for the promotions are:

- December 26th, 2018 through and including January 2nd, 2019.
- June 15th, 2019 through and including July 6th, 2019 with the exception of Utah which has an additional selling period through the end of July for Pioneer Days.

American Promotional Events, Inc. dba TNT® Fireworks is authorized to sign for and obtain all necessary permits and/or licenses for the promotion and must display such permits and/or licenses at each stand/tent. Walmart grants permission for all patrons of the sale to utilize the restroom facilities at each participating store.

An American Promotional Events, Inc. dba TNT® Fireworks representative will call you to introduce the company and discuss your participation in the event. Participation is encouraged and does add additional income to your other income account. Store Management must approve the store's participation and placement on the parking lot by store stamping the Pre-Sale Survey.

Thank you in advance for your cooperation in this matter and if you have any questions, please contact TNT® Fireworks at 1-800-243-1189 or Kyle Thurman at 479-273-4298.

Best Regards,

Kyle Thurman
Walmart Services

Wal-Mart Store #01-2872
10562 Belleville Rd.
Van Buren Township, MI 48



Site Plan for Belleville Walmart #2872- 10562 BELLEVILLE RD BELLEVILLE, MI 48111

End Row 2

North



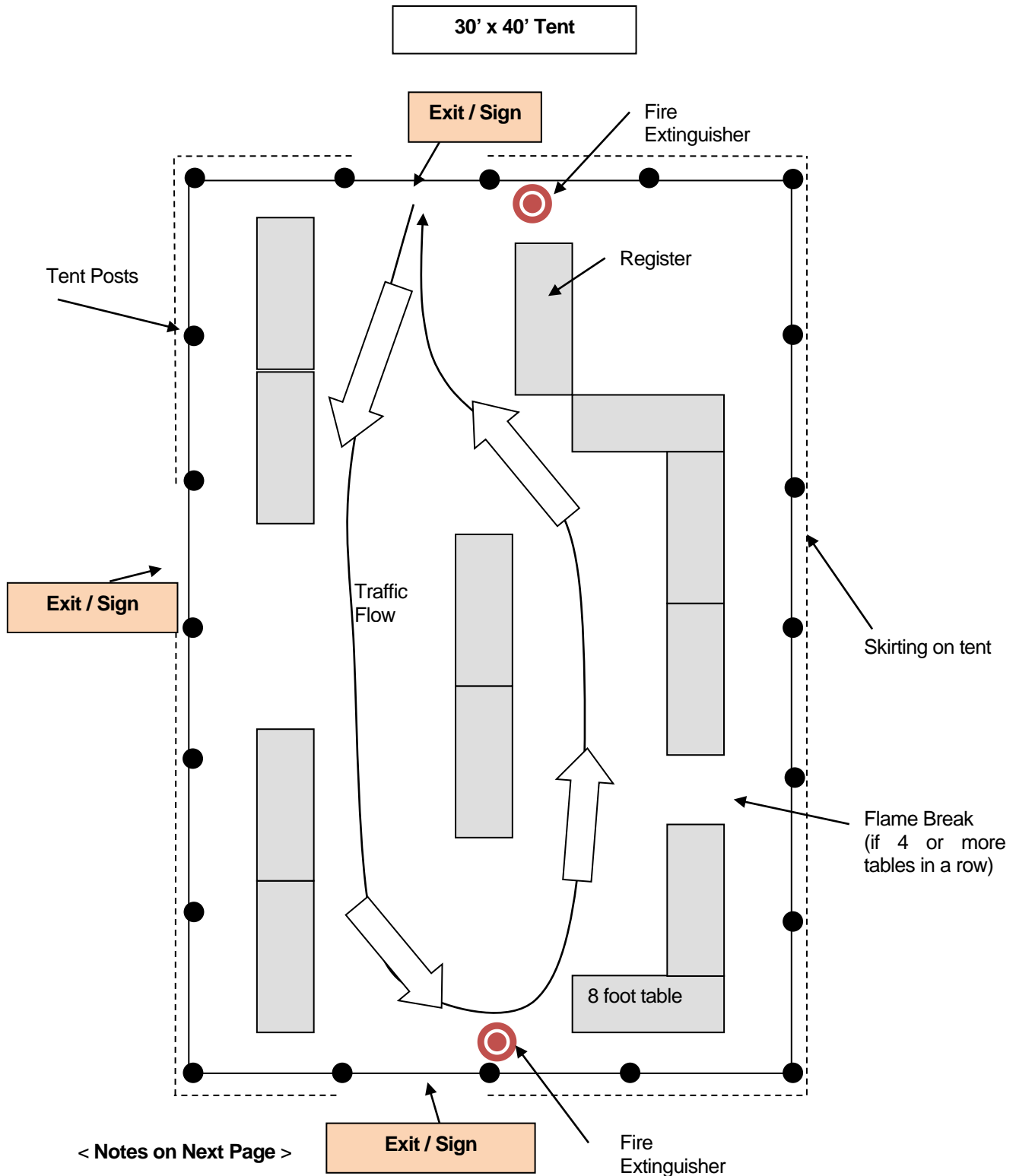
Picture from MSN Maps

The little yellow box on the south end of the parking lot is where the tent would be. (30x40) The white area around it would be the 10 foot buffer for no cars to park.

** Cars would park no less than 10 feet away

** Any generator used would be placed 20 feet away

Tent Floor Plan and Layout Sketch



List of Notes for Floor Plan

- * There will be OVER 500 pounds of consumer grade fireworks in the tent
- * 30' x 40' = 1200 square feet in area
- * 8 foot tables are used for displays
- * All aisles will be at least 4 feet wide in shopping floor space
- * 3 remote exits will have Lighted EXIT combo signs above them – tent will be open past dusk (noted in picture) Emergency Lighting will be on the EXIT signs
- * Tent openings/doorways will be at least 7 feet wide
- * Since all fireworks are 'packaged', the packaged fireworks act as a flame breaks (Code: 7.3.15.3.4) along with the 4 foot spaces between aisles
- * Exits will be available within the 35 foot requirement of each other (less than 35 feet from any point within the tent)
- * Fire extinguishers will be present - one pressurized water type and a dry chemical with rating of at least 2A (10 lb)
- * Display area will not exceed 35% of the square footage of tent
- * "Fireworks – No Smoking" signs will be posted near entrances/exits and visible from within the tent (minimum of 4)
- * "No Fireworks Discharge Within 300 Feet" signs will be posted on all four sides of the tent (facing outside)
- * Flame Certificates will be available on the tent – showing flame resistance
- * Merchandise displayed within the perimeter of the sales area will not exceed 6 feet in height.
- * Evacuation Plan will be posted along with permits and sales tax license

List of Notes for Site Plan

- * Any generator used would be placed 20 feet away from tent when in operation
- * Parked Vehicles will be at least 10 feet away
- * Nearest gas station or retail propane-dispensing stations will be over 50 feet away
- * No flammable gas bulk dispensers will be within 300 feet
- * No other buildings or cfrs will be located within 20 feet
- * Extra storage of fireworks other than inside inventory, will be no less than 20 feet away
- * Fire department vehicle access is readily available



CERTIFICATE OF LIABILITY INSURANCE

11/1/2019

DATE (MM/DD/YYYY)

2/22/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME:	FAX (A/C, No):	
	PHONE (A/C, No, Ext):	E-MAIL ADDRESS:	
INSURED 1378172 American Promotional Events, Inc. - East DBA TNT Fireworks, Inc. P.O. Box 1318 4511 Helton Drive Florence AL 35630	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Everest Indemnity Insurance Company		10851
	INSURER B : Maxum Indemnity Company		26743
	INSURER C : AXIS Surplus Insurance Company		26620
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES**CERTIFICATE NUMBER:** 13397800**REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	Y	N	SI8GL00242-181	11/1/2018	11/1/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	Y	N	EXC6023470-06	11/1/2018	11/1/2019	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX
C	Excess Liability	Y	N	P-001-000055919-01	11/1/2018	11/1/2019	\$5M Each Occurrence \$5M General Aggregate Total XS Limits: \$10M

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.

Additional Insured: FMI2872 Property located at Wal-Mart #2872 at 10562 Belleville Road, Belleville, MI 48111. Yvette Harris 2598162. The Township of Van Buren, all elected and appointed officials, all employees and volunteers, all boards, commission and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed that by naming the Township of Van Buren as additional insured, coverage afforded is considered to be primary and any other insurance the Township of Van Buren may have in effect shall be considered secondary and/or excess

CERTIFICATE HOLDER**13397800**Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville AR 72716**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Memo

TO: Planning Commission

FROM: Grace Stamper
Planning and Economic Development Intern

RE: Review of Temporary Land Use Request #19-008 – TNT Fireworks

DATE: March 18th, 2019

TNT Fireworks is requesting a Temporary Land Use permit for a tent sale of fireworks at the Belleville Road Walmart, Store #2872, at 10562 Belleville Road. The use is proposed to be from June 21, 2019 through July 5, 2019. Per Section 7.120 of the Zoning Ordinance, temporary land uses that operate for more than seven (7) consecutive days require Planning Commission approval.

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

I have reviewed the application and the requirements of Section 7.120 for temporary land use approval and have the following comments:

- 1. Adequacy of parking and access** (Section 7.120(C.1)) – The site has 714 public parking spaces, 23 of which are handicapped reserved. The site is currently is over-parked, and the tent will have a limited impact on the number of available parking spaces. This site is located in the heart of Van Buren’s downtown district, and sufficient access is available.
- 2. Adequate drainage** (Section 7.120(C.2)) – The site is in an existing parking lot that already has storm water drainage. The tent will not affect the amount of impervious surface or water that would be diverted into the storm system.
- 3. Compatibility with surrounding land uses** (Section 7.120(C.3)) – The surrounding parcels are all commercial in nature, and this temporary land use is not expected to impact the surrounding commercial uses.

4. **Size, height, and type of construction of proposed buildings and structures in relation to surrounding site** (Section 7.120(C.4)) – The tent is temporary in nature, and the parking lot, Walmart store, and the surrounding commercial businesses will not be impacted by the bulk of the tent.
5. **Sufficient setbacks from road right-of-ways and lot lines** (Section 7.120(C.5)) – The tent is located behind a landscaping island within the Walmart Parking Lot. It is over 100 feet from the southern lot line, and 20 feet from the interior service road. Therefore, the setbacks are sufficient and the tent will not impact traffic flow or adjoining commercial businesses.
6. **Adequate utilities** (Section 7.120(C.6)) – TNT Fireworks 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 7.120(C.7)) – TNT Fireworks will be responsible for all trash disposal and site clean-up in relation to their lease agreement with Walmart.
8. **Sanitary facilities** (Section 7.120(C.8)) – Walmart has authorized all customers and TNT employees to use its restroom facilities.
9. **Hours of operation** (Section 7.120(C.9)) – The hours of operation will be from 9:00 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, staff are not aware of any complaints with TNT Fireworks closing at 10:00 p.m. in previous years, so the hours of operation approved last year are reasonable and we recommend the same hours of operation for this year.
10. **Outdoor light and signs** (Section 7.120(C.10)) – No exterior lights are provided. Interior lights will be hung inside the tent. Although no temporary commercial sign permit requests have been received, the Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Any temporary signage must comply with the Zoning Ordinance before it obtains a sign permit from the Building Department.
11. **Other licenses and permits required** (Section 7.120(C.11)) – Last year, the applicant provided the Township with their Consumer Fireworks Retail Facility: Non-Permanent license. A current license must be provided by the applicant prior to the establishment of the temporary use. The Van Buren Fire Marshal shall be separately issuing his review letter.
12. **Potential noise, odor, dust, and glare** (Section 7.120(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 7.120(C.13)) – The Van Buren Fire Marshal shall review the application for adequacy of fire lanes and fire protection. The site will be continually staffed. During non-operating hours, all products will be stored inside the tent and tent security will be maintained at all times by the tent operator or their representative.
14. **Off-site impacts of traffic volumes** (Section 7.120(C.14)) – The road in the immediate vicinity is a major Township road (Belleville Road) and this temporary use will not impact the flow or travel volumes. During 2014's Public Hearing, a resident raised a concern of the launching of fireworks at the site. No fireworks are permitted to be launched within 300 feet.
15. **Necessity of performance bond to ensure prompt removal** (Section 7.120(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 7.120(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 would be the fifth (5th) year that TNT Fireworks has been granted a temporary land use permit to operate at this location, and I am not aware of any issues or concerns from those 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 Marshal.
2. That the applicant provides 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 complies with the Zoning Ordinance.

David C. McNally II
Fire Marshal
O: 734-699-8900 ext 9416

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



March 14, 2019

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

Re: American Promotional Events Inc. /TNT Fireworks
Wal-Mart Parking Lot, Belleville Rd
19-008

To whom it may concern:

I have reviewed a set of site plans dated February 27th, 2019 and received March 4, 2019 for the above referenced project.

Project Overview:

The site plan is for a temporary fireworks retail facility. It is noted in the permit application a copy of a letter of authorization signed by TNT and Wal-Mart representatives is included. Also included is a statement from the TNT representative Chuck Friese, stating that a rough sketch of the location of the tent, as well as proof of insurance are available upon request.

An affidavit of intent to comply with **NFPA 1123, 1124 and 1125** as required by the State of Michigan and the Township of Van Buren.

This site will be inspected by Fire Marshall McNally. This will be conducted once the proper notices have been received from the State of Michigan indicating that Phantom Fireworks is in possession of a tentative permit to sell Fireworks.

Only concern is the map indicating where the tent will be, does not include the 10 ft. radius that come out into the isles on the North and South side of the tent. This has been an unresolved issue the past couple of years. This shall be corrected prior to VBT C/O.

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.

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

Respectfully submitted,

David McNally
Fire Marshal
Van Buren Fire Department

PLANNING & ZONING APPLICATION

Case number 19-010

Date Submitted 3-5-19

APPLICANT INFORMATION

Applicant Brighton Building Co. Inc. Phone 810-231-2442
 Address PO Box D Fax % Kurt Harvey
 City, State Lakeland, MI Zip 48143
 E:mail kurt@brightonbuilding.com Cell Phone Number 810-602-3565
 Property Owner Bayshore North Condominiums Phone 810-225-3244
 (if different than applicant)
 Address PO Box 1676 Fax 510-743-0747
 City, State Brighton, MI Zip 48116
 Billing Contact Mister Management Phone 810-225-3244
 Address % David Gee Fax Property Manager
 City, State Brighton, MI Zip 48116

SITE/PROJECT INFORMATION

Name of Project Azek Staircase 2019 (see attached)
 Parcel Id No. V125-83- Project Address Bayshore North Condominiums
 Attach Legal Description of Property
 Property Location: On the south Side of Denton Rd Road; Between Belleville Road
 and Rawsonville Road. Size of Lot Width _____ Depth _____
 Acreage of Site _____ Total Acres of Site to Review _____ Current Zoning of Site _____
 Project Description: 5' wide azek staircase with hand railing (see attached)

Is a re-zoning of this parcel being requested? No YES (if yes complete next line) NO
 Current Zoning of Site _____ Requested Zoning _____

SPECIAL PERMIT INFORMATION

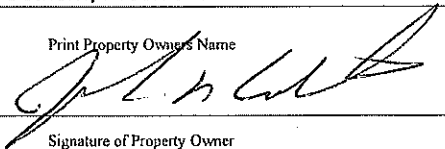
Does the Proposed Use Require Special Approval? _____ YES (if yes complete next line) NO
 Section of Zoning Ordinance for which you are applying _____
 Is there an official Woodland within parcel? _____ Woodland acreage _____
 List total number of regulated trees outside the Woodland area? _____ Total number of trees _____
 Detailed description for cutting trees _____

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

John Cothorn, President of the BN Association Board

Print Property Owner's Name



Signature of Property Owner

02/28/2019

Date

STATE OF MICHIGAN
 COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this _____ day of _____, 20____
 _____ Notary Public, _____ County, Michigan My Commission expires _____, 20____
 Rev 1/12/06

CHARTER TOWNSHIP OF VAN BUREN

HOLD HARMLESS ALLOWING USE OF TOWNSHIP PROPERTY

In consideration for the Charter Township of Van Buren ("Township") allowing the undersigned, his/her family members, agents, employees, contractors, licensees and/or invitees, to enter onto Township property adjacent to and including Belleville Lake, and to construct certain structures and facilities, such construction subject, however, to Township prior approval, to the fullest extent permitted by law the undersigned agrees to completely and fully defend, pay on behalf of, indemnify, and hold harmless the Township, its elected and appointed officials, employees, agents, representatives, boards, commissions and volunteers, and others working on behalf of the Township against any and all liabilities, obligations, penalties, litigation, fines, judgments, proceedings, damages, disbursements, claims, demands, suits, or loss, including all costs and expenses of any kind connected therewith (including attorney fees and expert witness fees and expenses and fees incurred in investigating, defending or prosecuting any litigation, claim, action or proceeding), and for any damages which may, at any time, be asserted, claimed, awarded or recovered against, imposed upon or from the Township, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof, which arises out of, or is in any way connected or associated with, in whole or in part and whether directly or indirectly, the entry upon, construction of structures and facilities, and use of Township property.

Dated:

2/28/2019

Name:

JOHN COTTAER, PRESIDENT

Address:

BAYSHORE NORTH
CONDOMINIUMS

Brighton Building Company, Inc.
PO Box D
Lakeland, MI 48143
Office (810) 231-2442 Cell (810) 602-3565
kurt@brightonbuilding.com

Proposal Date: November 5, 2018

Client(s):
Bayshore
Belleville, MI

Builder:
Kurt Harvey
Brighton Building Company, Inc.

Project Location: Staircase replacement lakeside btwn Bldg/s 10 & 11

Brighton Building Company, Inc. Agrees to Provide:

Permit

Building Permit (van Buren Township)

Demolition and Disposal

Existing Stairway (complete)

Provide Installation Labor & Materials for:

Azek Stairway (brownstone) 5' wide including

- (35) Azek steps (brownstone)
- (1) Upper Starting Platform 5'x6' (brownstone)
- (1) Mid Landing 5'x10' Azek (brownstone)
- (1) Lower Landing 5'x3' Azek (brownstone)

Azek Premier Guard Railing (brownstone) both sides of steps,platform and landing(s) (same as 2018 Stairs)

Graspable Hand Railing (1) side of Steps Only

Clean-up to Original Condition:

All Affected Areas

Provide Insurance:

Installation Liability

Estimated Installation: Weather permitting and permit dependent; if approved by 01/01/2019, permits can be applied for & secured with installation planned for March/April 2019.

Contractors Warranty:

18 Months

Notes:

Actual Width and Length of Stairway may vary.

Galvanized and/or Stainless Steel Fasteners will be used for Construction.

Estimated Price..... \$22,650.00

Payments: TBD

AUTHORIZING SIGNATURE _____

DATE _____



MEMO

TO: Planning Commission

FROM: Matthew R. Best, M.S.
Director of Public Services

RE: 19-010 – Bayshore Step Replacement

DATE: March 27, 2019

The applicant, Brighter Building Company proposes to remove and reconstruct a set of existing stairs at the Bayshore Condominiums. As this property is used for multiple family residential the zoning designation would be under the Non-Single Family Residential (BLB) district standards which allows for stairs located on the Township Lake property as a use subject to Planning Commission approval. Due to this the application is before the Planning Commission.

COMMENTS

The application is required to be reviewed by the various approval standards in the ordinance attributed to the BLB district. They are as follows:

Development Regulations:

Stairs. Stairs, walkways, and landings for access from the abutting upland lot to the shoreline may be permitted on Township Lake property only if the Township determines that it is necessary for reasonable access.

Response: There is a current set of stairs in the proposed location. The applicant is simply requesting to remove and replace the existing steps. There is a steep slope between the waters edge and the brow of the hill. Based on this and the existing steps staff finds that the stairs are necessary to access the water.

To minimize visual and physical impacts on the frontage, such structures shall be limited to no more than one per Lake Frontage lot, or the number of dock clusters, or the number reasonably necessary to access the lake frontage, whichever is greater. Stairs, walkways and landings shall be included in the calculation of, and subject to the limitations on maximum lot frontage coverage, and the other standards of [Section 3.120\(D\)](#).

Response: The current dock cluster which is adjacent to the condominiums is in excess of 400' in length. There is one other stairway on this cluster of docks, but per the plans it is located on the far southern end. The proposed replacement of the stairs is located on the northern end of this dock cluster. Based on the large length of the dock replacing the stairs in the existing location is not unreasonable, but is reasonably necessary to access the dock cluster on the north side. The maximum allowed lot coverage for the frontage is 60% for the BLB district. Lot coverage can be calculated as follows:

Approximate width of docks and stairwells: 230'

*Approximate frontage amount 1,840'
Lot Coverage = ~12.5%*

Based on the above calculation the lot coverage is compliant with the Zoning Ordinance standards.

Stairs, walkways and landings must be placed entirely above the normal high water mark, except in cases where such structures are required to access the water due to a seawall or bulkhead.

Response: As depicted in the drawings. The stairway will extend to the existing boardwalk and will be above the ordinary high water mark.

Approval Criteria:

The Township shall find that the following criteria are met prior to granting approval for any use of Township Lake property in the Belleville Lake Shoreline District. The following are our responses to the approval criteria:

(a) The application shall demonstrate compliance with all of the requirements of [Section 3.120\(D\)](#) above, and all other applicable requirements of this Zoning Ordinance.

Response: Based on the above analysis this requirement has been met.

(b) The structure(s) shall not unreasonably interfere with the adjacent property owners' or public's use and enjoyment of the waters of Belleville Lake. The facilities are so designed as to protect the neighboring property owners from negative off site impacts.

Response: Bayshore Condominium is located on a peninsula and the proposed stairs are greater than 100' from any adjacent properties. Based on this I anticipate no issues with neighboring properties.

(c) The structure(s) will not create a risk to the health, safety and welfare of persons who use Belleville Lake for recreational purposes, and will not interfere with safe navigation on the Lake.

Response: There are an existing set of stairs which are being removed and replaced to provide necessary access to the lake. It is not anticipated that this will create a risk to the health, safety and welfare of persons who use Belleville Lake, nor will it interfere with safe navigation on the lake.

(d) The structure(s) will be constructed of materials which will not impair the water quality, water flow or water levels of Belleville Lake.

Response: The stairs are proposed to be constructed of composite materials which is a common material for stairs and docks. It is not anticipated it will impair water quality, flow, or levels of the lake.

(e) To the extent feasible, the structures(s) shall protect and enhance the scenic, recreational and environmental quality of Belleville Lake. The location of the facilities shall be such that they will not create a negative visual impact for the general public.

Response: The applicant is proposing to replace a set of stairs which is in need of repair. The proposed changes will not create a negative visual impact on the lake.

(f) Marinas and non-commercial multi-docking facilities shall be separated from one another to avoid overcrowding and excessive boat traffic on the Lake.

Response: This is stairway construction at an existing non-commercial multi-docking facility. There are no issues anticipated with over crowding and excessive boat traffic.

(g) Consideration shall be given to maintaining consistency with the upland zoning and land use.

Response: The docks are currently utilized by residents of the condominiums. The stairs will be used by the residents to access their docks. The property is zoned RM, multiple family residential. This is consistent with the current use of the property.

(h) Uses approved shall be consistent with the primary goal of permitting reasonable use by Lake residents and land owners.

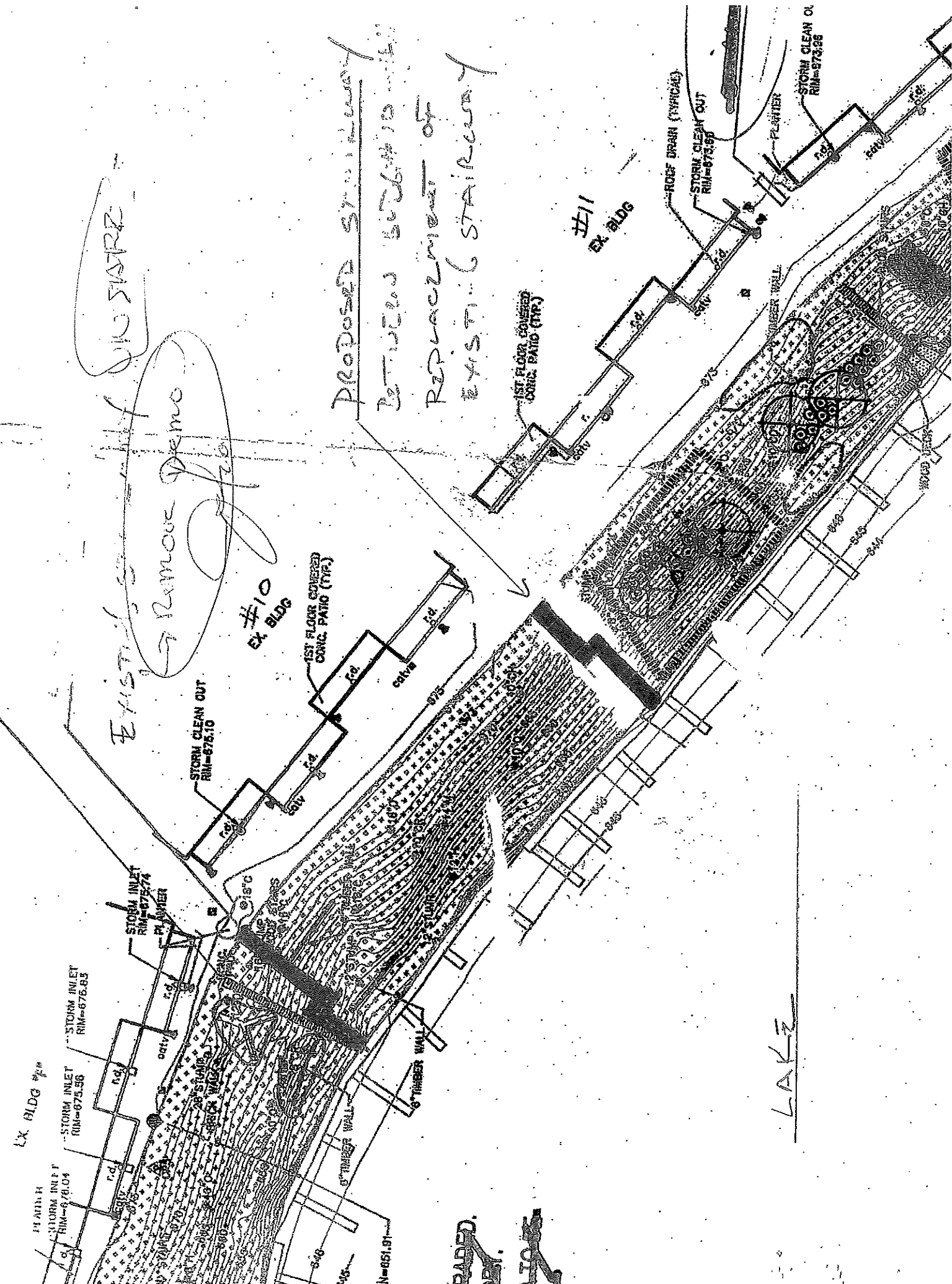
Response: Allowing the reconstruction of the steps will be consistent with permitting reasonable access to the lake.

RECOMMENDATION

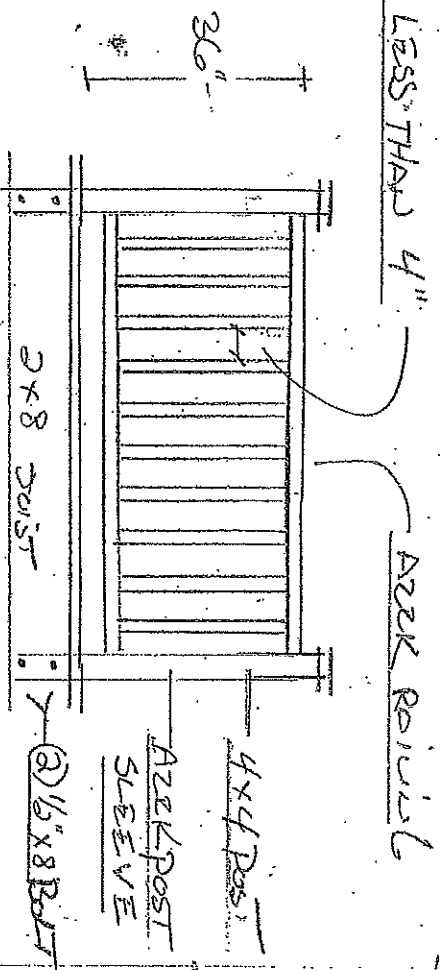
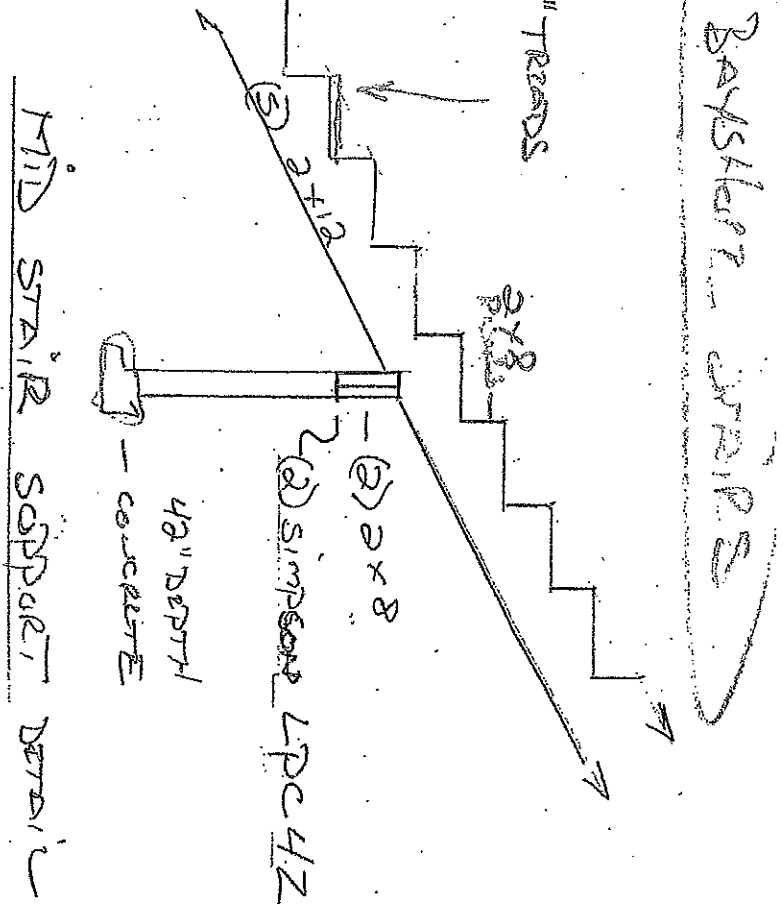
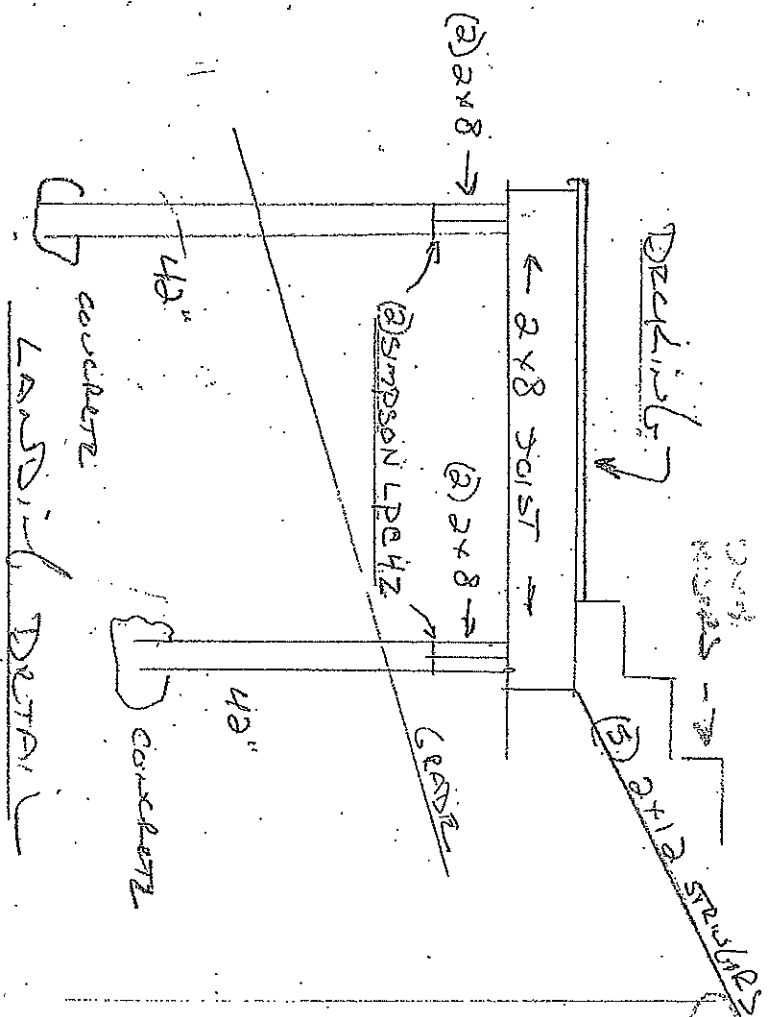
Staff recommends that the Township grant site plan approval for the applicant, Brighton Building Company to remove and reconstruct a stairway to the water consistent with the provide plans. Approval should be based on the applications compliance with the approval criteria in section 3.120(f)4 and the staff review letter dated March 27th, 2019.

EXISTING STAIRWAY
 REMOVE DEMO

PROPOSED STAIRWAY
 BETWEEN BUILDING
 REPLACEMENT OF
 EXISTING STAIRWAY



LAKESIDE



RAILING DETAIL TYPICAL

JOIST + STAIR LAYOUT TYPICAL

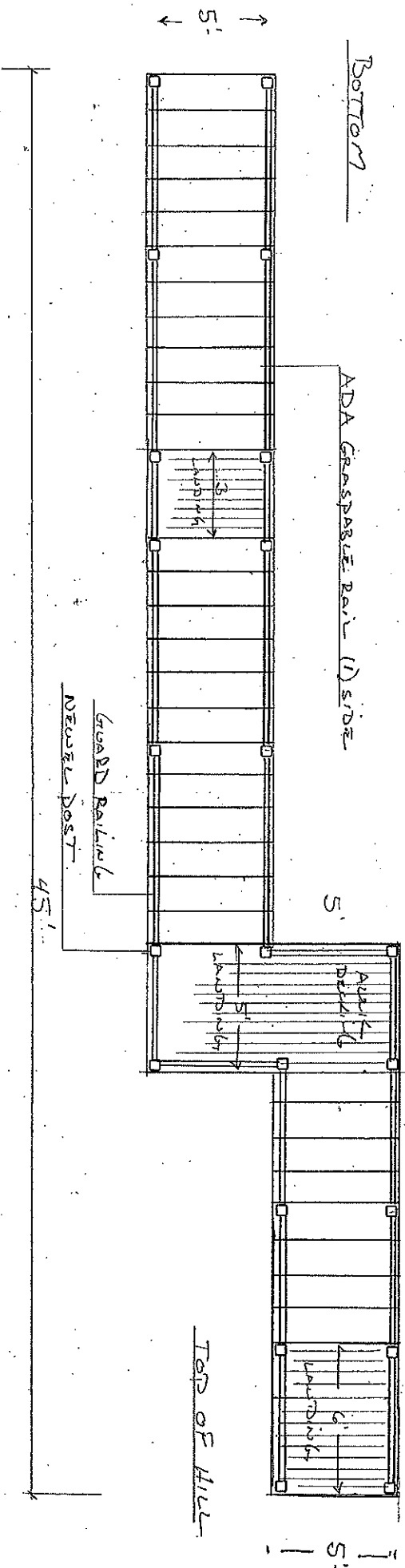
MAR 25 REC'D

THE UNIVERSITY OF CHICAGO

2025-07-27

DATE 5/28/2017

Full circle music can do it
Jas McB & Trip O'Neil

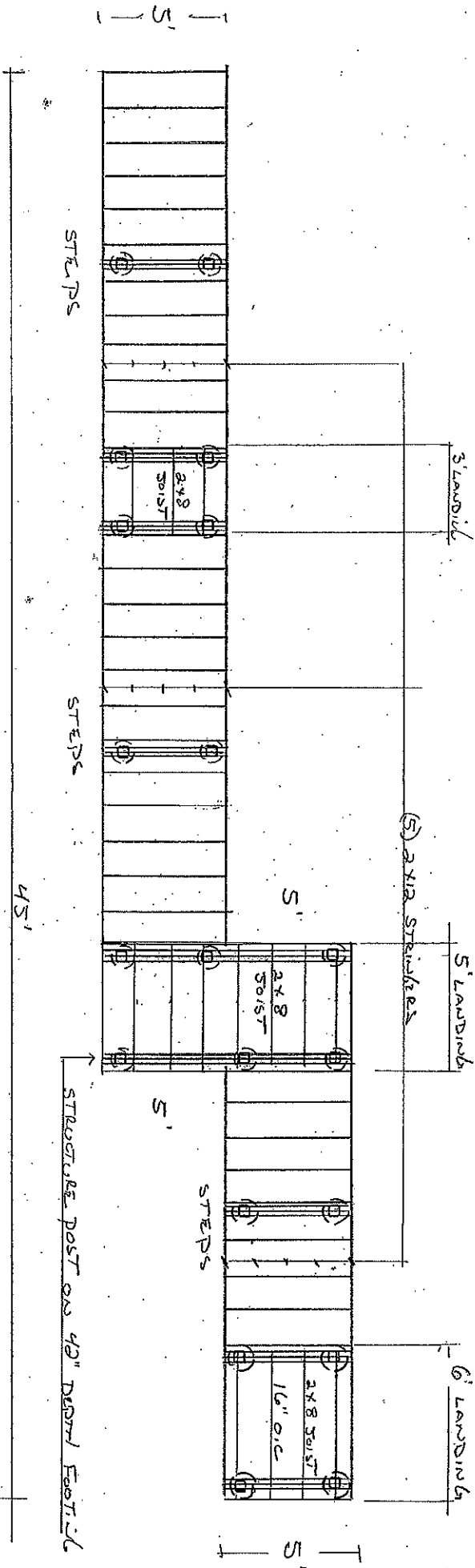


$1/4'' = 1/10''$
Stair Plans
Sheet

BOTTOM OF HILL

BAYSHOLE NORTH

TOP OF HILL →



1/4" = 1'-0" STRUCTURE
SCALE PLAN

AZULE LUMBER BRICK

AZULE LUMBER POST

4x4

4x4 POST

2x8

4x8

GRADE

1/4" = 1'-0"

ELEVATION VIEW

Evolution · Videa

PLANNING & ZONING APPLICATION

Case number 19-015

Date Submitted 3-29-19

RECEIVED
MAR 29 2019
BY: _____

APPLICANT INFORMATION

Applicant	Upland Homes Inc	Phone	313-319-6754
Address	1168 Autumnview Dr	Fax	
City, State	Rochester, MI	Zip	
E:mail	kuntzman99@comcast.net	Cell Phone Number	
Property Owner	same	Phone	
	(if different than applicant)		
Address		Fax	
City, State		Zip	
Billing Contact	Philip Kuntzman	Phone	
Address	1168 Autumnview Dr	Fax	
City, State	Rochester, MI	Zip	48307

SITE/ PROJECT INFORMATION

Name of Project Country Walk Subdivision

Parcel Id No. V125-83- Project Address _____

Attach Legal Description of Property _____

Property Location: On the _____ Side of _____ Road; Between _____ Road
and _____ Road. Size of Lot Width _____ Depth _____

Acreage of Site _____ Total Acres of Site to Review _____ Current Zoning of Site _____

Project Description: Elevation Approval for Country Walk Subdivision

Is a re-zoning of this parcel being requested? _____ YES (if yes complete next line) NO

Current Zoning of Site _____ Requested Zoning _____

SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? _____ YES (if yes complete next line) NO

Section of Zoning Ordinance for which you are applying _____

Is there an official Woodland within parcel? _____ Woodland acreage _____

List total number of regulated trees outside the Woodland area? _____ Total number of trees _____

Detailed description for cutting trees _____

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

Philip Kuntzman

Print Property Owner's Name

Philip Kuntzman

Signature of Property Owner

3/27/2019

Date

STATE OF MICHIGAN
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this _____ day of _____, 20____.

Notary Public, _____ County, Michigan My Commission expires _____

, 20____
Rev 1/12/06



Memo

TO: Planning Commission

FROM: Grace Stamper
Planning and Economic Development Intern

RE: SPR 19-015 Site Plan Amendment for Upland Homes regarding Architectural Elevations in Country Walk Subdivision

DATE: April 2, 2019

The applicant, Upland Homes, is requesting architectural approval for additional home plans and façade elevations for single-family residential dwellings in the Country Walk development. The development has a Planned Residential Development (PRD) agreement that was approved in 2002 and amended in 2005 but has since expired. Before it expired, several homes were completed in Country Walk. In July of 2015, a Memorandum of Understanding (MOU) was executed between Van Buren Township, the Country Walk Three Homeowners Association, and Blue Country Walk, LLC which outlined the responsibilities of the parties with respect to the completion of the development and required compliance with that PRD which had expired.

The proposed plans are subject to the PRD agreement, MOU, and the standards of the Zoning Ordinance, specifically section 6.205 which addresses architectural details in PRDs.

The following is staff's review of the architectural plan based on the conditions in the MOU and PRD agreement. We offer the following comments:

Comments

1. Site Plan

The setbacks, as described in the approved site plan for the Country Walk development, depict a front and rear setback of 25' and a required side yard setback of 10'. The lot sizes in the development vary in width from 75' to 61' and in depth from 120' to 125'.

The applicant has submitted dimensions for proposed house plans. Plan

#1676 is 34'5" X 50'8", which will fit on all lots with the required setbacks. Plans #2122 and #2320 are 42' X 43'4", which will only meet the required setbacks on lots which are at least 62' in width. When building these homes, the applicant must verify that the lot is wide enough to meet the setback requirements.

2. Floor Area

The PRD agreement requires that the square footage of homes for the 536 units in the subdivision will average at least 1,750 square feet. According to the plan provided the square footage of the proposed elevations of single-family dwellings will range from 1,300 to 2,700 square feet. Due to the PRD agreement requiring the average, not minimum, square footage to be 1,750 square feet, floor areas of less than 1,750 square feet may be approved. The majority of elevations in the development are over 1,750 square feet, so staff does not believe that allowing the home plan with a 1,676 square feet area will lead to violation of the PRD. 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 (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. Staff has reviewed the proposed elevations and offer the following:

Roof Pitch

The applicant shows the roof pitch for each proposed home, but they only range from 6/12 to 7/12, which is not enough to count as substantially different. Therefore, the location of major design feature criteria will have to be used to meet this requirement.

Location of Major Design Features

In order to meet the substantially different requirement an applicant would need to provide a total of eight (8) elevations which are substantially different from one another. The applicant has shown in the past that they understand the substantially

different requirement and can meet it through the prior submission of more than 35 different combinations of home style and elevation. The applicant is proposing three (3) more home styles, with a total of eight (8) different elevations, each with a side-entry garage option. With the previously submitted elevations and the new elevations, the applicant has demonstrated that they can meet this requirement. The new elevations will add to the diversity of the models available. Staff will still review each individual application for a building permit to ensure that this requirement has been met.

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. All proposed elevations meet this requirement by featuring brick to the belt on all sides of the dwelling according to the submitted plans.

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, 149-51, 153, 159, 164, 165, 171, 173, 177, 178, 185-87, 192-95, 198, 200, 204, 213, 218, 225-228, 235, 237, 240, 244, 247-250, 253, 254, 260, 261, 266, 274, 286-88, 294, 295, 297, 303, 305, 308, 311-13, 317-21, 323, 324, 326, 327, 330, 363, 368, 369, 381, 390, 398, 400, 406, 407, 411, 413-16.”

The proposed elevations all include options for side-entry garages, so they can contribute to the requirement of 30% of detached units in the PRD having side-entry garages.

Recommendation

Staff recommends that the Planning Commission approve the site plan amendment to the Country Walk development for the addition of the proposed elevations, Plans # 1676, 2122, and 2320, to be built by Upland Homes based on the following condition:

1. When building Plans #2122 or #2320, staff will verify that the lot is wide enough to meet all setback requirements.
2. Township Planning Staff shall review each application for a new single-family home in the Country Walk development 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.

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

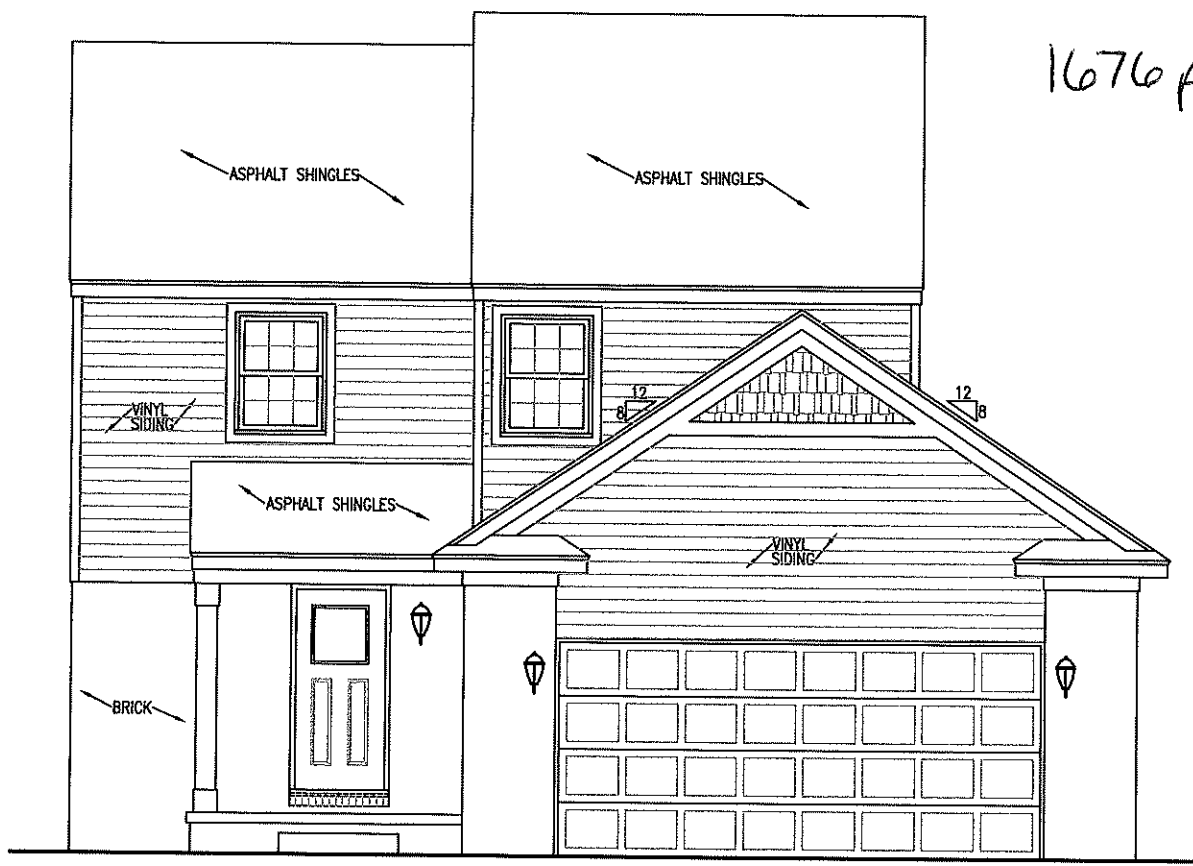
Architectural Elevations For:

Plan#: 1676 (Colonial) - Front Entry

35'-4" Wide X 50'-8" Deep

3 Bedroom Colonial

1676 plan

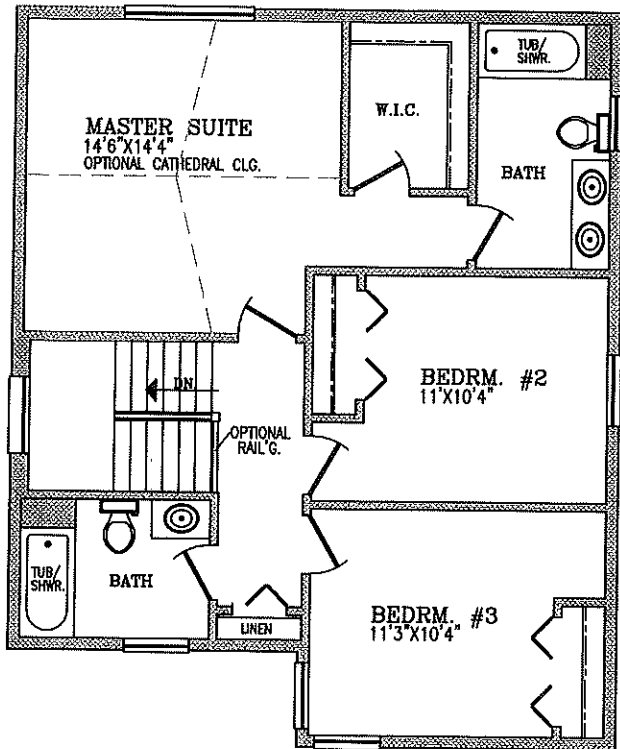


ELEVATION - A

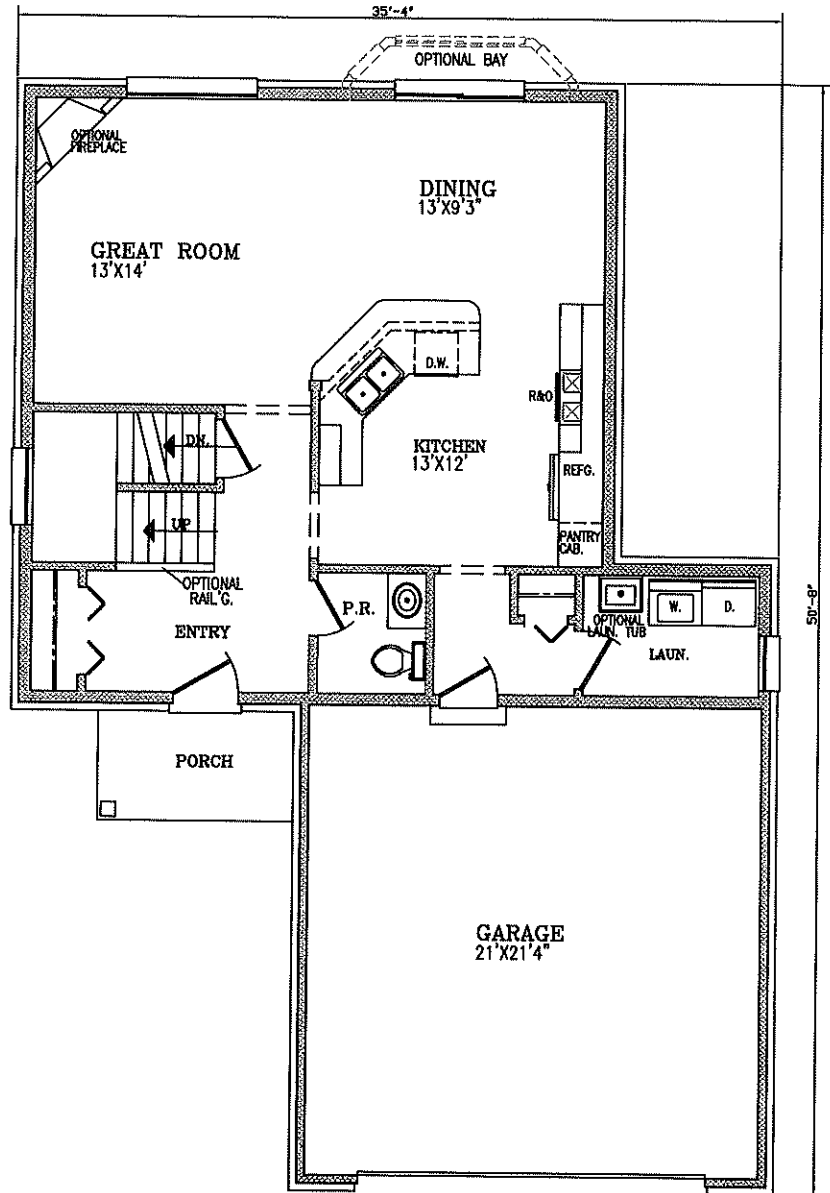


ELEVATION - B

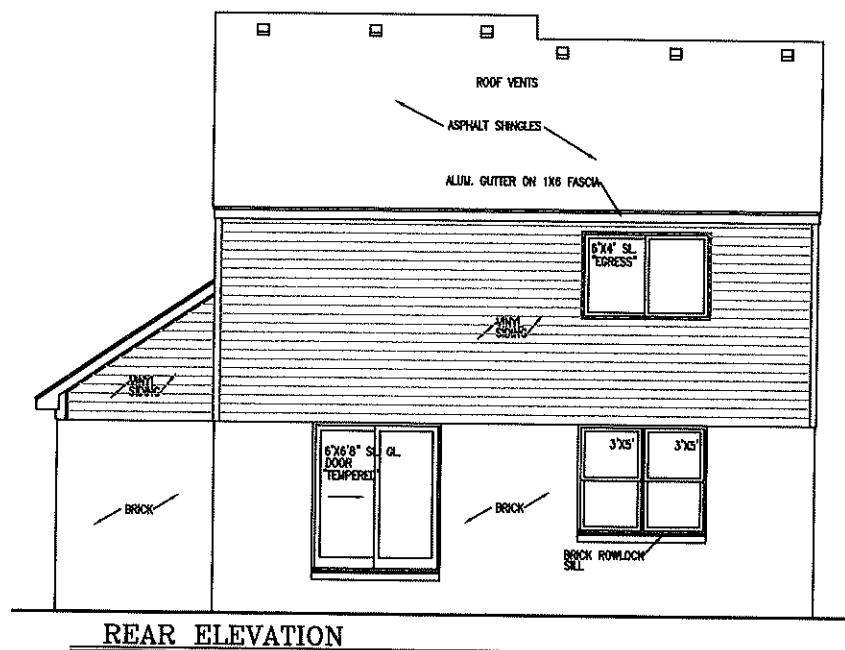
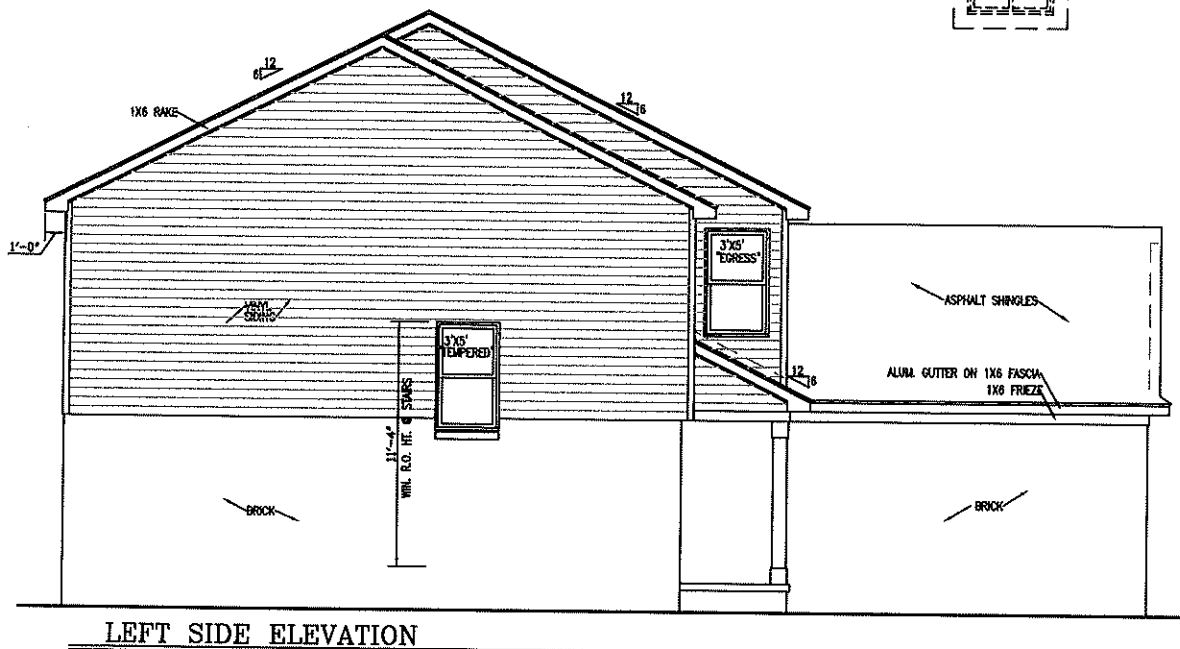
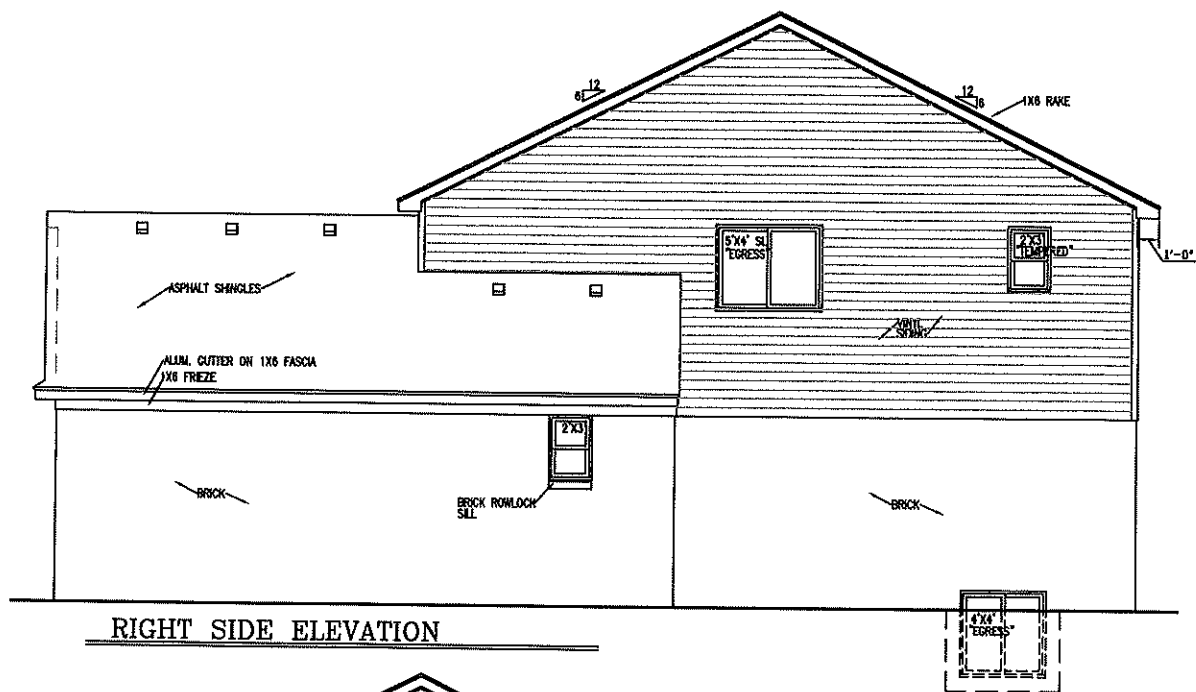
3 Bedroom Colonial
1,676 Sq. Ft.



SECOND FLOOR PLAN



FIRST FLOOR PLAN



Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

Plan#: 1676 (Colonial) - Side Entry

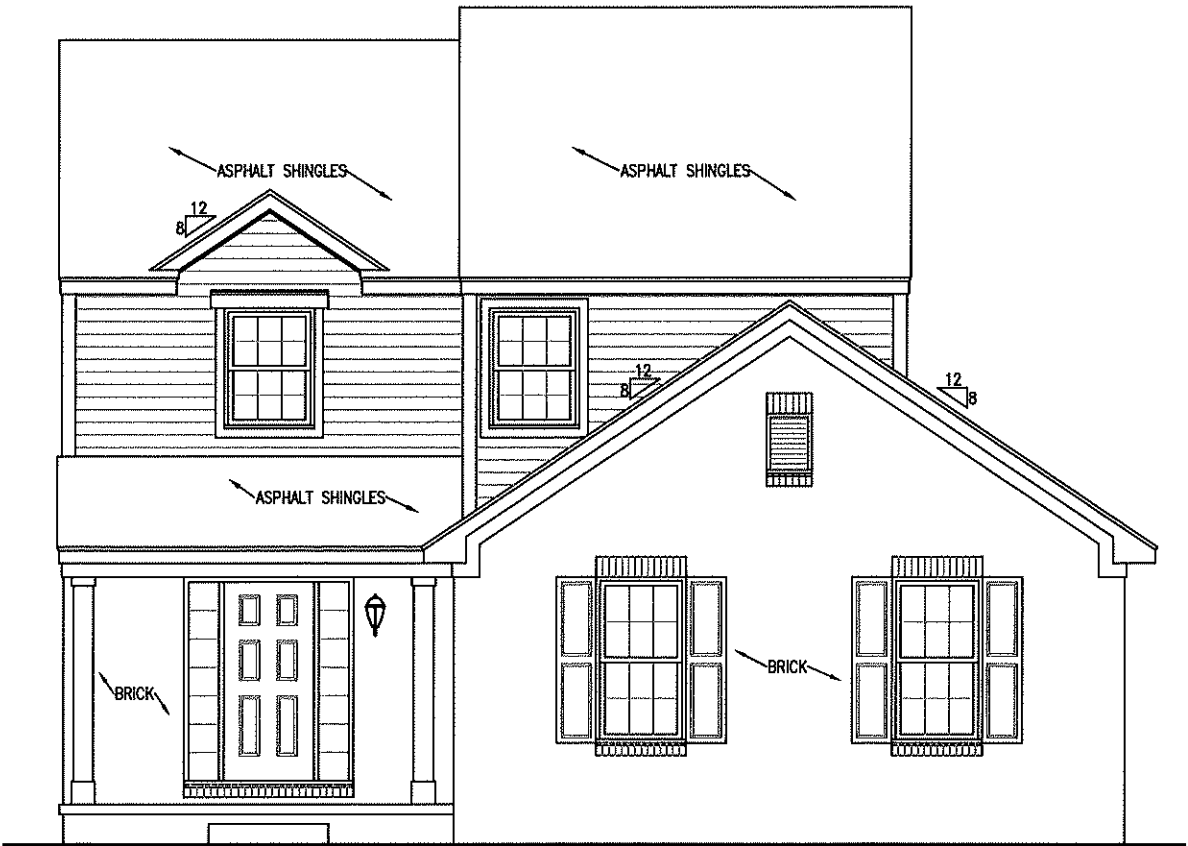
35'-4" Wide X 50'-8" Deep

3 Bedroom Colonial

1676 plan

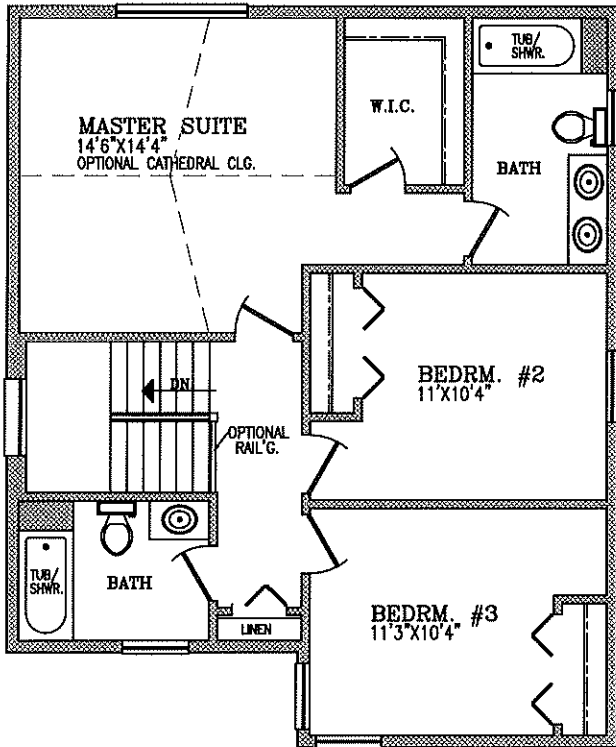


ELEVATION - A

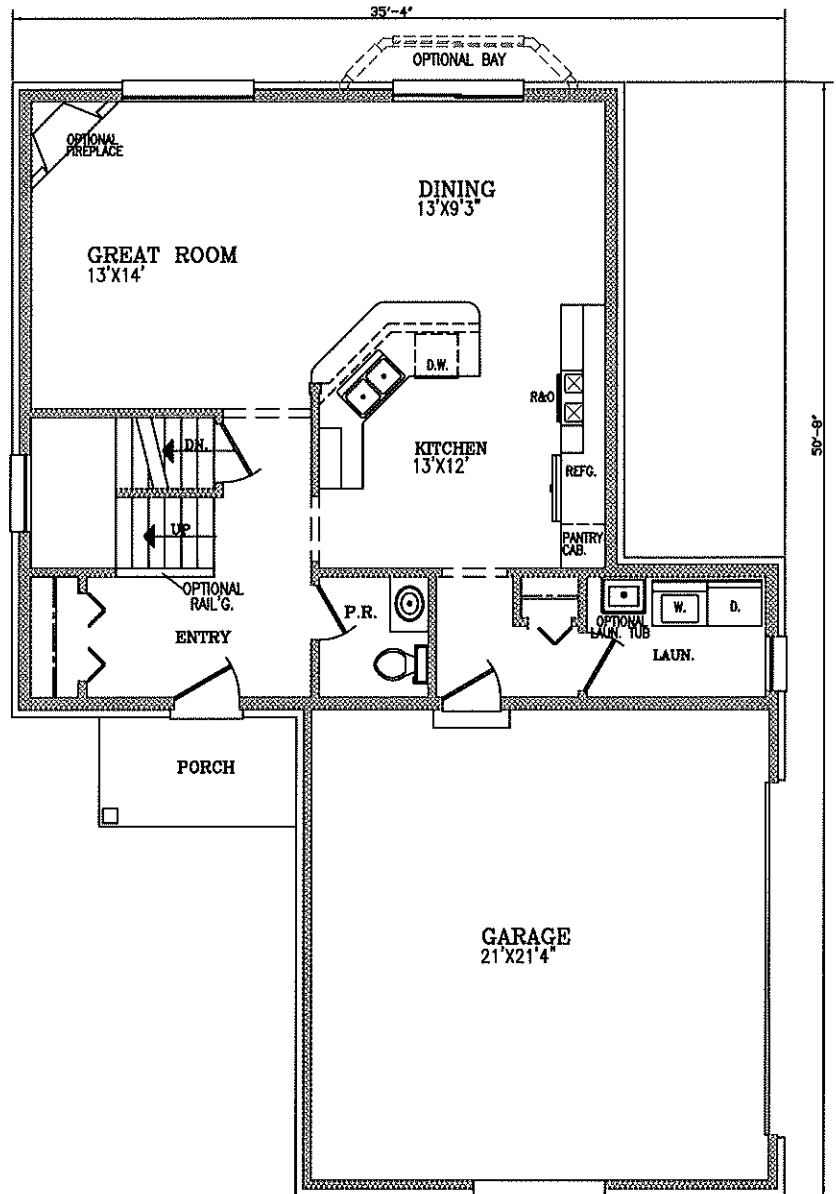


ELEVATION - B

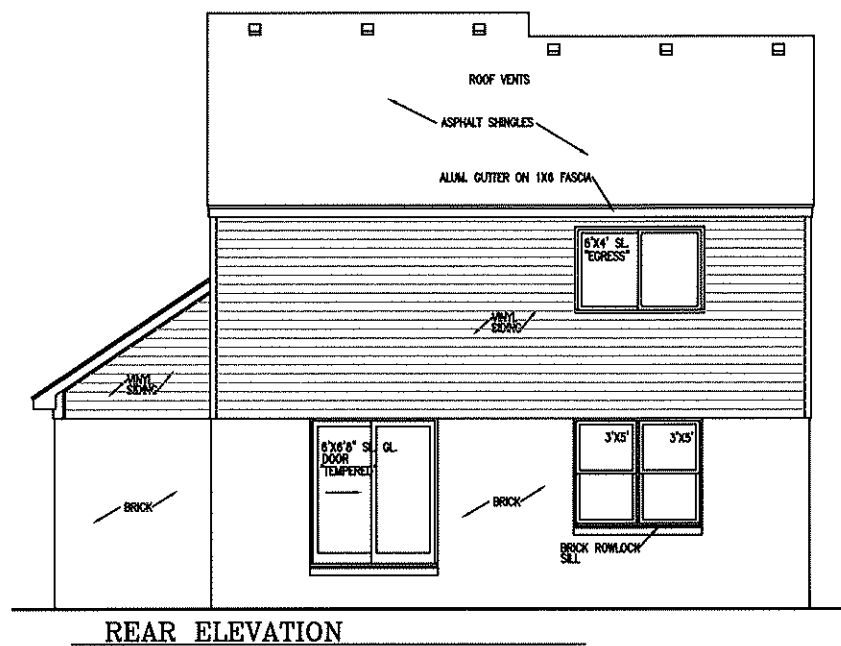
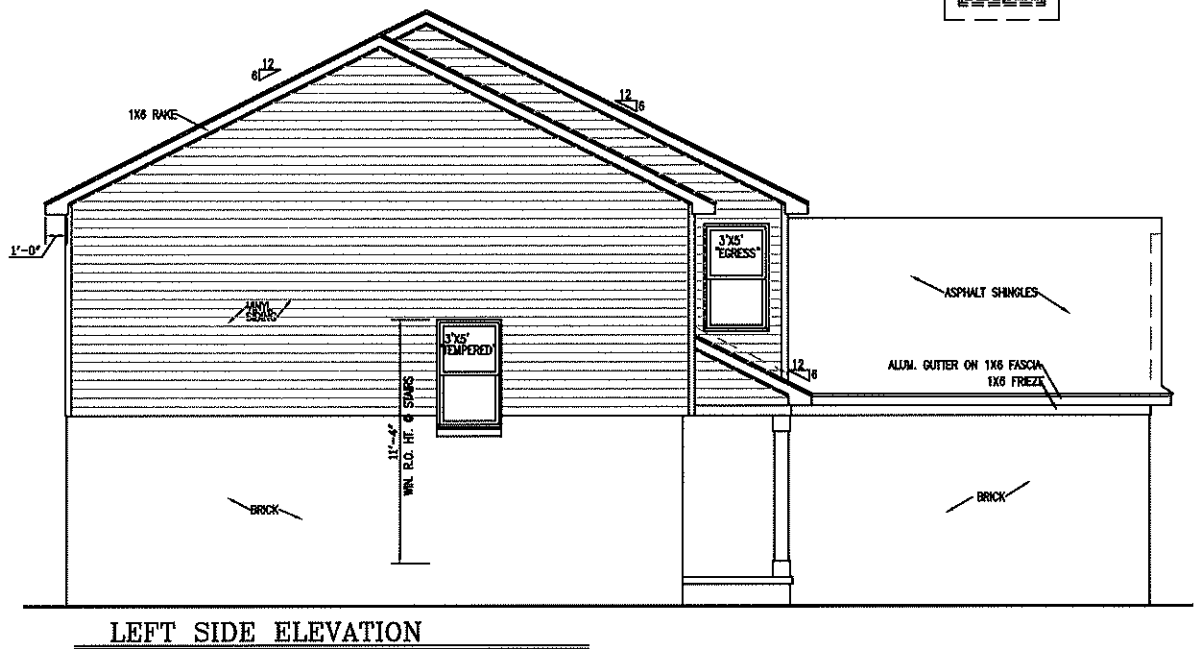
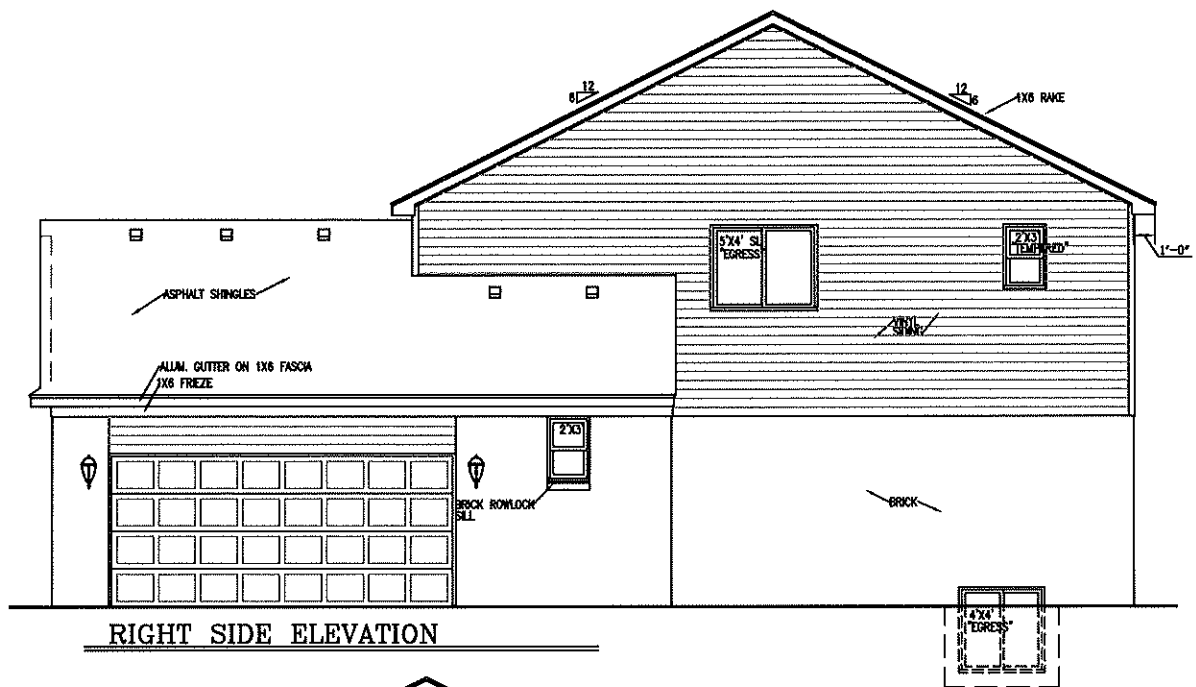
3 Bedroom Colonial
1,676 Sq. Ft.



SECOND FLOOR PLAN



FIRST FLOOR PLAN



Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

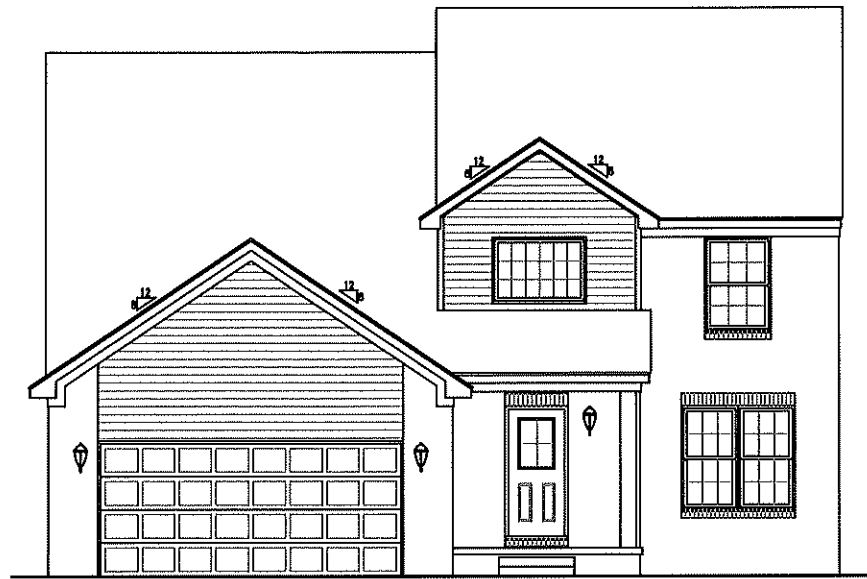
Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
(313) 319-6754

Architectural Elevations For:

Plan#: 2122 (Colonial) - Front Entry

42'-0" Wide X 43'-4" Deep

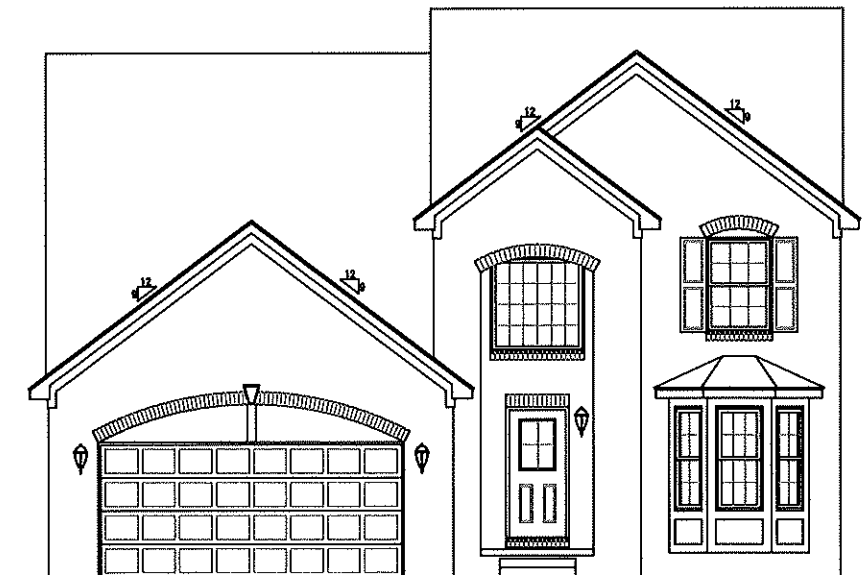
2122 plan



Elevation "A"



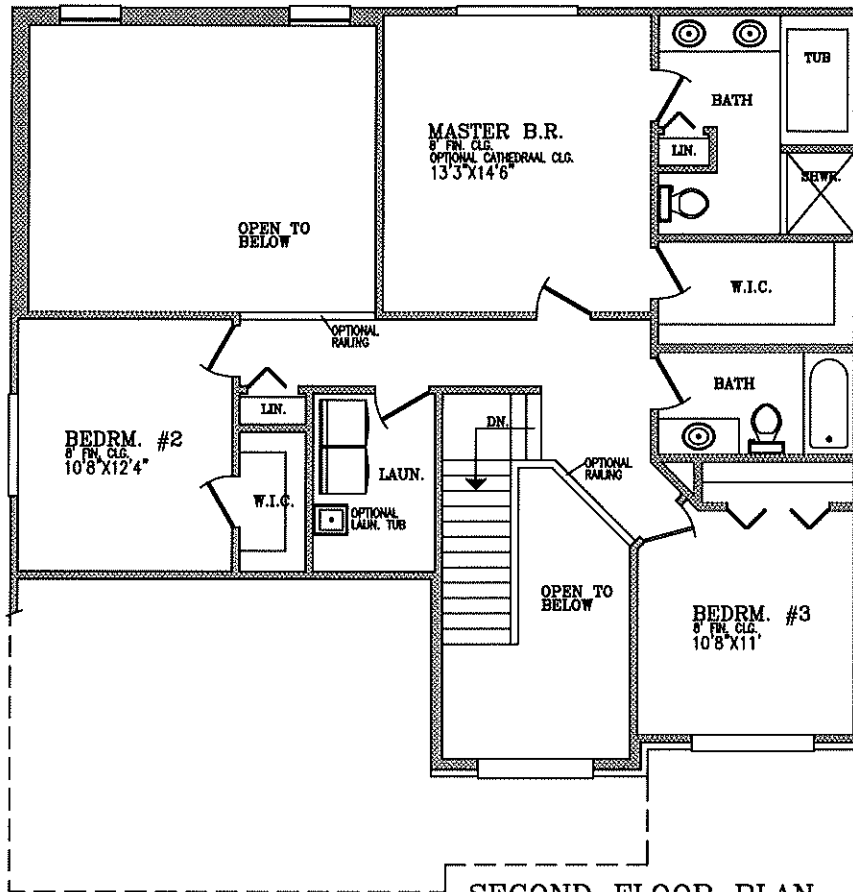
Elevation "B"



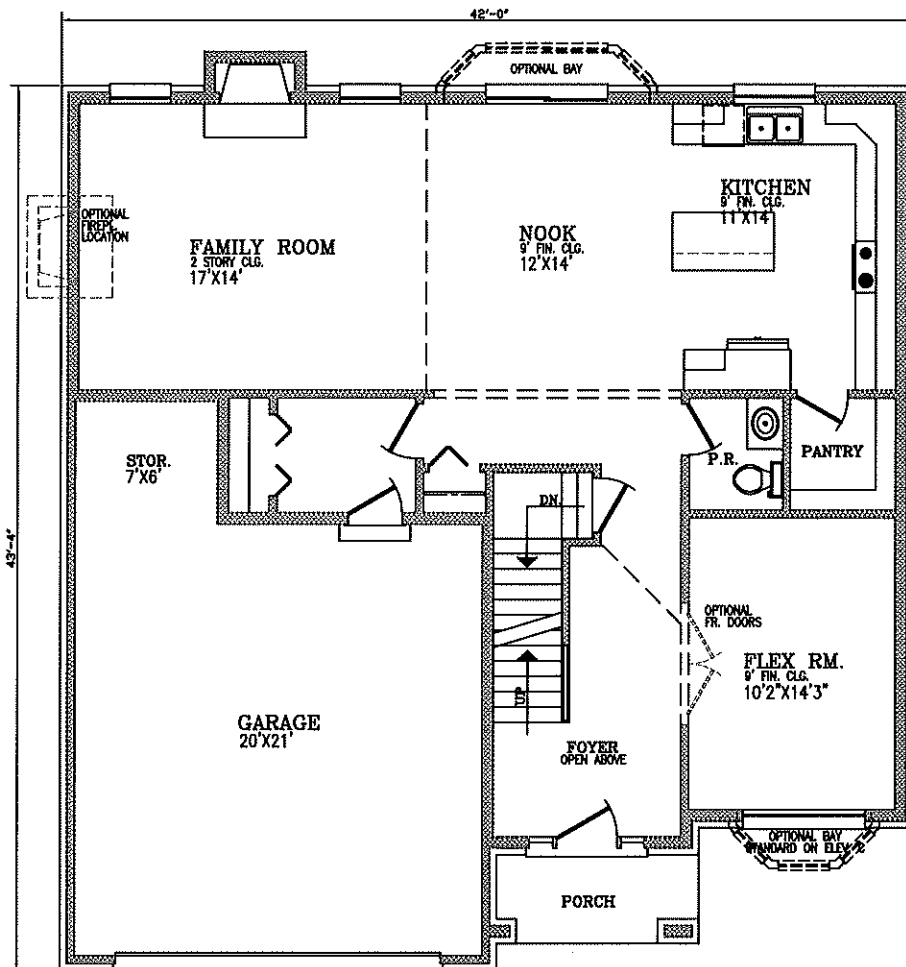
Elevation "C"

Three Bedroom Colonial

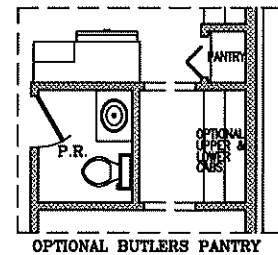
2,122 SQ. FT.

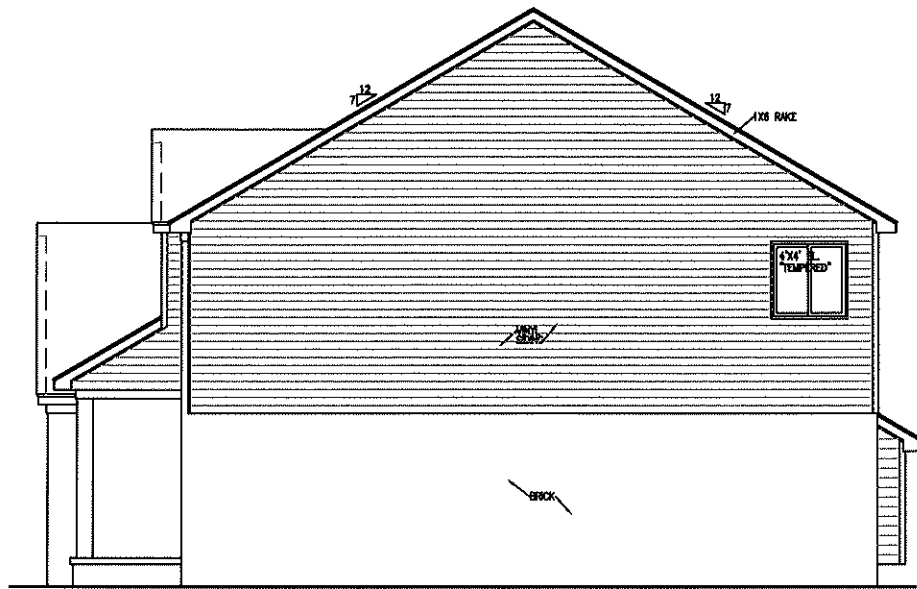


SECOND FLOOR PLAN

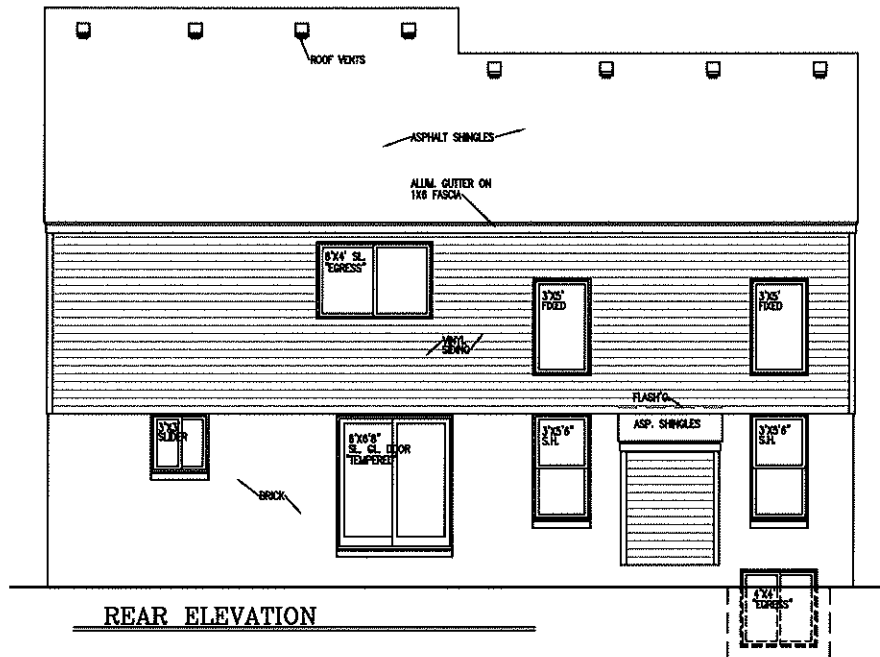


FIRST FLOOR PLAN

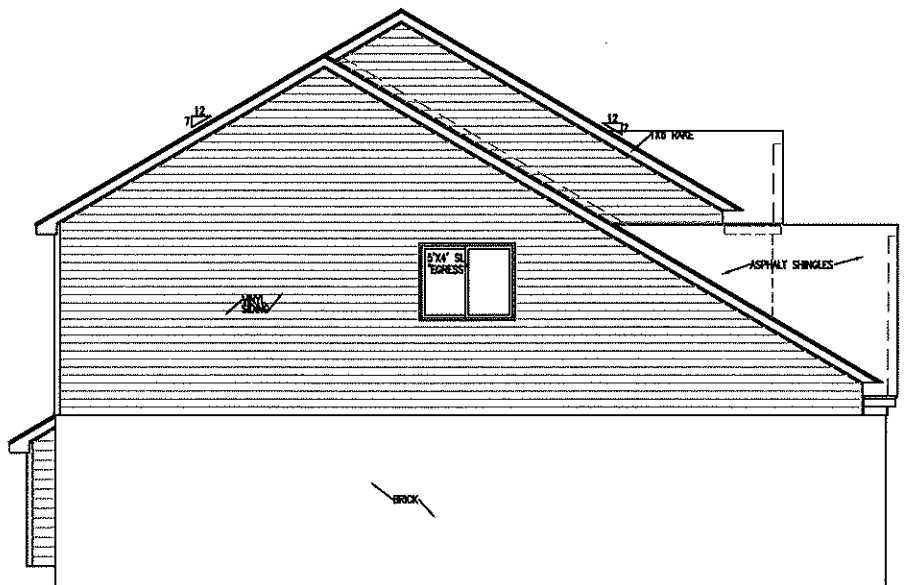




RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

Upland Homes, Inc.
1168 Autumnview Dr.
Rochester, MI 48307
Att: Philip Kuntzman
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Architectural Elevations For:

Plan#: 2122 (Colonial) - Side Entry

42'-0" Wide X 43'-4" Deep

2122 plan



Elevation "A"



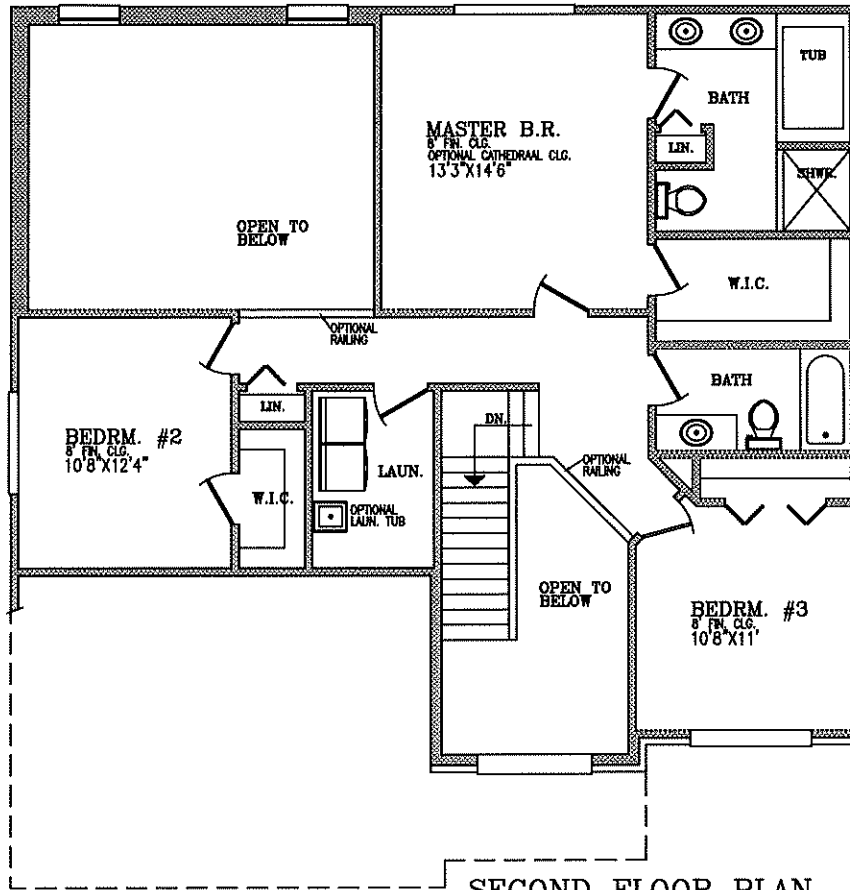
Elevation "B"



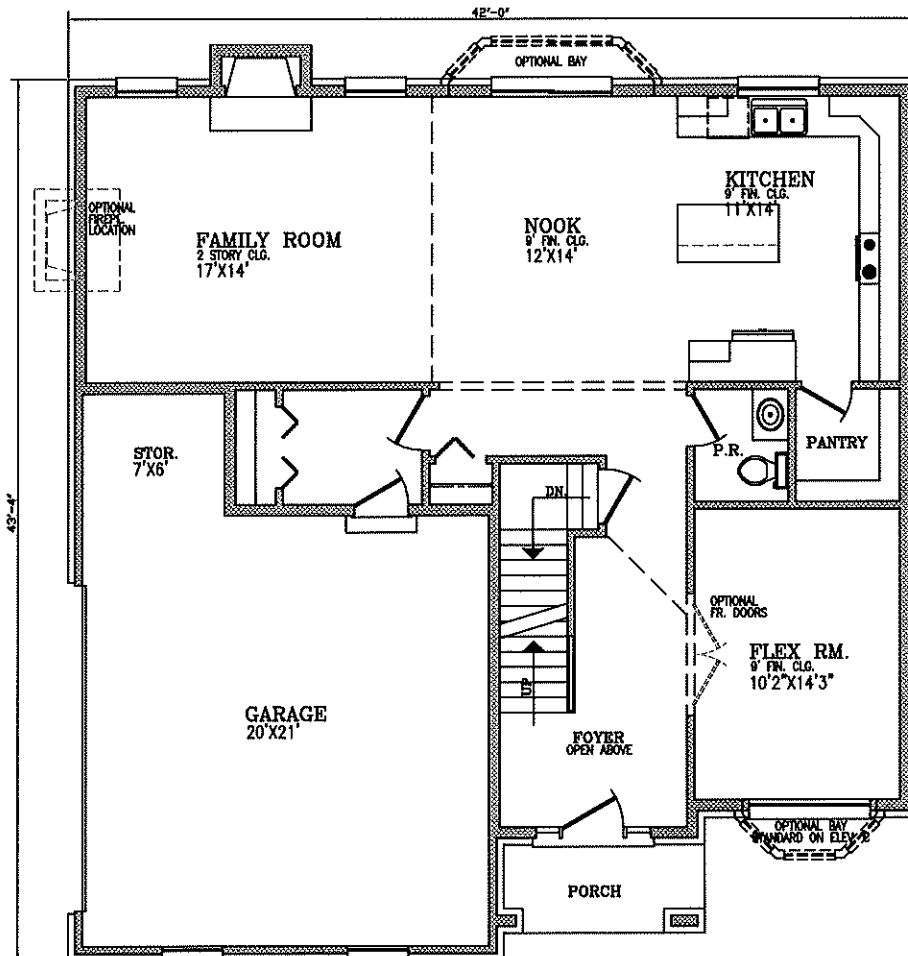
Elevation "C"

Three Bedroom Colonial

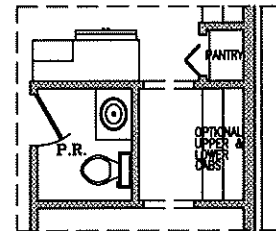
2,122 SQ. FT.



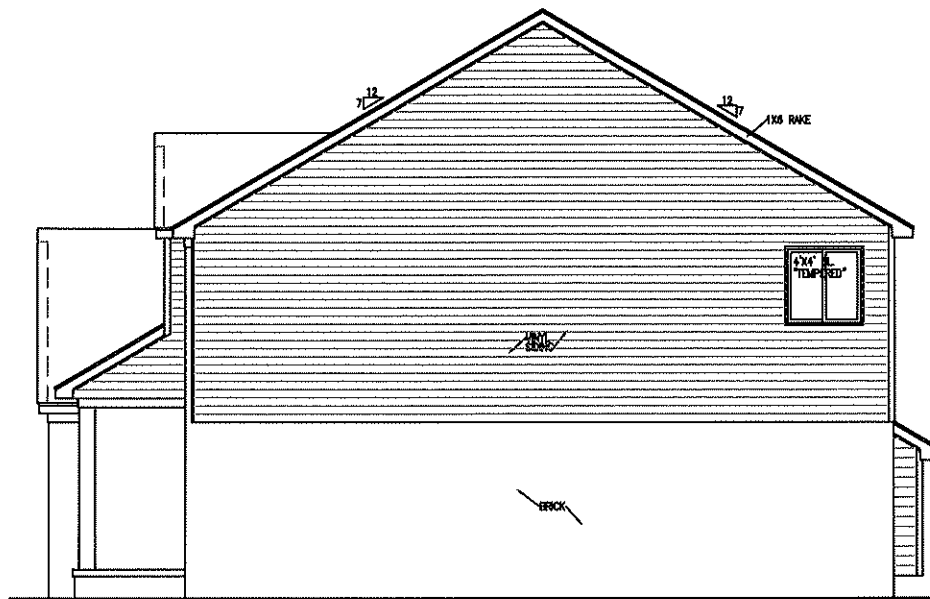
SECOND FLOOR PLAN



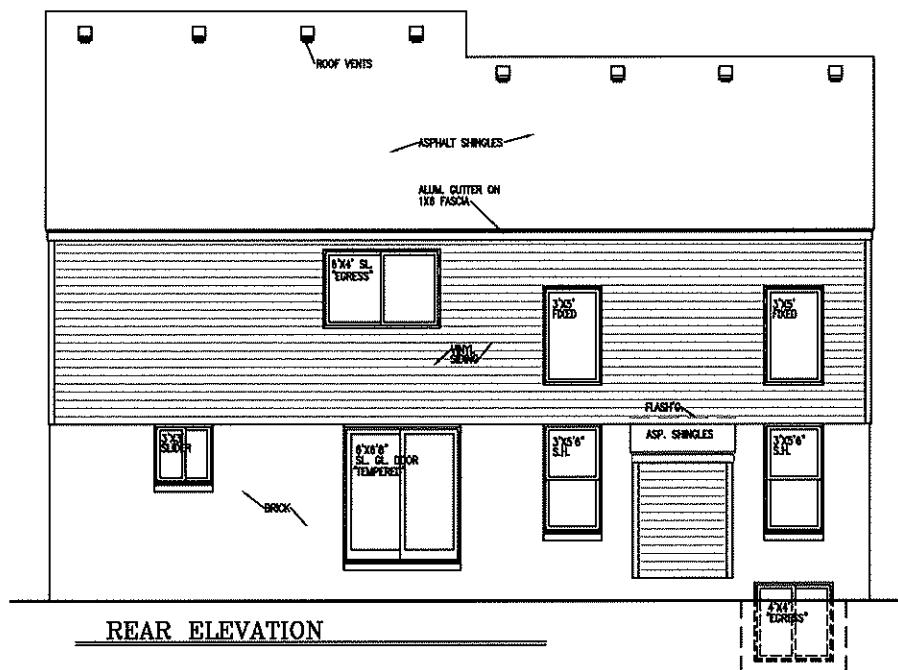
FIRST FLOOR PLAN



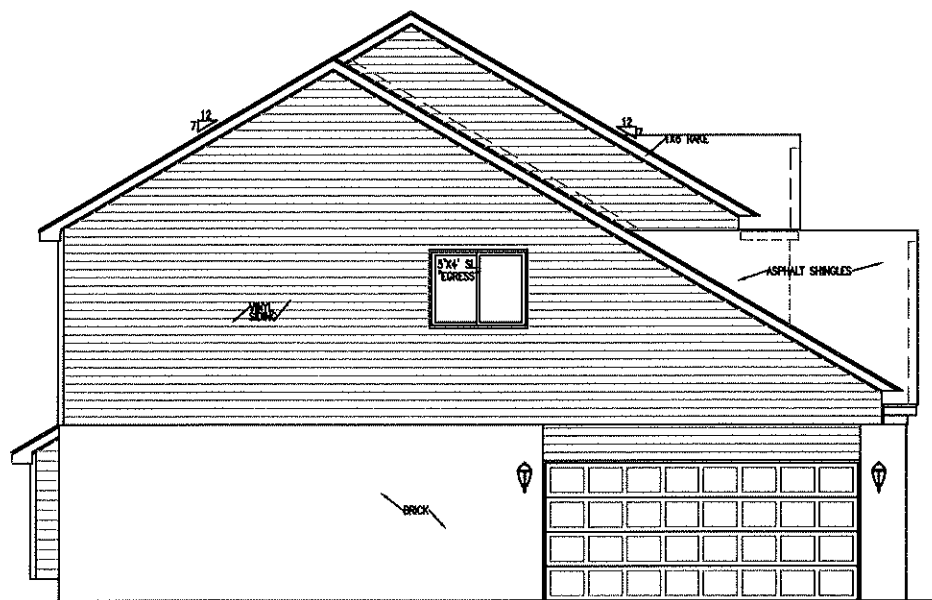
OPTIONAL BUTLER'S PANTRY



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

Country Walk Subdivision
Van Buren Charter Township

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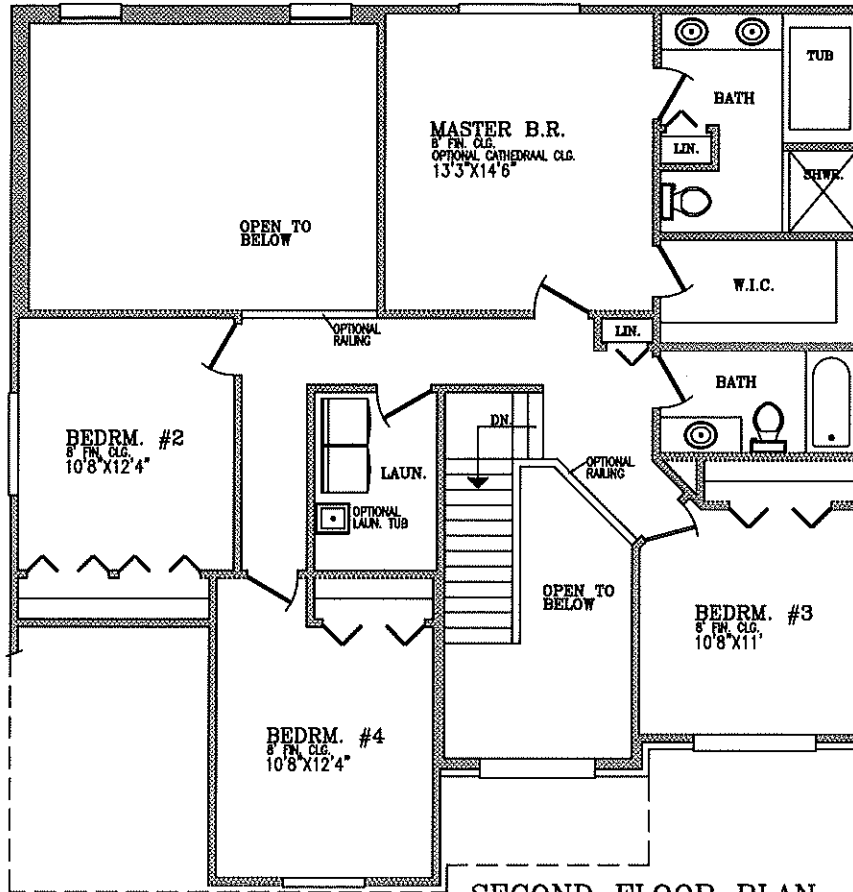
Architectural Elevations For:

Plan#: 2320 (Colonial) - Front Entry

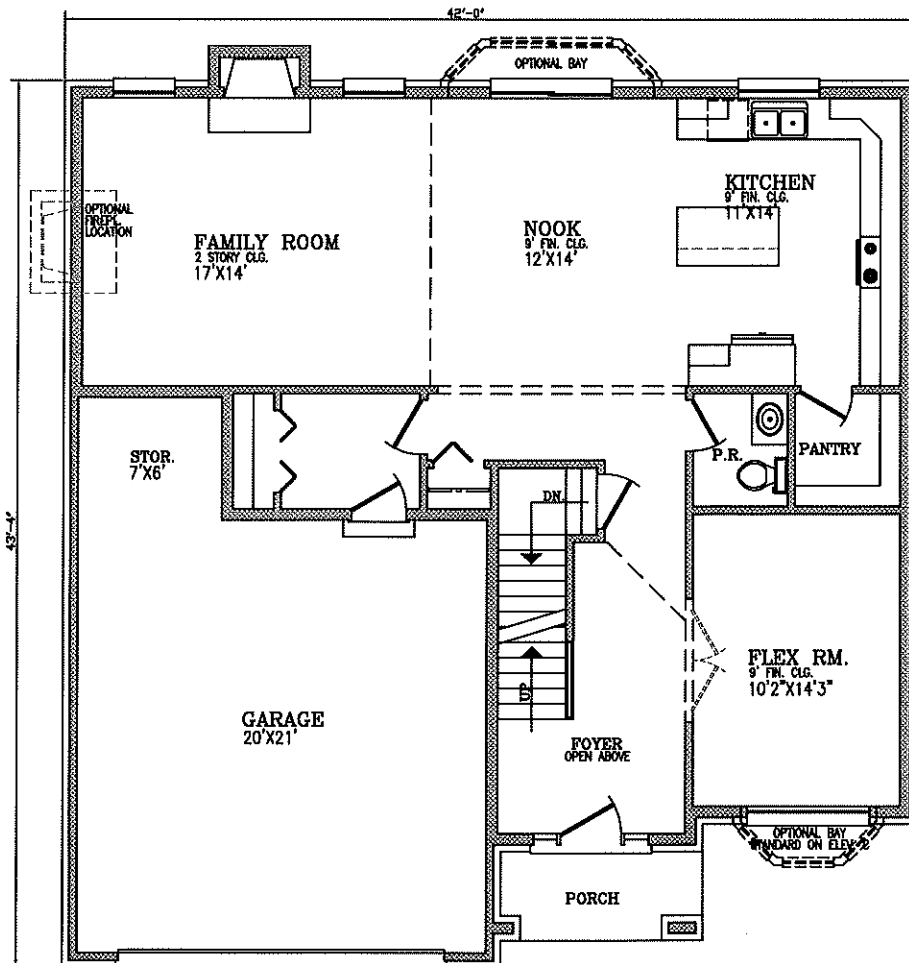
42'-0" Wide X 43'-4" Deep

Four Bedroom Colonial

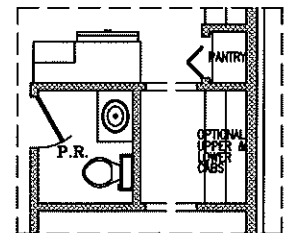
2,320 SQ. FT.



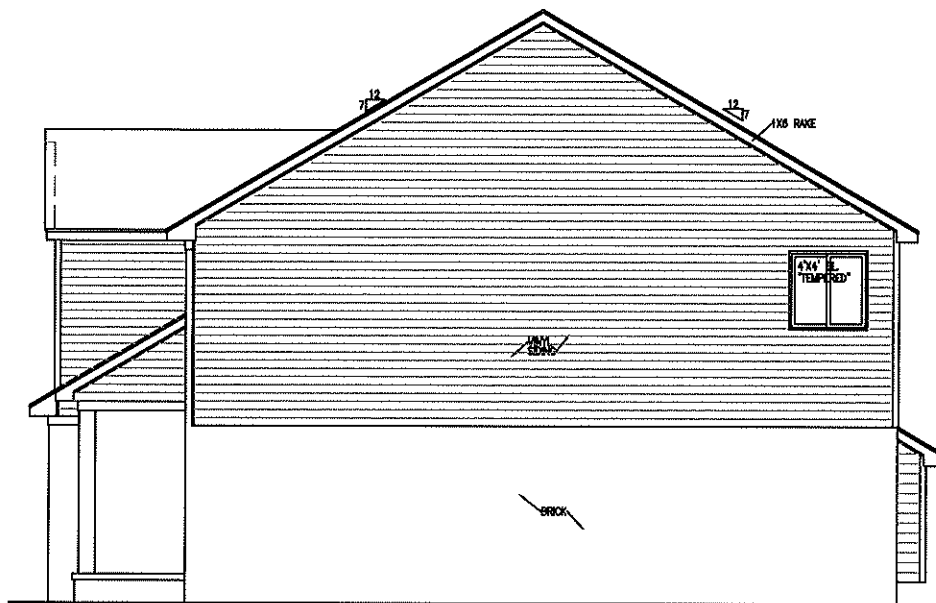
SECOND FLOOR PLAN



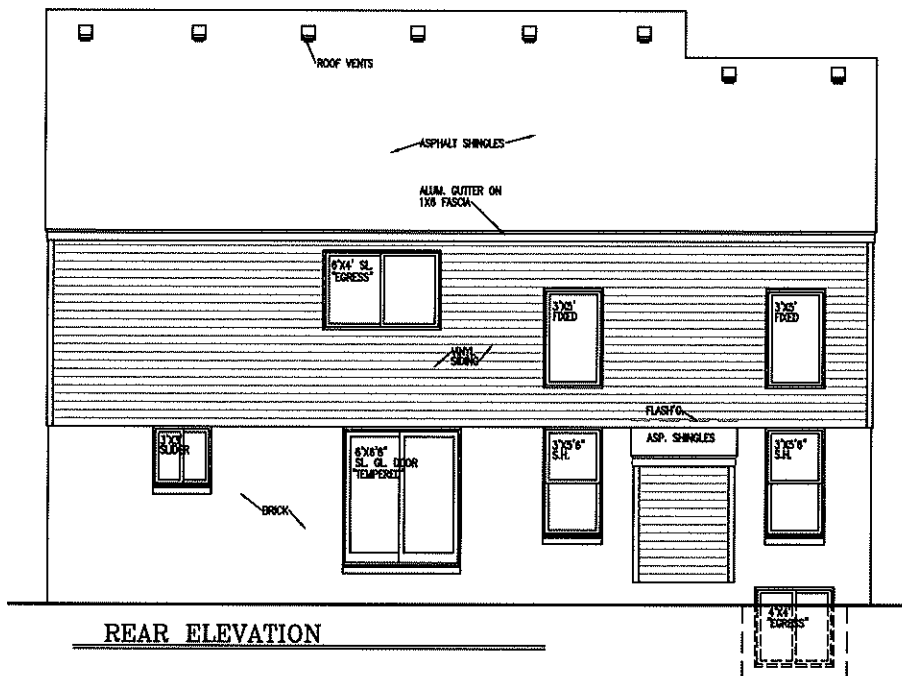
FIRST FLOOR PLAN



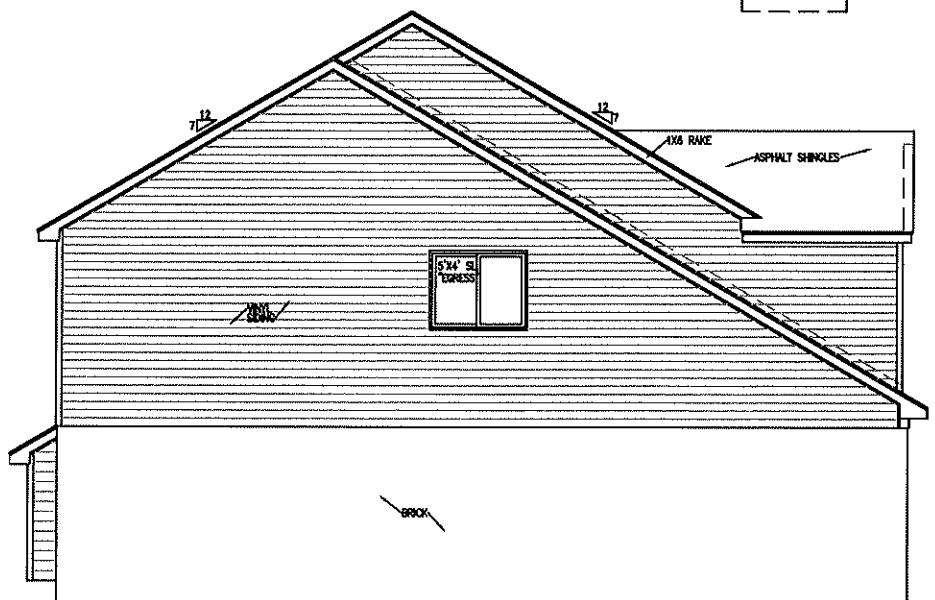
OPTIONAL BUTLER'S PANTRY



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

Country Walk Subdivision
Van Buren Charter Township

Planning Commission Applicant:

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1168 Autumnview Dr.
Rochester, MI 48307
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Architectural Elevations For:

Plan#: 2320 (Colonial) - Side Entry

42'-0" Wide X 43'-4" Deep

2320 plan



Elevation "A"



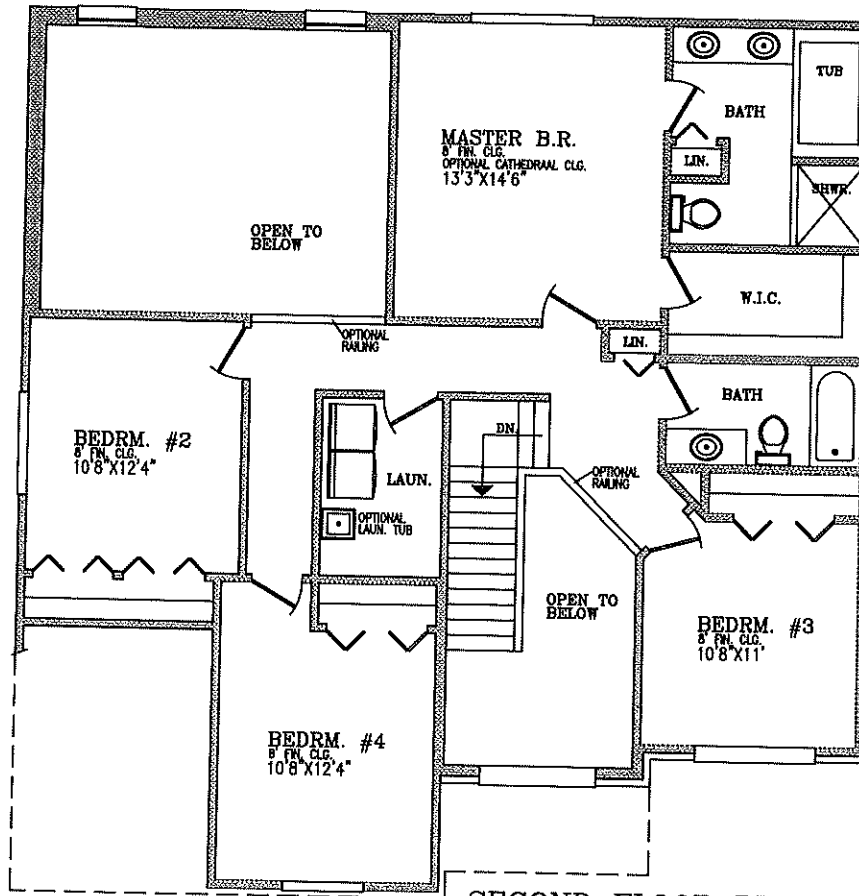
Elevation "B"



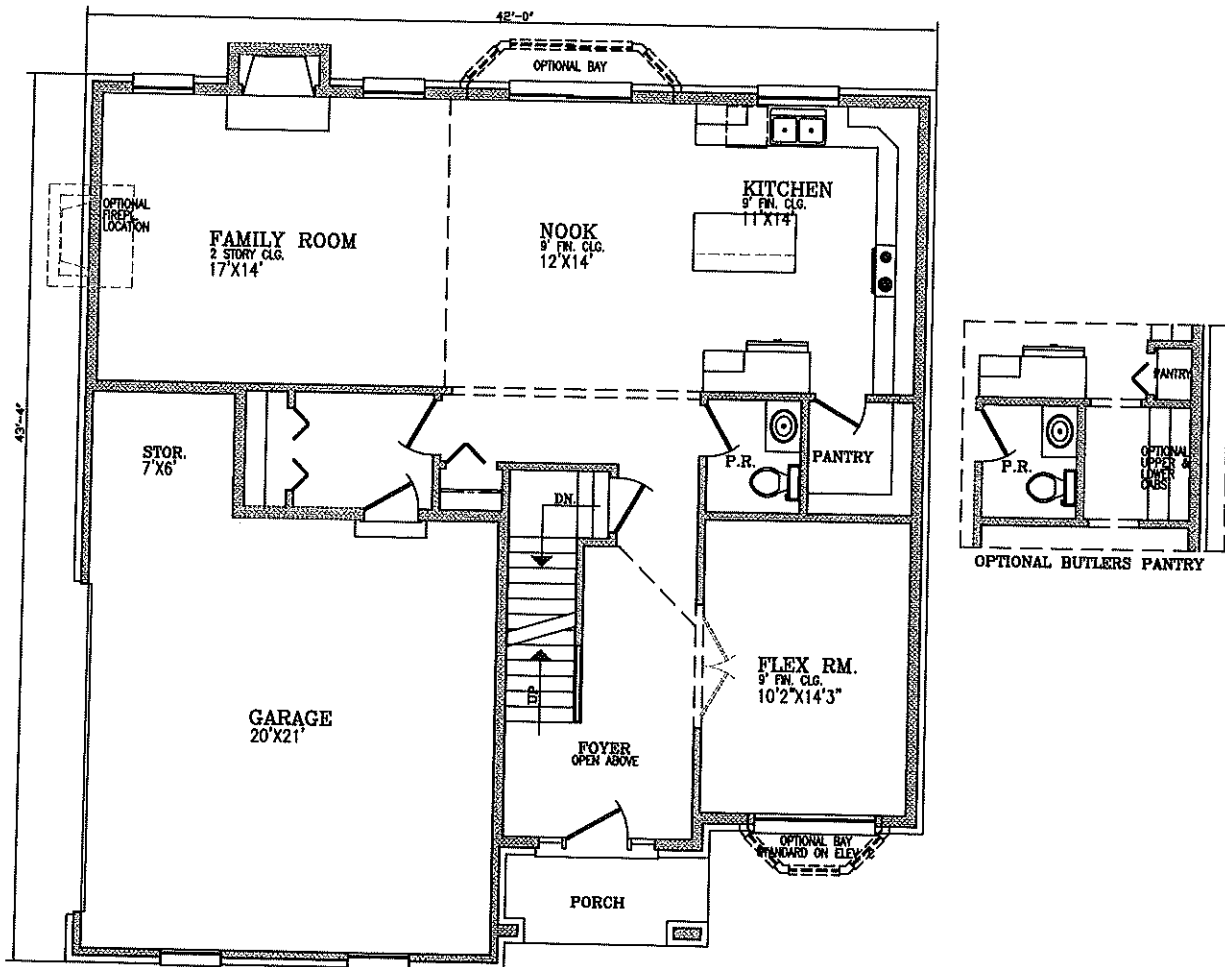
Elevation "C"

Four Bedroom Colonial

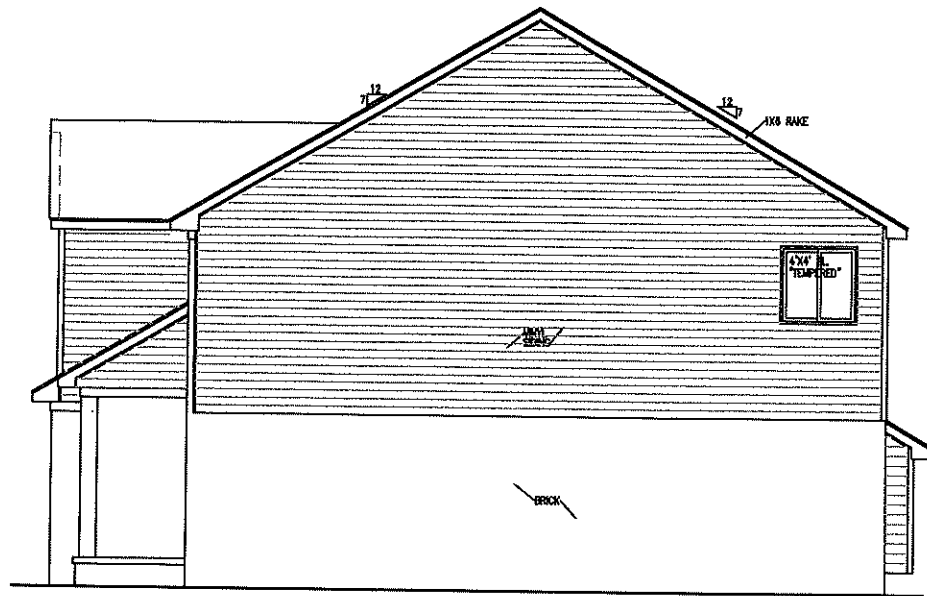
2,320 SQ. FT.



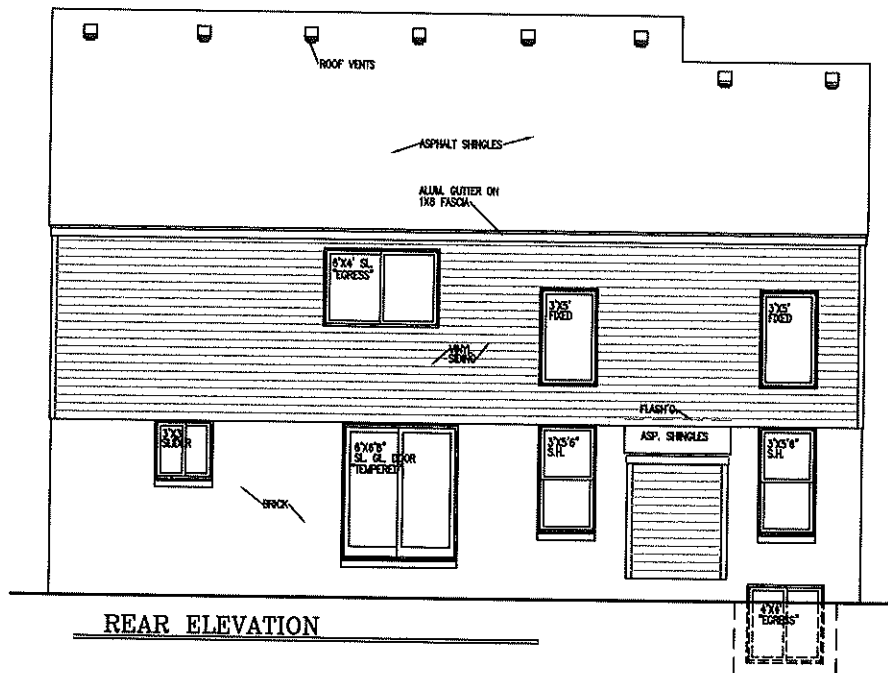
SECOND FLOOR PLAN



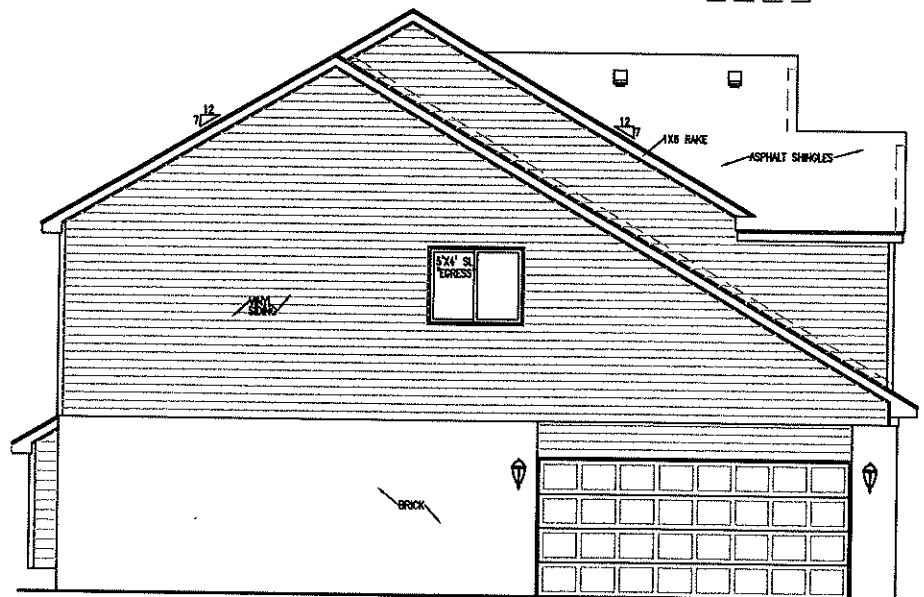
FIRST FLOOR PLAN



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION