

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA
Wednesday, July 22, 2020 – 7:30 PM
REMOTE MEETING**

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to Van Buren Township residents; Van Buren Township's scheduled regular Planning Commission meetings beginning May 27th, 2020 will be conducted remotely in compliance with the State of Michigan Governor's Executive Orders regarding remote public meetings until further notice.

For this agenda:

- Join by weblink: <https://zoom.us/j/96691618034>
- Or dial in by phone: US: +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782
- Webinar ID: 966 9161 8034

For instructions on [how to join a Zoom meeting, make a public comment, ADA information, and virtual meeting compliance from the State please click here.](#)

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES:

ITEM #1: Approval of minutes from the regular meeting of July 8, 2020.

CORRESPONDENCE:

PUBLIC HEARING:

ITEM #1: **CASE 20-005 – PUBLIC HEARING FOR MOBIL GAS STATION REDEVELOPMENT AND DRIVE THRU**

TITLE: A REQUEST BY NC DESIGNERS ON BEHALF OF OWNER IS REAL ESTATE LLC / BELLEVILLE OIL COMPANY, INC. FOR A SPECIAL LAND USE PERMIT TO DEMOLISH BUILDINGS ON AN EXISTING GASOLINE STATION SITE AND TO CONSTRUCT A NEW CONVENIENCE STORE WITH RETAIL AND FOOD SERVICE, INCLUDING A DRIVE-THRU LANE AND ONE (1) DRIVE-THRU WINDOW, GASOLINE PUMPS, AND RELATED SITE IMPROVEMENTS.

LOCATION: The +/- 1.06-acre site, zoned C-1 – General Business District, is located at 11250 Haggerty road (tax parcel number 83 051 99 0003 002), at the northwest corner of the intersection of the I- 94 north service drive and Haggerty Road.

ACTION ITEMS:

- A. Planning Commission Opens Public Hearing
- B. Public Comment.
- C. Planning Commission closes Public Hearing.

OLD BUSINESS:

ITEM #1: CASE 19-037 – HAMPTON MANOR - PUBLIC HEARING FOR PROPOSED SENIOR HOUSING FACILITY.

TITLE: THE APPLICANT, VAN BUREN INVESTORS LAND HOLDINGS LLC, IS REQUESTING SPECIAL LAND USE APPROVAL FOR THE CONSTRUCTION OF A PROPOSED SENIOR HOUSING FACILITY CALLED HAMPTON MANOR WITH ASSISTED LIVING AND MEMORY CARE UNITS.

LOCATION: The property located on the south side of Tyler Road, between Morton Taylor and Haggerty Road and is zoned C (Local Business) District. The parcel is 7.11 acres in size and includes 6 tax parcel Id's.

ACTION ITEMS:

- A. Presentation by the applicant
- B. Presentation by the Township Staff and Consultants
- C. Planning Commission Discussion
- D. Planning Commission considers recommendation to Township Board.

ITEM #2: CASE 19-037 HAMPTON MANOR SENIOR HOUSING PRELIMINARY SITE PLAN APPROVAL

TITLE: THE APPLICANT, VAN BUREN INVESTORS LAND HOLDINGS LLC, IS REQUESTING PRELIMINARY SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A PROPOSED SENIOR HOUSING FACILITY CALLED HAMPTON MANOR WITH ASSISTED LIVING AND MEMORY CARE UNITS.

LOCATION: The property located on the south side of Tyler Road, between Morton Taylor and Haggerty Road and is zoned C (Local Business) District. The parcel is 7.11 acres in size and includes 6 tax parcel Id's.

ACTION ITEMS:

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

NEW BUSINESS:

ITEM #1: CASE 20-005 – SPECIAL LAND USE PERMIT REQUEST FOR MOBIL GAS STATION REDEVELOPMENT AND DRIVE THRU

TITLE: A REQUEST BY NC DESIGNERS ON BEHALF OF OWNER IS REAL ESTATE LLC / BELLEVILLE OIL COMPANY, INC. FOR A SPECIAL LAND USE PERMIT TO DEMOLISH BUILDINGS ON AN EXISTING GASOLINE STATION SITE AND TO CONSTRUCT A NEW CONVENIENCE STORE WITH RETAIL AND FOOD SERVICE, INCLUDING A DRIVE-THRU LANE AND ONE (1) DRIVE-THRU WINDOW, GASOLINE PUMPS, AND RELATED SITE IMPROVEMENTS.

LOCATION: The +/- 1.06-acre site, zoned C-1 – General Business District, is located at 11250 Haggerty road (tax parcel number 83 051 99 0003 002), at the northwest corner of the intersection of the I- 94 north service drive and Haggerty Road.

ACTION ITEMS:

- A. Presentation by the applicant
- B. Presentation by the Township Staff and Consultants
- C. Planning Commission Discussion
- D. Planning Commission considers recommendation to Township Board.

ITEM #2: CASE 20-017 – TEMPORARY LAND USE APPROVAL – WATERS KITCHEN

TITLE: CAROLYN GREGORY OF WATERS KITCHEN IS REQUESTING A TEMPORARY LAND USE PERMIT FOR THE OUTDOOR SERVICE OF CATFISH, RIBS, WINGS, AND OTHER FOOD USING A FOOD TRAILER.

LOCATION: The property is located at 10010 Belleville Road (parcel number 83 061 99 0005 726), on the west side of Belleville Road between Tyler Road and North I-94 Service Drive.

ACTION ITEMS:

- A. Presentation by the applicant
- B. Presentation by Township staff.
- C. Planning Commission discussion.
- D. Planning Commission considers action on the Temporary Land Use permit.

GENERAL DISCUSSION:

ADJOURNMENT:

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Additional materials provided separately:

- 17-page resubmitted civil and architectural site plan set, revision-dated 07/06/2020
- Colored landscape plan
- Colored architectural elevation renderings
- Applicant response to 12/29/2019 site plan review comments from Township Principal Planner, dated 07/06/2020
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Additional materials provided separately:

- 13-page resubmitted in-progress civil site plan and architectural plan set, revision-dated May 12, 2020

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**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION - VIRTUAL MEETING ON ZOOM
July 8, 2020
MINUTES - DRAFT**

Prior to the start of the meeting, the public was given instructions on how to take part in the meeting.

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

ROLL CALL:

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

Excused: Franzoi.

Staff: Director Power and Secretary Harman.

Planning Representatives: McKenna Associates, Vidya Krishnan and Adam Cook.

Applicant(s) in Attendance: Philip Kuntzman of Upland Homes.

Audience: Five (5).

APPROVAL OF AGENDA:

Motion Boynton, Jahr second to approve the agenda of July 8, 2020 as presented. Motion Carried.

APPROVAL OF MINUTES:

Motion Boynton, Kelley second to approve the regular meeting minutes of June 24, 2020 as presented.

Roll Call:

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

Nays: None.

Absent: Franzoi.

Motion Carried.

NEW BUSINESS:

ITEM #1: 20-016 – UPLAND HOMES COUNTRY WALK – 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.

Philip Kuntzman of Upland Homes gave the presentation. Upland Homes is requesting a site plan amendment to include the new #1546 ranch home floor plan, there are five (5) elevations including front entry and side entry garage options meeting the substantially different architectural requirement.

Director Power presented his staff review letter dated 7-1-20, noting that in his letter it also referenced plan #1815, however the request is only for the #1546 ranch home model. Director Power displayed drawings of the plan #1546 home model with five (5) different elevations showing the front entry and side entry garage options. Staff recommends the Planning Commission approve the site plan amendment to the Country Walk development for the addition of the proposed plan #1546, to be built by Upland Homes, based on the following condition:

1. 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.

Commissioner inquired whether the homes will be located within the Country Walk Three Homeowners Association or the Country Walk Four Homeowners Association. The homes will be located in Country Walk Four Homeowners Association, Director Power will make a correction in his staff review letter.

Motion Boynton, Kelley second to approve Upland Homes request for an amendment to the approved Country Walk site plan for revised single-family architectural elevations, located in the Country Walk subdivision on the east side of Martinsville Road, north of Savage Road, subject to the recommendation in Director Power's staff review letter dated 7-1-20 along with the Country Walk Four Homeowners Association correction to the staff review letter.

Roll Call:

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

Nays: None.

Absent: Franzoi.

Motion Carried. (Letter attached)

ITEM #2: RM, MULTIPLE DWELLING RESIDENTIAL DISTRICT AMENDMENTS.

Director Power presented his staff memo dated 7-1-20, the Planning Commission is being asked to consider zoning ordinance amendments which allow for a new categorization of detached single-family residential structures to be permitted in the RM, Multiple Family zoning district. Specifically to consider allowing single-family detached dwellings at a density of 6-7 units per acre as a permitted land use by right in the RM, Multiple Family zoning district and to contemplate dimensional requirements for these detached single-family dwellings. Director Power displayed a concept drawing for 41620 E. Huron River Drive for higher density detached single family dwellings, the example was provided by applicant, Scott Jones, as part of a rezoning request.

Vidya Krishnan of McKenna Associates presented her staff review letter dated 6-30-20. In early 2019, the Township received a request from applicant, Scott Jones, to rezone a 13.6 acre parcel located at 41620 E. Huron River Drive from R-1C to RM zoning designation. Mr. Jones plans to construct single-family detached condominiums on the property and sought the rezoning to be able to construct these homes at a higher density than is allowed under the R-1C district. After significant consideration, the Township amended the Master Plan to change the zoning on the subject site from R-1C to RM with limitations. This would achieve allowing the required density for the development and to protect against any other potential uses allowed in the RM district

which may not fit in this area (i.e. apartment complexes, etc.). Subsequent to the Master Plan Amendment, the next step is to amend the Zoning Ordinance by adding single family detached dwellings as a permitted use in the RM district with density limitations. The change will not just benefit the applicant, but would also make some homes in the Township legal conforming structures. The amendment suggests 2 options for lot size and setbacks based on the density provision provided under the Master Plan:

Option A: Low Range Density (6.05 du/acre) – 7,200 square feet lot size/60' lot width/min. side yard 10 feet.

Option B: High Range Density (6.91 du/acre) – 6,300 square feet lot size/45' lot width/min. side yard 5 feet.

The Commission is being asked to consider the lot size and setback options A and B and whether to keep the section 5.114 standards in place and applicable to any newly created detached single-family lots. The 5.114 standards pertain to connection with public utilities, complying with building codes and setting forth architectural requirements.

Commissioners inquired if the single-family detached condos would be similar to those of Cherry Hill Village in Canton, along with the 5.114 standards would the section also include development done under site condo rules, regarding 41620 E. Huron River Drive is the ground suitable to house all of these lots at this time and clarification on RM zoning with limitations. Vidya Krishnan of McKenna Associates informed the Commission that the development would be similar to Cherry Hill Village but slightly smaller, she will look into further comparisons for staff to bring back to the Commission. Yes, development done under site condo rules would be included. As for the ground suitability at 41620 E. Huron River Drive, this will be addressed early in the design process during preliminary site plan review. The limitation is for single-family detached dwellings, these would not be allowed to become an apartment complex. Commissioners liked the concept of having limitations that will not allow high rise buildings or multi-family dwellings, the inclusion of the 5.114 and 5.115 standards and agree they would like to see some comparisons to evaluate and give a recommendation.

Applicant, Scott Jones, gave clarification on his project. At this time he has 37 people interested. The single-family dwellings will be a 2-story concept and per his engineer, basements are not feasible on the property. The homes will be similar to what you see in downtown Belleville. Mr. Jones has applied for rezoning plus conditions and has provided a list of what those conditions would be.

ITEM #3: REVIEW OF VAN BUREN TOWNSHIP 2020 MASTER PLAN

Director Power gave a brief Master Plan update. The Planning Commission is requested to discuss a full draft of the 2020 Master Plan and consider forwarding a recommendation to the Township Board to release the full draft plan for 63-day review. The draft plan results from nearly three years of efforts, meetings and plan reviews. Public engagement workshops were held regarding this plan on October 2nd and October 3rd of 2019. Since that time, a complete draft of the plan has been drafted and refined in coordination with the Master Plan Steering Committee and Township staff.

Adam Cook of McKenna Associates provided a PowerPoint presentation walk-through of the draft 2020 Master Plan and discussed the following topics:

- **Draft Master Plan Summary:** VBT Planning History, 2020 Master Plan Rationale, How to Use the Master Plan, “Missing Middle” and Transect Zones.
- **Regional Context:** VBT Form-Shaping Elements.
- **Existing Land Use:** VBT Existing Land Use.
- **Goals and Objectives:** Master Plan Vision Statement, Master Plan Goals and Objectives.
- **Future Land Use and Zoning Plan:** VBT Future Land Use, VBT Future Land Use Categories, VBT FLU Map – What’s New?, VBT FLU Map – What Hasn’t Changed?, VBT Zoning Plan.
- **Mobility Plan:** Circulation Plan, Non-Motorized Plan.

Commissioners commended Adam Cook, the Steering Committee (Norm DeBuck, Medina Atchinson, Bryon Kelley, Sharry Budd and Dawn Chapel), Executive Assistant Renaud and Township staff for their hard work on the Master Plan. Commissioner expressed the need for senior housing in Van Buren Township for residents to age in place.

No comments from the audience.

Motion Boynton, Budd second to recommend to the Township Board of Trustees release of the full draft Master Plan for 63-day review.

Roll Call:

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

Nays: None.

Absent: Franzoi.

Motion Carried. (Letter attached)

GENERAL DISCUSSION:

Director Power commended the hard work on the Master Plan and advised the Commission to reach out to himself or Adam Cook of McKenna Associates if they have any questions or minor comments to share. Director Power is working on the agenda for the July 22nd meeting, it will be available next week.

ADJOURNMENT:

Motion Boynton, Atchinson second to adjourn at 9:07 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

PLANNING & ZONING APPLICATION

Case number 19-037

Date Submitted _____

APPLICANT INFORMATION

Applicant	Van Buren Investors Land Holdings, LLC	Phone	_____
Address	1451 S. Gratiot Avenue	Fax	(586) 465-2525
City, State	Clinton Township, MI	Zip	48035
E:mail	zohaibsyed2001@yahoo.com	Cell Phone Number	(989) 708-1878
Property Owner	Walter and Joyce Rochowiak	Phone	(734) 697-1765
	(if different than applicant)	Fax	(734) 699-0505
Address	43250 Tyler Road	Zip	48111
City, State	Van Buren, MI	Phone	(989) 708-1878
Billing Contact	Van Buren Investors Land Holdings, LLC	Fax	(586) 465-2525
Address	1451 S. Gratiot Avenue	Zip	48111
City, State	Clinton Township, MI		

SITE/ PROJECT INFORMATION

Name of Project Hampton Manor of Van Buren Township

Parcel Id No. V125-83- Please see attached supplement **Project Address** 43250 Tyler Road

Attach Legal Description of Property

Property Location: On the South Side of Tyler Road; Between Morton Taylor Road and Haggerty Road. **Size of Lot** Width 488.00 Depth 612.10

Acreage of Site 7.11 acres **Total Acres of Site to Review** 7.11 acres **Current Zoning of Site** C

Project Description: Proposed commercial institutional development including building structure, storm water management system, underground utilities, parking lots, landscaping and turf restoration.

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 **YES (if yes complete next line)** NO

Section of Zoning Ordinance for which you are applying Chapter 3, Sections 12.301-12.409

Is there an official Woodland within parcel? No **Woodland acreage** N/A

List total number of regulated trees outside the Woodland area? 193 **Total number of trees** 193

Detailed description for cutting trees Please refer to the plans for the tree survey and preservation. All trees to be preserved will be protected by construction fencing. Trees to be removed will be felled by the Contractor, stripped of limbs, and the trunks cut to length for removal and disposal offsite. All waste will be chipped for use as temporary mulch.

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

WALTER ROCHOWIAK & EVELYN ROCHOWIAK

Print Property Owners Name

Walter S Rochowiak

Signature of Property Owner

E. Joyce Rochowiak

Therese Antonelli, Notary Public
State of Michigan, County of Wayne
My Commission Expires 8/27/2022
Acting in the County of WAYNE

11/5/19

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 5th day of November 2019

Therese Antonelli Notary Public, WAYNE County, Michigan

My Commission expires 8/27

23
Rev 1/12/06

Memo

TO: Van Buren Township Planning Commission
FROM: Dan Power – Director of Planning and Economic Development
RE: VBT 19-037 – Hampton Manor Senior Housing Project: Special Land Use and Preliminary Site Plan Review
DATE: July 16, 2020

Van Buren Investors Land Holdings LLC requests to construct a senior housing development with assisted living and memory care units, called Hampton manor. The proposed 62,516 square foot building is to be located on a roughly 7.11-acre site near the southeast corner of Morton Taylor and Tyler Roads. Senior housing developments are a Special Land Use in the C (Local Business) District, and the proposed Special Land Use required a public hearing. The public hearing was held in accordance with Section 12.03 (Permitted Uses with Special Approval) of the Zoning Ordinance on January 8, 2020. Minutes from this hearing are included in the Planning Commission's packet. The action on the special land use request and preliminary site plan request were deferred at the meeting on January 8, 2020 and the following actions were undertaken:

- **Responses to public hearing comments.** The applicant was requested to provide answers to applicable questions or concerns stated at the January 8, 2020 public hearing. Letters with a list of these answers, along with letters with responses to review comments from staff, are attached with the Planning Commission's packet as noted on the table of contents.
- **Traffic Impact Study (TIS).** The applicant was requested to provide a TIS. This study, dated February 14, 2020, is included in the Planning Commission's packet.
- **New plans** and architectural drawings dated July 6, 2020 were provided and are included in the Planning Commission's packet.
- **Review comments** from the Township Principal Planner, Township Engineer, and Township Fire Department were also provided.

Related to this request, the Township Board of Trustees made a first affirmative reading on a Zoning Ordinance text amendment which clarified building size limits in the C – Local Business zoning district on July 7, 2020.

Based on the information provided, staff recommends conditional approval for both the recommendation on a special land use permit, to be forwarded to the Township Board of Trustees, and on the preliminary site plan. Please contact staff with further questions regarding these materials. I otherwise look forward to discussing this project with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Power".

Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

CC: Matthew Best, M.S. - Public Services Director, Van Buren Charter Township
Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning Consultant – McKenna Associates
Paul Kammer – Van Buren Township Engineer / Engineering Consultant – Fishbeck
Andy Lenaghan – Fire Inspector, Van Buren Charter Township
Shahid Imran and Zohaib Syed – Project representatives, Build Senior Living / Van Buren Investors Land Holdings LLC
Bill Thompson, P.E. – Lehner Associates, Inc.

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
January 8, 2020
MINUTES**

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

ROLL CALL:

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

Excused: None.

Staff: Director Power, Director Best, Executive Assistant Renaud and Secretary Harman.

Planning Representatives: McKenna Associate, Vidya Krishnan and Fishbeck Associate, Paul Kammer.

Audience: Fifty-Four (54).

APPROVAL OF AGENDA:

Motion Kelley, Jahr second to approve the agenda of January 8, 2020 as presented. Motion Carried.

APPROVAL OF MINUTES:

Motion Jahr, Franzoi second to approve the regular meeting minutes of December 11, 2019 as presented. Motion Carried.

PUBLIC HEARING:

ITEM # 1 19-037 – HAMPTON MANOR – PUBLIC HEARING FOR PROPOSED SENIOR HOUSING FACILITY.

TITLE: THE APPLICANT, VAN BUREN INVESTORS LAND HOLDINGS LLC, IS REQUESTING SPECIAL LAND USE APPROVAL FOR THE CONSTRUCTION OF A PROPOSED SENIOR HOUSING FACILITY CALLED HAMPTON MANOR WITH ASSISTED LIVING AND MEMORY CARE UNITS.

LOCATION: THE PROPERTY IS LOCATED ON THE SOUTH SIDE OF TYLER ROAD, BETWEEN MORTON TAYLOR AND HAGGERTY ROAD AND IS ZONED C (LOCAL BUSINESS) DISTRICT. THE PARCEL IS 7.11 ACRES IN SIZE AND INCLUDES 6 TAX PARCEL ID'S.

Motion Kelly, Atchinson second to open the public hearing. Motion Carried.

Project Engineer Bill Thompson of Lehner Associates, Inc. and Building Manager Sam Martin with Build Senior Living gave the presentation. The applicant is requesting special land use approval to construct a senior housing facility on a 7.11-acre parcel located at southeast corner of Tyler and Morton Taylor Roads. The facility will consist of two sections, memory care and assisted living and will include open outdoor areas for the residents to enjoy. A PowerPoint presentation displayed the floor plan layout, landscaping plan, lighting plan and a color rendering of the facility. The exterior facade will consist of brick, stone and the one story building will be 17' in height. The applicant has facilities located in other communities; photographs of those facilities were displayed to show what the living, dining and outdoor areas may look like. The apartments for residents all have kitchenettes. Amenities at the facility include a beauty salon, movie theater, courtyard, grills, sunroom and library. Only one to two

percent of the residents drive, valet parking services are available for residents and visiting family members. There will be a maximum of fourteen (14) employees per shift, with three (3) staggering shifts, shift changes at 7:00 a.m., 3:00 p.m. and 11:00 p.m. The applicant invited residents to tour their existing facilities.

Thirteen (13) residents made comments, asked questions and expressed concerns. The comments, questions and concerns are as follows:

1. How much noise will the emergency generator create? How much noise will the facility create? Will there be a tax abatement?
2. The facility will create an increase in ambulatory first responders, concerned with bus stops for children and their safety.
3. How much of the facility will be assisted living, where are their current facility locations, can those facilities be toured, is there any affiliation with the other care facility on Tyler Road and how will this facility affect taxes?
4. Concern with the retention pond located behind the property, drainage and mosquitos. Resident inquired how the tree line and lighting would affect neighboring properties.
5. Concerned with noise, suggested researching the current status of noise based on the numbers of residents and how that will increase with the facility in place.
6. Is the facility 100% assisted, is there memory care?
7. Are the builders bringing any funds for improvements, paving Morton Taylor, etc. What insurance is there to keep the builders from walking before the project is complete?
8. Concern with wildlife in the area, where will it go? How large is the proposed parking lot area and what will the business cost tax wise?
9. Concerned about flooding, yard floods every time it rains; water is currently being pushed from Camping World onto resident's property.
10. What considerations are being made for the 4-way stop at the intersection? Concerned about traffic and safety at the intersection.
11. Resident had concerns with previous developments however, they all worked out and he likes this project, in terms of uses, there could be worse, his previous concerns have always been addressed by the Township.
12. Tyler road is a main bus route and the shift change for the proposed development is at prime bus time. The development puts more people on the road, six (6) subdivisions within 4 miles generating 4300-4400 vehicles per day. The size of the building is equivalent to 25 homes, in reading the zoning ordinance it seems beyond the maximum size allowed. The proposed parking spaces are not enough, concern parking on the street and trash blowing in yards. The threat of if this does not come, what might be developed on the property. Resident is asking to reject the special land use request, feels other areas are better suited.
13. What is the monthly cost to rent a studio, one (1) bedroom and the monthly fees? Would like to know more about Van Buren Investors LLC and the registered name. Are there any zoning ordinance exceptions, will there be sidewalks and any arrangements regarding ambulatory noise? Explanation of one (1) vendor for deliveries one (1) day of week. How will this affect residents taxes, will there be a tax abatement and how far is the facility from Tyler School?

Chair Thompson asked Director Power to provide an overview of the Township's senior housing ordinance. Director Power provided a broad summary of his understanding of the national trend of communities seeking the ability to allow aging in place. He cited that Van Buren Township's Planning

Commission and Board passed a senior housing ordinance in the past year which allows senior housing in a number of zoning districts as a special land use. Within this context the details of the current application for a special land use and preliminary site plan approval are being considered.

Vidya Krishan of McKenna Associates recited the summary points of her report materials. She explained the Senior Housing Zoning Ordinance Amendment that was adopted by the Township Board and addressed residents questions and concerns. The 62,516 square foot single story building will consist of 56 assisted living and 24 memory care units and is a permitted use in the current zoning district with special land use approval. The 30,000 square foot limit in the zoning ordinance is to limit retail/commercial use, the senior living facility is a residential use. The applicant is not asking for any exceptions on the current application. Concerns regarding the 4-way stop will be addressed with Wayne County during the engineering review process. The facility is different than a group home as it is not operated by the State. The parking is based on the number of units and people in memory care will not be driving. The applicant is available to answer questions regarding 911 responses and nurses will be on site at the facility.

Paul Kammer of Fishbeck Associates explained at this stage they are looking for engineering feasibility as they move through the approval process. Upon receiving special land use approval, the applicant would begin a full engineering process. The project engineers have spoken with Wayne County and after receiving approval the County will have the say as to what the water detention system will look like. All water created onsite is retained onsite, release at a slow timely rate back into the sewer system. The applicant has already started the process with Wayne County.

Director Best provided responses to some of the residents' questions:

- Public safety concerns – staff will put together a list for the Public Safety Department.
- Tax abatement – does not believe so.
- Ambulance data – applicant to provide.
- Current locations – applicant to provide.
- There is no affiliation with the group homes on Tyler Road.
- Mosquito concerns with the detention pond – none if draining properly.
- Lights at the facility – they are required by the Township to be 16' which is shorter than the building and the lights are required to be downward facing.
- A construction bond is taken by the Township to ensure that the facility is completed.
- The applicant is over on the required parking spaces in the Ordinance, asked for additional to prevent offsite parking.
- Traffic data – SEMCOG provides. Director Best and Director Power will get from SEMCOG.
- Trash and cigarettes, the Township has an Ordinance Department and will have the property checked regularly.
- The Township cannot force the applicant to put in sidewalks outside of the applicants property.

Project Engineer Bill Thompson and Building Manager Sam Martin provided responses to resident's questions. The applicant wants the facility to feel like home. Staff is highly trained and educated, know that they are in someone's home and will pick up trash and take care of the property on daily basis. The sound of the air conditioning unit is very minimal, the same as at a home. There is a

generator for the facility and a test runs one (1) time per week, very minimal noise. All exterior mechanical equipment will be screened with landscaping. As for method of payment for residents, private paying and trying to get Medicaid, Veterans benefits are accepted. The cost is less expensive than in home care, will work with residents. The shift changes are at 7:00, 3:00 and 11:00. There is not a lot of ambulance traffic.

Commissioners inquired where the applicants other facilities are located and if they can be toured. In addition, the inquired what the delivery schedule is for the facility and asked for more information on the Van Buren Investors LLC name and tax information. The applicant will provide facility locations to the Commissioners and audience members, tours of the facilities are welcomed and encouraged. Deliveries are one (1) time per week and arrive between 6:00 a.m. – 7:00 a.m. The applicant has a different LLC for each location that they develop, being specific to each community, there is not a tax abatement and they do not charge residents taxes.

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

NEW BUSINESS:

Motion Boynton, Jahr second to postpone Item #1 and #2 under New Business. Motion Carried.

GENERAL DISCUSSION: None.

ADJOURNMENT:

Motion Boynton, Kelley second to adjourn at 8:52 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary



MCKENNA

March 24, 2020

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

Subject: VBT-19-037 Hampton Manor/43250 Tyler Road; Special Land Use Review #2; Revised Site Plans Dated February 3, 2020.

Dear Commissioners:

The applicant, Van Buren Investors Land Holdings, LLC, proposes to construct a Senior Housing development named Hampton Manor. The proposed 62,516 square foot building will comprise of 56 assisted living units and 24 memory care units. The site is located on the southeast corner of Tyler Road and Morton Taylor Road intersection and has a total site area of 7.11 acres.

The applicant appeared before the Planning Commission for a public hearing on January 8, 2020 and received numerous comments and questions from the public. The applicant was subsequently given an itemized list of the questions asked/concerns expressed, by the Township Administrative Staff. The applicant has provided a response to all of the questions asked in a letter dated 2/5/2020 and made revisions to the site plan. We have reviewed the special land use request based on Zoning Ordinance standards and sound planning and design principles, the public hearing comments and the applicant's response. Our comments are as follows (items requiring changes or additional information are underlined):

Special Land Use Review Comments

Section 12.306 of the Zoning Ordinance sets forth criteria for the Planning Commission to consider when reviewing special land use proposals. Following is our review of each criterion:

- 1. Will promote the use of land in a socially and economically desirable manner for those persons who will use the proposed land use or activity; for those landowners and residents who are adjacent; and for the Township as a whole.**

The need for Senior Housing in Van Buren has been discussed at several board meetings at the Township previously. As a result, the Township recently adopted a new senior housing ordinance to allow for the construction of such facilities which would provide an opportunity for residents to 'age in place'. The subject site is located at a major street corner and the Township has also been dealing with code enforcement issues on the property. The proposed use will promote the use of the land in a socially and economically desirable manner by cleaning up of the entire site and providing for much required housing in the Township. Any impacts resulting from the proposed development on the adjacent properties will be mitigated through setbacks, landscaping and screening, which are reviewed in our site plan review letter under separate cover.

- 2. Is necessary for the public convenience at that location.**

The subject site is zoned C, local commercial district and abuts single family residential use on all sides. The proposed use is a low intensity residential use and a reasonable use for the site, considering the uses that could be allowable. Frontage onto two major thoroughfares makes it a convenient location for

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access. The applicant clarified that the proposed facility is not a group home, similar to some in the vicinity. Group homes are regulated only by the State and the local municipality does not have jurisdiction to address any issues/concerns related to them directly.

3. Is compatible with adjacent uses of land.

Although the proposed senior housing development is adjacent to single-family residential dwellings, the area along Tyler Road between Belleville Road and Haggerty Road contains many subdivisions and planned residential developments and the proposed senior housing development is consistent with this land use development pattern.

4. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

The proposed development is designed to comply with the site design requirements for senior housing set forth in the Zoning Ordinance. Therefore, we do not anticipate any adverse impacts on public health, safety, and welfare. In response to traffic concerns raised at the public hearing the applicant has submitted a traffic study conducted by Traffic Engineering Consultants Inc., dated 2/14/2020. The study provides a detailed analysis of the turn movements, timing and crash information for the abutting Tyler Road – Morton Taylor intersection. Based on the findings of the study, the intersection functions at an LOS (Level of Service) of A for the most part, with B and C levels for some times and turn movements, which is considered acceptable. Per the study findings no improvements to the intersection are warranted at this time. Further, the intersection is under Wayne County jurisdiction and based on the study data, the County is not likely to signalize the intersection at this time.

5. Can be adequately served by public services and facilities without diminishing or adversely effecting public services and facilities to existing land uses in the area.

The proposed senior housing facility can be adequately served by public services and facilities without diminishing or adversely effecting public services and facilities to existing land uses in the area. The applicant is working with the Township Engineer to meet all utility requirements.

6. Will not cause injury to other property in the neighborhood in which it is to be located.

The proposed senior housing facility is not anticipated to cause injury to other property in the neighborhood in which it is to be located.

7. Will consider the natural environment and help conserve natural resources and energy.

The subject site has significant tree cover of which 38 trees are proposed for preservation and 207 trees are to be removed. The trees to be removed are located within areas of driveway and building footprint. The applicant is providing replacement for all regulated trees to be removed, Tree replacement shall be in addition to required landscaping. Based on the proposed site design, landscaping and screening, this standard is met.

8. Is within the provisions of uses requiring special approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located and meets applicable site design standard for special approval uses.

The proposed Senior Housing Facility is within the provisions of uses requiring special approval, and is in harmony with the purposes and conforms to the applicable regulations of the Local Business zoning district and meets applicable site design standard for special approval uses.




9. **Is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.**

The Senior Housing Facility is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.

Specific Approval Criteria for Senior Housing [Section 5.143]: In pursuit of the above purpose and intent, elderly housing developments are permitted in RM, RMH, C, C-1, C-2, and M-U zoning districts subject to special use and site plan approval. The subject site is zoned C (Local Business) District and the proposed senior housing development is subject to the following use specific standards:

1. **The minimum senior housing site area shall contain 5,500 square feet per independent living unit, 2,000 square feet per dependent living bed, or the total area required for each type.** This standard has been met. With 84 dependent living beds proposed, a total site area of 168,000 sq. ft. is required and 309,711 sq. ft. is provided at the subject site.
2. **The required minimum usable floor area for assisted living units must comply with State of Michigan licensing requirements.** This standard has been met. The floor plan on sheet A1 note the floor area of the 2-bed units as 537 square feet, one-bed units as 433 square feet and the studio units between 301 – 346 square feet. The proposed unit sizes comply with and exceed State of Michigan minimum requirements.
3. **The proposed site must have at least one (1) property line abutting an existing or planned major thoroughfare with a right-of-way width of 120' feet or more as described in the Wayne County Master Thoroughfare Plan. All vehicular ingress and egress must be directly from the major thoroughfare.** This standard has been met. The proposed senior housing Facility has frontage along Tyler and Morton-Taylor Roads. Both roads are designated as major thoroughfares with a 120' r-o-w width.
4. **The maximum building height for a senior housing development shall not exceed forty (40') feet.** This standard has been met. The proposed building is a single story structure with a maximum height of 17'.
5. **The minimum setbacks for senior housing are 50' each for the front rear and side yards.** This standard has been met. The proposed senior housing facility meets all of the required setbacks.
6. **A minimum of twenty-five (25%) percent of the site, exclusive of existing or planned public road right-of-way, must be maintained as landscaped open space. Courtyards larger than 2,400 square feet may be counted as required open space. Recreation facilities, active and/or passive, including paved walkways and covered sitting areas shall be provided in a manner that meets the needs of the resident population.** This standard has been met. The landscape plan proposed greenbelts along the perimeter of the site. In addition, the site plan proposes four (4) interior courtyard areas and a public plaza area at the street corner. As an assisted living facility the courtyards are for use by residents only and are to be provided with benches, wicker chairs, meandering walks and a putting green area and occupy a total space of 14,000+ square feet. The open space areas provided meet the Ordinance requirements.




- 
7. **Senior housing buildings must present a residential architectural image in terms of building facades, the composition and use of exterior wall surface materials, and building length. Any building façade longer than 100 feet must provide for variations in the outside wall and roof line. Exterior building materials must be high quality and comply with Ordinance requirements.** This standard has been met. The proposed percentage of building materials is in compliance with ordinance limits. The roof lines have variation and adequate openings are proposed on all facades. Per previous recommendations, additional changes have been included to enhance the façade. Our comments on the proposed architecture are included in our site plan review letter under separate cover.
 8. **Accessory uses are limited to those that are customary or incidental for the servicing of the developments' residents and employees.** This standard has been met. The plan does not propose any additional accessory uses for use by non-residents.
 9. **The senior housing development shall comply with the parking requirements of the Ordinance.** This standard has been met. The site plan provides for the required number of parking spaces.
 10. **The senior housing development shall comply with the landscaping and screening standard set forth in the ordinance.** This standard has been met. The applicant has submitted a detailed landscape plan that indicates compliance with the landscaping requirements set forth in Article 10 of the Zoning Ordinance.
 11. **The senior housing development shall comply with the sign regulations of the Ordinance.** This standard has been met. While the Ordinance states that the signage allowable is the same as for residential developments, the intent was to allow for the sign to be placed along the street frontage similar to the underlying zoning district to allow for visibility. The proposed monument signs are compliant with the sign area and placement standards for the underlying C district.

Recommendation

The applicant has attempted to address all of the concerns previously raised. As discussed above, we find that the proposed senior housing development meets the criteria for special land use approval, subject to conditions. Therefore, we recommend that the Planning Commission recommend special approval to the Township Board, subject to the following conditions:

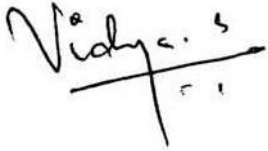
1. Approval of utility plan and storm water detention plan by Township Engineer and Wayne County.
2. That all of the conditions of preliminary site plan approval are met.
3. Final site plan approval.





Respectfully submitted,

McKENNA



Vidya Krishnan
Principal Planner



Hunter Whitehill
Assistant Planner

cc: Matt Best, Van Buren Township Director of Public Services
David Potter, FTCH, Township Engineers
David McNally, Van Buren Township Fire Marshal





MCKENNA

March 24, 2020

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

Subject: VBT-19-037 Hampton Manor/43250 Tyler Road; Site Plan Review #3; Revised Site Plans Dated February 3, 2020, Additional Information dated 2/5/2020; Traffic study dated 2/14/2020.

Dear Commissioners:

The applicant, Van Buren Investors Land Holdings, LLC, proposes to construct a Senior Housing development called Hampton Manor. The proposed 62,516 square foot building will comprise of 56 assisted living units and 24 memory care units. The site is located on the southeast corner of Tyler Road and Morton Taylor Road intersection and has a total site area of 7.11 acres. We have reviewed the site plan based on Zoning Ordinance standards and sound planning and design principles. Our comments are as follows (items requiring changes or additional information are underlined):

COMMENTS

- 1. Zoning and Use.** The site is currently zoned C (Local Business District). Section 3.110 of the Zoning Ordinance permits senior housing as a special land Use in the C Local Business District.
- 2. Required Information.** Section 12.203 of the Zoning Ordinance includes requirements for information on a site plan. All site plan related details have been noted on the plans.
- 3. Lot.** The parcel has a total area of 7.11 acres. The legal description is included with the tax parcel ID number.
- 4. Dimensional Requirements.** There is no required minimum lot width in the C Local Business District. The minimum required front, rear, and side yard setbacks for senior housing per Section 5.143 of the Zoning Ordinance are 50 feet each. The proposed building exceeds all of the required setbacks.

Maximum permitted building height for senior housing per Section 5.143 (F) is 40 feet. The elevations proposed building height of 17 feet, in compliance with the Zoning Ordinance.

Per Section 3.105(b) (2) (b), the C district has a maximum limit of 30,000 square feet on building size. The proposed structure exceeds that limit. The intent behind this limitation in the C district was to restrict the traffic generated from any single commercial use. This standard was not intended for residential type uses in the commercial district. At the time of adoption of the Senior Housing ordinance it was the intent that the size of the development would be dictated by required setbacks, greenbelts, parking, stormwater detention and other site design standards in the Ordinance that must be met. However, the clarification needs to be added to the C district regulations to avoid an appearance of conflict. The Planning

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Commission is currently in the process of considering this and other clarifications to the C district in the form of a zoning text amendment.

5. Access and Circulation.

- a. **Location of Curb Cuts.** The site plan includes two proposed curb cuts – one each onto Tyler and Morton Taylor Roads. The access drives are approximately midway along the site's frontage. Both access drives have a proposed width of 30 feet with a lane each for ingress and egress, which are to be striped on the pavement. The plan proposes a circulation pattern that is two-way to the west, north, and east sides of the building and one-way around the south side of the building. All of the two-way drive aisles are 24' and the one-way drive aisle is 23'. The site plan proposes painted arrows on the pavement and directional pole mounted signage, to direct traffic appropriately.
- b. **Cross Access.** The site plan does not propose any cross access points. Since the abutting parcels to the east and south are zoned single family residential, this is acceptable.
- c. **Sidewalks.** The applicant is proposing to construct a new 5' concrete sidewalk along the site's Morton Taylor and Tyler Road frontages, as well as a 5'-8' sidewalk around the perimeter of the proposed building. The plan provides for sidewalk and crosswalk connection from the public sidewalks to the interior site sidewalk.
- d. **Traffic Study.** In response to several comments received at the public hearing regarding traffic issues at the intersection of Morton Taylor and Tyler Roads, and the impact of the proposed development, the applicant has submitted a traffic study conducted by Traffic Engineering Consultants, Inc dated 2/14/2020. The study includes an analysis of the LOS (level of service) at the intersection and also an analysis of crash test data. Per the study findings, the intersection functions mostly at LOS A and B with a level C for some turn movements. The existing and anticipated LOS is considered acceptable. The study does not recommend any signalization at the intersection at this time. Both roadways are under Wayne County jurisdiction, which does not have any plans at this time for changes to the intersection.

6. Parking and Loading.

- a. **Space Dimensions.** Parking spaces on the site are dimensioned at 9.5 feet wide by 20 feet long and will be double striped, compliant with township standards. The proposed barrier free accessible spaces are ADA compliant.
- b. **Number of Parking Spaces.** The parking requirement is one (1) space for every four (4) residents plus one (1) for each employee in the largest shift. With 84 anticipated residents and 15 employees, 36 parking spaces are required. The site plan proposes 50 parking spaces, with 6 spaces being barrier-free accessible.
- c. **Barrier Free Spaces.** The plan indicates a total of six (6) barrier free spaces, which exceeds ADA standards for a parking lot with 50 spaces.
- d. **Loading.** The site plan includes one (1) 10' x 50' loading spaces on the east side of the



building. As the proposed building is greater than 50,000 sq. ft. two (2) 10' x 50' loading spaces are required. However, the applicant has noted "Once building is operational deliveries will be from one vendor 2-3 times a week which does not necessitate two loading zones." This is an acceptable option that can be approved by the Planning Commission.

- 7. Landscaping and Screening.** The site is located in the Local Business (C) district. All sites are strongly encouraged to exceed Zoning Ordinance minimums for landscaping, site design, and building appearance among others. Our comments on individual landscaping requirements are reflected in the following comments:

- a. Landscaping Adjacent to the Right-of-Way.** Section 10.103(A) requires lot frontage landscaping of 1 deciduous tree/40 lineal feet + 1 ornamental tree/100 lineal feet + 8 shrubs/40 lineal feet. The site has a frontage of 458' on Tyler Road, which requires a total of 11 deciduous trees + 5 ornamental trees + 92 shrubs. The landscape plan proposes 12 deciduous trees + 5 ornamental trees + 100 shrubs along the road frontage on Tyler, compliant with the ordinance requirements. The site has a frontage of 465' on Morton Taylor Road, which requires a total of 12 deciduous trees + 5 ornamental trees + 93 shrubs. The landscape plan proposes 12 deciduous trees + 5 ornamental trees + 100 shrubs along the road frontage on Tyler, compliant with the ordinance requirements.
- b. Parking Lot Landscaping.** Section 10.103(B)(1) requires all parking lots to be landscaped and screened from adjoining public or private rights-of-way. Landscaping shall include a landscaped yard at least five (5) feet in width containing an opaque screen of landscaping (evergreen or deciduous hedge) at least three (3) feet in height. The landscape plan proposes a 25' wide landscape greenbelt along both street frontages to be planted with trees and shrubs to create an opaque screen.

Interior parking lot landscaping. Section 10.103(B)(2) requires the provision of landscaping within islands in a parking lot. Interior landscaping shall account for a minimum of five percent (5%) of all paved parking areas, including parking and loading spaces, driveways, and aisles. With 117,538 sq. ft. of total payment area, a total of 5,877 sq. ft. of interior parking lot landscaping is required. 17,631 sq. ft. of interior parking lot landscaping has been provided. The ordinance requires one (1) deciduous tree to be planted for each three hundred (300) square feet of interior landscaping. Based on the calculations a total of 59 interior landscape trees are required and have been provided.

- c. Loading Area Landscaping.** The loading area is located to the east of the proposed building. Section 10.103 (C) of the Zoning Ordinance requires an opaque wall or a greenbelt for required screening. The site plan proposes a staggered double row of evergreen trees/shrubs in this area and spacing of trees/shrubs has been provided to ensure the creation of an effective screen.
- d. Display Area Buffering.** This requirement is not applicable.
- e. Greenbelt Buffering.** Per section 10.103 (E), a 20-foot-wide buffer with one (1) tree per twenty (20) linear feet is required between the building and the R-1C zoned parcels to



the east and south. A 20-foot-wide buffer has been provided around the proposed development. With 612' along the east property line, a total of 31 trees are required and have been provided. With 607' along the south property line, a total of 30 trees are required, and a total of 31 trees are proposed on the revised plan. The south property line also has existing vegetation cover which is proposed to be retained to provide additional screening.

- f. **Local Business (C) District Landscaping District.** Section 10.103 (F) (3) of the Zoning Ordinance provides landscaping standards for the Local Business District and requires contiguous outdoor space, independent of sidewalks, pedestrian circulation areas and required landscaping, in an amount not less than one (1) square foot for each twenty-five (25) square feet of principal building. With the 62,516 square foot building proposal, 2,501 sq. ft. is required to meet this open space landscaping requirement. The site plan includes six proposed courtyards with a total area of 22,770 sq. ft. of open space area and meets the Ordinance requirement.
- g. **Detention Pond Landscaping.** The site plan includes a proposal to incorporate a detention pond into the development. The proposed drainage system is subject to review and approval by the Township Engineer and Wayne County. Any planting around the drainage areas are under Wayne County's jurisdiction. The planting plan for this area must be provided and approved by the County.
8. **Tree Removal Permit.** A tree removal permit is required if the applicant proposes to remove any trees of 5" caliper or larger. The plan includes a tree list which notes a total of 249 trees on site, of which 246 are on-site and 3 are off-site. While one of the off-site trees is located along the east property line, the other 2 off-site trees are located well within the adjacent residential property to the southwest of the site. The plan notes that all 3 off-site trees are to be saved; however, the applicant has no authority to remove the trees located on the neighbor's property. The reference to these trees should be removed from the site's tree list. Per the tree survey and landscape plans, a total 207 trees proposed for removal (83%). Of these only 97 trees count as regulated trees per the Ordinance and require replacement, which is being provided through 98 trees.
9. **Stormwater Pond.** As previously noted, the site plan indicates a large storm water detention pond on the south side of the site. Storm water detention calculations are subject to review and approval by the Township Engineer and Wayne County.
10. **Lighting.** The submission includes a detailed photometric plan with a lighting schedule that notes a total of 42 proposed fixtures, including wall and pole mounted lights. The plan proposes the installation of 16' tall black metal light poles along the perimeter access drive. In addition wall mounted fixtures are proposed on all 4 facades. Manufacturer's cut sheet detail for proposed fixtures have been provided and indicate downward directed and shielded fixtures. The photometric plan indicates zero light intensity along the property lines, especially abutting the single family residential use to the south and east.



11. Architecture and Building Details. The applicant has submitted detailed elevations of the proposed building. The structure is to be constructed of a foundation of face brick with limestone sills. The walls have alternating cultured stone veneer, composite siding and face brick to provide variation to the façade and break up the expanse of the wall. Per our recommendation, details have been added to the gable areas of the asphalt shingles roof, and additional dormers have been added. The main entry to the building on the north side is enhanced by a covered porch with pillars and a raised roof feature. All of the facades include window and door openings. A colored rendering has been submitted which shows a proposed color palette of red brick, grey stone veneer, grey and earth tone composite siding. Building material samples and colors must be presented at the Planning Commission meeting for review.

12. Dumpster. The site plan proposes a 6' tall 10' x 12' dumpster enclosure on the southeast corner of the site approximately 25' from the east property line. Typical enclosure details have been noted and meet ordinance requirements. The enclosure is to be constructed of stone veneer to match the principal structure.

13. Signs. A site plan indicates a monument sign along each of the street frontages, located outside the clear vision triangle area with a setback of 10 feet. The proposed signs have a 2' monument base to be constructed of brick veneer to match the building. The sign face is approximately 14 square feet, to be constructed of brushed aluminum lettering with cultured stone veneer support pillars on either side. The proposed signage meets the sign requirements for the C District.

14. Other. In response to questions raised at the public hearing regarding proposed generator locations to service the site, the revised plan includes a generator and transformer cabinet in the northeast corner of the building, and a generator and control panel on the north side of the detention pond. While the main generator panel area is well screened on the landscape plan, the generator near the detention pond is not shown on the landscape plan. Clarify the need for the second generator panel. If required for functionality of the site, we recommend that the generator be relocated, closer to the building and away from the south lot line.


Questions were also raised regarding maintenance of site and clean-up of litter. The applicant has clarified that the site will be kept clean and free of litter in a well maintained manner.

RECOMMENDATION

The site plan includes most of the details required by the Zoning Ordinance. In addition, information requested at the special land use hearing has also been submitted. The few remaining items can be included at final site plan review. In order to maintain clarity in the approval process, the C District text amendment must be approved prior to granting of preliminary site plan approval by the Planning Commission, which will be subject to the following conditions:

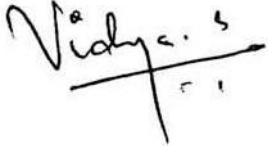
1. Review and approval of proposed storm water detention plan by the Township Engineer and Wayne County.
2. Approval of detention pond landscaping by Wayne County.
3. Deletion of off-site trees from tree counts.



- 
4. Clarification regarding need for second generator panel and relocation/addition of screening if deemed essential.
 5. Special land use approval by Township Board of Trustees.

Respectfully submitted,

McKENNA



Vidya Krishnan
Principal Planner



Hunter Whitehill
Assistant Planner

cc: Matt Best, Van Buren Township Director of Public Services
David Potter, FTCH, Township Engineers
David McNally, Van Buren Township Fire Marshal



July 16, 2020
Fishbeck Project No. 191597
Township Project No. 19-037

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

Hampton Manor Senior Housing
43250 Tyler Road
Preliminary Site Plan Review

Dear Carol Thompson:

At the request of Van Buren Township (Township), Fishbeck has reviewed the revised Site Plan dated July 2, 2020, submitted to the Township for Preliminary Site Plan review for the proposed Hampton Manor Senior Housing project, which is located at 43250 Tyler Road. At this time, Fishbeck examines and reviews the feasibility of the engineering aspects of the site design but will not conduct a full engineering review until the engineering submittal. Please note, the previous site plan was recommended for Preliminary Site Plan approval for engineering feasibility in our letter dated December 23, 2020.

This project entails construction of a new 80-unit Senior Assisted Living Community at the southeast corner of Morton-Taylor Road and Tyler Road. The existing site includes a residential building and six (6) parcels. The proposed construction includes: a 13,251 square foot memory care building attached to a 49,265 square foot assisted living building; removal of existing site features including several trees, the existing buildings and foundations, the existing pavement, the existing drainage basin, and the existing fence; construction of concrete sidewalk and pavement; construction of a 50-space bituminous pavement parking lot; construction of an 18-inch storm sewer pipe network including a detention basin with a lift station; construction of an 8-inch looped water main system; construction of a sanitary sewer service lead; and other various landscaping and site plan improvements.

This letter is in response to the most recent revised Preliminary Plans dated July 2, 2020 and the developer response letter dated July 6, 2020. Responses from the Applicant and additional action items will be listed as:

- (R) Applicant Response
- (C) *Additional Comment*

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. The applicant has also acknowledged several of these comments in a response letter dated July 6, 2020 and intends to address these comments as part of the Engineering Plan submittal.

1. The existing sanitary sewer system (septic tank or sanitary service) for the building and any proposed demolition of the system must be shown on the plans.
 - **There is no evidence a septic system is located onsite. Wayne County Environmental Health Department has been contacted but have no records on file. The current property owner says there is no septic system. The Township was contacted in November of 2019 and they have no lead information for the site and recommend having it traced. A complete Demolition Plan will be part of the engineering plans.**
 - *Understood.*
2. General note No. 13 states that all areas not built or paved will be irrigated. Irrigation plans must be included with the submittal of the Engineering Plans.
 - **An irrigation plan will be provided with engineering plan submittal.**
 - *Understood.*
3. Plans must indicate relocating and/or addressing the existing overhead utility poles. Plans must indicate location of proposed relocated overhead utility poles if within the project area.
 - **We have started the process with DTE Energy to get the existing onsite overhead utilities relocated and removed. We will update the engineering plans as necessary as the project proceeds.**
 - *Understood.*
4. Soil boring information, including the ground water elevations, must be provided.
 - **Soil boring information will be provided during the engineering review process.**
 - *Understood, however it should be noted that significant changes to the storm water detention pond sizing could be required due to the water table elevation. Per the Van Buren Township Engineering Standards Manual, water stored below the ground water table in the detention basin does not count towards the detention volume requirement.*
5. A quantity list itemizing all proposed public sanitary sewer, storm sewer, and water main construction must appear on each sheet indicating such construction. A quantity list indicating the total quantities of construction for the entire project must also be provided.
 - **A quantity list itemizing all proposed public sanitary sewer, storm sewer, and water main construction will appear on each sheet of the engineering plans indicating such construction. A quantity list indicating the total quantities and estimated construction cost for the entire project will be included as part of the engineering review submittal.**
 - *Understood.*
6. Plans must include the applicable Standard Detail Drawings (SDD) as found in Appendix A of the Township Engineering Standards Manual. The Township can provide full size sheets of multiple details upon request.
 - **The Township Standard Detail Sheets for construction will be made an integral part of the engineering plans.**
 - *Understood.*

Water Main Service

Existing: The Township's Geographic Information System (GIS) records indicate a publicly owned 12-inch cast iron water main running north-south along the west side of Morton-Taylor Road and a 12-inch asbestos cement water main that runs east-west along the north side of Tyler Road. There is one existing fire hydrant on the north side of Tyler Road and two existing fire hydrants on the west side of Morton-Taylor Road near the proposed development.

Proposed: The applicant's plan indicates a proposed public 8-inch water main loop around the proposed building with three 6-inch fire hydrant leads, a 6-inch fire service lead, and a 2-inch domestic service lead. The plans indicate a 12-foot wide public water main easement with two connections to the existing 12-inch cast iron public water main running north-south along Morton Taylor Road.

Comments:

1. Wayne County will need to review and approve the method of installing the pipe across Morton-Taylor Road and potential impacts to Morton-Taylor Road.
 - **Wayne County Department of Public Services shall be provided with a full set of engineering plans for approval of any work within their jurisdiction.**
 - *Understood.*
2. Applicant must verify demand pressure requirements for building service and fire flow.
 - **The applicant will provide the demand pressure requirements for building service and fire flows during the engineering review process.**
 - *Understood.*
3. The applicant must verify with the Township the connection type and discuss shut down and isolation procedures necessary to make the connections to the existing main.
 - **The Township shall be consulted regarding the connection type and shut down/isolation procedures for the tap to the existing water main during the engineering review process.**
 - *Understood.*

Sanitary Sewer

Existing: The Township's GIS records indicate there is an existing publicly owned RCP 15-inch gravity-fed sanitary sewer running east-west along the south side of Tyler Road and a publicly owned RCP 18-inch gravity-fed sanitary sewer running north-south along the east side of Morton-Taylor Road.

Proposed: The applicant is proposing to install an 8-inch sanitary sewer lead north from the proposed structure with a grease interceptor into the existing 15-inch sanitary sewer running east-west along the south side of Tyler Road via a wye connection.

Comments:

1. Approval from waste water treatment system owner (South Huron Valley Utility Authority (SHVUA)) and Michigan Department of Environment, Great Lakes, and Energy (EGLE) will be required.
 - **If necessary, approval from wastewater treatment system owner SHVUA and EGLE will be applied for during the engineering process.**
 - *Understood.*
2. Basis of design flow computations for sanitary sewers must be included with the submittal of the Engineering Plans.
 - **The sanitary sewer basis of design will be included as part of the engineering review submittal.**
 - *Understood.*

Storm Sewer

Existing: The Township's GIS records indicate there are open roadside ditches along the proposed development and driveway culverts conveying stormwater runoff north and east from the property. The applicant's plans indicate an existing depression near the southeast corner of Morton-Taylor Road and Tyler Road. Applicant has supplied information that this standing water flows across Morton-Taylor Road to the west through a culvert.

Proposed: The applicant is proposing to capture storm water runoff from the site via roof drain leads and storm drain inlets through a system of storm sewers into an onsite detention basin. The detention basin is proposed to outflow through a restrictor stand pipe into a proposed pump station, which is shown to discharge into a proposed manhole on top of the existing 15-inch storm sewer pipe running north-south along the west side of Morton-Taylor Road. The plans also indicate the relocation of the roadside ditch along the north and west sides of the property, which includes multiple proposed 12-inch driveway culverts. The plans do not indicate the proposed pipe materials for any piping.

Comments:

1. Applicant has provided information that the plans have been submitted to Wayne County Department of Public Services for storm water management and soil erosion control review, and that the County has acknowledged receipt of those plans on November 13, 2019. Approval from Wayne County must be obtained prior to the Engineering and Final Site Plan approval.
 - **Review plans were received on December 29, 2019 and revisions are included in this plan submittal.**
 - *Please provide all review documentation from Wayne County regarding the storm water detention system. There are still concerns with the ultimate overflow from the site in the event of a pump failure or outlet clog, that will need to be discussed further.*
2. Plans indicate the ditch being rerouted along the north and west sides of the property. Applicant has provided information that this storm water proceeds to flow through a culvert to the west side of Morton Taylor Road, which flows across Tyler Road to the north where it discharges into the existing open drain. This information will be verified during the engineering review process.
 - **Some clean-out of the existing system may be required to provide positive drainage. This information will be verified during the engineering review process.**
 - *Understood.*
3. Applicant to verify manhole sizes for all structures. Based on sizes and angles, some structures may need to be very large.
 - **All storm structures shall be appropriately sized and labeled on the engineering plans.**
 - *Understood.*

Paving and Grading

1. Flow arrows on the grading plans shall indicate general slopes of the area, verifying that minimum and maximum slopes/grades are met. As part of the Engineering review process, the applicant will be required to provide more detailed grading plans that show detailed ramp grades for Americans with Disabilities Act 2010 (ADA) ramp areas.
 - **A detailed paving and grading plan, including pavement flow arrows with slopes and ADA compliance will be provided during the engineering review process.**
 - *Understood.*
2. More information is needed for the driveway pavement section. Commercial driveways must be a minimum 8-inch concrete. Asphalt drives for other than single-family residential must be approved by the Township Engineer. Please provide additional information on cross section, limits, etc.

Soil Erosion and Sedimentation Control (SESC)

1. We understand that the developer has submitted the SESC plan to Wayne County on November 6, 2019, and that a copy of approval/permit will be provided during the engineering process. The provided permit must be in accordance with the Township *Engineering Standards Manual*, Chapter II, Plan Requirements, Paragraph D, SESC Plan Requirements, and in accordance with Wayne County SESC standards.
 - A Soil Erosion and Sedimentation Plan has been prepared in accordance with the standards of all governing agencies and submitted to Wayne County Department of Public Services – Land Resource Division, Soil Erosion on November 6, 2019 for review/approval. A permit was received on November 21, 2019 and copy is enclosed for your records.
 - Confirmed.

Recommendation

We are recommending the Planning Commission grant the Hampton Manor Senior Housing Project Preliminary Site Plan approval for Engineering feasibility, subject to the comments listed above and in accordance with VBT's Engineering Standards manual. If you have any questions regarding this project, please contact me at 248.324.2137 or pkammer@fishbeck.com.

Sincerely,



Paul J. Kammer, PE
Senior Civil Engineer



Stephen C. Clayton, PE
Civil Engineer

By email

Copy: Matthew Best – Township
Dan Power – Township
Vidya Krishnan– McKenna
Dave Potter – Fishbeck

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

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



July 15, 2020

Building and Planning
46425 Tyler Road
Belleville, MI 48111

Re: Hampton Manor of Van Buren Township
Final site plan review

All Fire Department concerns identified in the first and second review have been addressed in their attached letter and on sheet 01 of submitted plans dated 11-06-19 which were received by on July 8th 2020.

I

Review and approval by the Authority Having Jurisdiction shall not relieve the applicant of the responsibility of compliance with these codes. Van Buren Fire Department reserves the right to request changes if a life safety issues are found during final walk through.

Respectfully Submitted,

David C McNally- Fire Marshal

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

PLANNING & ZONING APPLICATION

Case number 2/24/ VBT 20-005

Date Submitted 2/24/2020

APPLICANT INFORMATION

Applicant	<u>NC Designers</u>	Phone	<u>(313) 986-8381 NASSER'S CELL</u>
Address	<u>3241 S Telegraph</u>	Fax	<u>N/A</u>
City, State	<u>Dearborn, MI</u>	Zip	<u>48124</u>
E-mail	<u>ncdesigners@yahoo.com</u>	Cell Phone Number	
Property Owner	<u>IS Real Estate LLC</u>	Phone	<u>586-498-9670</u>
	(if different than applicant)		
Address	<u>30401 Utica Road</u>	Fax	<u>586-498-9671</u>
City, State	<u>Roseville, Michigan</u>	Zip	<u>48066</u>
Billing Contact	<u>Tony Kaddo</u>	Phone	<u>248-789-2999</u>
Address	<u>30401 Utica Road</u>	Fax	<u>586-498-9671</u>
City, State	<u>Roseville, Michigan</u>	Zip	<u>48066</u>

SITE/PROJECT INFORMATION

Name of Project New Gas Station

Parcel Id No. V125-83- Project Address 11250 Haggerty

Attach Legal Description of Property

Property Location: On the WEST Side of HAGGERTY Road; Between OLD HAGGERTY Road and 194 Service Drive Road. Size of Lot Width _____ Depth _____

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

Project Description: New Gas Station

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

Memo

TO: Van Buren Township Planning Commission
FROM: Dan Power – Director of Planning and Economic Development
**RE: VBT 20-005 – Mobil Gas Station Redevelopment Special Land Use
and Preliminary Site Plan review**
DATE: July 16, 2020

NC Designers on behalf of owner IS Real Estate LLC / Belleville Oil Company, Inc. has applied to demolish buildings and structures and to construct a new +/- 3,395-sq. ft. convenience store with retail and food service, including a drive-thru lane and one (1) drive-thru window, a 3,213-sq. ft. canopy with ten (10) gasoline pumps, and related site improvements at a +/- 1.06-acre gasoline station site located at 11250 Haggerty Road (tax parcel number 83 051 99 0003 002), at the northwest corner of the intersection of the I-94 North Service Drive and Haggerty Road. The site is zoned C-1 – General Business District. Drive-thru facilities as accessory to a permitted principal use require a special land use permit in the C-1 zoning district.

The proposed Special Land Use requires a public hearing. This hearing is being held in accordance with Article 12, Chapter 3 of the Zoning Ordinance (Administrative Procedures - Special Land Use Review). A public hearing notice has been posted to the Belleville Area Independent and was mailed to neighboring property owners within 300' of the site on 11250 Haggerty Road on July 1, 2020. A copy of the notice is attached.

The applicant has submitted a set of civil and architectural plans dated May 12, 2020 for review.

At this time, staff has reviewed the project and considered broadly that this redevelopment would be complimentary to, and would not adversely impact, its surroundings and would be a well-suited special land use at the proposed location. Specific findings on the special land use aspect of the request appear in the Township Planning Consultant's letter dated July 15, 2020, which is included in the Planning Commission's packet. For these reasons, a positive recommendation to the Township Board for the special land use request is recommended by staff.

While the special land use aspect of the request is ready for the Planning Commission's review, a number of zoning, engineering and fire design detail deficiencies remain on the proposed preliminary site plan. For these reasons, staff recommends that the Planning Commission may recommend special land use review but postpone action on the preliminary site plan until a later meeting date.

I look forward to our discussion. Thank you for the opportunity to take part in this review.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dan Power". The signature is fluid and cursive, with the first name "Dan" and last name "Power" clearly distinguishable.

Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

CC: Nasser Choucair, NC Designers, Inc.
Matthew Best, M.S. - Public Services Director, Van Buren Charter Township
Vidya Krishnan – Van Buren Charter Township Principal Planner / Planning Consultant –
McKenna Associates
Paul Kammer – Van Buren Township Engineer / Engineering Consultant – Fishbeck
Andy Lenaghan – Fire Inspector, Van Buren Charter Township



MCKENNA

July 15, 2020

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

**Subject: VBT-20-005 Mobil Gas Station/ 11250 Haggerty Road; Special Land Use Review #1;
Revised Site Plans Dated May 12, 2020.**

Dear Commissioners:

The applicant proposes to construct a new gas station with a drive-thru restaurant on a site with an existing gas station and convenience store which are to be demolished. The site is located at the northwest corner of I-94 N. Service Drive and Haggerty Road, is zoned C-1 (General Business) District and has a total area of 0.9 acres.

We have reviewed the special land use request based on Zoning Ordinance standards and sound planning and design principles. Our comments are as follows (items requiring changes or additional information are underlined):

Special Land Use Review Comments

Section 12.306 of the Zoning Ordinance sets forth criteria for the Planning Commission to consider when reviewing special land use proposals. Following is our review of each criterion:

- 1. Will promote the use of land in a socially and economically desirable manner for those persons who will use the proposed land use or activity; for those landowners and residents who are adjacent; and for the Township as a whole.**

This site use to have an operating gas station and convenience store. The site plan at this time involves major site improvements and changes to improve the viability of the business. Therefore, we find that the use will continue to promote the use of land in a socially and economically desirable manner. Any impacts resulting from the site improvements on the adjacent properties will be mitigated through setbacks, landscaping and screening, which are reviewed in our site plan review letter under separate cover.

- 2. Is necessary for the public convenience at that location.**

A gas station previously existed at the site and its proximity to I-94 and location on the service drive makes access to it convenient for the public.

- 3. Is compatible with adjacent uses of land.**

The sites to the north, south, and west are currently vacant. A similar business, BP gas station is located just across the street to the east. Therefore, the use is compatible with adjacent uses of land.

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



4. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

The proposed site changes involve improvements to site landscaping and circulation, which are likely to enhance public health, safety, and welfare. The plan has been changed based on staff discussions to provide for optimal circulation on the existing site.

5. Can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area.

We do not anticipate that the proposed site improvements will affect the site's current public service capacity. The applicant is working with the Township Engineer to meet all utility requirements.

6. Will not cause injury to other property in the neighborhood in which it is to be located.

The proposed site improvements will not cause injury to other property in the neighborhood in which it is to be located.

7. Will consider the natural environment and help conserve natural resources and energy.

Four trees are proposed to be removed but many more are proposed to be planted. Our comments on landscaping are noted in our site plan review letter under separate cover.

8. Is within the provisions of uses requiring special approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located and meets applicable site design standard for special approval uses.

Mobil gas station is within the provisions of uses requiring special approval, and is in harmony with the purposes and conforms to the applicable regulations of the C-1 zoning district and meets applicable site design standard for special approval uses.

9. Is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.

The proposed gas station and drive-thru use is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.

Specific Approval Criteria for Drive-Thru [Section 5.136]: Drive-Thru's are permitted as a Special Land Use in the C-1 District, and are subject to the following specific use standards:

1. The entrance to or exit from any such use shall be located at least one hundred (100) feet from the intersection of any two (2) streets.

The site plan does not note the distance of the two access drives from Haggerty Road – I-94 NSD intersection. Based on our scaling of the plans, the access drive off the Service Drive complies; however the access drive off Haggerty Road appears to be located only 90 feet away. While this is an existing non-conformity, the applicant is re-doing the entire site. The access drive must be shifted to the north to comply.

2. All such uses shall have direct ingress and egress through a paved major thoroughfare.

The drive-thru does have direct ingress and egress through a paved major thoroughfare, which is Haggerty Road.



3. All lighting or illuminated display shall not reflect onto any adjacent residential zoning district and shall meet the requirements of Section 8.105.

There are no abutting residential districts; therefore light spillage onto residential districts is not an issue of concern. However, there are several instances where the proposed illumination levels exceed the standards established in Section 8.105 (B) (2) of the Zoning Ordinance. This issue is addressed in detail in our site plan review letter under separate cover.

4. The approving authority shall consider the proximity of the on-site use to existing places of congregation of children (e.g. schools) regarding traffic safety and sanitation.

No schools or other places with congregation of children exist within 1000' of the site. Therefore, this standard is met.

Recommendation

The proposed drive-thru use meets the general standards for consideration of special land use approval. However; some requirements related to the specific standards related to drive-thru's remains to be addressed. There specific design related items can be addressed on the site plan. Therefore, we recommend that the Planning Commission recommend approval of the proposed special land use for the drive-thru to the Township Board of Trustees, subject to the following conditions:

1. Shifting the access drive off Haggerty Road 10 feet to the north to comply with the 100 feet distance requirement from the intersection.
2. Compliance of proposed illumination levels to standards of Section 8.105 (B) (2) of the Zoning Ordinance.
3. That all of the conditions of preliminary site plan approval are met.

Respectfully,
McKENNA

Vidya Krishnan
Principal Planner

Hunter Whitehill
Associate Planner

c: Matt Best, Van Buren Township Director of Public Services
Dan Power, Van Buren Township Director of Planning and Economic Development
David Potter, FTCH, Township Engineers
David McNally, Van Buren Township Fire Marshal

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
REMOTE PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **July 22, 2020 at 7:30 p.m.** Pursuant to the State of Michigan Governor's Executive Order #2020-75, this meeting will take place electronically due to health concerns associated with COVID-19. The Planning Commission will consider the following request:

Case 20-005: A request by NC Designers on behalf of owner IS Real Estate LLC / Belleville Oil Company, Inc. to demolish buildings on an existing gasoline station site including an existing +/- 924-sq. ft. convenience store, +/- 4,600-sq. ft. canopy, twelve (12) gasoline pumps, shed and vinyl fencing and to construct a new +/- 3,395-sq. ft. convenience store with retail and food service, including a drive-thru lane and one (1) drive-thru window, a 3,213-sq. ft. canopy with ten (10) gasoline pumps, and related site improvements. The +/- 1.06-acre site, zoned C-1 – General Business District, is located at 11250 Haggerty Road (tax parcel number 83 051 99 0003 002), at the northwest corner of the intersection of the I- 94 North Service Drive and Haggerty Road.

Drive-thru facilities as accessory to a permitted principal use require a special land use permit in the C-1 zoning district. The proposed Special Land Use requires a public hearing. This hearing is being held in accordance with Article 12, Chapter 3 of the Zoning Ordinance (Administrative Procedures - Special Land Use Review).

Members of the public may access the agenda materials via the Township website – www.vanburen-mi.org beginning **July 17, 2020**. On this website, members of the public will also gain access to **means of participating in the electronic meeting**, including a unique Zoom weblink and dial-in phone number with a meeting ID for meeting videoconference or teleconference access. The meeting will be available to view live on the Van Buren Township YouTube Channel which can be reached from the live meeting link located on the Van Buren Township website home page (www.vanburen-mi.org). Closed captioning will be available after YouTube fully renders meeting video.

A complete **procedure for public comment by electronic means** is provided on a guide which is accessible on the Van Buren Township website (www.vanburen-mi.org). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments via e-mail to dpower@vanburen-mi.org by **Noon, Tuesday, July 21, 2020**, which is the day before the meeting. Members of the public may also contact dpower@vanburen-mi.org to be connected with members of the Planning Commission prior to the meeting by e-mail.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend a meeting, and/or to obtain this notice in alternate formats, please contact the Clerk's Office at 734.699.8900 extension 9205.

Posted: June 26, 2020
Published: July 2, 2020





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

DATE: July 7, 2020

BUSINESS NAME: WATERS Kitchen

CONTACT PERSON: CAROLYN GREGORY PHONE # 734-255-2830

SUPERVISOR FOR SITE: MARC THURSTON PHONE # 734-252-8409

EVENT TITLE: MENARDS Food Vendor For Summer

TYPE OF EVENT: SUMMER VENDOR DATE(S): 6/24/20 TO 10/31/20

LOCATION OF EVENT: MENARDS

ADDRESS OF LOCATION: 10010 Belleville Rd, Belleville Mich 48111

PROPERTY OWNER REPRESENTATIVE: JAMIESON PHONE # 716-876-2157

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

OTHER MENU ON INSIDE OF TRAILER

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

NOTES:

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

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

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

Carolyn Gregory
(SIGNATURE OF APPLICANT)

6/25/20
(DATE SIGNED)

(APPROVED BY)

(DATE SIGNED)

Memo

TO: Van Buren Township Planning Commission
FROM: Dan Power – Director of Planning and Economic Development
RE: VBT 20-017 – Water’s Kitchen Food Trailer: Temporary Land Use Review
DATE: July 16, 2020

Carolyn Gregory of Waters Kitchen is requesting a Temporary Land Use permit for the outdoor service of catfish, ribs, wings, and other food using a food trailer at 10010 Belleville Road (parcel number 83 061 99 0005 726). This is a new proposed temporary accessory use at the Menard’s store site and not an existing business. The site is zoned C-2 – Extensive Highway Business District. The temporary use is proposed to be for a one-year timeframe. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval.

The following items are the approval standards in section 7.120 of the Township’s Zoning Ordinance and our review is based upon conversations with the applicant and the provided materials. Please consider the following:

Adequacy of parking and access

The proposed 8’ x 20’ food trailer is proposed to be situated in a space spanning six (6) off-street parking spaces within the Menard’s Store parking lot. The site currently has adequate typical and barrier-free (handicap accessible) parking spaces. The site will still have adequate parking while the temporary land use is ongoing.

Adequate drainage - The site is in an existing parking lot that already has storm water drainage. The food trailer will add impervious surface or water into the storm system.

Compatibility with surrounding land uses. The proposed use involves food service in proximity to a major retail sales use. The proposed use is an outdoor application of accessory food service that is often found indoors at major retail stores. The uses are therefore compatible.

Size, height, and type of construction of proposed buildings and structures in relation to surrounding site – Images of the proposed 8’ x 20’ trailer are provided by the applicant. The trailer includes signage and information about the food items sold, and is not visually offensive.

Sufficient setbacks from road right-of-ways and lot lines - The food service area is setback over 200' (well over the required front yard setback of 35') from the Belleville Road right-of-way and approximately 25' from the adjoining property line to the east.

Adequate utilities - The food trailer and any necessary electrical connection will be inspected to ensure compliance applicable requirements.

Trash disposal and site clean-up - Waters Kitchen will be responsible for all trash disposal and site clean-up. Disposal of food waste will be required to meet state and local standards. The site will be inspected in coordination with the building official and the fire department, at which time proper disposal of site waste can be evaluated.

Sanitary facilities - There are restrooms in the Menard's store. Due to the nature of the proposed temporary food service use, it will not be required to provide its own restroom.

Hours of operation - The proposed hours of operation from 9:30 a.m. to 7:00 p.m. are compatible with the Menard's store.

Outdoor light and signs - No exterior lights are provided. Regarding signage, the Zoning Ordinance permits one (1) 32 sq. ft. temporary sign for a period not to exceed 30 days. Signage / decals on the temporary trailer should be oriented internally to the Menard's site to the greatest extent possible.

Other licenses and permits required - A license from the State of Michigan Department of Agriculture and Rural Development has been provided. The applicant will also need to provide a copy of any required active permits or licenses from the Wayne County Department of Health, Human and Veterans Services.

Potential noise, odor, dust, and glare - The proposed temporary use is situated adjacent to a large retail parking lot, is to the west of a large 3.3-acre outlot, and is across a major road from commercial properties. These site conditions should minimize concerns regarding odor. There is also not expected to be excessive noise, dust, or glare associated with the site.

Fire lanes, fire protection, and security - The Fire Marshall is reviewing the application with respect to fire lanes, fire protection, and security requirements. The Fire Marshall will coordinate an inspection with the building official before operation begins.

Off-site impacts of traffic volumes - The roads in the immediate vicinity are major roads, and this temporary use will not impact their flow or travel volumes. Much of the traffic to this use will be anticipated to be captured traffic from those visiting the Menards store.

Necessity of performance bond to ensure prompt removal - The property owner will be responsible for ensuring the site is returned to its pre-sale condition. Documentation of liability insurance has been provided.

Other concerns which may impact the public health, safety, or general welfare - There are no other concerns which may impact the public health, safety, or general welfare.

Recommendation

The applicant has provided the following materials to support the findings in this report:

- Completed Application Form
- A contract with property owner
- A narrative letter dated 07/16/2020
- A plot plan
- Photos of the trailer
- Liability insurance documentation
- Michigan Department of Agriculture and Rural Development License

Based on these materials and the findings in my report, I recommend approval of this application subject to the following three (3) conditions:

- The applicant must provide a copy of any required active permits or licenses from the Wayne County Department of Health, Human and Veterans Services.
- Fire Marshall review, approval, and inspection must be completed in coordination with the building official prior to the beginning of the use.
- The use may proceed for a period of one (1) year, to terminate on July 22, 2021 unless the use is extended by the Planning Commission.

Sincerely,



Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

CC: Matthew Best, M.S. - Public Services Director, Van Buren Charter Township
Judy Fields – Building Official, Van Buren Charter Township
David McNally and Andy Lenaghan – Fire Department, Van Buren Charter Township
Carolyn Gregory – Waters Kitchen
Jaymon T. Hajos – Menards Real Estate

Limited License Agreement

Food Vendor
Belleville, Michigan

This Limited License Agreement ("Agreement") is made on June 26, 2020 between Menard, Inc. ("Licensor") and Carolyn Gregory ("Licensee").

Parties

Licensor is a Wisconsin corporation engaged in the business of operating a chain of home improvement stores and is headquartered at 5101 Menard Drive, Eau Claire, Wisconsin. Licensor has a retail store located at 10010 Belleville Road in Belleville, Michigan.

Licensee is an adult individual engaged in a food service business named Waters Kitchen. Licensee's address is 1600 Stephen Drive, Ypsilanti, Michigan 48198.

Statement of Purpose

Licensee desires to use four (4) spaces located in the parking lot adjacent to Licensor's store as depicted on Exhibit A (the "Licensed Area") to install and operate one food truck, in accordance with and subject to the terms and conditions of this Agreement.

Licensor is willing to grant Licensee a revocable, limited, non-exclusive license over the Licensed Area for the benefit of Licensee.

Agreement

The parties agree to the following:

1. The license will commence on June 26, 2020 and terminate on October 31, 2020 (the "Term"), unless terminated earlier by either party pursuant to this Agreement.
2. Licensor hereby grants to Licensee a non-exclusive limited license to enter upon the Licensed Area during the Term solely for the purpose of operating a food truck, and for no other purpose without the prior written consent of Licensor, which consent will be at Licensor's sole discretion. Licensee acknowledges and agrees that any and all activities conducted by Licensee or Licensee's employees, agents, representatives or contractors will be solely at the risk of Licensee. Licensee acknowledges and agrees that Licensor will not provide utilities for Licensee's use. **Licensee shall comply with all social distancing rules and other guidelines imposed by Licensor in relation to the ongoing COVID-19 pandemic, including without limitation requiring every employee to wear a face mask and gloves at all times, until directed otherwise by Licensor.**
3. Upon Licensee's execution of this Agreement, Licensee shall pay a \$600.00 license fee to Licensor for the first full month of the Term. For each subsequent month, Licensee shall pay to Licensor a \$600.00 license fee in advance at the address provided for notices in Section 23. Licensee shall pay a prorated license fee for any partial month during the Term. **All amounts paid to Licensor must be in the form of a check or money order. However, if Licensor at its sole discretion allows a payment to be made by credit or debit card, Licensee shall also pay a processing fee of 3% of the amount charged. Licensor reserves the right to change the amount of the license fee at any time on twenty-eight (28) days' prior written notice to Licensee, which new amount will be effective on the first day of the month following said twenty-eight (28) day period.**

4. Upon Licensee's execution of this Agreement, Licensee shall pay to Licensor a security deposit in the amount of \$600.00, which will be held by Licensor. The security deposit will be refunded to Licensee if the Licensed Area is left in the condition called for by this Agreement. Notwithstanding the foregoing, Licensor has the right to apply and retain such portions of the security deposit as are necessary to remedy all amounts, liabilities, and obligations which Licensee assumes or agrees to pay or discharge pursuant to this Agreement. Upon termination, Licensor will return the security deposit, or provide written explanation of deductions, within 30 days after receipt of a written request by Licensee.
5. Licensee shall operate its business on the Licensed Area only during the hours of operation of Licensor's adjacent retail store. **If Licensee ceases its operations on the Licensed Area for any period in excess of three (3) days, Licensee shall remove its truck and all other personal property and equipment from the Licensed Area until it resumes its operations. If such period of non-operation continues for more than a total of ten (10) days, except for any reasonable period of repair or maintenance of the truck, Licensor shall have the right to terminate this License Agreement on written notice thereof to Licensee.**
6. Licensee shall be in default in the event that it:
 - a. fails in the payment of fees or fails in any other charge hereunder,
 - b. fails to comply with any other term or condition of this Agreement,
 - c. fails to leave the Licensed Area clean and in the original or better condition at the end of the Term,
 - d. makes an assignment for the benefit of creditors, or
 - e. allows a lien to be filed against the Licensed Area.

In the event of any default, Licensor shall, at its option, have the right to terminate this Agreement, in addition to any other remedies which are available to Licensor. Licensor will charge Licensee a monthly delinquency charge of 1 1/2% per month (18% A.P.R.) on any rents or other charges to be paid by Licensee under this Agreement that are overdue and such charge shall be paid by Licensee. In addition, Licensor shall also be entitled to receive from Licensee collection costs and attorney fees totaling not less than 15% of the unpaid balance if delinquencies are referred for collection. In the event that Licensee is in default under any other Agreement entered into between Licensor and Licensee, then Licensee shall also be in default under this Agreement and Licensor shall, at its option, have the right to terminate this Agreement, in addition to any other remedies which are available to Licensor. In any event, if this Agreement is terminated by Licensor, Licensee's obligation to pay rent and damages will not be terminated.

7. **Notwithstanding anything in this Agreement to the contrary, at its sole discretion each party has the option to terminate this Agreement (Licensor at any time, and Licensee at any time after the first full month of the Term) with 7 days' prior written notice to the other party.** If this Agreement is terminated by Licensor without cause, Licensor will issue Licensee a refund for fees paid in advance. The refund will be pro-rated from the date of termination to the end of the month in which this Agreement was terminated. Licensor will issue the refund within 30 days from the date of termination.

8. Licensee shall, without any cost to Licensors, provide all planning and arrangements for, and conduct the due diligence investigations and all of its associated physical preparations and activities for all activities on the Licensed Area. For all activities carried out on the Licensed Area pursuant to this license and this Agreement, Licensee shall provide adequate security, personnel and management so that such activities will be carried out without damage to any property (including Licensors' property), injury to persons or impairment to the environment. Licensee shall conduct all activities on the Licensed Area, and shall cause its employees, agents, representatives and contractors to conduct their activities on the Licensed Area with due care for the health and safety of persons and the protection of property and the environment.
9. Licensee agrees not to cause or permit any lien to be filed against the Licensed Area and shall indemnify and hold Licensors harmless from and against any and all such claims and liens arising out of the activities of Licensee, its employees, agents, representatives or contractors at or upon the Licensed Area.
10. Licensee shall, at its sole cost, obtain and maintain in effect all licenses, permits, consents and authorizations of federal, state and local authorities which may be necessary, required or appropriate for all activities of Licensee and its employees, agents, representatives and contractors at or upon the Licensed Area.
11. Licensors make no representations, warranties or covenants of any nature whatsoever regarding the condition of the Licensed Area or its suitability for the activities planned by Licensee. **Licensee understands that it will be operating its business at its own risk and agrees that Licensors will not be required to undertake or exercise any duty of care or other safeguards with respect to the Licensed Area or for the safety of persons or for the prevention of damage to property in connection with any activities of Licensee or third parties on or about the Licensed Area.**
12. Any banners, signage, equipment or facilities temporarily placed on the Licensed Area by or for Licensee must be approved by Licensors prior to placement and must be installed, kept and maintained by Licensee in a sightly, safe and secure condition and in compliance with all applicable federal, state and municipal laws, regulations, ordinances and orders. All activities of Licensee and its employees, agents, representatives and contractors on and about the Licensed Area must be conducted in compliance with all applicable federal, state and municipal laws, regulations, ordinances and orders.
13. At all times during the Term, Licensee shall keep the Licensed Area and everything thereon in a clean, safe and orderly condition and shall keep the Licensed Area and its surroundings clean and free from trash, rubbish, waste and debris. **Licensee is not allowed to dispose of its trash in any receptacle on Licensors' adjacent property.** Before expiration of the Term, Licensee shall remove all materials, equipment, personal property and other items of any nature which were placed or brought upon the Licensed Area by or for Licensee, and Licensee shall leave and surrender the Licensed Area in the same or better condition as it was at the beginning of the Term. If any repairs or restoration should be necessary in order to return the Licensed Area or any part thereof to such condition, such work must be promptly performed by Licensee, at its sole cost and to Licensors' satisfaction. If Licensee fails to so perform any such repairs or restoration, Licensors shall have the right to complete any remaining work and bill Licensee the full cost thereof. **Any personal property or equipment left by Licensee on the Licensed Area for more than seven (7) days after the date of expiration or termination of this Agreement shall be deemed to be abandoned by Licensee. To the maximum extent permitted by law, (A) Licensors shall have no duty to store or dispose of any such abandoned property, and (B) Licensors shall have the**

right to dispose of any such abandoned property free of any interest of Licensee and without compensation to Licensee.

14. Licensee agrees to operate its business in good faith and in a professional, lawful manner, including without limitation in the areas of prompt and courteous customer service, employee hiring, training and supervision, grooming, cleanliness of the customer service area, proper food handling and food safety procedures, and the handling of any customer complaints. Licensee shall at all times maintain its facility in a neat, clean, and sanitary condition, free from waste or debris. Licensee shall adequately staff its facility during all business hours. Licensee shall require its employees and agents at all times to present a neat, clean and well-groomed personal appearance, and to conduct themselves in a courteous and professional manner in their interactions with both Licensee's and Licensor's customers. **Licensee agrees to take no action nor make any omission that will result in injury or damage to Licensor's reputation, business or property.** Licensee further agrees to abide by the policies, standards and practices (not in conflict with applicable laws and regulations) that Licensor may formulate from time to time for its store operations. Examples of violations of this Section include, without limitation:
- a. Verbal, physical or other offensive, hostile or intimidating conduct toward any customer, vendor or employee;
 - b. Sexual, racial or other harassment or disparagement of any customer, employee or vendor;
 - c. Destruction or misappropriation of customer or Licensor property;
 - d. Consumption or possession of alcohol or any illegal substance;
 - e. Sleeping by Licensee's employees or agents on or around the Licensed Area; and
 - f. Use of profane or abusive language.

Licensor reserves the right to immediately terminate and cancel this Agreement, without notice, in the event of any violation of this Section 14 by Licensee.

15. Licensee shall not cause or permit any Hazardous Substance to be used, stored, generated or disposed of on or in the Licensed Area by Licensee, Licensee's agents, employees, contractors or invitees, without first obtaining Licensor's written consent. If Hazardous Substances other than those approved by Licensor herein are used, stored, generated or disposed of on or in the Licensed Area, or if the premises become contaminated in any manner for which Licensee is liable, Licensee shall indemnify and hold harmless Licensor from any and all claims, damages, fines, judgments, penalties, costs, liabilities or losses (including, without limitation, a decrease in value of the premises, damages due to loss or restriction of rentable or usable space, or any damages due to adverse impact on marketing of the space, and any and all sums paid for settlement of claims, attorney fees, consultant and expert fees) arising during or after the Term and arising as a result of such contamination by Licensee.
16. Licensee shall not drill holes in or otherwise break the surface of the sidewalk or parking lot for any reason. Licensee shall not play any music, radio broadcasts, or other audible media in the Licensed Area.
17. At its sole cost, Licensee shall procure Commercial General Liability Insurance and shall maintain it in force and effect throughout the Term of this Agreement. This insurance must insure Licensor and Licensee from all claims, demands, or actions made by or on behalf of any person or entity arising from, related to, or connected with the conduct and operation of Licensee's business on the Licensed Area. This insurance must have minimum limits of not less than a Combined Single Limit for Bodily Injury, Property Damage and Personal Injury Liability of \$1,000,000 per

occurrence and \$2,000,000 aggregate. This insurance will be the Primary Policy for any and all claims arising out of or relating to Licensee's use of the Licensed Area. Any insurance held by Licensor will be used only to cover claim amounts in excess of the required limits of the Primary Policy. Prior to occupying the Licensed Area, Licensee shall furnish Licensor with certificates showing compliance with this provision and naming Licensor as a primary and non-contributory additional insured. In addition, throughout the Term, Licensee shall maintain worker's compensation insurance to the extent required by statute.

18. Licensee shall provide a copy of his or her driver's license, or other similar photo identification, to Licensor prior to beginning operations on the Licensed Area.
19. Licensee shall be liable for, and shall defend, indemnify and hold harmless Licensor, its shareholders, directors, officers, employees and agents (collectively, the "Indemnitees") from and against, any and all liability, claims, suits, judgments, damages, losses, costs and expenses (including costs of defense and reasonable attorney's fees), which any or all of said Indemnitees may suffer, incur, be exposed to, be responsible for or pay, on account of any injury to or death of any person, or damage to or loss or destruction of any property, to the extent caused by Licensee (or any of its employees, agents, representatives or contractors) and arising out of or in connection with this License or the exercise of any license or privilege herein granted or the conduct of any activity on or about the Licensed Area or any act or omission of Licensee (or any of its employees, agents, representatives or contractors).
20. This Agreement is an independent agreement between the parties hereto and it will not be deemed or construed to be an agreement to lease or purchase the Licensed Area.
21. Licensee shall not assign this Agreement or the license and privileges hereunder, or delegate any of the Licensee's duties and obligations hereunder without the prior written consent of Licensor and any attempted assignment or delegation without such prior written consent of Licensor will be void.
22. This Agreement will not become effective or binding unless and until it has been signed by or on behalf of each of the parties hereto. This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. Any facsimile or electronic transmission of this Agreement signed by either or both parties hereto will be considered to have the same legal effect as the original and will be treated in all manner and respects as if the original had been delivered at the time of such facsimile or electronic transmission.
23. Any notices, deliveries and other communications required under this Agreement, and any other communication which either Licensor or Licensee may desire to deliver to the other, must be in writing and must be sent by first-class United States mail (postage prepaid), by nationally-recognized overnight courier, by facsimile transmission or by electronic mail, personally delivered, or (if to Licensee) left in a conspicuous place on the Licensed Area, in each instance directed, addressed and transmitted or sent as follows:

If to Licensor: Menard, Inc.
Attn: Properties Division
5101 Menard Drive
Eau Claire, WI 54703
Facsimile Number: (715) 876-5998
Phone Number: (715) 876-2532
Email: properties@menard-inc.com

If to Licensee: Carolyn Gregory
1600 Stephen Drive
Ypsilanti, MI 48198
Phone Number: (734) 255-2830
Email: marcelmud@aol.com

Either party may with like notice at any time and from time to time designate a different address to which notices will be sent. Such notices, demands or declarations will be deemed sufficiently served or given for all purposes hereunder at the time they are delivered as described in this Section.

[SIGNATURES APPEAR ON FOLLOWING PAGE(S)]

IN WITNESS WHEREOF, each of the parties hereto has caused this Limited License Agreement to be signed and executed on its behalf as of the day and year first above written.

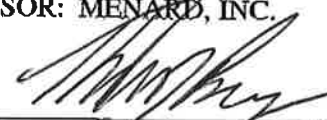
Date: June 24, 2020

LICENSEE: CAROLYN GREGORY

By: 

Date: 6/15, 2020

LICENSOR: MENARD, INC.

By: 
Theron J. Berg
Real Estate Manager

Water Kitchen

Food TRAILER For MEVARD

Food Services 9:30 am 7:00 p.m.

cattfish

ribs

wings

french fries

Mac & cheese

baked beans

chicken

water

pop

slushies

CAROLYN GREGORY

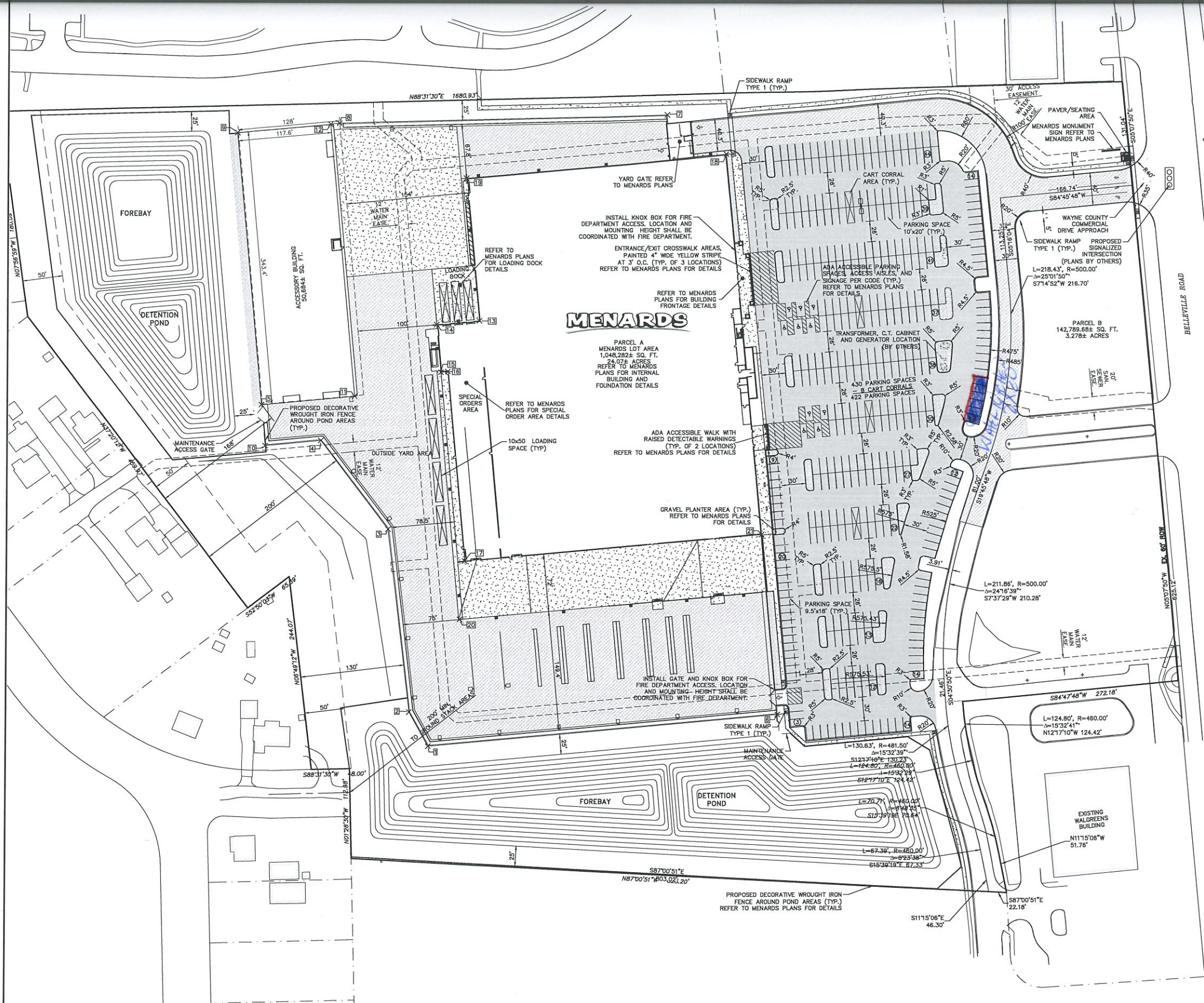
NAME (PRINT)

Carolyn Gregory

NAME (SIGNATURE)

7/16/20

DATE



LEGEND

X 656.5
833

PR. SPOT ELEVATION
PR. CONTOUR
PR. DRAINAGE ARROW
PR. EASEMENT LINE
PR. SETBACK LINE
PR. CURB/PAVEMENT
PR. SIDEWALK RAMP
PR. ASPHALT PAVEMENT
PR. HEAVY-DUTY ASPHALT PAVEMENT
PR. CONCRETE

PR. SIGN
PR. PARKING COUNT
PR. OUTLOT LINE
PR. LOADING SPACE (50'x10' TYP.)

PARKING CALCULATIONS

1 SPACE PER 200 SF OF USABLE FLOOR AREA FOR THE FIRST 25,000 SF = 25,000/200 = 125 SPACES

1 SPACE PER 250 SF OF USABLE FLOOR AREA FOR THE SECOND 25,000 SF = 25,000/250 = 100 SPACES

1 SPACE PER 350 SF OF USABLE AREA FOR EACH 25,000 SF 160,332 SF/350 = 459 SPACES

TOTAL REQUIRED = 684 SPACES
TOTAL PROVIDED = 421 SPACES

- LAYOUT NOTES:**
- ALL DIMENSIONS ARE MEASURED TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CURRENT STANDARDS, SPECIFICATIONS, AND GENERAL CONDITIONS OF THE CHARTER TOWNSHIP OF VAN BUREN.
 - ALL PARKING LOT STRIPING SHALL BE IN ACCORDANCE WITH THE "MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES."
 - ALL ACCESSIBLE PARKING, SIGNAGE, AND STRIPING SHALL BE IN ACCORDANCE WITH THE STATE OF MICHIGAN BARRIER FREE STANDARDS.
 - PRIOR TO COMMENCING WORK, CONTRACTOR SHALL CONTACT THE OWNER AND/OR ENGINEER SHOULD THERE BE ANY FIELD CONFLICTS WITH THE DESIGN INTENT.
 - REFER TO THE ARCHITECTURAL PLANS FOR COORDINATING THE SCOPE OF WORK RELATING TO THE BUILDING ELEVATIONS, INTERIOR, AND APPURTENANCES.
 - EASEMENT DOCUMENTATION TO BE CREATED AND RECORDED PRIOR TO FINAL CERTIFICATES OF OCCUPANCY.
 - ALL OUTDOOR STORED MATERIALS MAY BE STACKED IN STACKS NO MORE THAN 6 FEET HIGH.
 - THE MAXIMUM FENCE HEIGHT IS 6 FEET.
 - ALL SIDEWALK RAMPS ARE TYPE 1, UNLESS OTHERWISE NOTED.

COORDINATE TABLE		
POINT NUMBER	NORTHING	EASTING
1	4808.5040	6190.5981
2	4851.3572	6166.5836
3	5081.1767	6138.9144
4	5192.7262	6053.6811
5	5237.6734	5978.9684
6	4848.7942	6630.1890
7	5602.5641	6491.0297
8	5591.8495	6076.0338
9	5579.6554	5947.6107
10	5186.3074	5983.6784
11	5248.4139	6096.1028
12	5590.3960	6064.7450
13	5343.4563	6253.4615
14	5338.5486	6199.6951
15	5278.7773	6205.1671
16	5279.5653	6213.7611
17	5041.2358	6235.6145
18	5552.8335	6565.6417
19	5522.7014	6237.0258
20	4967.7206	6229.6719
21	5074.8467	6609.4703

CONSTRUCTION SITE SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

811 show what's below. Call before you dig.

811

811

ISSUED FOR: DATE: 04/22/2015
REV: 07 04/22/2015
08 05/04/2015
09 05/06/2015
10 05/15/2015
11 07/24/2017
12 02/08/2017
13 03/06/2017
14 06/27/2018

MADE TRIM REVIEW
WCDPS & MADE TRIM REVIEW
WC SOL EROSION REVIEW
WC SOL EROSION REVIEW
WC SOL EROSION REVIEW
PER MENARDS COMMENTS
WC SOL EROSION REVIEW
WCDPS REVISION
PER TOWNSHIP PUNCHLIST

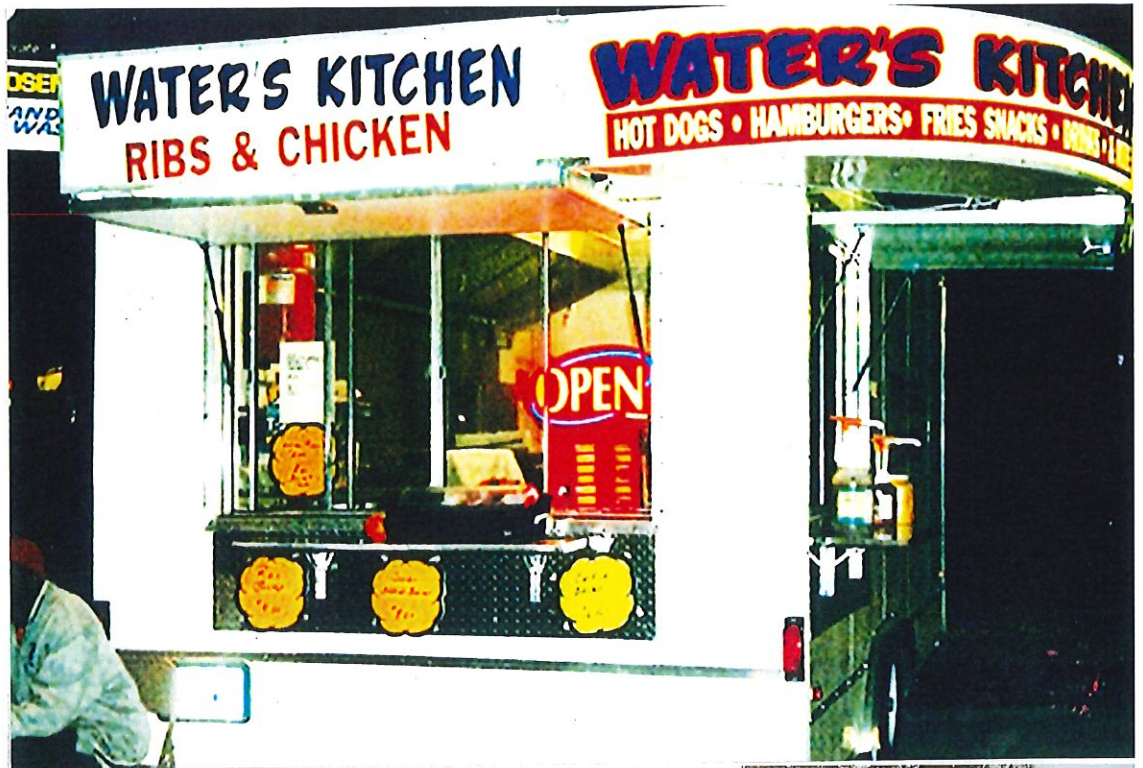
METRO CONSULTING ASSOCIATES
Michigan | Illinois | Ohio | Indiana
800.525.6016 www.metroca.net

CLIENT NAME: MENARD, INC.
MENARDS VAN BUREN
CONSTRUCTION PLANS
OVERALL LAYOUT PLAN

GRAPHIC SCALE
0 30 60 120
1 inch = 60 feet
(24"x36" DRAWINGS ONLY)

MCA JOB #: 1037-13-6072
DATE: 02-24-2014
DRAWN BY: MRB, ARW
CHECK BY: DG
BOOK/CREW: ---
ADDRESS: ---
SECTION: 16
TOWNSHIP: 3S
RANGE: 8E
COMMUNITY: VAN BUREN
COUNTY: WAYNE
SHEET: 03







CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/16/2020

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 C & M Insurance Services, Inc. 7100 Jackson Rd Ste 300 Ann Arbor MI 48103	CONTACT NAME:		
	PHONE (A/C, No, Ext): 734-994-9440	FAX (A/C, No): 734-994-9431	
	E-MAIL ADDRESS: info@cminsurance.com		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Fremont		13994
INSURED Waters Kitchen 1600 Stephens Dr Ypsilanti MI 48198	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 20200616101021715

REVISION NUMBER:

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	Y	N	CPP 0077807	06/11/2020	06/11/2021	EACH OCCURRENCE \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	CAP 0026919	06/11/2020	06/11/2021	GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							Fire Legal Liability \$
							COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> RETENTION \$						PROPERTY DAMAGE (Per accident) \$
	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				
							PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

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

Certificate holder is listed as an Additional Insured in respects to the General Liability per written contract with named insured.

CERTIFICATE HOLDER

CANCELLATION

Menards 10010 Belleville Rd Belleville MI 48111	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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LICENSE NO. **SST4781039287**

ISSUED BY THE MI DEPARTMENT OF AGRICULTURE &
RURAL DEVELOPMENT TO OPERATE A FOOD SERVICE
ESTABLISHMENT UNDER THE PROVISIONS OF THE
MICHIGAN FOOD LAW BEING ACT 92 OF THE PUBLIC ACTS
OF 2000

1600 STEPHENS DR YPSILANTI MI 48198

IS GRANTED TO: CAROLYN GREGORY

WATERS KITCHEN
1600 STEPHENS DR
YPSILANTI MI 48198

DIRECT INQUIRIES TO: WASHTENAW COUNTY DEPT 4781
LHD COPY - FI-210 (9/2012)



EXPIRES: 04/30/2021

THIS LICENSE IS NOT
TRANSFERABLE AS TO PERSON OR
PLACE. NOTIFY THE LOCAL HEALTH
DEPARTMENT PRIOR TO CHANGE
OF OWNERSHIP. (SECTION 4123)

RESTRICTIONS OR CONDITIONS: