

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
May 10, 2023
MINUTES**

Vice-Chairperson Jahr called the meeting to order at 5:33 p.m.

ROLL CALL:

Present: Budd, Grant, Pahle and Jahr.

Excused: Atchinson and Cullin.

Staff: Director Power, Director Akers, Director Renaud, Deputy Director Dohring and Secretary Harman.

Planning Representatives: Vidya Krishnan, McKenna Associates and Mike Leppek, Fishbeck Associates.

Applicant(s) in Attendance: Case 23-020 – Van Buren Charter Township Accessory Gasoline Filling Station: Director Akers. Case 23-025 – French Landing Park Boardwalk / Dock Improvements: Director Renaud, Deputy Director Dohring and Architect, Wade Hoppe.

Audience: Six (6).

APPROVAL OF AGENDA:

Motion Budd, Grant second to approve the agenda of May 10, 2023 as presented. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Grant, Pahle second to approve the regular meeting minutes of April 26, 2023 as presented. **Motion Carried.**

OLD BUSINESS:

ITEM #1: DISCUSSION – RESIDENTIAL ZONING ORDINANCE TEXT AMENDMENT.

TITLE: THE PLANNING COMMISSION WILL BE REQUESTED TO CONTINUE CONSIDERATION OF A ZONING ORDINANCE TEXT AMENDMENT TO ALLOW BUILDING HEIGHT TO BE LIMITED TO THE MORE RESTRICTIVE OF THE FOLLOWING STANDARDS IN ZONING DISTRICTS CONTAINING SINGLE FAMILY RESIDENTIAL DWELLINGS, INCLUDING SECTIONS 3.106, 3.107 AND 3.109 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE:

- **35 FEET, AS AMENDED FROM THE CURRENT LIMIT OF 30 FEET IN HEIGHT.**
- **2.5 STORIES, AS AMENDED FROM THE CURRENT LIMIT OF 2 STORIES.**

Director Power gave a brief presentation. The Planning Commission has discussed the residential zoning ordinance text amendment at previous meetings, which was prompted by an application for a residential building permit for a home with 2.5 stories. The limit in the zoning ordinance is 2 stories with a maximum height of 30 feet, measured from the average grade at the front of the house to the halfway point between the eave and the peak of the roof. The Planning Commission began a review process relating to that section of the zoning ordinance to determine whether to increase the number of stories and/or maximum height regulations. Director Power deferred to Principal Planner Vidya Krishnan for her presentation.

Vidya Krishnan of McKenna Associates gave her presentation. The Planning Commission has discussed residential zoning ordinance text amendment for the past couple of months and were presented comparisons from surrounding communities. Most of the comparison communities don't regulate the number of stories, only the maximum height. Lakeside properties have a greater challenge with having a lower grade. The decision is whether to revise the regulation to allow a maximum height of 35-feet and/or 2.5 stories. Commissioners previously asked Mrs. Krishnan to find pictures of 2.5 story homes with a 35-foot maximum height, examples were included in the Commissioner's packets, however, it was difficult to find pictures of homes on a lake. If the Planning Commission chooses to send the ordinance amendment forward, the examples of homes provided in the packet are what they should expect to see.

Director Power informed that the Planning Commission may procedurally opt to schedule a public hearing for the Residential Zoning Ordinance text amendment.

Commissioners agreed they are ready to move forward with scheduling the public hearing. Commissioner asked Vidya Krishnan of McKenna Associates to provide an edit that includes the ordinance changes prior to the public hearing. Mrs. Krishnan will have all of the previous information included along with strikethroughs to show the amendment. Director Power informed that the public hearing would either be held at the 6-14-23 or 6-28-23 Planning Commission meeting.

No comments from the audience or remote viewers.

Motion Grant, Budd second to schedule the public hearing for the Residential Zoning Ordinance Text Amendment.

Roll Call:

Yeas: Budd, Grant, Pahle and Jahr.

Nays: None.

Excused: Atchinson and Cullin.

Motion Carried.

NEW BUSINESS:

ITEM #1: 23-020 – VAN BUREN CHARTER TOWNSHIP ACCESSORY GASOLINE FILLING STATION.

TITLE: THE APPLICANT, VAN BUREN CHARTER TOWNSHIP, SEEKS PRELIMINARY AND FINAL SITE PLAN APPROVAL TO CONSTRUCT AN ACCESSORY FILLING STATION TO THEIR EXISTING WATER TOWER SITE ON TYLER ROAD. THE SITE IS LOCATED AT THE SOUTHEAST CORNER OF TYLER AND QUIRK ROAD AND IS A 41.58-ACRE PARCEL. THE PROPOSAL ALSO INCLUDES ADDING AN ACCESSORY ABOVE GROUND FUEL TANK, PUMP STATION, IMPROVEMENTS TO THE TRAFFIC CIRCULATION AND PARKING, AS WELL AS LIGHTING AND LANDSCAPING. THE SITE IS ZONED M-1 – LIGHT INDUSTRIAL DISTRICT.

46805 TYLER ROAD (TAX PARCEL ID NUMBER 83-062-99-0001-701). THIS SITE IS LOCATED ON THE SOUTH SIDE OF TYLER ROAD, BETWEEN QUIRK ROAD AND BECK ROAD.

Director Power deferred the presentation to Director Akers.

Director Akers presented his staff review letter dated 5-4-23. This review process is a little different, being internal, the staff review letter serves as a site plan review. The Township is proposing to construct an accessory filling station to the existing water tower site on Tyler Road. The proposal includes adding an accessory above ground fuel tank, pump station, improvements to traffic circulation and parking, as well as lighting and landscaping. The filling station will be used to fuel police, fire and public works vehicles. The Township is seeking both preliminary and final site plan review at this time. Based on the staff review and the Fire Marshal's review dated May 4, 2023, Township staff recommends the Planning Commission grant preliminary and final site plan approval for the Fuel Tank Relocation project, subject to the following conditions:

1. The following information be added to the site plan:
 - a. Height of the water towers.
 - b. A note needs to be added to "Pick up debris within property limits weekly or as needed."
 - c. A note specifying, "Paved surfaces, walkways, signs, lighting and other structures and surfaces shall be maintained in a safe, attractive condition as originally designed and constructed. Parking lot striping and markings shall be maintained in clearly visible condition."
2. The Planning Commission authorizes a deferment of the requirements to install a sidewalk along the frontage of the property until such a time that the full development of the property occurs.
3. The Planning Commission authorizes a deviation from the minimum parking standards to allow seven (7) approved parking spaces as opposed to the eleven (11) required under the Zoning Ordinance.
4. The Planning Commission authorizes a modification to defer the planting of shrubs along the Tyler Road frontage until a future date to allow the Township the ability to plant shrubs consistently across the frontage for a more uniform look when the site is fully developed at a later time.
5. The landscape plan be amended to revise the size of the white pine trees from a 3" caliper tree to a ten (10) foot tall tree.
6. The Planning Commission authorizes a waiver from the installation of an irrigation system and acknowledges that the Township has a contractor which provides landscape maintenance for our properties which would include watering.
7. The photometric plan will need to be amended to show the lighting levels from both lighted areas to the property line and that the lighting shall not exceed 0.5-foot candles per the Zoning Ordinance.
8. The Planning Commission authorizes an eight (8) foot tall screening fence around the fuel tank to screen the tank from the road and adjacent properties.

9. The Planning Commission allows the 8' black vinyl coated chain link security fencing around the fuel tank.

Director Akers presented the Fire Department review letter dated 5-4-23, recommending approval with conditions.

Commissioners had the following questions and comments:

- Commissioner inquired if Director Akers is deferring the sidewalks on Tyler Road? Director Akers confirmed, yes. Commissioner commented that it is very rare that the Planning Commission defers sidewalks, seems like we should have the sidewalks put it.
- Commissioner commented in regard to the sidewalks, during the discussion a photo of a potential DPW building was displayed. However, the only change now is the drive and very small accessory building. Commissioner doesn't believe this is a full site plan, when the DPW building happens, the sidewalks will need to go in.
- Commissioner inquired to Director Akers, when the original water tower went in, was there a deferment for the sidewalks? Director Akers is unsure. Commissioner inquired if there is a timeline for the new building? Director Akers informed there is no timeline, when the building goes up the sidewalks will go in.
- Commissioner commented it is an essential services use, which exempts it from the requirement.
- Commissioners are ok with the seven (7) parking spaces.
- Commissioner agrees with the sidewalk deferment. Vidya Krishnan of McKenna Associates commented she thinks the Planning Commission can make a distinction in this case as it is an uninhabited site.
- Commissioner commented the fueling station is not public, it is only for municipal vehicles.
- Commissioner commented the intent of the sidewalk is to tie public spaces together. Can easily see people coming from Quirk Park to walk over to the Beck Ballfields.
- Commissioner inquired if given the fact that the other building may not ever happen can the Commission put a timeline on the sidewalk, for within the next 5 years regardless of construction, it has to go in? Director Power informed yes, that type of language has been used before and the decision to add the language is deferred to the Planning Commission.
- Director Akers informed that an item he would like to highlight is the township having sidewalks along the stretch of Tyler Road, between Haggerty and Beck Roads, has been a priority and the Township has applied for several grants for the sidewalks. The Township has been seeking opportunities to put in more sidewalks and will continue to do so.
- Commissioner inquired if a motion came across without the deferral of the sidewalk, would Director Akers need more time. Director Akers informed if the Planning Commission needs sidewalks, staff will take it back and get costs to make it happen.
- Commissioners agreed to the deferral with the time restraint of 5 years.

Architect, Wade Hoppe commented that sidewalks are put in for pedestrian connectivity for the public, not for the owner of the property. The Township is asking for 8 deferments, he has never seen a private development granted that many. If proceeding in this direction it looks like you are treating public developers differently than a private developer. It is an essential service, but

it's almost the largest structure in Van Buren Township. This is a significant construction, in his opinion, they should have put the sidewalk in when they put the water tower in.

Motion Grant, Pahle second to grant preliminary and final site plan approval to construct an accessory filling station to the existing water tower site, including adding an accessory above ground fuel tank, pump station, improvements to the traffic circulation and parking, lighting and landscaping, located at 46805 Tyler Road, tax parcel ID number 83-062-99-0001-701, in accordance with the conditions in the staff review letter dated 5-4-23 and Fire Department review letter dated 5-4-23 with the stipulation that the sidewalks have a timeline for placement of within 5 years, at this time they can be deferred but must adhere to the 5 year timeline.

Roll Call:

Yeas: Budd, Grant, Pahle and Jahr.

Nays: None.

Excused: Atchinson and Cullin.

Motion Carried. (Letters Attached)

ITEM #2: 23-025 – FRENCH LANDING PARK BOARDWALK / DOCK IMPROVEMENTS.

TITLE: THE APPLICANT, VAN BUREN CHARTER TOWNSHIP, SEEKS SITE PLAN APPROVAL TO REMOVE AN EXISTING ELEVATED BOARDWALK AND DOCK STRUCTURE AND REPLACE IT WITH A NEW BOARDWALK AND DOCK STRUCTURE. THE STRUCTURE WILL BE APPROXIMATELY 202 FEET IN LENGTH, WILL EXTEND APPROXIMATELY 23.5 FEET FROM THE SHORE, AND WILL HAVE A TOTAL COMBINED AREA OF APPROXIMATELY 2,691 SQUARE FEET. THE PROPOSED IMPROVEMENTS REQUIRE SITE PLAN REVIEW BY THE VAN BUREN TOWNSHIP PLANNING COMMISSION PER SECTION 3.120(C)(2)(b)(i) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE.

12090-12100 HAGGERTY ROAD (TAX PARCEL ID NUMBER 83-094-01-0216-000 AND 83-095-01-0221-300). THIS SITE IS LOCATED ON THE WEST SIDE OF HAGGERTY ROAD, BETWEEN ALDEN ROAD AND THE SOUTH I-94 SERVICE DRIVE.

Director Power gave the presentation. The applicant is seeking site plan approval to remove an existing elevated boardwalk and dock structure and to replace it with a new elevated boardwalk and dock structure at French Landing Park. The improvement effects 2 parcels, primarily the parcel to the south, the upland parcels are zoned R-1C and the lakefront is zoned BLB. The proposal includes no dockage of watercraft, no boat docking. EGLE's permit has been issued and staff is working with FERC. Director Power displayed photos of the current condition of the boardwalk and dock structure and presented his staff review letter dated 5-3-23. The items included in the report are minor in nature and can be addressed with final site plan adjustments as the project proceeds through engineering and final site plan review and through the creation of "Issued for Construction" drawings. Director Power recommends conditional approval of the plan dated October 30, 2022, subject to the following conditions:

1. A description of the proposed use should be added to the site plan.

2. If available, a sample of the Trex decking surface materials shall be provided for the Planning Commission's review.
3. Prior to construction, a plan set which includes the design professional's seal must be provided.
4. Additional details shall be shown on sheet A101 to demonstrate accessible approaches in two noted small gaps between the edge of concrete and the proposed structure on the north end of the site and in the center of the site.
5. The proposed Lake Lite solar deck lights listed on sheet E101 shall meet all standards of Section 8.105 of the Van Buren Township Zoning Ordinance. The proposed work must be completed in accordance with any applicable EGLE and FERC requirements.

Director Renaud gave a brief presentation, she has been working on improvements in French Landing Park since the development of the Master Plan in 2019, this is the last piece of the renovation. Director Renaud displayed a sample of the wire panel material to be used on the boardwalk fencing.

Commissioners had the following questions and comments:

- Commission commented that French Landing Park has become a very beautiful place for people to observe the lake. It's quite a nice thing to have in our community. Commissioner commended Director Renaud for a good job on the improvements.
- Commissioner inquired about the fencing mesh, is it wire or a rod? Architect, Wade Hoppe confirmed it is a 4"x 4" steel woven 1/4" diameter steel wire sandwiched in a metal rail and it is zinc primed and powder coated.
- Commissioner inquired if there is an expected life span for the Trex and the steel wire panels? Wade Hoppe informed that the Trex will outlast most of us and the posts are designed close enough together that the railing is not dependent on the panel framing, the panel can be easily removed and replaced when needed.
- Commissioner is very happy to see the boardwalk being updated.

No comments from the audience or remote viewers.

Motion Grant, Pahle second to grant preliminary and final site plan approval to remove an existing elevated boardwalk and dock structure and replace it with a new boardwalk and dock structure, the structure will be approximately 202 feet in length, will extend approximately 23.5 feet from the shore and will have a total combined area of approximately 2,691 square feet, located at 12090-12100 Haggerty Road, tax parcel ID numbers 83-094-01-0216-000 and 83-095-01-0221-300 on the west side of Haggerty Road, between Alden Road and the S. I-94 Service Drive and in compliance with the conditions in the Director Power's staff review letter dated 5-3-23.

Roll Call:

Yeas: Pahle, Grant, Budd and Jahr.

Nays: None.

Excused: Atchinson and Cullin.

Motion Carried. (Letter Attached)

GENERAL DISCUSSION:

Director Power made one clarification in reference to the water tower property, it does not have frontage on Beck Road.

Commissioner commented he really likes the look of the solar dock lights for the boardwalk at French Landing Park.

Commissioner inquired if staff knows what the construction on Rawsonville is for? Director Renaud informed that it might be the Iron Belle Trail that will run through Van Buren Park.

Director Power informed Commissioners that he is working on locking in a time for the Redevelopment Ready Communities (RCC) Workshop, it is tentatively scheduled for June 8th at 5:00 p.m. The event will also have a joint training session by Planning Consultant Vidya Krishnan for the Board of Trustees and Planning Commission.

ADJOURNMENT:

Motion Budd, Grant second to adjourn the meeting at 6:42 p.m. Motion Carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'CH' followed by a long horizontal line.

Christina Harman

Recording Secretary



VAN BUREN CHARTER TOWNSHIP

Kevin McNamara | Supervisor • **Sharry A. Budd** | Treasurer • **Leon Wright** | Clerk
Bryon Kelley | Trustee • **Kevin Martin** | Trustee • **Sherry Frazier** | Trustee • **Donald Boynton Jr.** | Trustee

File No.: 20-020
Review: Site Plan Review #2
Plans Dated: April 24, 2023
Review Date: May 4, 2023

Van Buren Township proposes to construct an accessory filling station to their existing water tower site on Tyler Road. The site is located at the southeast corner of Tyler and Quirk Road and is a 41.58 acre parcel. The proposal also includes adding an accessory above ground fuel tank, pump station, improvements to the traffic circulation and parking, as well as lighting and landscaping.

Comments. We have reviewed the site plan based on Zoning Ordinance standards and planning & design principles. The Township comments are as follows:

1. **Zoning and Use.** The site is zoned M-1 Light Industrial District. The site is currently used by the Township for our water tower which also has some storage space within it. The proposed plans look to add a filling station on the property which will be used to fuel Township Police, Fire, Public Works, and Community Services vehicles. The existing fuel station at the Township hall property will be removed as a part of the project. The main reason behind the removal is the Community Center project and the building addition which limits the vehicle circulation on the site. We are proposing to move the fuel tank to the water tower property to allow for Township vehicles to safely navigate and access the property. Per the Township's Zoning Ordinance "public utility buildings" are a permitted use in the M-1 zoning district and "accessory structures and uses incidental to permitted uses" are also listed as a permitted use in the M-1 zoning district. Due to this the fueling station is considered an accessory use to the water tower and allowable as a permitted use in the M-1 district.

The submitted site plan contains a use statement as well as information about the properties zoning.

2. **Required Information.** Section 12.203 of the Zoning Ordinance includes requirements for information on a site plan. The following items must be included on the site plan:
 - a. Height of the water tower.
 - b. A note needs to be added to "Pick up debris within property limits weekly or as needed."
 - c. A note specifying, "Paved surfaces, walkways, signs, lighting and other structures and surfaces shall be maintained in a safe, attractive condition as originally designed and constructed. Parking lot striping and markings shall be maintained in a clearly visible condition."
3. **Lot.** The site plan includes a legal description of the parcel and the tax ID number.
4. **Dimension Requirements.** The M-1 district requires a minimum front yard setback of 50 feet, a minimum side yard setback of 40 feet, and a minimum rear yard setback of 40 feet. The fuel tank and proposed screening are within the setback requirements of the zoning ordinance.
5. **Access and Circulation.**
 - a. **Location of Curb Cuts.** As a part of the scope of work the plan is to remove and replace the existing curb cut with a larger access drive to accommodate the traffic from the fire trucks and other larger vehicles.

The existing curb cut is approximately 16' wide and the new curb cut will be 25' wide which is in compliance with Fire Code requirements and the standards of the zoning ordinance with regards to non-residential access drives.

- b. **Driveway.** The driveway will be widened to be 24' wide and the width will increase further to 30' where the driveway loops around to the fuel pump location. Traffic will be able to circulate through the site and loop around back to the main driveway due to the circular drive. There will be enough distance between the vehicles fueling and those that may need to pass around them. The engineer has provided a turning radius diagram which depicts that there will be no issues with regards to turning trucks on site.
- c. **Sidewalks.** The addition of the fueling station on the Township property is accessory to the primary utility use and the improved area is far removed from other sidewalk connections near Tyler and Quirk Roads. There is a conceptual plan which evaluates the location of a future Water & Sewer building on the site and the Township and is in the process of looking at the portion of the property on Tyler Road for the potential for a park use. At this time the Township is requesting a deferment of the installation of a sidewalk along the public rights of way until a time where the property is developed for the intended future use. At that time, we will look at the sidewalk installation.

6. Parking and Loading.

- a. **Space Dimensions.** The parking spaces are dimensioned on the site plan and are compliant with the dimensional standards of 9.5' x 20'. The parking areas also show them double striped with 4" wide yellow lines.
- b. **Number of Parking Spaces.** The current use of the building is a water tower and there is no staff assigned to the building on a permanent basis. There are storage areas within the building that the Township uses for a variety of items. Township staff does regularly go to the building to provide maintenance on the Township systems and address any concerns that arise. The closest requirement in the zoning ordinance to the use of the building is for fueling stations and warehousing. The requirements are as follows:

Wholesale/Warehouse Storage Establishments (Non-Retail Warehouse): Five (5) plus one (1) per 1,750 square feet of gross floor area plus one (1) per 350 useable square feet of office, sales or similar space. There is approximately 6,800 square feet of storage area within the tower which would equate to approximately 3.89 or 4 parking spaces. Minimum parking from this measurement would be nine (9) spaces.

Gasoline Service Station and Vehicle Service: One (1) per gas pump, two (2) per service area or stall, and one (1) per employee on peak shift in addition to any other on-site uses such as retail. In no instance shall a required parking space or its maneuvering area conflict with vehicles being fueled or serviced or awaiting to be fueled or serviced. There are two (2) fuel pumps and based on this measurement two (2) spaces are required.

Based on this calculation the minimum parking requirement would be 11. Based on the use of the building the Township is proposing five (5) spaces with an additional barrier free space and space at the proposed fuel pump. Based on our maintenance requirements it is unlikely there will be more than three (3) vehicles on site at any one time. We are requesting the Planning Commission consider a modification to the minimum parking requirements based on the use of the property.

- c. **Barrier Free Spaces.** There is one (1) proposed barrier free space which is compliant with the zoning ordinance.

- d. **Loading.** The zoning ordinance requires that for a commercial or industrial use under 1,400 square feet a 10' x 25' loading zone is required. There is one dimensioned on the site plan.

7. Landscaping and Screening. We have submitted a landscaping plan and our comments regarding these requirements are as follows:

- a. **Frontage Landscaping.** Section 10.103(A) of the zoning ordinance requires a sites public road frontage (exclusive of driveway openings to be landscaped with 1 deciduous or evergreen tree per 40 linear fee of frontage + 1 ornamental tree per 100 linear feet of frontage + 8 shrubs per 40 linear feet of frontage. The frontage of the west half of the parcel is 516' and due to this being the location where the work is primarily focused we will be using this area for our frontage requirements. The tree requirements are as follows:

Required Deciduous or Evergreen Trees:	$516' / 40' = 12.9$ or `13 trees
Required Ornamental Trees:	$516' / 100' = 5.16$ or 5 trees
Trees Provided:	4 existing trees + 9 proposed deciduous + 5 ornamental

It should be noted that the 516' measurement on the site plan does not exclude the driveway width which is 25'. This would decrease the frontage from 516' to 491'. While this would decrease the frontage measurement the required tree calculations would be the same.

The Township will be requesting a modification from the requirement to plant shrubs along the frontage due to the limited scope of the project. The future use of the site is still under consideration and due to this we would like to request a modification to defer the planting of shrubs along the frontage until a future date. From an aesthetic standpoint we would like to be able to plant shrubs consistently across the frontage for a more uniform look rather than do half at a time. The current scope of this project is limited in nature and due to this we would look to install these plantings at a later date when we complete a larger project on the site so we can plant the entire frontage of the site at the same time and thus promote consistency in plant size and grouping.

- 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. The Zoning Ordinance recommends a combination of landscaping, berm, and/or screen wall to achieve this goal. The site plan proposes a five (5) foot in width landscaped area with evergreen shrubs to accomplish this goal. Based on this this requirement has been met. Regarding the interior area parking requirements, the calculations appear to meet the ordinance requirements and one (1) additional tree has been provided to comply.
- c. **Loading Area Landscaping.** Section 10.103(c) of the Zoning Ordinance requires screening of a loading area form the adjacent rights of way "except for necessary access." The loading area is located immediately to the west of the water tower and is setback ~320' form the road. The access to the loading area is from the access drive which sit between the parking areas north of the loading area and the loading area. Due to this the loading area meets the screening requirement.
- d. **Greenbelt Buffering.** Section 10.103(E) of the zoning ordinance requires a ten (10) foot wide buffer with one (1) tree per thirty (30) linear feet along the west property line abutting another M-1 parcel. This requirement applies only along the west property line. Of the 451' of developed area there are seven (7) existing trees and an additional eight (8) proposed to meet the ordinance requirements. Based on this the proposed plan is compliant with this requirement.
- e. **Open Space Landscaping.** The zoning ordinance requires one (1) tree per 3,000 square feet of open space not occupied by buildings or parking. The property is ~41 acres in size and only a small portion of

the property is under development. The remaining property with the exception of the front portion is heavily wooded and would easily meet the requirements of this section of the ordinance.

- f. **Other Requirements.** The following are a few notes and items to be addressed.

The plant schedule lists the size of the evergreen white pine trees as a 3" caliper incorrectly. This should list the height of the evergreen tree (8' minimum). It will also need to be noted that the evergreen shrubs will be a minimum 30" in height at the time of planting.

The Township is also requesting a waiver from the Planning Commission regarding the installation of an irrigation system. The future development of the entire site is still under consideration and the Township would request that the installation of an irrigation system be deferred until that time. The Township does have a company under contract that maintains our landscaping areas and their services would extend to these areas as well.

8. **Tree Removal Permit.** Public utilities & agencies are exempt from the requirements of Section 8.106 of the Township's zoning ordinance. That being said only two (2) trees are being removed on the site to accommodate the improvements.
9. **Stormwater Pond.** A detention pond is not proposed with this project. In the grass area in the middle of the loop there is a catch basin which connects to a drain line which is not owned by Wayne County. Due to the limited addition of the impervious surface the drainage will be handled by small swales and the proposed catch basins.
10. **Lighting.** Per section 8.105(F) of the zoning ordinance light fixtures placed by a government agency on public property is exempt from the standards of the Township zoning ordinance. Page E001 lists the height of the light at 25' on the Luminaire schedule and page E401 depicts the fixture as a cut off down shielded fixture. The photometric drawings will need to depict that the illumination does not exceed 0.5 footcandles at the property line for all fixtures. This revision will be recommended.
11. **Architecture and Building Details.** There are no building improvements proposed with this project. The improvements are the improvements to the access drives and the installation of the fueling station equipment and lighting.
12. **Dumpster.** There is no dumpster proposed on site as the water tower is not a staffed building. Any trash that is generated from maintenance operations is removed and disposed of at the dumpsters at Township hall.
13. **Signs.** There are no signs proposed with this project. Any required fuel station warning & safety signage are considered "incidental signs" in the zoning ordinance and are exempt under section 11.106 of the Township zoning ordinance.
14. **Fencing and Walls.** Per section 10.103(J), the fuel storage tank and related incidental equipment are required to be totally enclosed or screened from view off site. The site plan depicts an 8' tall screening fence around the fuel tank to accomplish this. Section 7.205(B)(2) specifies that the height of the fence is allowable up to eight (8) feet with Planning Commission authorization. The height of the fence will need to be approved to eight (8) feet to allow for maximum screening of the fuel tank. The fence material is proposed as a fully screened fence with vinyl posts and horizontal composite boards. This was recommended as an alternative by our Planning Consultant and meets the ordinance requirements for decorative fencing. The colors will be selected to be similar to the color of the water tower.

The height of the fuel tank will be approximately ten (10) feet with the required equipment and there is an

existing evergreen planting to the west within the greenbelt buffer. The Township will request that these evergreen trees be ten (10) feet tall to accomplish the required screening. This will need to be updated on the site plan.

Within the enclosure there is a proposed chain link security fence around the fuel tank which is required for securing reasons. The proposed height of the fence is 8' and it is currently proposed as a black vinyl coated chain link to match the color of the existing securing fence around the water tower. Section 7.205(B)(2) does allow the Planning Commission to approve non-decorative fences in the side of rear yards provided that they are not directly visible from the public ROW. As this fence will be fully enclosed on three sides and visually obstructed from the water tower the Township is requesting this allowance.

Recommendation:

The Township is seeking both preliminary and final site plan review at this time. Based on the above review and the review of the Fire Marshal dated May 3, 2023 Township staff is recommending that the Planning Commission grant preliminary and final site plan approval for the Fuel Tank Relocation project, subject to the following:

1. The following information be added to the site plan:
 - a. Height of the water tower.
 - b. A note needs to be added to "Pick up debris within property limits weekly or as needed."
 - c. A note specifying, "Paved surfaces, walkways, signs, lighting and other structures and surfaces shall be maintained in a safe, attractive condition as originally designed and constructed. Parking lot striping and markings shall be maintained in a clearly visible condition."
2. The Planning Commission authorizes a deferment of the requirements to install a sidewalk along the frontage of the property until such a time that the full development of the property occurs.
3. The Planning Commission authorizes a deviation from the minimum parking standards to allow seven (7) approved parking spaces as opposed to the eleven (11) required under the Zoning Ordinance.
4. The Planning Commission authorizes a modification to defer the planting of shrubs along the Tyler Road frontage until a future date to allow the Township the ability to plant shrubs consistently across the frontage for a more uniform look when the site is fully developed at a later time.
5. The Landscape plan be amended to revise the size of the white pine trees from a 3" caliper tree to a ten (10) foot tall tree.
6. The Planning Commission authorizes a waiver from the installation of an irrigation system and acknowledges that the Township has a contractor which provides landscape maintenance for our properties which would include watering.
7. The photometric plan will need to be amended to show the lighting levels from both lighted areas to the property line and that the lighting shall not exceed 0.5 foot candles per the Zoning Ordinance.
8. The Planning Commission authorizes an eight (8) foot tall screening fence around the fuel tank to screen the tank from the road and adjacent properties.
9. The Planning Commission allows the 8' black vinyl coated chain link security fencing around the fuel tank.



VAN BUREN TOWNSHIP FIRE DEPARTMENT

46425 Tyler Road, Van Buren Township, MI 48111

David C. McNally II, Fire Chief: (734) 699-8900 x 8916

Andrew Lenaghan, Deputy Chief/Fire Marshal: (734) 699-8900 x 9416

May 4, 2023

Director of Building and Planning
46425 Tyler Road
Van Buren Township, MI 48111

RE: Van Buren Township Fuel Tank Relocation

I have reviewed the plans submitted on May 3rd 2023. The plans were reviewed for compliance with the Van Buren Township adopted fire code (**IFC 2021**)

The plans are **Approved** with the following exceptions:

Specific Comments:

1. Approved Emergency Controls shall be provided **IFC 2304.3.3**
2. Dispenser operating instructions shall be conspicuously posted in an approved location and shall indicate the location of the emergency controls **IFC 2021 2304.3.4**
3. An approved emergency procedures sign, shall be posted in a conspicuous location and shall Read:

IN CASE OF FIRE, SPILL OR RELEASE

1. USE EMERGENCY PUMP SHUTOFF
2. REPORT THE ACCIDENT

FIRE DEPARTMENT TELEPHONE NUMBER
FACILITY ADDRESS

4. Approved Fire Extinguishers with a minimum rating of 2-A:20-B:C shall be provided and located not more than 75 feet from the pumps **IFC 2021 2305.5**
5. Warning signs shall be conspicuously posted and shall state the following: **IFC 2021 2305.6**
 1. No Smoking
 2. Shut off Motor
 3. Discharge static electricity before fueling by touching a metal surface away from the nozzle
 4. To prevent static charge, do not reenter your vehicle while gasoline is pumping
 5. If a fire starts, do not remove the nozzle-back away immediately.
 6. It is unlawful and dangerous to dispense gasoline into unapproved containers.
 7. No filling of portable containers in or on a motor vehicle. Place container on the ground before filling.

6. It is further understood a Diesel Exhaust Fluid Tank (DEF tank) will be installed at the location.

If you have any questions regarding this review, please contact me at alenaghan@vanburen-mi.org

Respectfully Submitted,

Andrew Lenaghan

Deputy Fire Chief/Fire Marshal



MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power – Director of Planning and Economic Development
RE: Site Plan Review #13-025 – French Landing Park Site Plan
DATE: May 3, 2023

Project Summary

Applicant Van Buren Charter Township seeks site plan approval to remove an existing elevated boardwalk and dock structure and replace it with a new boardwalk and dock structure. The structure will be approximately 202 feet in length, will extend approximately 23.5 feet from the shore, and will have a total combined area of approximately 2,691 square feet. The proposed improvements require site plan review by the Van Buren Township Planning Commission per Section 3.120(C)(2)(b)(i) of the Van Buren Township Zoning Ordinance. The proposed replacement boardwalk and dock structure is also subject to review and permitting by the State of Michigan Department of Environment, Great Lakes and Energy (EGLE). The proposed use will not involve dockage of any watercraft.

The project is proposed to be located in Belleville Lake Property (referred to herein as “Township Lake Property”) adjacent to French Landing Park, which is located at 12090-12100 Haggerty Road (Tax Parcel ID Numbers 83 094 01 0216 000 and 83 095 01 0221 300). The site is located on the west side of Haggerty Road, between Alden Road and South I-94 Service Drive.

12090 – 12100 Haggerty Road are zoned R-1C – Single Family Residential District. Despite the single-family zoning designation of the upland parcel, the parcel is used as a public park. Because of the upland parcel’s institutional or nonresidential use, the site is zoned Belleville Lake Shoreline District B - Non-Single Family Residential (BLB).

The proposed use will fall under the following definition from Section 3.120(C)(2)(b)(i) of the Van Buren Township Zoning Ordinance:

- Docks, piers, landings, boardwalks, catwalks or similar features that can accommodate no more than 6 watercraft in total at one time on a single parcel. Such features shall serve an abutting upland parcel used for permitted commercial, office, public or institutional purposes, including but not limited to restaurants, public parks, private clubs, transient dockage under public ownership and control, and other uses determined similar in the discretion of the Planning Commission and not otherwise specifically provided for in this Article.

The proposed roughly 2,691 square foot structure will replace an existing boardwalk and dock structure with a total area of roughly 1,691 square feet. On Sheet A-101 submitted with this application, a dashed line indicates the extent of the existing boardwalk/dock structure.

The Van Buren Township Zoning Ordinance was amended to include a comprehensive lake ordinance for uses in Township Lake Property, which became Section 3.120 of the currently adopted Township Zoning Ordinance (Belleville Lake Shoreline Districts). Dock / boardwalk structures are a use that require Planning Commission site plan approval per Section 3.120(C)(2)(b).

My report will review the submittals by the applicant including a completed application form and a seven-page set of civil and architectural plan drawings. Throughout this report, recommended conditions or requests for revisions are **underlined**.

Application Requirements

Certain specific application submittals are required uses in the Belleville Lake Shoreline Districts. The following relevant submittals required under Section 3.120(F)(2) of the Van Buren Township Zoning Ordinance have been reviewed:

- ✓ A completed application form has been provided.
- ✓ A site plan dated October 30, 2022 was provided. For reference, this packet also includes plans from a separate project that is underway at French Landing Park involving the addition of a structure, pavement upgrades, and landscaping. This separate plan sheet, labeled "L-3", shows the location of the existing dock in relation to existing and proposed improvements on the upland site. A separate sheet that expands upon the view frame found on sheet A-101 which shows the boundaries of the abutting upland lots and the location of any existing structures within 50 feet of the proposed installation should be provided with the final issued-for-construction plan set. This sheet should also list the lakeshore property's zoning as BL-B and the upland property's zoning as R-1C.
- ✓ A copy of any existing survey from the abutting upland lot and photographs of the existing conditions: An existing survey has previously been provided. Photographs of the site have also been taken by staff.
- ✓ Plans, elevations and sections, with dimensions, showing the height, length, width, distance to the lot lines and configuration of the proposed installation. Sheet A101 shows the total length (202'), depth (23.5' maximum extent) of the structure. Sheets A101 and A102 also provide various details indicating the height of the structure. From the top of the water to the top elevation of the proposed boardwalk posts including a 3.5' tall railing, the proposed height varies from roughly 9.5 – 10 feet. As mentioned above, an expanded site plan specific to this project should be provided that shows the location of the proposed structure in relation to the lot lines.
- ✓ Materials and aesthetics must also be considered. The structure's surface will be 1" x 6" Trex decking, and the primary post and frame materials of the railing will also be Trex. The proposed railing will also have a transparent 4x4 woven steel barrier, which will be zinc primed and powder coated matte black. The materials appear to be consistent with the character of the surrounding site and are aesthetically appropriate. **If available, the a sample of the Trex decking surface materials shall be provided for the Planning Commission's review.**
- ✓ Additional dock length beyond the 40-foot length that is typically required under Section 3.120(D)(15) is not requested.

- ✓ A description of the existing shoreline features and uses has been provided on the submitted site plan.
- ✓ The proposed site plan does not include shoreline stabilization. The applicant has applied separately to EGLE for 400 cubic yards of rip rap shoreline stabilization, approximately 200 feet in length, along with wooden habitat structures. This type of shoreline stabilization is subject to administrative review by staff under Section 3.120(C)(2)(a)(1) of the Van Buren Township Zoning Ordinance.
- ✓ The applicant has obtained a permit from EGLE for the proposed work on May 3, 2023. **The proposed work must be completed in accordance with any applicable EGLE and FERC requirements.**

Additionally, per Section 3.120(F)(3)(b), certain uses in the BLB district, including marinas, are subject to site plan approval by the Planning Commission. For purposes of the Belleville Lake Shoreline Districts, the information required for a site plan shall contain all information required by this Zoning Ordinance, Section 12.203. The scope of applicability of Section 12.203 is guided in part by the fact that the use will only occur in the Township Lake Property and is not subject to certain stormwater management, utility, landscaping / buffering, architectural, or other requirements typically considered for land-based development. Relevant requirements of Section 12.203 have been provided as mentioned below:

- An adequate site plan has been provided which includes basic formatting, applicant and design professional contact information, existing and proposed topography, and existing architectural details including a detailed plan view of the structure, elevation drawings, and detailed section drawings showing the structure's construction and connection to the adjacent shoreline have been provided.
- **Prior to construction, a plan set which includes the design professional's seal must be provided.**
- While the proposed use has been clarified in various correspondences regarding the project, for clarity, **a description of the proposed use should be added to the site plan.**
- There appear to be two small areas with gaps between the edge of concrete and the beginning of the dock/boardwalk structure, at the north end of the site and in the center of the site. These gaps appear to be less than one (1) foot in width. **Additional details shall be shown on Sheet A101 to demonstrate accessible approaches in these two small gap areas.**
- **The proposed Lake Lite solar deck lights listed shall meet all standards of Section 8.105 of the Van Buren Township Zoning Ordinance.**

Belleville Lake Shoreline District Approval Process – Review Criteria (General):

Per Section 3.120(F)(4) of the Van Buren Township Zoning Ordinance, I find the following:

- (a) The application can demonstrate compliance with all of the requirements of Section 3.120(D) of the Zoning Ordinance (Belleville Lake Shoreline Districts – Development Standards) , and all other applicable requirements of this Zoning Ordinance, subject to the notes and conditions in my analysis in my "Development Standards" discussion below.

- (b) The structure(s) shall not unreasonably interfere with the adjacent property owners' or public's use and enjoyment of the waters of Belleville Lake. The facilities are so designed as to protect the neighboring property owners from negative off-site impacts.
- (c) The structure(s) will not create a risk to the health, safety and welfare of persons who use Belleville Lake for recreational purposes, and will not interfere with safe navigation on the Lake.
- (d) The structure(s) must be constructed of materials which will not impair the water quality, water flow or water levels of Belleville Lake. This will be evaluated in the EGLE permitting process.
- (e) To the extent feasible, the structures(s) shall protect and enhance the scenic, recreational and environmental quality of Belleville Lake. The location of the facilities shall be such that they will not create a negative visual impact for the general public.
- (f) Marinas and non-commercial multi-docking facilities shall be separated from one another to avoid overcrowding and excessive boat traffic on the Lake. The proposed improvement is not a docking facility and will not add boat traffic to the Lake.
- (g) Consideration shall be given to maintaining consistency with the upland zoning and land use. The proposed boardwalk/dock structure will be an amenity that is consistent with the upland public park use.
- (h) Uses approved shall be consistent with the primary goal of permitting reasonable use by Lake residents and land owners. The enhanced fishing and passive recreation activities at the structure will be consistent with this goal.

Belleville Lake Shoreline District Development Regulations – 3.120(D)

Certain applicable development regulations from Section 3.120(D) of the Van Buren Township Zoning Ordinance are listed below:

- ✓ The boardwalk / dock structure is permitted to extend to each of the site's side lot lines under Section 3.120(D)(4)(d). The boardwalk / dock structure will not extend beyond the site's lot lines.
- ✓ The use will not involve overnight anchorage, rentals of watercraft, or fences on Township lake property, consistent with the requirements of Section 3.120(D)(16)-(18).

Recommendation

The items included in this report are minor in nature and can be addressed with final site plan adjustments as the project proceeds through engineering and final site plan review and through the creation of "Issued for Construction" drawings. I **recommend conditional approval** of the Plan dated October 30, 2022, subject to the following conditions:

- ✓ **A description of the proposed use should be added to the site plan.**
- ✓ **If available, a sample of the Trex decking surface materials shall be provided for the Planning Commission's review.**
- ✓ **Prior to construction, a plan set which includes the design professional's seal must be provided.**

- ✓ **Additional details shall be shown on Sheet A101 to demonstrate accessible approaches in two noted small gaps between the edge of concrete and the proposed structure on the north end of the site and in the center of the site.**
- ✓ **The proposed Lake Lite solar deck lights listed on sheet E101 shall meet all standards of Section 8.105 of the Van Buren Township Zoning Ordinance. The proposed work must be completed in accordance with any applicable EGLE and FERC requirements.**

If the Planning Commission conditionally approves this request, final "Issued for Construction" drawings will be requested to address the conditions above and be filed with the Van Buren Township Department of Planning and Economic Development prior to final authorization and construction.

Thank you for allowing me to assist with this review.

Sincerely,



Dan Power

Director of Planning and Economic Development, Van Buren Charter Township

CC: Elizabeth Renaud, CPRP and Tammy Dohring, CPRP – Director and Deputy
Director of Community Services, Van Buren Charter Township
Ron Akers, AICP – Municipal Services Director, Van Buren Charter Township