

CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
August 23, 2023
MINUTES

Chairperson Cullin called the meeting to order at 5:31 p.m.

ROLL CALL:

Present: Atchinson, Creal, Grant, Budd, Pahle, Jahr and Cullin.

Excused: None.

Staff: Director Power and Secretary Harman.

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

Applicant(s) in Attendance: Case 23-047 – Continental Café / FSC Con Van Buren, MI DST: Jim Martin and Case 20-005 – Mobil Gas Station: Michael Awada, Eric Williams and Jay Noonan.

Audience: Six (6).

APPROVAL OF AGENDA:

Motion Jahr, Creal second to approve the agenda of August 23, 2023 as presented. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Budd, Grant second to approve the regular meeting minutes of August 9, 2023 as presented. **Motion Carried.**

NEW BUSINESS:

ITEM #1: CASE #23-047 – CONTINENTIAL CAFÉ / FSC CON VAN BUREN MI, DST – FENCE MODIFICATION.

TITLE: A REQUEST BY KIMBERLY M. LEHR OF CONTINENTAL CAFÉ, LLC ON BEHALF OF OWNER FSC CON VAN BUREN MI, DST FOR A MODIFICATION UNDER SECTION 7.205(B)(2) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE TO ALLOW THE INSTALLATION OF CHAIN LINK FENCING UP TO SIX (6) FEET TALL WITH 3 STRANDS OF BARBED WIRE ON TOP.

THE SITE IS LOCATED AT 7850 HAGGERTY ROAD (PARCEL NUMBER 83-041-99-0001-711), ON THE WEST SIDE OF HAGGERTY ROAD BETWEEN ECORSE AND COCA COLA DRIVE.

Director Power presented his staff review letter dated 8-17-23. The applicant is seeking a modification under Section 7.205(B)(2) of the Van Buren Township Zoning Ordinance to allow the installation of chain link fencing up to six (6) feet tall with three (3) strands of barbed wire on top. The proposed use of chain link material requires approval of the Planning Commission under Section 7.205(B)(2) and the proposed use of barbed wire requires approval under Section 7.205(B)(2)(d). The proposed fencing will be located between 390 to 400 feet from the property's front lot line on Haggerty Road and concealed by landscaping. The purpose of the bare wire and chain link fence is to facilitate housing and protection of fleet vehicles. Staff's interpretation is

the request for the proposed chain link fence with barbed wire is justified and may be approved, on the condition that upon installation, an inspection will be performed by staff to ensure the site has sufficient landscaping installed in accordance with the latest approved landscaping plan for the property.

Jim Martin, Continental Services Director of Loss Prevention, gave a brief presentation explaining the company has had a lot of catalytic converter theft. The fencing is for the protection of staff and theft from fleet vehicles and the barbed wire serves as an additional deterrent.

Commissioners had the following questions and comments:

- Commissioner commented that the parking area sits so far back off of the road, he doesn't see a problem with the request.
- Commissioner commented on the parking area being located further back on the site from the road, the fencing is for workers and staff, what is being done with the rest of it. Are they going through the back to take the converters? Mr. Martin informed the staff parking is more towards the front with vehicles moving in and out more frequently. In the parking area in the back there is equipment and trucks parked that are consistently outdoors, making the area more of a target and the converters on the box trucks are likely more expensive. Commissioner inquired how many thefts they have had within the year? Mr. Martin informed there have been at least 3 separate incidents with 1-3 converters taken each time, it's tough to catch them and it takes a long time to prosecute them.
- Commissioner inquired how the thieves are getting in, are the vehicles moved every night and will there be a gate to the fenced area that opens when leaving? Mr. Martin informed that there currently is no fencing, they are coming in off of Haggerty Road and parking next to the vehicles. Vehicles are moved daily to every other day and there will be a gate that operates by badge access only.
- Commissioner inquired why barbed wire versus a decorative fence, seems like the gate is the problem? Mr. Martin informed the reason for the barbed wire is they pull up next to the vehicles and throw the saw and other items over the fence, the barbed wire will help to keep them out.
- Commissioner asked for clarification is the fencing to protect the staff, it sounds like it is to protect the fleet vehicles. Is it correct to say that the employee and staff parking is not behind the fence? Mr. Martin informed that most of it is not, however staff will spend most of their time in this area loading, operating and there is staff that comes in overnight. Have had staff at other locations that have shown up within minutes of the location being robbed.
- Commissioner commented as long as the landscaping will prevent the fence from being seen by drivers along Haggerty Road, Commissioner supports the applicant's request.

No comments from the audience or remote viewers.

Motion Atchinson, Grant second to grant Continental Café / FSC Con Van Buren MI, DST the fence modification requested by Jim Martin and Kimberly M. Lehr for a modification under Section 7.205(B)(2) of the Van Buren Township Zoning Ordinance to allow the installation of chain link fencing up to six (6) feet tall with three (3) strands of barbed wire on top, located at

7850 Haggerty Road (parcel ID number 83-041-99-0001-711), located on the west side of Haggerty Road between Ecorse and Coca Cola Drive and with the inclusion of the staff letter dated 8-17-23.

Roll Call:

Yeas: Budd, Grant, Creal, Atchinson, Pahle, Jahr and Cullin.

Nays: None.

Excused: None.

Motion Carried. (Letter Attached)

ITEM #2: CASE #20-005 – AMENDED FINAL SITE PLAN REQUEST FOR MOBIL GAS STATION REDEVELOPMENT AND DRIVE THRU.

TITLE: A REQUEST BY STONEFIELD ENGINEERING AND DESIGN ON BEHALF OF OWNER I.S. REAL ESTATE LLC / BELLEVILLE OIL COMPANY, INC. FOR AN AMENDED FINAL SITE PLAN 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.

THE +/- 1.06-ACRE SITE, ZONED C-1 – GENERAL BUSINESS DISTRICT, IS LOCATED AT 11250 HAGGERTY ROAD (PARCEL NUMBER 83-051-99-0003-002), AT THE NORTHWEST CORNER OF THE INTERSECTION OF THE I-94 NORTH SERVICE DRIVE AND HAGGERTY ROAD.

Director Power displayed the site plan and gave a brief presentation. The Planning Commission is being asked to consider final site plan approval for the Mobil Gas Station. The project underwent preliminary site plan approval earlier this year, has received extensive engineering review and there has already been demolition at the site. Director Power explained the next steps moving forward if final site plan approval is granted. Final “issued for construction” plans must be provided that demonstrate compliance with any remaining planning, engineering and Fire Department conditions and also must demonstrate compliance with Wayne County permitting requirements. A preconstruction package will be created and a preconstruction meeting will be scheduled by the Van Buren Township Engineer prior to construction and a building permit application will be reviewed and must be approved before new building construction begins for the building or canopy structure.

Vidya Krishnan of McKenna Associates presented her review letter dated 8-16-23. All of the conditions of preliminary plan approval have been met at this time. Therefore, McKenna Associates recommends the Planning Commission grant final site plan approval for Mobil Gas Station to be located at 11250 N. I-94 Service Drive, as presented and with the requested modification for the interior parking lot landscaping standard.

Mike Leppek of Fishbeck Associates presented his review letter dated 8-17-23, recommending the Planning Commission grant the multi-use building with self service fueling facilities final site

plan approval contingent to the updated comments listed in the review letter and County approval of the stormwater management design. The provided comments must be addressed prior to the applicant moving forward to the preconstruction phase.

Director Power presented the Fire Department review letter dated 8-16-23 with the following comments:

- **Water Supply:** In the letter dated 3-7-23 from Stonefield, the Contract is to perform a flow test to confirm a minimum 1500 gpm flow rate. The flow test will need to be witnessed by the Van Buren Township Fire Marshal or his designee and the results sent to the Fire Marshal's office. As of 8-16-23, no flow test data has been received, nor is there any mention of a flow test in the latest submittal. If the required minimum flow of 1500 gallons per minute (GPM) is not obtained, a second fire hydrant will need to be installed.
- **Fire Department Access:** All Fire Department access concerns have been addressed in the latest site plan submittal and comply with section 18.2.3 of NFPA 1 2018.
- **Emergent Radio Coverage test will need to be completed:** the radio field coverage can be verified at the time of the final building inspection.

Eric Williams of Stonefield Engineering and Design gave a brief presentation. The applicant is committed to working with Fishbeck Associates to finish the engineering plans. In regard to the stormwater management design and approval, there is a difference in the calculation of what is required by the County and what is required by the Township. The applicant will continue to work with Fishbeck Associates to tie up any loose ends.

Michael Awada provided an update that the building has been demolished and the pole sign was taken down. Commissioners commented that the pole sign is still standing. Mr. Awada will contact the demolition company and make sure the pole sign is removed.

Commissioners had the following questions and comments:

- Commissioner asked Director Power with regard to the pole sign, no construction is to begin until the pole sign is down, correct? Director Power informed the Commission can make sure that is a condition. Vidya Krishnan of McKenna Associates commented the pole sign is part of the demolition.
- Commissioner inquired about the applicant not having flow test data. Mr. Williams informed he will reach out to the Fire Department to get a flow test scheduled.
- Commissioner commented the he assumes the pole sign will be removed and the applicant can provide the demolition contract? Mr. Awada confirmed, yes.
- Commissioner commented that the pole sign issue concerns him, the building demolition has been done for some time. Normally the demolition is to be completed before the building permit is issued.
- Commissioner inquired if the applicant can still apply and get the building permit process going while waiting for the pole sign demolition. Vidya Krishnan confirmed, yes.

- Commissioner agreed with fellow Commissioners comments, wants the business to be able to move forward and to make the pole sign removal a condition of occupancy.

No questions or comments from the audience or remote viewers.

Motion Jahr, Creal second to grant the applicant Stonefield Engineering and Design on behalf of owner I.S. Real Estate LLC / Belleville Oil Company, Inc. final site plan approval for the Mobile Gas Station redevelopment and drive thru, located at 11250 Haggerty Road, based on the analysis and subject to the conditions in the McKenna Associates review letter dated 8-16-23, Fishbeck Associates review letter dated 8-17-23, Fire Department review letter dated 8-16-23 and the staff letter dated 8-17-23.

Roll Call:

Yeas: Pahle, Atchinson, Creal, Grant, Budd, Jahr and Cullin.

Nays: None.

Excused: None.

Motion Carried. (Letters Attached)

ITEM #3: ZONING ORDINANCE AMENDMENT DISCUSSION – CHILD CARE USES.

DESCRIPTION: THE PLANNING COMMISSION WILL REVIEW A PROPOSED ZONING ORDINANCE TEXT AMENDMENT TO MODIFY THE REQUIREMENT UNDER SECTION 5.111 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE THAT REQUIRES A MINIMUM SEPARATION DISTANCE OF 1,500 SQUARE FEET BETWEEN TWO LICENSED GROUP DAY CARE HOME USES.

Director Power gave the presentation. The Planning Commission first reviewed the proposed draft Zoning Ordinance amendment at their 8-9-23 meeting. The proposed draft language is to provide flexibility within the Zoning Ordinance requirements for daycare and/or childcare uses where the Zoning Ordinance had imposed separation distance requirements between group daycare homes and other licensed uses under State of Michigan law which corresponds to the language in Michigan Zoning Enabling Act (MZEa), except that the MZEa also allows for the Township Planning Commission to have the flexibility to grant special land uses despite the separation requirements. The amendment specifically focuses on the following language in Section 5.111(A)(1) and Section 5.111(F):

Section 5.111 Day Care or Child Care, Group Home

- (A) Group day care homes shall not be located closer than 1,500 feet to another license group day care home, except that the Board of Trustees may modify this requirement upon recommendation from the Planning Commission, if the Planning Commission find that traffic, drop-off, pick-up times and other issues that may impact the adjacent neighborhood have been considered and have found not to be of concern based upon the specific circumstances of the request. If the minimum separation distance between

licensed group day care homes is modified, the Planning Commission may require additional measures to mitigate any adverse impacts.

- (F) The distances required under this this section shall be measured along a road, street, or place maintained by the State, County or local unit of government and generally open to the public as a matter of right for the purpose of vehicular traffic, not including an ally.

Director Power invited the Planning commission to review the draft Zoning Ordinance amendment presented and proceed with requesting staff to either schedule a public hearing for consideration of the Zoning Ordinance amendment and recommendation to the Board of Trustees, or request staff to complete additional research on the topic or revisions to the draft language prior to proceeding to the next step.

Commissioners had the following questions and comments:

- Commissioner commented that his previous concerns have been addressed.
- Commission inquired how does this impact subdivisions with HOA's? Director Power informed staff will look into guidance from the State of Michigan, he is unsure of their ability to supersede. Vidya Krishnan commented that typically the Township does not enforce HOA rules.
- Commissioner inquired what if someone wants to put in a daycare and it is against the HOA guidelines and/or bylaws, does the State supersede the HOA? Director Power is unsure of the answer, however the Townships role in a typical review process is to administer what review is required and will make sure there is an HOA approval that is associated with it. If there is an HOA, their approval is already set before the Planning Commissions review.
- Commissioner inquired if the second proposal in Section 5.111(F) would need language added for who maintains the roads in HOA's. Vidya Krishnan commented that in a quick look up, HOA rules do not supersede State law and she will look into the matter further to confirm.
- Commissioner commented that solar panels are allowed to be blocked by an HOA.
- Commissioner commented that someone in her neighborhood tried to start a business and was denied by the HOA.

No comments from the audience or remote viewers.

Director Power asked the Commission if they were ready to schedule a public hearing and continue research. The public hearing would be scheduled for the second meeting in September. Commissioners agreed to schedule the public hearing.

Motion Jahr, Budd second to direct staff to schedule the public hearing. Motion Carried.

ITEM #4: ADMINISTRATIVE DEVELOPMENT PROJECT REVIEWS.

DESCRIPTION: STAFF WILL PROVIDE UPDATES ON CASE 22-055 – ADMINISTRATIVE REVIEW OF DTE GAS COMPANY PROJECTS. CONSTRUCTION OF VALVES AND MINOR ACCESS, FENCING AND LANDSCAPING IMPROVEMENTS ASSOCIATED WITH AN

UNDERGROUND NATURAL GAS PIPELINE AT 7015 HAGGERT ROAD (PARCEL NUMBER 83-003-99-0018-001) AND 45581 ECORSE ROAD (PARCEL NUMBER 83-033-99-0020-000).

Director Power gave the presentation. At the last meeting Director Power discussed projects that are being reviewed administratively. DTE Gas Company is bringing in natural gas lines, installing valves and related site improvements including landscaping and fencing at 7015 Haggerty Road and 45581 Ecorse Road. The proposed improvements are defined as essential services under the Van Buren Township Zoning Ordinance and are not subject to the requirements of the Zoning Ordinance. DTE has cooperated with the Township and landscaped around the perimeter of the site. If Commissioners have any questions, Director Power can follow up with more detail.

Commissioner inquired if the project is at the intersection of Ecorse and Haggerty Roads. Director Power confirmed, yes.

No comments from the audience or remote viewers.

GENERAL DISCUSSION AND UPDATES:

Director Power informed the next meeting will be on September 13, 2023.

Commissioners expressed their condolences to the Mytych family.

ADJOURNMENT:

Motion Grant, Jahr second to adjourn the meeting at 6:33 p.m. Motion Carried.

Respectfully submitted,



Christina Harman
Recording Secretary



MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power– Director of Planning and Economic Development
RE: Case 23-047 – Continental Services (7850 Haggerty Road)
Fence Modification Review
DATE: August 17, 2023

Planning Commission Members:

Applicant Kimberly M. Lehr of Continental Café, LLC on behalf of owner FSC CON Van Buren MI, DST seeks a modification under Section 7.205(B)(2) of the Van Buren Township Zoning Ordinance to allow the installation of chain link fencing up to six (6) feet tall with 3 strands of barb wire on top at 7850 Haggerty Road (parcel number 83 041 99 0001 711). This parcel is located on the west side of Haggerty Road between Ecorse Road and Coca Cola Drive and is zoned M-1 – Light Industrial District. The proposed fencing location will be in the side yard of an existing 68,665 square foot building on the subject site. The proposed use of chain link material requires approval of the Planning Commission under Section 7.205(B)(2)(c) of the Van Buren Township Zoning Ordinance, and the proposed use of barb wire requires approval under Section 7.205(B)(2)(d). These sections are copied below:

Section 7.205 Fences, Walls, and Other Protective Barriers

(B) Requirements Applicable to Specific Zoning Districts.

(2) Fences and Walls in the O-T, AP, M-1, M-T, or M-2 Districts.

- c) Fence Material. All fences or walls hereafter erected shall be of a decorative nature, which excludes chain linked fences. Fences located in the side yard or rear yard may, at the discretion of the Planning Commission, be non-decorative (e.g., chain linked), provided they are not directly visible from public rights-of-way.
- d) Security Fences in the AP, M-1, M-T, and M-2 Districts. The Planning Commission may permit barbed wire, spikes, nails, or any other sharp instrument on top of or on the sides of a fence in the AP, M-1, M-T, and M-2 Districts, provided the Planning Commission determines that the barbed wire, spikes, nails, or other sharp instrument is necessary for the safety and security of the site.

The proposed fencing will be located between 390 and 400 feet from the property's front lot line on Haggerty Road, and concealed by landscaping. In an initial description of the project provided via email on June 6, 2023 (enclosed), the applicant also explained that the purpose of the proposed barb wire and chain link fence is to facilitate the housing and protection of fleet vehicles. In staff's interpretation, the request for the proposed chain link fence with barb wire is justified and may be approved, on the condition that upon installation, an inspection will be performed by staff to ensure the site has sufficient landscaping installed in accordance with the latest approved landscaping plan for the property.

The Planning Commission may approve, conditionally approve, or deny this request based on their findings of fact. Thank you for allowing me to comment on this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Power".

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



MEMO

TO: Van Buren Township Planning Commission

FROM: Dan Power – Director of Planning and Economic Development

RE: Mobil Gas Station Amended Final Site Plan Review

DATE: August 17, 2023

The Van Buren Township Planning Commission is requested to consider a request by applicant Stonefield Engineering, Inc. for preliminary site plan approval 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. The application is altered from a previous application for this use completed by NC Designers, Inc. in 2020-2021.

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. A drive-thru window is a special land use in the C-1 District and requires Board of Trustees approval. A public hearing was held in accordance with Article 12, Chapter 3 of the Zoning Ordinance (Administrative Procedures - special land use Review) at the regular Planning Commission meeting held on July 22, 2020. The requested special land use prompts a review of the general and specific special land use criteria for minor vehicle service developments. The special land use request was recommended for approval by the Planning Commission on July 22, 2020 and was granted by the Township Board of Trustees on June 1, 2021. Preliminary approval of the amended site plan was granted by the Van Buren Township Planning Commission on April 12, 2023. The Planning Commission is now requested to consider final site plan approval.

The amended final site plan requires a review of compliance with applicable Township zoning, engineering, and Fire Department standards as a request for preliminary site plan review to the Planning Commission. To assist with this review, the Planning Commission's packet includes a set of civil and architectural design plan drawings from Stonefield Engineering dated August 14, 2023, a letter from the Township Planning Consultant dated August 16, 2023, a letter from the Township Engineer dated August 16, 2023, and a letter from the Township Fire Marshal / Deputy Chief dated August 16, 2023.

If final site plan approval is granted, final "issued for construction" plans must be provided that demonstrate compliance with any remaining planning, engineering, and Fire Department conditions, and must demonstrate compliance with Wayne County permitting requirements. A preconstruction package will be created and a preconstruction meeting will be scheduled by the Van Buren Township Engineer prior to construction, and a building permit application will be reviewed and must be approved before new building construction begins for the building or canopy structure.

I look forward to assisting with this review. Thank you for allowing me to review and comment on this request.

Sincerely,

A handwritten signature in black 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



August 16, 2023

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

Subject: VBT-20-005 Mobil Gas Station/11250 Haggerty Road; Amended (Final) Site Plan Review #4 Revised Site Plans Dated August 14, landscape plan no revision date recd. By Township August 16, 2023.

Dear Commissioners:

The applicant (Michael Awada, I.S. Real Estate, LLC) proposes to build a new, combined gas station and restaurant with a drive-thru component, 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 N. I-94 Service Drive and Haggerty Road, is zoned C-1 (General Business) District, and has a total area of 1.04 acres.

The drive-thru special land use was approved by the Board of Trustees on 6/1/2021, which remains valid. The Planning Commission granted a one-year extension for preliminary site plan approval on 6/8/2022. Subsequently the site plan was amended, and the applicant was granted amended preliminary site plan approval on 4/12/2023, subject to the conditions. As part of the final site plan review process, our comments below reflect whether the planning conditions have been met. Items requiring changes, additional information, or additional approvals are underlined.

COMMENTS

1. **Clarification regarding safety “bar” across drive-thru bypass lane and Township Engineer approval of rolled curb design.** This condition has been met. Per our previous comment, the applicant has clarified that the proposed ‘safety bar’ is the ‘Stop’ bar painted parking lot strip, as shown on Sheet C-11. To avoid potential conflicts on the site, a note on Sheet C-3 indicates deliveries of gas and goods will occur on an automated schedule during non-drive-thru hours and during off-peak convenience store hours.
2. **Fire Marshal approval of bypass lane design.** This condition has been met. Fire Marshall review letter does not indicate any concerns with the proposed bypass lane design and overall emergency access within the site.
3. **Clarification regarding hours of operation of the drive-thru, to avoid conflict with the truck and tanker delivery areas.** This condition has been met. The applicant has noted that the fuel delivery will happen at off-peak hours and will be run by an automated system so that deliveries can be coordinated to avoid conflicts.
4. **Remove extra parking space created at southeast corner of site and restore to landscaping.** This condition has been met. The applicant has removed the extra parking space in the southeast corner of the site and converted it to open space and landscaping, further reviewed below.
5. **Revise and update landscape plan to match site plan layout design and demonstrate compliance with outdoor space landscaping requirement.** This condition can be met. The applicant has provided a revised landscape plan (Sheet L 1.0 within the combined permit set). Most of the provided landscaping meets ordinance requirements – the Planning Commission modified the 10-foot greenbelt requirement accommodate the site's small area; a 6-foot buffer is proposed. The landscape plan layout appears to comply

HEADQUARTERS
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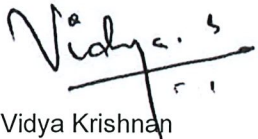
with the 250 sq. ft open space requirement. The ordinance requires 5% interior parking lot landscaping, which would translate to 1,518 sq. ft of landscaped islands). The landscape plan proposes 982 sq. ft of interior island landscaping. Based on our discussions with the applicant, compliance with ordinance standards will result in the loss of required parking and affect circulation. *We believe the landscaping proposed meets the intent of the Ordinance and recommend that the Planning Commission grant a modification.*

6. **Provide proper tree survey and clarification regarding tree preservation and tree replacement.** This condition has been met. The plan provided has a note regarding replacement trees and notes which trees are remaining on the site.
7. **Revise lighting plan to provide adequate on-site illumination and include details for all proposed fixtures.** This condition has been met. A photometric plan (Sheet E900 of the combined permit set) and lighting manufacturer's cut sheets have been provided. The plan has been adjusted to reduce the excessive lighting on the site to achieve compliance with the required illumination levels established in the Ordinance.
5. **Revise labels on elevations to correctly identify them and incorporate revised architectural elements, if any, as directed by the Planning Commission.** This condition has been met. The applicant has submitted detailed elevations for the proposed building and gas station canopy. As discussed at the Planning Commission meeting, the flat roof of the gas station canopy is conducive to better roof drainage. To enhance the structure, all of the support poles are encased in brick from base to the top. The Planning Commission did not object to the proposed architecture for the drive-through building.
6. **Note removal of the existing non-conforming pole sign, incorrectly labeled as a 'billboard', from the site.** This condition has been met. A complete sign design package will be a deferred submittal. The demolition plan clearly notes that the existing pylon sign will be removed. The site plan no longer shows the sign and the landscape plan also notes that it will be removed.
7. **Township Engineer and Wayne County approval of stormwater detention plan.** This condition can be met. To our knowledge the applicant has been working with Wayne County and is in the process of getting the final approval letter. We defer to the Township Engineer for confirmation.

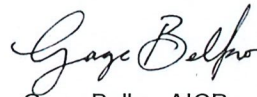
RECOMMENDATION

All of the conditions of preliminary plan approval have been met at this time. Therefore, we recommend that the Planning Commission grant final site plan approval for Mobil Gas Station to be located at 11250 I-94 NSD, as presented and with the requested modification for the interior parking lot landscaping standard.

Respectfully,
McKENNA



Vidya Krishnan
Senior Principal Planner



Gage Belko, AICP
Associate Planner

cc: Dan Power, Director of Planning and Economic Development
Paul J. Kammer, FTCH, Township Engineers
Andy Leneghan, Van Buren Township Fire Marshal

August 17, 2023
Fishbeck Project No. 200431
Township Project No. 20-005

Kevin Lawrence
Director of Water and Sewer
Van Buren Township
46425 Tyler Road
Van Buren Township, MI 48311

Multi-use Building with Self Service Fueling Facilities, 11250 Haggerty Road Final Engineering Review

Dear Director Lawrence:

At the request of Van Buren Township (Township), Fishbeck has reviewed the Final Site Plans dated July 18, 2023, submitted to the Township for Final Site Plan and Engineering review for the proposed Multi-use Building with Self Service Fueling Facilities located at 11250 Haggerty Road. At this time, Fishbeck conducts a full engineering review of the submitted site plan.

This project entails removal and reconstruction of an existing gas station with a multi-use building and gas station at the northwest corner of I-94 Service Road and Haggerty Road. The reconstruction includes the demolition of the existing building and gas pumps; construction of a new 3,601 square-foot multi-use building containing a fast food restaurant, construction of five gas pumps underneath a canopy; construction of a 18-space parking lot with two RV parking spaces; reconstruction of the two existing driveways; construction of two paved access drives to the adjacent undeveloped properties; reconstruction and reconfiguration of the underground storm sewer system; and other various landscaping and site plan improvements.

Update (8/17/2023): The Previous Engineering Review letter did not recommend the site plan for approval based on the uncertainty of the County approval of the stormwater management and design. The Applicant's latest submittal package received on 8/15/2023 included a revised site plan, responses to the previous engineering review and email correspondence from County Reviewers. The following letter provides updates to the previous engineering review comments based on the submitted package.

Our review comments are as follows:

General

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

1. Existing utility materials should be indicated on the plans.
Update (8/17/2023): Materials have been added to the plans.

2. Per Township Engineering Standards Manual Chapter 2, Engineering Review Plan Review Requirements, a quantity list itemizing all proposed public sanitary sewer, storm sewer and water main construction must appear on each sheet showing such construction. A quantity list showing the total quantities of construction for the entire project should also be provided.

Update (8/17/2023): Quantity tables have been added to the plans.

3. A "MISS DIG" note needs to be provided on each sheet.

Update (8/17/2023): MISS DIG notes have been added to the plans.

Water Main Service

Existing: The Township's Geographic Information System (GIS) records indicate a publicly owned 8-inch ductile iron water main running north-south along the west side of Haggerty Road. Water service is indicated coming from the 8-inch ductile iron main south of the hydrant and valve.

Future: The Township master plan indicates the water main along Haggerty is under pressurized and future improvements to upsize the water main is anticipated.

Proposed: The Applicant's plan proposes a new water service lead running along the north side of the property and tying into the existing 8-inch ductile iron water main in Haggerty Rd. The new lead will be 223 feet of 1-inch type K copper and connects to the north side of the building.

Comments:

1. The Township Fire Marshall will have ultimate say on fire hydrant spacing and whether or not the singular hydrant location in the NE corner of the site is adequate. If another hydrant is required, the applicant will be responsible for extending the Township water main to accommodate a new hydrant in a location approved by the Township.
2. The Applicant should provide a curb stop box at the property line instead of in the ROW at the existing water main as shown.

Update (8/17/2023): The proposed curb stop box has been relocated to the property line.

Sanitary Sewer

Existing: The Township's GIS records indicate there is a 10-inch public clay sanitary sewer line that runs north-south along the west side of Haggerty Road. The existing sanitary main dead ends at a manhole within the ROW. The plans indicate an existing sanitary service lead connecting to the northwest corner of the building and extending through the site and ultimately tying into the existing sanitary manhole within the Haggerty Road ROW.

Proposed: The Applicant proposes the connection of 2, 6-inch sanitary sewer leads from the new building into the existing sanitary lead by way of a direct connection and a wye connection. The main feed will connect directly, while a separate, presumed to be restaurant line, will be connected via a Schier GB-250 grease trap before tapping into the existing service line with a wye.

Comments:

1. The Applicant is proposing to tie into the existing sanitary service on site. As stated in previous reviews, the Applicant will be responsible for reporting any poor conditions to the Township for evaluation prior to determining if the line needs to be replaced. The existing sanitary service material should also be noted on the plans. The Applicant will be responsible for providing proper connection to the existing lead.

Update (8/17/2023): The Applicant has revised the plans and is proposing to remove the entirety of the existing lead and replacing it with a 6-inch schd. 40 PVC sewer lead.

2. Per the Township Engineering Standards Chapter 4, the minimum size for sanitary leads is 6 inches. The Applicant should remove the entire existing 4-inch lead and replace it with a 6-inch lead per the Township Standards.

Update (8/17/2023): The Applicant has revised the plans and is proposing to remove the entirety of the existing lead and replacing it with a 6-inch schd. 40 PVC sewer lead. Per the Township Engineering Standards Manual, Chapter 4, PVC sanitary pipes and fittings must be SDR 35.

Storm Sewer

Existing: The Township's GIS records do not have information on the existing storm sewer system along Haggerty Road or I-94 Service Road adjacent to the development, however, it does appear that there are curb inlets and manholes located within the I-94 service drive. It appears stormwater runoff along Haggerty Road and I-94 Service Road may ultimately be conveyed via open ditch with driveway culverts towards the south/southwest.

Proposed: The applicant is proposing to collect stormwater from the parking lot and building with a combination of existing and proposed catch basins. The storm sewer system will be conveyed to an underground chamber detention system under the parking lot and the eastern entrance drive off Haggerty Road. The underground detention system will outlet into a proposed pump station that will discharge into an existing curb catch basin in Haggerty Road.

Comments:

1. Per previous review letters, has the Applicant confirmed with Wayne County that the existing 4-inch PVC that discharges to the existing swale in the southwest corner of the site, is abandoned and no longer in use? Any existing offsite drainage that enters the site must be accounted for by the Applicant.
Update (8/17/2023): The Applicant must show or demonstrate that they are accounting for any offsite drainage entering the site. We understand that the existing 4-inch pipe flows offsite based on survey however, based on existing and proposed grades shown on the plans, it appears that the Applicant is raising the grade along the west property line and may be blocking existing flow that was previously managed by the bioswale and 4-inch PVC. The Applicant must be responsible for maintaining existing drainage patterns.
2. An approved Wayne County Stormwater permit will be required prior to Township Final Engineering review. The provided County review letter is dated June 9, 2023 and indicates the plans are not approved.
Update (8/17/2023): Based on the latest submittal package, it appears that the County has approved the proposed stormwater management design that was discussed during previous meetings between the Applicant, the County and Fishbeck. The County has requested additional detail and revised plans be submitted prior to issuing an approval letter. Fishbeck recommends acceptance of the proposed design of the stormwater management system and outlet structures. Final engineering approval is contingent upon County Approval.
3. Per discussions between the Applicant, Fishbeck and the County, The Applicant is providing the required detention volume per County standards and providing the required discharge rate per the Township standards.
 - a. *Update (8/2/23): An email chain between the Applicant and the County Review Representative (OHM), indicates that the County has not approved the design presented by the applicant. It would appear there is some miscommunication between the Applicant and OHM as to what was discussed and determined as an acceptable design.*

Paving and Grading

1. An approved Wayne County ROW permit will be required prior to the Applicant moving to the Township Preconstruction phase.

2. Maintenance of traffic and/or traffic control plans will be required when working in the Wayne County Road rights-of-way.
3. The fire department will have final say on fire department access around the entirety of the site.

Soil Erosion and Sedimentation Control (SESC)

1. The SESC plan provided 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 permit must be acquired from the Wayne County SESC County Enforcing Agency.
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>

Recommendation

Updated 8/17/2023: At this time, Fishbeck recommends the Planning Commission grant the Multi-use Building with Self Service Fueling Facilities final site plan approval contingent to the updated comments listed in the above letter and County approval of the stormwater management design. The provided comments must be addressed prior to the Applicant moving forward to the Preconstruction phase.

If you have any questions regarding this project or our comments listed above, please contact me at 248.324.4796 or mtleppek@fishbeck.com or Paul Kammer at 248.324.2137 or pkammer@fishbeck.com.

Sincerely,



Michael T. Leppek, PE
Civil Engineer



Paul J. Kammer, PE
Senior Civil Engineer

By email

Copy: Dan Power – Township
Brittney Williams - Township
Vidya Krishnan– McKenna



VAN BUREN TOWNSHIP FIRE DEPARTMENT

46425 Tyler Road, Van Buren Township, MI 48111

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

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

August 16, 2023

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

Stonefield Engineering & Design
607 Shelby
Suite 200
Detroit, Michigan 48226

An amended site plan review was performed on the Mobil Gas station redevelopment project for Stonefield Eng. & Design. The focus of this review was Water Supply and Fire Department Access. The Code used in the review is the Van Buren Township adopted fire code NFPA 1 2018. It is understood that plans for the building will be submitted at a later date.

Water Supply: See below

The required fire flow for a 3600 ft² structure is 1500 gpm over 2 hrs.

The plans show 1 hydrant approximately 90 feet north of the Haggerty Road entrance.

This hydrant sits at the end of an 8 inch water main.

A flow test will need to be conducted on this hydrant to confirm the 1500 gpm flow.

In the letter dated March 7th from Stonefield, the Contractor is to perform a flow test to confirm a minimum 1500 gpm flow rate. The flow test will need to be witnessed by the Van Buren Township Fire Marshal or his designee and the results sent to the Fire Marshal's office.

***As of Aug 16th 2023 no flow test data has been received nor is there any mention of a flow test in the latest submittal.**

***If the required minimum flow of 1500 gallons per minute (GPM) is not obtained, a second fire hydrant will need to be installed.**

Fire Department Access:

The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.

The address shall be displayed on the exterior of the building.

If the occupancy is not going to be staffed 24 hours a day 7 seven days a week, a Knox Box will be required. The box can be found at www.knoxbox.com

All Fire Department access concerns have been addressed in the March 7th letter, and the latest site plan submittal, and comply with section 18.2.3 of NFPA 1 2018.

An Emergency Responder Radio Coverage test will need to be completed.

510.2 Emergency responder radio cover in existing buildings. Existing buildings that do not have approved radio coverage for emergency responders within the building, based upon the existing coverage levels of the public safety communication system of the jurisdiction at the exterior of the building, shall be equipped with such coverage according with one of the following:

Exception: Where it is determined by the Fire Code Official that a radio coverage system is not needed.

Radio coverage can be field verified at the time of final building inspection.

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

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

Andrew Lenaghan
Deputy Fire Chief/ Fire Marshal
Van Buren Township