

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, April 12<sup>th</sup>, 2023 – 5:30 PM  
Van Buren Township Hall  
46425 Tyler Road**

Per guidance provided by the Wayne County Local Public Health Department for meetings of governmental bodies held under public act 228 of 2020, effective January 1, 2022, the following Zoom link is provided to enable remote participation in a meeting of the public body by the general public:

Please click the link below to join the webinar:

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Or One tap mobile :

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Or Telephone: US: +1 301 715 8592

Webinar ID: 824 3694 2634

International numbers available: <https://us06web.zoom.us/j/kcGdgczySb>

See the Van Buren Charter Township website for additional information regarding how to participate in a Zoom public meeting.

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:** Approval of minutes from the regular meeting of March 22, 2023.

**CORRESPONDENCE / ANNOUNCEMENTS / GENERAL PUBLIC COMMENTS:**

**PUBLIC HEARING:**

**OLD BUSINESS:**

**ITEM # 1:** Case 23-008 – Chips All Gone (Belleville Square) – Temporary Land Use

**TITLE:** The Applicant, Peter Burgard, is requesting a temporary land use permit to conduct a temporary windshield glass repair land use.

**LOCATION:** 10972 Belleville Road (parcel ID number 83 064 99 0003 707). This site is located in the Belleville Square Shopping Plaza parking lot on the west side of Belleville Road between the North Interstate 94 Service Drive and Westlake Circle.

**ACTION ITEMS:** A. Presentation from Township Staff  
B. Presentation from the applicant

- C. Planning Commission discussion
- D. Public comment
- E. Planning Commission considers approval of the Temporary Land Use

## **NEW BUSINESS:**

### **ITEM # 1                      Case 20-005 – Amended Preliminary 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 preliminary 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.

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

**ACTION ITEMS:**        A. Presentation by the Township Staff and Consultants  
                                      B. Presentation by the applicant  
                                      C. Planning Commission Discussion  
                                      D. Public Comment  
                                      E. Planning Commission considers approval.

### **ITEM # 2:                      Case 19-038 – Amended Camping World Preliminary and Final Site Plan Review**

**TITLE:**                      The Applicant, Camping World, is seeking amended preliminary and final site plan approval to demolish the east wing of their existing building and create new R.V. parking and storage on the site.

**LOCATION:**                The site is located at 43646 North Interstate Service Drive (tax parcel number 83 060 01 0001 001), on the north side I- 94 North Service Drive, between Dewitt and Morton Taylor Roads.

**ACTION ITEMS:**        A. Presentation by the applicant.  
                                      B. Presentation by the Township Staff and Consultants.  
                                      C. Planning Commission discussion.  
                                      D. Planning Commission considers approval of the amended preliminary and final site plan

### **ITEM # 3:                      Discussion – Residential Zoning Ordinance Text Amendment**

**INFO:**                      The Planning Commission will be requested to begin consideration of a Zoning Ordinance Text Amendment to allow building height to be limited to the more restrictive of the following standards under Section 3.106(D) of the Van Buren Township Zoning Ordinance:

- 30 feet in height
- 2.5 stories, as amended from the current limit of 2 stories.

ACTION ITEMS:       A. Presentation from Staff  
                              B. Planning Commission discussion

**GENERAL DISCUSSION AND UPDATES**

**ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
March 22, 2023  
MINUTES - DRAFT**

Chairperson Cullin called the meeting to order at 5:30 p.m.

**ROLL CALL:**

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

**Excused:** None.

**Staff:** Director Power and Secretary Harman.

**Planning Representatives:** Vidya Krishnan, McKenna Associates.

**Applicant(s) in Attendance:** Case 23-008 Chips All Gone: Peter Burgard and Mark Canvasser (remote). Case 23-009 Ricardo, Inc.: Theodore Byrne. Case 23-013 TNT Fireworks: Charles Frieze.

**Audience:** Six (6) and two (2) remote.

**APPROVAL OF AGENDA:**

Motion Jahr, Grant second to approve the agenda of March 22, 2023 as amended, removing Public Hearing Item #1, correcting the case number of New Business Item #3 TNT Fireworks to 23-013 and correcting the approval of meeting minutes to March 8, 2023. **Motion Carried.**

**APPROVAL OF MINUTES:**

Motion Jahr, Budd second to approve the regular meeting minutes of March 8, 2023 as presented. **Motion Carried.**

**NEW BUSINESS:**

**ITEM #1: 22-008 – CHIPS ALL GONE (BELLEVILLE SQUARE) – TEMPORARY LAND USE.**

**TITLE: THE APPLICANT, PETER BURGARD, IS REQUESTING A TEMPORARY LAND USE PERMIT TO CONDUCT A TEMPORARY WINDSHIELD GLASS REPAIR LAND USE.**

**10972 BELLEVILLE ROAD (PARCEL ID NUMBER 83-064-99-0003-707). THIS SITE IS LOCATED IN THE BELLEVILLE SQUARE SHOPPING PLAZA PARKING LOT ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN THE NORTH INTERSTATE 94 SERVICE DRIVE AND WESTLAKE CIRCLE. THE ACTIVITY IS PROPOSED FROM MARCH 2023 TO NOVEMBER 2023.**

Director Power presented his staff review letter dated 3-16-23 and displayed the site and tent. The applicant is seeking a temporary land use permit for a tent service use involving minor automotive glass repair at the Belleville Square Shopping Plaza at 10900 Belleville Road. A temporary land use that operates for more than seven (7) consecutive days requires Planning Commission approval. The use is proposed to be from March 1, 2023 through November 20, 2023 with hours of operation from 8:00 a.m. to 9:00 p.m. seven days a week. The proposed use involves using adhesives to complete minor glass repairs to chipped windshields, based out of a tent in an existing parking lot. The repair uses a small amount of adhesive resin, there will be full containment and daily disposal of any excess resin. No generator or electrical is required at the site and the applicant is looking to operate for six (6) months.

If the Planning Commission finds that the proposed use meets the criteria of Section 7.120(C) of the Van Buren Township Zoning Ordinance, Director Power recommends that the proposed use may be granted conditional approval on the following conditions:

1. The use shall involve full containment and daily disposal of excess resin that is generated as part of the use.
2. The temporary tent must be inspected by the Van Buren Township Building Department with regard to wind, loading and security.
3. The applicant shall indicate whether a generator or any electrical power will be required as part of their use. If so, and if the use is approved, an electrical inspection shall be required prior to the start of the operation.
4. The Peddler's license must match the approval duration of use as the temporary land use permit is for.
5. The applicant shall also submit any available liability insurance policy that covers this use on the site.
6. The applicant shall clarify if the resin that is applied with the use causes any odors, and if so, shall clarify the means used to mitigate the odor.
7. Any conditions of the Van Buren Township Fire Department must be addressed prior to the commencement of the use.
8. The use is limited to no more than six months under the authority granted to the Van Buren Township Planning Commission per Section 7.120(F)(7) of the Van Buren Township Zoning Ordinance.
9. Any proposed temporary sign must meet the sign requirements in Article 11 of the Van Buren Township Zoning Ordinance.

Applicant, Peter Burgard, gave a brief presentation. Chips All Gone has been in operation for over 13 years. If a rock hits a windshield and causes a chip, the chip can be fixed in about 3-5 minutes and is guaranteed not to break. The resin does have an odor, the odor has never been an issue for the applicant. Mr. Burgard brought samples of the resin capsules used for the windshield repairs and in his 13 years of operation, no claims have been made. Mr. Burgard is fine with the duration of 6 months of operation, there is no electricity or generator at the site and the Building Inspector and Fire Marshal will inspect the site prior to opening. The landlord Mark Canvasser is attending via Zoom and would like to speak on the agenda item.

Mark Canvasser, owner/developer of the Belleville Square Shopping Plaza gave a brief presentation. Mr. Canvasser is also the developer of Walgreens and Menards, he has been working with Mr. Burgard for over 6 months. Typically, he doesn't allow short term rentals, however he felt this was a good use and complimentary to the shopping center. For the first time in a dozen years there are a few vacancies in the shopping center, this may bring in more business. Mr. Canvasser was available to answer any questions. Mr. Burgard commented that there is a similar windshield repair shop in Ann Arbor.

Commissioners had the following questions and comments:

- The owner made a comment that they typically don't allow short term rentals, why? Mark Canvasser informed that they are a lot of work, dangerous and don't feel safe, referencing

that most of the requests are for fireworks tent sales. Mr. Burgard's use has no electricity and it doesn't generate much trash or a whole lot of traffic.

- Relative to the description of minor vehicle service, would windshield wipers, battery replacement and headlights be considered as minor repairs? Director Power confirmed yes, they are all classified as minor repairs. Commissioner is concerned it could set a precedence. Vidya Krishnan informed that it would be precedence setting. The applicant might run an excellent operation, but it does open up for other requests.
- Commissioner has concern with there being no electrical power at the site and the location of the tent facing the main drive. Mr. Burgard informed that the tent is optional. Director Power informed Mr. Burgard and Mr. Canvasser that there might be other areas in the parking lot worth considering for placement of the tent.
- Commissioner does not want to see a table, chair and garbage can sitting in the parking lot.
- How will the applicant advertise, by having the tent at the entrance? Mr. Burgard informed by FaceBook, passing out flyers and on the radio. Commissioner inquired how the applicant came to see that the Township needs these services? Mr. Burgard informed that his service works everywhere, in some places better than others.
- Commissioner inquired about nights, what happens when it gets dark? Mr. Burgard informed that he can use a black light on the resin and if it's dark at 8:00 p.m., then he will leave.
- Commissioner inquired if the weather is bad, do you leave? Mr. Burgard confirmed, yes.
- Commissioner commented that staff indicated this is the first time an applicant has asked for this type of use, we have seen a lot of fireworks requests. Vidya Krishnan of McKenna Associates commented that the fireworks requests are not comparable, they are a short timeframe. The concern is that at what point does a temporary land use have no time frame and what other special land uses does this open the door to? Precedence setting is the biggest problem.
- Commissioner inquired if the difference between special land use and temporary land use, is that minor vehicle repair is allowed as a special land use? Vidya Krishnan conformed, yes. Commissioner inquired are we allowed to grant special land use and temporary land use? Vidya Krishnan informed that there is nothing in the zoning ordinance saying that a special land use couldn't be a temporary land use. Commissioner inquired it's not a two-part process? Director Power interpreted that a temporary land use holds on its own and it does not allow to exceed a year.
- Commissioner commented that minor vehicle repairs such as windshield wipers, battery and radiator replacement if in a building, there would be a concern for spills. What is the potential damage and cleanup? Vidya Krishnan informed that there is not much waste.
- Commissioner asked Mr. Burgard if he washes the windows? Mr. Burgard informed that he wipes the windows with a clean rag and washes them with windshield/glass cleaner, it's a clean procedure. The resin hardens with UV light, the biggest thing with chip repair is that it saves the environment by not producing much waste.
- Commissioner inquired if the tent is meant to be up the entire time, what's stored inside and is there security? Mr. Burgard confirmed the tent will be up the whole time, with a chair, table and garbage can inside and there is no security.

- Commissioner asked Director Power if there is a performance bond for cleanup? Director Power informed it was not recommended, but it could be considered.
- Commissioner inquired what sets the precedence, the duration or the service? Vidya Krishnan informed that anytime you approve a use, it can set a precedence.
- Commissioner inquired what happens at the end of the 6 months, does the applicant pack up and leave? Mr. Burgard confirmed, yes.
- Commissioner inquired if the applicant has a really good season, can they reapply immediately? Director Power informed the approval is good for one year, would be up to the Planning Commission to decide. Vidya Krishnan confirmed, they can come back next season, would have to reappear before the Planning Commission for approval. Director Power informed that the Planning Commission has the ability to clarify the limits and would have the opportunity to reevaluate if the applicant applied the following year.
- Commissioner inquired if there is a limitation as to how many can be setup at one site? Commissioners concern is the ordinance, would that allow for more temporary land use? There are limits, the shopping center has to have excess parking spaces that must be maintained. Vidya Krishnan informed that many shopping plazas have surplus parking spaces.
- Commissioner commented that we can reconsider the application each year.
- Commissioner commented on the place in Ann Arbor, she has only seen them at that location, not other businesses.
- Commissioner commented that places like Auto Zone and O'Reilly's can change out wipers and batteries. Vidya Krishnan confirmed, yes, it was discussed as part of their site plan approval.
- Commissioner inquired if the address is located in the Belleville Road Overlay District (BROD) and does BROD have anything to say about this type of use? Director Power informed that it is located in the BROD and they would not allow this type of use on a permanent basis.
- Commissioner inquired when a temporary land use, how long? Director Power informed that the Zoning Ordinance does specify 1 year time frame for approval. Commissioner commented that it has to go 12 months before it can be reapplied for. Director Power confirmed and informed the applicant would have to reapply and meet the standards.
- Commissioner thinks the Downtown Development Authority (DDA) would be unhappy with a tent in the location for 6 months.
- Commissioner inquired what is the longest temporary land use time frame provided to a food truck? Director Power informed possibly 3-4 months.
- Commissioner would like to know what about without the tent, the applicant has offered to give up his tent. Fellow Commissioner commented that the applicant would then have a table, chair and garbage can sitting in the parking lot.
- Commissioner commented that the owner is looking to bring more business into the mall, this would bring more traffic. What is the minimum number of months the applicant could do? Mr. Burgard informed he hadn't thought about that, possibly 4-5 months.
- Commissioner inquired if the tent could be relocated away from the entrance? Mr. Burgard informed that it could move towards the Service Drive, closer to Planet Fitness.
- Commissioner has concern with the length of time, signage and placement and inquired if it would be appropriate to have the applicant come back in 2 weeks.

- Commissioner commented that moving the tent will interfere with Arby's traffic and having the applicant come back in 2 weeks wouldn't help.
- Commissioner suggested to go to a motion to move the location further south and for a 4-month time frame.
- Commissioner commented that he would like to see the location change and operating till November doesn't work, looking more like September. Commissioner commented that the DDA should also be notified.
- Director Power will research a more suitable location with the DDA Director, the applicant and owner.
- Commissioner inquired if the applicant has any concern with tabling for 2 weeks? Mr. Burgard is ok with tabling the discussion.

Chuck Friese of TNT Fireworks inquired if this would apply only to this parcel, or the precedence to everywhere else? Vidya Krishnan informed precedence setting is Township wide and every parcel would be subject to it. The DDA has never allowed for a deviation in the BROD, they will tell us what their requirements are. Need to be very aware when opening up an interpretation on a certain use.

**Motion Jahr, Atchinson second to table the item until such a time as the applicant can provide us with the minimum amount of time his application could be for and for staff to alert the DDA and to obtain their feedback on the issue.**

**Roll Call:**

**Yeas: Grant, Atchinson, Pahle, Jahr and Cullin.**

**Nays: Budd.**

**Excused: None.**

**Motion Carried.**

**ITEM #2: 23-009 – RICARDO, INC. – TEMPORARY LAND USE.**

**TITLE: THE APPLICANT, RICARDO, INC., IS REQUESTING TEMPORARY LAND USE APPROVAL TO OPERATE A MOBILE REFUELING STATION AT 40000 RICARDO DRIVE, VAN BUREN TOWNSHIP, MI 48111.**

**PARCEL NUMBER V-125-83-047-99-0007-702 (40000 RICARDO DRIVE). THIS PROPERTY IS LOCATED ON RICARDO DRIVE WHICH IS ON THE EAST SIDE OF HAGGERTY ROAD, NORTH OF TYLER ROAD.**

Applicant, Theodore Byrne of Ricardo, Inc. gave the presentation. Ricardo, Inc. has been in Van Buren Township for over 30 years and have twice previously requested and been approved for a mobile refueling station. The refueling station is a self-contained hydrogen refueling station used in support of project activity. This is a vehicle powered by hydrogen as a fuel source, it will not be used to refuel vehicles, it is used only to test and verify the function of the hydrogen tanks of the vehicle. The refueling station is located in a confidential parking lot, not visible by the public and the station is secured with CCTV.

Director Power presented his staff review letter dated 3-16-23. Ricardo, Inc. submitted an application for the same Mobile Hydrogen Refueling Station in 2016 and in 2018-2019 and was granted approval. To Director Power's understanding, there were no concerns or issues that arose as part of the temporary land use activities. If this year's application is approved, it would meet all of the same standards and requirements that the approved 2016 temporary land use did. Director Power recommends approval of case #23-009 for Ricardo Inc.'s temporary land use permit for a Mobile Hydrogen Refueling Unit for Fuel Cell Vehicles from March 2023 – May 2023, subject to the following condition:

1. Compliance with any conditions set forth by the Van Buren Township Fire Marshal.

Director Power presented the Fire Marshal's review letter dated 3-21-23, the request is in compliance with NFPA 2.

Mr. Byrne informed that this a production unit that is built and supplied by Air Products. The use and conditions will be exactly the same as previous requests.

Commissioner inquired, what does Ricardo, Inc. do? Mr. Bryne informed it is an engineering and consulting firm based in the UK, have been at this location for approximately 30 years. Commissioner inquired if the unit requested is part of the testing for a vehicle under engineering review? Mr. Byrne informed the refueling unit is only to be used to place the hydrogen in the tank for the prototype vehicle, just for verification of the hydrogen.

No comments from the audience or remote viewers.

**Motion Jahr, Grant second to grant Ricardo, Inc. temporary land use approval to operate a mobile refueling station, located at 40000 Ricardo Drive from April 2023 through the end of June 2023, based on the analysis and subject to the conditions in the staff review letter dated 3-16-23 and Fire Department review letter dated 3-21-23.**

**Roll Call:**

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

**Nays: None.**

**Excused: None.**

**Motion Carried. (Letters Attached)**

**ITEM #3: 22-013 – TNT FIREWORKS (WALMART SITE) – TEMPORARY LAND USE.**

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

**10562 BELLEVILLE ROAD. THIS SITE IS LOCATED IN THE WALMART PARKING LOT, WHICH IS ON THE WEST SIDE OF BELLEVILLE ROAD, SOUTH OF TYLER ROAD.**

Director Power presented his staff review letter dated 3-16-23. TNT Fireworks is requesting a temporary land use permit to operate a temporary outdoor fireworks tent sale from June 22,

2023 through July 5, 2023 with hours of operation from 9:00 a.m. to 10:00 p.m. They have operated at this location in the Walmart parking lot for the previous nine (9) years and Director Power is not aware of any issues or concerns. Director Power recommends approval of the application subject to the following conditions:

1. That the applicant obtains approval from the Van Buren Township Fire Marshal.
2. That all proposed signage complies with the Zoning Ordinance.
3. All application materials shall refer to Van Buren Township and not Belleville as the jurisdiction of the project site.

Applicant, Charles Friese gave a brief presentation. This will be TNT Fireworks tenth year at the location in the Walmart parking lot, they requested a few extra days to run from June 22, 2023 through July 5, 2023 to cover two (2) weekends of tent sales. Mr. Friese was present to answer any questions.

No comments from the Commission, audience or remote viewers.

**Motion Jahr, Grant second to grant the applicant, TNT Fireworks, a temporary land use permit to conduct a temporary outdoor fireworks tent sale, located at 10562 Belleville Road in the Walmart parking lot, from June 22, 2023 through July 5, 2023, based on the analysis and subject to the conditions in the staff review letter dated 3-16-23 and Fire Department review letter date 3-16-23.**

**Roll Call:**

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

**Nays: None.**

**Excused: None.**

**Motion Carried. (Letters Attached)**

**ITEM #4: DISCUSSION – RESIDENTIAL ZONING ORDINANCE TEXT AMENDMENT**

**INFO: THE PLANNING COMMISSION WILL BE REQUESTED TO BEGIN CONSIDERATION OF A ZONING ORDINANCE TEXT AMENDMENT TO ALLOW BUILDING HEIGHT TO BE LIMITED TO THE MORE RESTRICTIVE OF THE FOLLOWING STANDARDS UNDER SECTION 3.106(D) OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE:**

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

Director Power gave the presentation. The Planning Commission is requested to consider reviewing a potential Zoning Ordinance text amendment to clarify section 3.106(D) of the Van Buren Township Zoning Ordinance, R-1A, R-2A, R-1B, Single-Family Residential Districts – Dimensional Regulations and AG, Agricultural and Estates Districts – Dimensional Regulations. Under Section 3.106(D) the maximum building height is 30 feet and the maximum building height in stories is 2. Staff has been reviewing an application for a home on Ormond Drive, the home applied for has 2.5 stories, but does meet the 30-foot height requirement. The building permit application was brought before the Board of Zoning Appeals (BZA) at their March 14, 2023

meeting in which they did not take action. The BZA requested staff to work with the applicant to apply to seek a variance from the BZA from Section 3.106(D) and staff to work with the Planning Commission to consider a zoning ordinance text amendment to clarify the section. If the intent is to limit the height, the Planning Commission might find that it should not matter how many stories there are if the height is met. If it remains capped at 2 stories, there are some existing homes that are non-conforming. Staff is asking the Planning Commission to consider end capping the height and number of stories.

Vidya Krishnan of McKenna Associates had discussion with her fellow staff members at McKenna Associates regarding the requirements in other communities, most have 2.5 stories and 30-foot maximums. The maximum found is 3 stories and 30-feet. The question is, does it matter how many stories there are if there is a 30-foot maximum requirement. A 3 story home does create the illusion that it is taller with the 3 levels of windows and there are roof pitch changes. The minimum of the slope and pitch of the roof can be regulated. Mrs. Krishnan is unsure how 2 stories came about in the Township Zoning Ordinance, as it would normally be 2.5 stories. The Planning Commission is being asked to discuss and provide feedback as to what they prefer.

Director Power informed that Section 5.114 of the Zoning Ordinance does require that all detached single family residential dwellings that are esthetically compatible in design and appearance of other residences within the vicinity. Generally, we do have some latitude to evaluate adjacent roof pitches.

Commissioners had the following questions and comments:

- Commissioner was at the BZA meeting, the request was being reviewed as an interpretation of the Zoning Ordinance. A 2.5 story home on Ormond Drive currently in the application process was used as an example. Were the BZA to make to make an interpretation on the spot, the story restriction would have been removed, bypassing the Planning Commissions input and Township Board of Trustees vote, which was not an appropriate path. The examples displayed in the staff review letter, are both 2.5 stories the upper floor takes up less than half the space and the roof is pitched. The change to 2.5 stories doesn't seem unreasonable, completely eliminating the number of stories is a different thing. Commissioner looked at new modernistic architecture, 3-story buildings, they all had flat roofs and looked very tall, not in keeping with the architecture in the Township. There has to be some protection against someone putting in a 3-story modernistic home in the middle of an existing neighborhood. There are not protections against building one in any new development. Commissioner is not against removal of the number of stories, it may have some unintended consequences that need to be considered, changing the type of architecture within the Township. The Commission might want to consider 2.5 stories, would ask McKenna Associates if there are communities that have gone from 2 stories to 2.5 stories, did they have any problems and if so, what they might be.
- Commissioner commented that the Commission is not talking about 3 stories. Think there needs to be both control factors, the number of stories and the height maximum. Commission needs to start talking about the scope of the roof.

- Commissioner inquired in talking about the 30 feet, are we using “or”? Vidya Krishnan informed no, we are using “and”. Commissioner inquired about the slope, are we measuring the 30 feet from the back of the house? Director Power informed we measure from the average grade at the front of the house to the halfway point between the eave and the peak of the roof.
- Commissioner inquired if someone came in and wanted to build a very modern home with a flat roof, could they do that, there are some already existing on the lake. If they have a site that they really like with a couple of homes around it, could they still do that? Director Power informed that there are no restrictions around it and he has not seen any applications come in for flat roofs.
- Commissioner inquired if the “substantially different” standard only applied to Planned Resident Developments (PRD’s). Director Power informed that site condominiums in subdivisions have to meet the substantially different requirement.
- Commissioners discussed two homes off of the S. I-94 Service Drive on Belleville Lake that look to exceed the 30 feet in height.
- Director Power informed that he is also asking the Planning Commission to also consider the AG District.
- Commissioner would like to see a report and what other communities have. If any communities have done this change, what was their experience. Director Power informed that what may set the Township apart is that most communities already have 2.5 stories and 30-foot height maximum.
- Commissioner commented that the Commission should probably go back and modify the ordinance for clarity and to make edits.
- Director Power read a comment from a remote viewer, who is fully supportive of increasing the allowable number of stories and increasing the height.
- Director Power and Vidya Krishnan will bring more information to the Commission at a future meeting.

No comments from the audience or remote viewers.

#### **GENERAL DISCUSSION:**

Director Power informed that there will be a meeting on April 12, 2023.

#### **ADJOURNMENT:**

**Motion Budd, Jahr second to adjourn the meeting at 7:42 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary



# VAN BUREN CHARTER TOWNSHIP

Copy

23-008

## DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

## TEMPORARY LAND USE / SPECIAL EVENT APPLICATION

### CONTACT INFORMATION

DATE OF APPLICATION:	12.1.2022	BUSINESS NAME:	CHips - ALL - GONE
CONTACT PERSON:	Peter Burgard	PHONE:	734 945 7755
SITE SUPERVISOR:	Peter Burgard	PHONE:	734 945 7755
PROPERTY OWNER REPRESENTATIVE:	MARK CANNASSER	PHONE:	248.790.4490
EMAIL ADDRESS:	CHipsallgone1@gmail.com		

### EVENT INFORMATION

EVENT TITLE:	CHips ALL GONE	DATES OF EVENT:	3.1.2023 - 11.30.23
TYPE OF EVENT:	Windshield chip Repair	DATES OF EVENT:	<del>12.1.2022 - 11.25.23</del>
LOCATION OF EVENT:	Bellville Square	ADDRESS OF LOCATION:	10900 Bellville Rd Bellville MI 48111
ARE SIGNS PROPOSED FOR ADVERTISING (YES) / NO			
IF YES, INCLUDE LOCATIONS AND DETAILS			
OTHER:			
<ul style="list-style-type: none"><li>IF OUTSIDE USE OF THE SITE IS PROPOSED SUBMIT DRAWING OF LAYOUT AND INCLUDE CRITERIA ITEMS.</li><li>IF NOISE ABOVE 65 DB, ODOR, GLARE, SMOKE, OR VIBRATION, ARE EXPECTED BEYOND THE PROPERTY BOUNDARIES PLEASE EXPLAIN IN SEPARATE LETTER.</li><li>ALL STRUCTURES INSTALLED FOR THE SPECIAL EVENT MUST BE REMOVED FROM THE SITE NO LATER THAN THREE (3) DAYS AFTER THE EVENT.</li></ul>			



**PEDDLER'S LICENSE OBTAINED.** CONTACT 734.699.8930 TO SCHEDULE A REQUEST FOR A PEDDLER'S LICENSE (REQUIRED FOR ANY FOOD TRUCK OR AN PERSON WHO SELLS OR PEDDLES ON THE TOWNSHIP STREETS, ALLEYS OR FROM DOOR-TO-DOOR OF HOMES, OFFICES, STORES, HOTELS, RESTAURANTS OR OTHER PLACES OF BUSINESS, FOOD OR OTHER PRODEUCTS NOT PRODUCED, MANUFACTURED OR MADE BY HIMSELF PER SEC. 22-341 OF THE VAN BUREN TOWNSHIP CODE OF ORDINANCES).

### FEE INFORMATION

PROCESSING FEE:
BOND FEE:
TOTAL AMOUNT DUE:

SIGNATURE OF APPLICANT

*Peter Burgard* 12.1.22

DATE

APPROVED BY

DATE

For any temporary event involving food trucks or mobile food vendors, please ensure the vendor meets ALL requirements in the attached letter from the Van Buren Township Fire Marshal, below:



## MEMO

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TO: Van Buren Township Planning Commission

FROM: Dan Power – Director of Planning and Economic Development

RE: Review of Temporary Land Use Request #23-008 – Chips All Gone at Belleville Square Shopping Plaza (10900 Belleville Road) – Memo #2

DATE: April 6, 2023

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Applicant Peter Burgard has applied seeking a Temporary Land Use permit for a tent service use involving minor automotive glass repair at the Belleville Square Shopping Plaza at 10900 Belleville Road. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval. The proposed business is titled “Chips All Gone”. The proposed use involves using adhesives to complete minor glass repairs to chipped windshields, based out of a tent in an existing parking lot. The Planning Commission previously reviewed this request at their regular meeting on March 22<sup>nd</sup>.

I previously provided a report which discussed the merits of the application in relation to the requirements of Section 7.120(C) of the Van Buren Township Zoning Ordinance, which are necessary to grant a temporary land use permit, including the following items:

1. Adequacy of parking and access
2. Adequate drainage
3. Compatibility with surrounding land uses
4. Size, height, and type of construction of proposed buildings and structures in relation to surrounding site
5. Sufficient setbacks from road rights-of-way and lot lines
6. Adequate utilities
7. Trash disposal and site clean-up
8. Sanitary facilities
9. Hours of operation
10. Outdoor light and signs
11. Other licenses and permits required
12. Potential noise, odor, dust, and glare
13. Fire lanes, fire protection, and security
14. Off-site impacts of traffic volumes
15. Necessity of performance bond to ensure prompt removal
16. Other concerns which may impact the public health, safety, or general welfare

At their meeting on March 22<sup>nd</sup>, after reviewing the request, the Planning Commission stated concerns regarding the application regarding issues including the location of the proposed tent, its aesthetics, impacts on site tenants, and the timeframe of the tent installation. At the time, the Planning Commission requested that additional feedback should be gathered from the Downtown

Development Authority (DDA) and that the applicant should state the minimum feasible timeframe that they would require for the use to be economically viable. The Township's Planning Consultant was also requested to review and provide comment on this request. Based on the requests from the Planning Commission on March 22<sup>nd</sup>, I am including the following materials with this packet:

- Original application filed by Peter Burgard
- Email to applicant with a summary of concern areas, dated 3/30/2023.
- Memo from Van Buren Township Planning Consultant / McKenna Senior Principal Planner Vidya Krishnan dated 4/2/2023
- Memo from Van Buren Township DDA Executive Director Merrie Coburn dated 4/4/2023
- Letter from landowner Mark Canvasser dated 4/5/2023
- Original application materials from Peter Burgard including a project narrative, environmental description of the chip repair process, sample image from an active Chips All Gone site, proposed site plan, Peddlers' License documentation, and lease agreement.

## RECOMMENDATION

The Planning Commission may approve, with or without conditions, postpone a decision on, or deny the requested temporary land use. If the Van Buren Township Planning Commission finds that the proposed use meets the criteria of Section 7.120(C) of the Van Buren Township Zoning Ordinance, they may recommend approval of the requested land use. If the Van Buren Township recommends approval, they may consider the following conditions of approval:

- **Establishment of Timeframe.** The Planning Commission has the authority to place a condition on their approval regarding the maximum allowable timeframe. The applicant, and all reviewing staff and consultants reviewing this request including the Planning Consultant, the DDA Executive Director, and the Planning and Economic Development Director have provided timeframe recommendations for the project. Based on findings and feedback provided during the course of this review, I recommend that the Planning Commission should restrict the timeframe as recommended by the Planning Consultant (a maximum of six (6) weekends, not to exceed a total of 14 days in a calendar year), except a longer timeframe may be considered if all of the following criteria are met:
  - o The applicant has demonstrated a need for a greater length of time for viability of the use on this site is demonstrated by the applicant and
  - o The aesthetic impact of their operation is sufficiently limited so as to not cause concern that if a different business of a similar aesthetic impact could be justified in being installed on a similar site for a similar period of time.
  - o The location is adequate based on findings that it does not impact driver safety and does not negatively impact the visibility of area businesses.
  - o Other factors at the Planning Commission's discretion.
- The recommendations of the Planning Consultant's letter dated 4/2/2023, the DDA Director's letter dated 4/4/2023, and the Planning Director's letter dated 3/16/2023 shall be addressed.

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

CC: Ron Akers, AICP – Municipal Services Director, Van Buren Charter Township  
Vidya Krishnan – Van Buren Charter Township Planning Consultant and Senior  
Principal Planner, McKenna Associates

## Power, Dan

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**From:** Power, Dan  
**Sent:** Thursday, March 30, 2023 4:57 PM  
**To:** 'Pete Burgard'  
**Cc:** Coburn, Merrie; Akers, Ron; 'Vidya Krishnan'; 'Mark Canvasser'  
**Subject:** Follow-up: Case 22-008 / Chips All Gone

Hello, Peter:

I hope all is well. Following up from our Planning Commission meeting last week and discussions I have had with staff and our DDA this week, I wanted to alert you to a few items:

Our reviewing planning consultant, Vidya Krishnan (Senior Principal Planner at McKenna) was requested to provide an additional report regarding your request. Also, as you heard, our DDA was requested to provide commentary on the request. DDA Executive Director Merrie Coburn is also cc'd here. You will see their comments in addition to mine in the Planning Commission packet for the 4/12/2023 Planning Commission meeting. I am cc'ing Vidya, Merrie, our Municipal Services Director Ron Akers, and the landowner Mark Canvasser on this email.

The Planning Commission may approve, approve with conditions, postpone a decision on, or deny your request. Based on some concern areas within our Temporary Land Use standards (Sec. 7.120(C) of the Township's Zoning Ordinance) you heard at the meeting on 3/22/23, Planning Commissioners will be focused on the aesthetics of the tent, its visual prominence, and its duration of time it will be on the site. I am offering recommendations below which do not guarantee approval, but are intended to address some of these concern areas.

The recommendations are as follow:

- **Relocation.** Work with the property owner to relocate your proposed location to an area closer to the front of the building and away from the main entry drive into the shopping plaza. The currently proposed location of the tent is of concern for a number of reasons, including obstruction of the sight line to the businesses in the shopping center, as well as driver safety concerns and possible accidents due to the line of sight for those trying to pull out on to the cut through driveway that runs east and west through the plaza.
- **Reduced timeframe.** Be prepared for a recommendation that the use's duration is limited to no more than 4-6 weekends, with the tent only being up Friday – Sunday during those times.
- **Improve aesthetics / reduce visual impact.** Reduce the visual impact of the tent by either reducing it to a pop-up tent or improving its aesthetic character with treatments such as a canopy with earth or brick color tone and black posts. Consider setting the posts in a decorative stone or brick column wrap. I can provide examples if desired. Plastic buckets are not desired as a base for the fence posts.
- **Communication with tenants.** Feel free to communicate with tenants of the Belleville Square Shopping Center and let us know of any correspondences you have.
- **Lease Agreement.** Communicate with the landowner to secure specific language in your agreement that you will be permitted to use on site sanitary facilities in one of the site's tenant spaces.
- **Tent specifications.** Be prepared to verify the tent will be adequately secured to meet wind loading requirements and will be fire retardant.

Any new submittals you provide should be submitted by no later than **Wednesday, April 5<sup>th</sup>, 2023** in preparation for the April 12<sup>th</sup> Planning Commission meeting.

If you have any questions or would like to set up an appointment for further discussion, please do not hesitate to reach out to me at this email address or the phone number below.

Thank you,

*Dan Power*, AICP

Director of Planning and Economic Development

Department of Public Services

Charter Township of Van Buren

734.699.8900, ext. 9392

Township Hours: Monday -Thursday 7:00 am to 5:00 pm. *Closed Fridays.*



# Memorandum

**TO:** Planning Commission, Charter Township of Van Buren  
**FROM:** Vidya Krishnan; Senior Principal Planner  
**SUBJECT:** VBT-23-008 Chips All Gone Temporary Land Use  
**DATE:** April 2, 2023

## PROJECT OVERVIEW

Applicant Peter Burgard has applied seeking a Temporary Land Use permit for a tent service use involving minor automotive glass repair at the Belleville Square Shopping Plaza at 10900 Belleville Road. The use is proposed to be from March 1, 2023 (or effective immediately following Planning Commission approval) through November 30, 2023, 8:00 a.m. through 9:00 p.m.

## TEMPORARY USES

Section 2.102 Defines Temporary Use, Building, Structure as *a structure building or use permitted by the Township Building Official or Planning Commission (pursuant to Section 7.120) to exist during periods of construction of the principal use for special events or purposes, which shall not exceed one (1) year unless otherwise permitted or extended by the Township Planning Commission. Temporary uses shall be only those which are clearly short duration and involve no permanent structures.*

Section 7.120 further defines temporary uses as land uses or activities that are *clearly temporary in nature*, and notes that Temporary land uses and activities intended for more than seven (7) consecutive days or two (2) consecutive weekends shall require Planning Commission approval.

## USE AND ZONING

The proposed use is classified as “vehicle service, minor” as defined by Section 2.102(A)(237). The use is permitted as a special land use by the Zoning Ordinance. The ordinance does not have any prohibition on approval of special land use as a ‘temporary land use’.

## DISCUSSION

The applicant appeared before the Planning Commission on March 22, 2023 for consideration of approval of the requested temporary land use and was tabled pending presentation of additional information. We were requested to provide our written analysis on the request and have the following comments to offer:

1. Per Section 12.301 Purpose, special land uses are uses that *could be detrimental to other permitted land uses and cannot be permitted within the same district but which can be permitted under circumstances particular to the proposed location and subject to conditions which provide protection to adjacent land use*. These protections come in the form of increased setbacks, landscaping, screening, architectural modifications, hours of operation etc. Allowing special land use to be considered as temporary land use, does not provide the Planning Commission and Township Board of Trustees the ability to require many of the ‘protections’. The request to operate a use for 9 months (or 6 months as offered by the applicant),



essentially bypasses the special land use standards, when the use is operating for a marginally less time than a permanent land use.

2. A temporary use by its innate definition is short-time use. Operating a use for 6-9 months is not a short term use when it operates for 50-75% of a whole year.
3. Per the applicant the proposed use will be accommodated in a tent with a table and couple of trash cans which will be removed at the end of each business day. In essence the proposed use is replacing a brick-and-mortar store which would offer windshield repair as part of its minor vehicle repair services.
4. The subject site is located within the Belleville Road Overlay District (BROD) which was adopted by the Township specifically *to establish consistent high-quality standards for site development and building appearance*. The use of a tent for a long term duration does not meet the purpose of the BROD.
5. The Planning Commission and Board of Zoning Appeals have consistently denied requests to modify the high standards of architecture for buildings within this commercial corridor. To approve a temporary tent structure for 6-9 months would not be an equitable application of the ordinance standards.
6. Approval of a temporary land use for an extended period of time that essentially replaces a permanent location for the use would set a precedent. Even if the Planning Commission were to disregard the nature of the use, having a temporary land use in the parking lot of a commercial center/business for an extended period of time, opens the ordinance up to interpretation. What if the next request before the Planning Commission were to operate a temporary retail sales use of homemade goods for 6-9 months under a tent, which would be disassembled every night? Such a retail use would not generate any wastes, but would essentially replace a storefront selling the same retail goods.
7. The applicant's use as a whole is not unusual and if done carefully, is not likely to generate wastes that would be detrimental to public safety and health. We have seen similar chip repair tents in other municipalities; however, they were strictly temporary in nature i.e., for a weekend or several weekends or a similar set-up. We are not aware of any such use that has been allowed in the long term. Consideration of the use on a temporary basis would be reasonable.

## RECOMMENDATION

Based on our review of the proposal, we do not believe the proposed use is a 'temporary use' if the intent is to operate it for 6-9 months. The consequences of the precedent set by such approval can be detrimental to the Township's goal for creating a vibrant and well designed major commercial corridor. Therefore, we recommend that the Planning Commission consider approval of the proposed Chips All Gone Temporary Land Use for a period of 6 weekends, which may or may not be consecutive, but not to exceed a total of 14 days in the calendar year.

Respectfully,  
**McKENNA**

Vidya Krishnan  
Senior Principal Planner

Cc: Dan Power, Director of Planning and Economic Development



# MEMORANDUM

TO: Planning Commission, Van Buren Charter Township

FROM: Merrie Coburn, Executive Director

SUBJECT: VBT-23-008 Chips All Gone Temporary Land Use

DATE: April 4, 2023

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I respectfully submit these comments as requested from the Van Buren Planning Commission stated at their regular meeting held on March 29, 2023 as it relates to the project stated above to address any concerns.

- Relocating the tent to the far south side of the parking lot to avoid obstruction of sight view to the business store fronts in the plaza. (see map attachment)
- Placement of the tent a minimum of 40 feet (4 parking spaces) west side of the landscape island to keep the line of sight clear for those trying to pull onto the cut through driveway that runs east and west through the plaza. (see map attachment)
- The DDA would be comfortable with the use of a 10x10 pop-up tent in order to reduce the need for additional aesthetic improvements for a duration of no more than three (3) months, in place of the original proposed 20 x 20 with an 8-foot extension peak, as well as an alternative option instead of the large blue barrels for the tent to be weighted down to prevent blow overs.
- Provide proof tent meets the requirements of CPAI-84 and is flame retardant.
- Provide notification to the plaza tenants of the requested temporary land use.

Respectfully submitted  
Van Buren Charter Township  
Downtown Development Authority

A handwritten signature in blue ink that reads "Merrie Coburn".

Merrie Coburn,  
Executive Director

10151 Belleville Road  
Van Buren Township, MI 48111  
734.699.8941  
[VanBurenDDA.com](http://VanBurenDDA.com)



1064

10760 BELLEVILLE RD - 83 064 99 0003 005

10972 BELLEVILLE RD - 83 064 99 0003 707

Planet  
Fitness

0930 BELLEVILLE RD - 83 064 99 0003 709

10940 BELLEVILLE RD - 83 064 99 0003 708

10x10 pop up  
tent not to scale



40 feet north of  
landscape island

10950 BELLEVILLE RD - 83 064 99 0003

10945 B

**Belleville Square Holdings, LLC  
Canvasser Development, Inc.  
28580 Orchard Lake Road Suite 110  
Farmington Hills, MI 48334  
Telephone (248) 988-8100  
Facsimile (248) 671-0080**

April 5, 2023

Mr. Dan Power  
Planning Director  
46425 Tyler Road  
Belleville, MI 48111

sent via email

Dear Dan,

Thank you for taking the time to meet with both myself and Pete Burgard regarding your recent email.

As you know, our company has had a 45 year business partnership relationship with Van Buren Township. Our land ownership and development have attracted and brought to the community almost all the major businesses surrounding the Belleville Road area, including Meijers, Walmart, Menards, Aldi's, numerous free-standing brick and mortar businesses/restaurants, Belleville Square Shopping Center, and recently the Kenworth Development. In addition, we still own approx. 100 acres along Belleville Road and the east and west I-94 service drives. We believe our involvement, attention to detail, design, and aesthetics have lead to a thriving business corridor in the Township.

However, given the events of the last 3 years and the uncertainty of the current economic climate, retailers have faced an incredible business challenge. We built Belleville Square in the early 1980's. This is the FIRST time ever that I have faced our current vacancy of 25% with 2 more Tenants that have indicated they cannot stay in business past the end of this year.

It is for these reasons and many more why I feel it's important to approve Peter Burgard's business in order to help generate more traffic at Belleville Square.

I have reviewed and discussed with both Peter and yourself the recommendations that were provided in your recent email. I think they were helpful and allow each of us to understand what is needed for success. I hope the changes to the following areas will allow us each to understand what is needed in order to move forward.

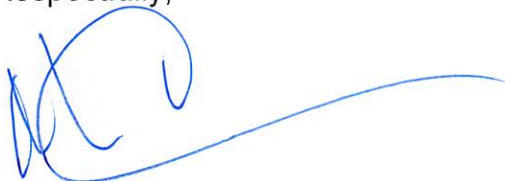
- 1) Relocation: Peter is willing to move his location from the front of the main driveway, but the decrease in visibility makes the necessity of having a tent ever more important for the success of his business.
- 2) Reduced Timeframe: Peter is willing to run his business for a 3-4 month period instead of 6 months. Peter's employees need to make a "living" wage which occurs when the business operates full time. Opening for only weekends for a short period of time does not allow Peter to attract employees who want to work for only 2 days of wages.

The other items such as access to restrooms, communication to Tenants, aesthetics, security, etc. have all been addressed.

Should you have any additional questions or concerns, I am happy to address them, please do not hesitate to contact me.

I hope you share this communication with the planning commission, and we look forward to their thoughtful consideration and approval.

Respectfully,

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a long, sweeping horizontal line that extends to the right.

Mark A. Canvasser

## **Chips all gone**

Location ; Bellville Square

March 1, 2023 to November 30, 2023

Service; windshield stone chip repair

Two sets of six parking spaces that measure 24' x 40' each

Which equals 12 parking spaces

(the tent fits inside three parking places) shown on diagram

Tent 20 ft x 20 ft. 8 ft tall legs with a 8 ft extension for the high peak

No driving isles, or fire lanes proposed to be occupied by outdoor service

No change to existing fire access as proposed noted on plan

Hours of operation 8 AM to 9 PM 7 days

A week

Setbacks are highlighted on the plan 348 feet from the north 78 feet from the east 384 feet from the south

No additional lighting to the site

One 10 gallon trash can on site for miscellaneous;

The chip repair service does not produce trash

Patrons and employees are expected to use Belleville Square shopping center restroom facilities

11.108 zoning signage ordinance

We have 1 sign 32 square feet free standing pole sign shown on plans

Peddlers permits included they will be updated when this permit is received

We give a lifetime guarantee with your windshield chip repair

All traffic patterns remain the same;

Just pull into a parking space and pull out just like you were going to any store in the mall there is no changes to the parking or the traffic patterns .

We give a lifetime guarantee to our clients.

We can clean up our location within four hours so there will be no problem leaving a clean site

Windshield stone chip repair is very beneficial to the public because it saves people from having to replace a whole new windshield that saves them Money  
And broken windshields go in landfills they do not get recycled because of the plastic between the two pieces of glass  
It takes 1 million years for a windshield to biodegrade

There are over 100 parking spaces that are not being used next to our location;  
This gives easy traffic patterns  
And lots of access in and out  
(Elbow Room)



## CRACKS N CHIPS WINDSHIELD REPAIR

May 19, 2018

### WINDSHIELD REPAIR HELPS SAVE THE ENVIRONMENT

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When you repair your windshield rather than replace it, you have made a decision to preserve the earth. Used windshields deface our environment, Because of the plastic interlayer of poly-vinyl-butylal (PVB) on the inside of the glass. it makes recycling very difficult. Most of the time the windshields end up in junkyards or our local landfill. Well over 12 million windshields are replaced every year!! When a windshield is replaced, the material isn't able to be processed the same way as other glass products, like beverage bottles. Due to special treatments, like lamination, the damaged material cannot be traditionally recycled. Repair can help reduce waste by replacing only when there is no other solution.

A windshield consists of 3 layers, the top piece of laminated glass then a layer of (PVB) then another layer of glass.

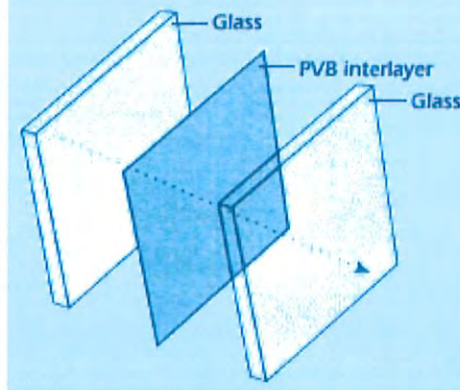
## ADVANTAGES OF WINDSHIELD REPAIR

1. Windshield repair is environmentally friendly, as windshields are not commonly recycled.
2. Windshield repair saves time, money. The price to repair a windshield is a fraction of the cost to replace a windshield. A repair takes 10 to 20 min. to do a repair.
3. Repair also restores the structural integrity of your windshield and preserves existing glass. The other main benefit, however, is that choosing not to replace first helps minimize adverse effects on the environment.
- 4, The Factories pollution to make new glass
- 5, Semi-Trucks Exhaust to haul away Broken Glass & EXHAUST TO HAUL NEW windshields



## ← CRACKS N CHIPS WINDSHIELD REP...

ction



Share

Labels: auto glass, being green, Cracks N Chips, Cracks N Chips Windshield Repair, free windshield repair salt lake city, rock chip repair, Rock chip windshield repair, saving our environment, windshield chip repair

Location: Salt Lake City, UT 84115, USA

### COMMENTS



Commercial Window Shield January 27, 2023 at 6:08 AM

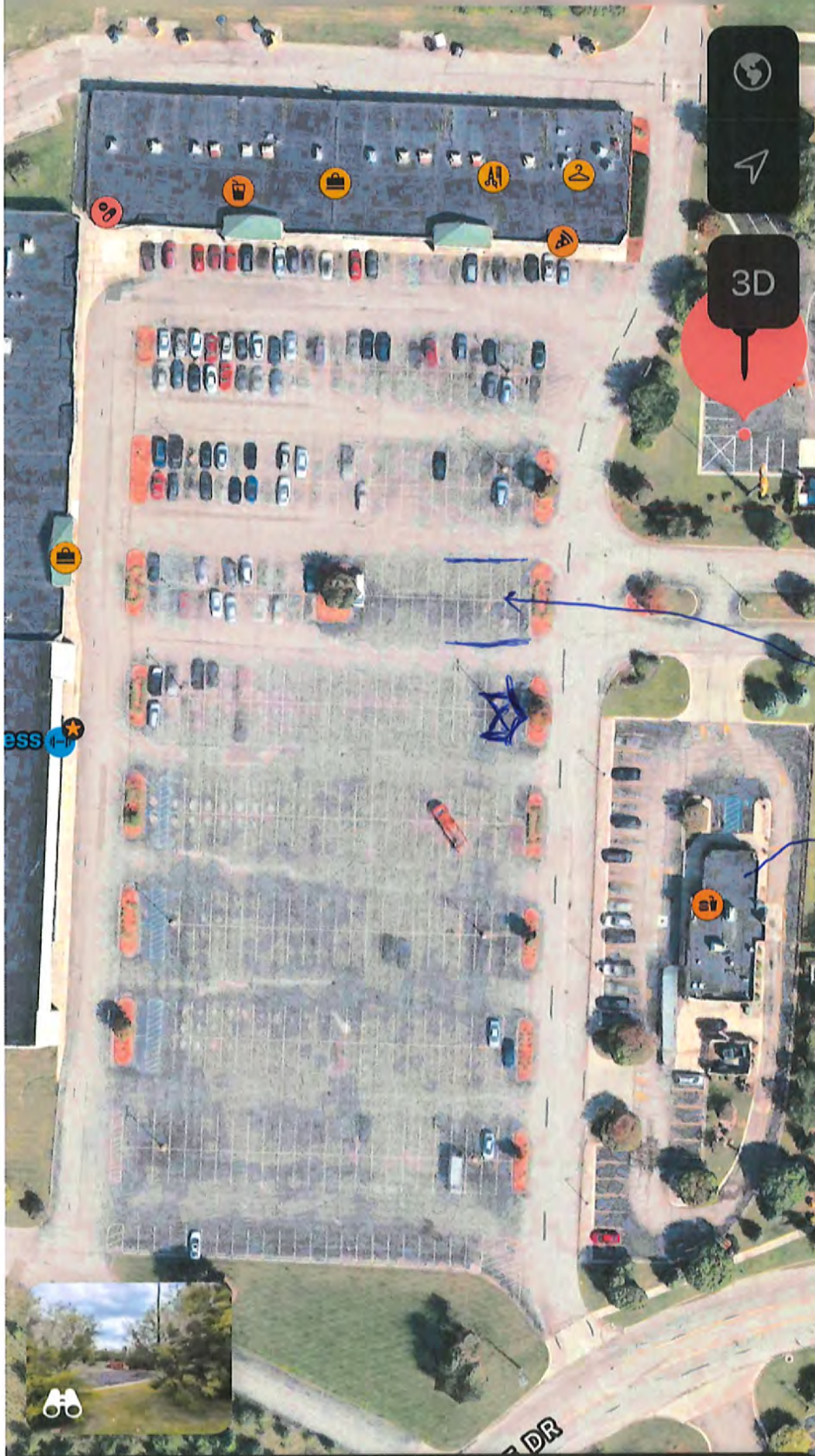
You are sharing a particularly decent article here. It is a significant and factual article for us. Thankful to you for sharing an article like this. Keep blogging and give some info about Smart window film

REPLY





2:41



Dollar  
store

Planet  
Fitness

Bellville Road

McDonald's

set  
up

Chips All Gone

Abey's

Dropped Pin

14 mi away

Van Buren Township does not endorse any product or company

This License is the property of Van Buren Township and must be returned when the license expires.

**Expires: 12-10-2022**

Issued: 11-10-2022

Company: Chips All Gone

Name: Corrin Hopkins

Soliciting, Canvassing, Peddling License # 22-10



Van Buren Township

Van Buren Township does not endorse any product or company

This License is the property of Van Buren Township and must be returned when the license expires.

**Expires: 12-10-2022**

Issued: 11-10-2022

Company: Chips All Gone

Name: Peter Burgard

Soliciting, Canvassing, Peddling License # 22-10



Van Buren Township

No. 22-10 Amount, \$ 135.00

Van Buren Township Michigan November 10, 2022

This Certifies that Peter Burgard, Corrin Hopkins DBA Chips All Gone is hereby

licensed to conduct windshield repair

within the limits of the Van Buren Charter Township, County of Wayne, State of Michigan, in accordance with the Regulations of said Township for a period of 30 days from this date, unless this License be sooner revoked.

This License is revocable at the pleasure of the Authority granting same.

Expires December 10, 2022

Dad #796  
Authorized Signature

This License Agreement ("License") is executed on this \_\_\_\_11\_\_\_\_ day of \_\_\_\_November\_\_\_\_, 2022 ("Effective Date"), between Mark Canvasser ("Licensor," "We", "Our," "Us") by and through its property manager ("Manager"), and Chips All Gone, LLC, a(n) Michigan Limited Liability Company ("Licensee," "You", or "Your"), doing business as **Chips All Gone** ("Trade Name").

The following references furnish data as further set forth in this License:

- (1) **Licensed Premises:** Bell Square -10900 Belleville Rd. Belleville MI 48111
- (2) **License Period:** *Bellville Square*
  - (i) Possession Date: November 9th, 2022
  - (ii) Rent Commencement Date: November 9, 2022,
  - (ii) Expiration Date: October 31, 2023
- (3) **Base License Fee:** \$6,435 (total for term). Monthly rent is due by/on the 1<sup>st</sup> of every month in the amount of \$550 with the exception of November 2022 which shall be prorated per agreement.
- (4) **License Use:** For the non-exclusive retail sale, display, and promotion of operating a repair and replacement center for chipped and cracked windshields and for no other purpose whatsoever.

By signing this document, We are giving You the limited, revocable right to temporarily use and occupy certain space in Our Shopping Center. You cannot transfer this right to anyone else. This License is not a leasehold interest.



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I. YOUR SPACE -

The current location of the Licensed Premises is shown on the attached site plan for the Shopping Center.

---

II. LICENSE PERIOD

You may use the Licensed Premises from November 9, 2022 (the "Possession Date") with November 9, 2022 (as the "Commencement Date") until October 31, 2023 (the "Expiration Date") (this entire period will be called the "License Period"), Your right to use the Licensed Premises under this License will not last beyond the Expiration Date, If You want to extend the License Period, You will need to contact the owner about renewal before the Expiration Date.

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### III. ADDITIONAL PROVISIONS

The Design Criteria and Operational Guidelines attached hereto are a part of this License, and are hereby incorporated herein. Time is of the essence.

- Licensee to take space in as-is condition.
- Staking into parking lot is not permitted.

IV. Conditions of Use. You are required to follow Our operating rules, which include, but are not limited to, the following:

- a) You must always maintain the Licensed Premises in good, clean and safe condition;
- b) You must always maintain all required permits and licenses and observe and comply with all laws, ordinances, rules, regulations and code requirements applicable to the Licensed Premises or Your business, and you must abide by our Operational Guidelines;
- c) You must not sell or market any unlawful or counterfeit goods or services, or otherwise infringe or confuse another party's trademarks, trade dress or other intellectual property rights;
- d) You must run Your business in a professional, first-class and tasteful manner in accordance with Our rules and regulations, as well as reputable business standards and practices;

*2) This license may be revoked @ any time*

1. Insurance. You must keep the insurance in force, during the License Period and such other times as You occupy the Licensed Premises. See attached Insurance Certificate.

IN WITNESS WHEREOF, the Guarantor has executed this Guaranty this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

LICENSEE:

Peter Burgard

Printed Name: Pete Burgard

Social Security No. \_\_\_\_\_

LICENSOR:

Mark Canvasser

Printed Name: Mark Canvasser

Social Security No. \_\_\_\_\_



# VAN BUREN CHARTER TOWNSHIP

## DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

PHONE (734) 699-8913 FAX (734) 699-8958

## PLANNING & ZONING APPLICATION

### CASE INFORMATION

CASE NUMBER: 20-005	DATE SUBMITTED:
---------------------	-----------------

### APPLICANT INFORMATION

NAME: Stonefield Engineering & Design	PHONE: 248-247-1115
ADDRESS: 607 Shelby Street, Suite 200	CELL PHONE:
CITY, STATE & ZIP: Detroit, MI 48226	FAX:
EMAIL: kheffernan@stonefieldeng.com	

### PROPERTY OWNER INFORMATION (If different than the applicant)

NAME: JS Real Estate LLC	PHONE: 586-498-9670
ADDRESS: 30401 Utica Road	CELL PHONE: 248-789-8997
CITY, STATE & ZIP: Roseville, MI 48064	FAX: 586-498-9671
EMAIL: jim@safiedineoil.com	

### BILLING CONTACT

NAME: Liz Serra	PHONE: 586-498-9670 ex 109
ADDRESS: 30401 Utica Road	CELL PHONE: 248-789-3005
CITY, STATE & ZIP: Roseville, MI 48064	FAX: 586-498-9671
EMAIL: liz@safiedineoil.com	

### SITE/PROJECT INFORMATION

NAME OF PROJECT: 11250 Haggerty			
PARCEL ID NO: V125-83-051990003002		PROJECT ADDRESS: 11250 Haggerty Road	
*APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the West Side of Haggerty Road; Between 94 Service drive Road and Old Haggerty Road.			
SIZE OF LOT WIDTH: 198	SIZE OF LOT DEPTH: 217	ACREAGE OF SITE: 1.06	TOTAL ACRES OF SITE TO REVIEW: 1.06
CURRENT ZONING: C-1	IS A REZONING OF THIS PARCEL BEING REQUESTED? Y <input type="checkbox"/> N <input checked="" type="checkbox"/>		REQUESTED ZONING:
PROJECT DESCRIPTION: Proposed 3,600 SF convenience store with drive-through window and five gas pumps.			

**SPECIAL PERMIT INFORMATION**

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N <u>Yes</u>	
IF YES, SECTION OF ZONING ORDINANCE FOR WHICH YOU ARE APPLYING FOR SPECIAL APPROVAL: <u>5.136</u>	
IS THERE AN OFFICIAL WOODLAND WITHIN THE PARCEL? Y / N No	IF YES, WOODLAND ACREAGE:
TOTAL NUMBER OF REGULATED TREES OUTSIDE THE WOODLAND AREA: <u>N/A</u>	TOTAL NUMBER OF TREES:
DETAILED DESCRIPTION FOR CUTTING TREES:	
IF APPLICABLE, APPLICATION MUST BE ACCOMPANIED WITH A TREE SURVEY OR STATEMENT OF NO TREES, WHICH INCORPORATES ALL THE REQUIREMENTS LISTED IN SECTION 4.45 OF THE TOWNSHIP'S ZONING ORDINANCE 6-2-92, AS AMENDED.	

**OWNER'S AFFIDAVIT**

Jim Safiedine  
PRINT PROPERTY OWNER'S NAME

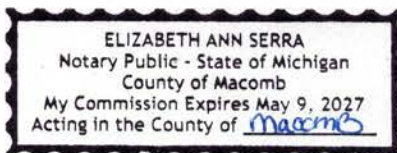
[Signature]  
SIGNATURE OF PROPERTY OWNER

10-26-2022  
DATE

STATE OF MICHIGAN  
COUNTY OF WAYNE

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

Subscribed and sworn before me this 26 day of October 2022  
Elizabeth Ann Serra Notary Public, Macomb County, Michigan My Commission expires 5/9, 2027





## MEMO

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TO: Van Buren Township Planning Commission

FROM: Dan Power – Director of Planning and Economic Development

RE: Mobil Gas Station Amended Preliminary Site Plan Review

DATE: April 6, 2023

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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.

The amended site plan prompts 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 2/28/2023, a letter from the Township Planning Consultant dated 3/23/2023, a letter from the Township Engineer dated 3/29/2023, and a letter from the Township Fire Marshal / Deputy Chief dated 3/22/2023.

Staff supports conditional preliminary site plan approval based on the findings that the use has meet zoning ordinance requirements, broadly and specifically in relation to the C-1 zoning district and to standards for drive-thru restaurants. If preliminary site plan approval is granted, the project will undergo final site plan review. The final site plan review process will involve a detailed review of compliance with applicable Township and Wayne County stormwater, soil erosion, and other engineering regulations as well as Township zoning regulations. The Planning Commission will act on a potential final site plan review at a future date.

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



**MCKENNA**

March 23, 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 Site Plan Review #2;  
Revised Site Plans Dated 2/28/2023, architectural plan set dated 3/2/2023.**

Dear Mr. Power:

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

**Background.** The applicant originally submitted for site plan and special land use approval in early 2021. The applicant received conditional preliminary site plan approval and recommendation for special land use approval from the Planning Commission on 5/12/2021. The Board of Trustees granted special land use approval on 6/1/2021. It is our understanding the applicant has been working on the site engineering details since then. The applicant received an extension on the preliminary site plan approval from PC on 6/8/2022 for a period of one year i.e., 6/8/2023.

Subsequently, the applicant has parted ways with the original site plan designer and contracted with a new professional. The plan has undergone changes. The revised site plan has been submitted as an amendment to the original site plan. Per the Zoning Ordinance the special land use approval granted to the site remains valid; however, the changes necessitate re-review of the plan for preliminary site plan approval. Since the time of the applicant's original approval, the Township has adopted an amendment to the Zoning Ordinance for gasoline filling stations. However, in an effort to move the project along, Township Staff has made the interpretation that the site plan extension makes this an active application, and the site will not be subjected to the new regulations/standards, retro-actively. The applicant had, however, been advised to make the best effort to comply with the new regulations to the extent feasible without having to discard the entire site plan.

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

- 1. Zoning and Use.** The site is currently zoned C-1 (General Business District). The applicant proposes to construct a new 3,601 square foot fast food restaurant and convenience store building along with gas pumps. Section 3.111 (B) of the Zoning Ordinance permits gasoline filling stations as a principal permitted use and drive-thru restaurants are permitted as a special land use per Section 3.111 (C). *The applicant response letter dated March 3, 2023 references architectural site plan however sheet A0.1-A0.5 are not included in this set.*

**HEADQUARTERS**  
235 East Main Street  
Suite 105  
Northville, Michigan 48167

○ 248.596.0920  
F 248.596.0930  
**MCKA.COM**

**Communities for real life.**



**2. Required Information.** Section 12.203 of the Zoning Ordinance includes requirements for information on a site plan. All required information has been submitted.

**3. Dimensional Requirements.** The required front, rear and side yard setbacks for the C-1 District are 75 feet, 15 feet and 25 feet, respectively. The proposed drive-thru and convenience store building complies. *Per the recently adopted regulations for gas stations in Section 5.144, the required front yard setback for the gas station canopy is 40 feet and the required setback for a pump is 50 feet. The proposed amended site plan complies.*

**4. Access and Circulation.**

**a. Location of Curb Cuts.** The amended site plan proposes a 30' wide curb cut off Haggerty Road, which is lesser than the previously proposed 40'2" wide curb cut. The access drive is intended for two-way movement of vehicles shown through pavement striping.

The plan also notes the retention of an existing 39' wide curb cut off I-94 N. Service Dr. The lanes of ingress and egress are to be striped on the pavement. Access drives to drive-thru's are required to be a minimum 100 feet from the nearest intersection and the revised site plan complies.

**b. Cross Access.** It is the Township's policy to require cross access wherever feasible. The site abuts vacant parcels to the west and north. The plan proposes a cross access point on the northeast and southwest corners of the site as required for possible future connections. The site plan notes a "pitch-out" curb in these locations. Per the original plan the curb on the west side of the building is a rolled curb to allow for emergency vehicles to use the bypass lane and mount the curb as necessary. However, the bypass lane is shown with a stop bar across it at the south end. Clarify if the "bar" is an actual structure or painted line on the pavement.

The rolled curb is shown along one half on the west side of the drive-thru lane with the remaining portion showing a flush concrete walk. It appears the concrete walkway is intended to provide employees with a path to reach the dumpster enclosure and is also mountable. The curb and walk is subject to approval by the Township Engineer.

**c. Drive-Thru.** The site plan proposes a 20' wide drive-thru lane on the west side of the proposed building. The lane is intended to accommodate the drive-thru and a bypass lane. Sheet C-14 includes a fire truck circulations diagram; however, the drawing appears to be inaccurate as some of the wheel turn radius are shown as sharp angles rather than curves/arcs. The proposed design must be reviewed and approved by the fire marshal.

**d. Sidewalks.** There are existing sidewalks along the site's I-94 NSD and Haggerty Road frontages. The width of the existing sidewalks is labeled as 5 feet wide each. The site plan also includes a new 5'-7' wide sidewalk on the east side of the proposed building.

**e. Truck Circulation.** The underground storage tanks are shown in the southwest corner of the parking lot. The amended plan shows a 3' wide striped area on the south side of the drive through window and the loading area and a raised concrete barrier labeled "monolithic curb" The height of the curb is not specified on the detail noted in Sheet C-9. Sheet C-14 shows a truck turning diagram for an oil tanker. The circulation pattern appears very tight with the oil tanker, trash hauling truck and delivery vehicles all sharing the same area. When the truck is



loading/unloading or when a tanker is refueling, the bypass lane from the drive through will be entirely blocked. The plan notes that loading/unloading will take place after drive-through hours. Specify hours of operation of the drive-thru.

**5. Parking and Loading.** Parking requirements are as follows:

**a. Space Dimensions.** Parking spaces have now been dimensioned with 9.5' x 20' spaces, compliant with the Zoning Ordinance. Spaces abutting the greenbelts along the street frontages are striped at a depth of 18'. All parking spaces are double striped as required by Ordinance. In addition, Section 9.102 of the Zoning Ordinance requires that drive-thru's located within one-half (1/2) mile of an expressway provide at least two (2) longer spaces designated for recreational vehicles and semi-trucks. These spaces have been provided in the southeast corner of the site.

**b. Number of Parking Spaces.**

Standard	Applicable Measurement	Number of Spaces Required	Number of Spaces Provided
<b>Gas Station</b>			
1 space per gasoline pump	5 islands (10 pumps)	10	10
2 spaces per service area or stall	Not Applicable	-	-
1 space per employee in maximum shift	1 employee	1	1
<b>Drive Thru</b>			
1 space per 2 seats of legal capacity for the facility	18 seats	9	9
1 space per employee in maximum shift	4 employees	4	4
<b>Retail Stores</b>			
1 space per 200 square feet of useable floor area.	966 square feet	5 (including 2 RV spaces)	5 (Including 2 RV spaces)
<b>Drive Thru Stacking</b> (standards are not calculated into the totals below since they are stacking spaces)			
5 stacking spaces between pick-up window & order station	-	5	5
10 stacking spaces per order station	1 order station	10	10
	<b>Total:</b>	<b>10 pump spaces + 19 spaces + 10 stacking</b>	<b>10 pump spaces + 20 spaces + 10 stacking</b>



The applicant has made revisions to the plan to include two additional spaces – one near the dumpster and a second space next to the RV parking spaces. The spaces abutting the dumpster must be labeled as employee only because access to the building from those spaces would require walking across the loading area and drive-thru lane. The second space has been created by narrowing the greenbelt along I-94 Service Drive. Since the site now has one space above the requirement, eliminating landscaping to create an additional space is not recommended.

- c. **Barrier Free Spaces.** 2 barrier-free parking spaces are proposed, compliant with developments requiring between 25-50 parking spaces.
  - d. **Loading.** For a building with a total floor area of less than 10,000 sq. ft., a 10' x 25' loading space is required. A 10' by 50' loading space is proposed on the south side of the drive-through lane. the northwest corner of the site abutting the dumpster. The loading space is located within the front yard along I-94 Service Drive. While not ideal it appears to be the only available area on the site to accommodate the space. To minimize conflict with the drive through, the site plan notes that loading/unloading activity will take place after drive-thru hours.
6. **Landscaping and Screening.** The landscape plan sheet L-1 and L-2 have little to no information and are not acceptable. The Township has high landscaping standards and sites are expected to comply with the requirements. The landscape plan and the site plan do not match. The landscape plan is based on the previous version of the plan for the southwest corner of the site, RV parking areas, west side of the drive-thru etc.
- a. **Landscaping Adjacent to Right-of-Way.** Section 10.103(A) requires lot frontage landscaping of 1 deciduous tree/40 lineal feet + 1 ornamental tree/100 lineal feet + 8 shrubs/40 lineal feet. The site has a frontage of 164' on Haggerty Road, which requires a total of 5 deciduous trees + 2 ornamental trees + 33 shrubs. The site has a frontage of 192' on I-94 NSD, which requires a total of 5 deciduous trees + 2 ornamental trees + 39 shrubs. The landscape plan includes calculations and complies with the standard.
  - b. **Parking Lot Landscaping.** Section 10.103(B)(1) requires all parking lots to be landscaped and screened from adjoining public or private rights-of-way. Landscaping shall include a landscaped yard at least five (5) feet in width containing an opaque screen of landscaping (evergreen or deciduous hedge) at least three (3) feet in height. Landscape plan complies.  
  
**Interior Parking Lot Landscaping.** Section 10.103(B)(2) requires the provision of landscaping within islands in a parking lot. Interior landscaping shall account for a minimum of five percent (5%) of all paved parking areas, including parking and loading spaces, driveways, and aisles. The revised plan proposes 1,056 sq. ft of interior lot landscaping. Additionally, one (1) deciduous tree is required to be planted for each three hundred (300) square feet of interior landscaping. The plan complies.
  - c. **Loading Area Landscaping.** All loading areas shall be screened from a perpendicular view from any public street rights-of-way or adjacent residential zoning district for the entire length except for necessary access. The site does not abut any residential areas. The plantings on the southwest corner of the site to screen the dumpster enclosure also serve to screen the loading area.



- d. **Greenbelt Buffering.** As the subject parcel abuts C-1 zoning on all sides, a ten (10) foot wide buffer, with one (1) tree per thirty (30) linear feet is required around the entire property. The plan proposes a 5' wide greenbelt along the north property line and a 6' wide greenbelt along the west property line. The site does not have the required area to accommodate the 10' wide greenbelt without impacting the circulation on-site. The Planning Commission has the discretion to modify this standard. With 411' of property lines to the north and west a total of 14 deciduous trees are required and are proposed.
- e. **Zoning District Landscaping.** In C-1 Districts contiguous outdoor space, independent of sidewalks, pedestrian circulation areas and required landscaping is required in an amount not less than one (1) square foot for each twenty-five (25) square feet of principal building and in no case less than two hundred fifty (250) square feet in total. With a 3,601 sq. ft. building proposed, 250 sq. ft. of open space is required. The landscape plan shows a hardscape element on the southwest side which has been eliminated in the new version of the plan. Provide the required outdoor space elements.
7. **Tree Removal Permit.** A tree removal permit is required if the applicant proposes to remove any trees 5" caliper or larger. The current conditions plan shows 3 trees each along the site's 2 street frontages. The species and the size are not identified. The applicant's response letter states that 3 trees along the service drive and one tree along Haggerty are to remain; however, the landscape plan shows only one existing tree along each frontage to be preserved. Since the site has very few trees, provide a proper tree list with species and size and note if they are to be preserved. Discrepancies in the landscape plan and site plan must be resolved. All regulated trees to be removed must be replaced in accordance with Section 8.106 of the Zoning Ordinance.
8. **Stormwater Detention.** The site plan does not include a detention pond. Detention is to be provided using underground detention pipes/system. The detention system is subject to review and approval by the Township Engineer and Wayne County.
9. **Lighting.** The submittal includes a photometric plan showing lighting under the gas station canopy and a single light pole at the southwest corner of the parcel. No other pole lights or wall mounted fixtures to illuminate the drive-thru are proposed. There are no streetlights in the vicinity either. The photometric plan submitted does not comply with the minimum illumination levels required for safety by Section 8.105 (B) (2) of the Zoning Ordinance for sidewalks and other areas of the site. The lighting proposed appears inadequate. Manufacturer's cut sheet detail of all proposed light fixtures including pole light, wall mounted, and canopy lights must be submitted.
10. **Architecture and Facades.** The applicant has submitted detailed elevations for the proposed building and gas station canopy. The elevations are incorrectly labeled. The drive-thru window is located on the south elevation, with the order lane wrapping around the rear of the building. The revised elevations indicate face brick topped by fiber cement siding. The applicant has attempted to include additional brick and add a soldier course detail. While better than the previous version, the proposed architecture is standard corporate architecture. Planning Commission input is sought.

The proposed gas station canopy design is a metal structure with a flat roof. The proposed design is an improvement over the previous version, with all of the columns supporting the canopy to be wrapped entirely in face brick to match the building. However, we continue to recommend architectural bands, pitched roof and other elements to enhance the structure. If the applicant were to continue with the flat roof, the canopy structure must have some architectural interest, consistent



with every gas station canopy reviewed by the Township in recent years. The plan previously approved by the Planning Commission included a pitched metal roof with brick supporting columns.

11. **Dumpster.** A dumpster enclosure is proposed in the southwest corner of the site just west of the loading zone. Typical details have been noted. The enclosure is to be constructed of masonry blocks to match the building and provided with steel reinforced wooden gates. A turn template has also been noted to demonstrate trash truck access to the dumpster.
12. **Signs.** The location of an existing 'billboard' sign and an existing monument sign are labeled on the site plan. In addition, a menu board sign has been detailed on the site plan. The elevations also show large corporate wall signs all over the building. We have repeatedly asked for a detailed sign design packet which includes detail of ALL existing and proposed signage including sign area, height, material, lighting etc. must be provided. A tall sign on the site is a non-conforming pole sign, not a billboard (per Ordinance definition). When sites are completely rebuilt, the Township encourages removal of non-conforming signs. The applicant has not responded to this comment at all.

We continue to recommend that the non-conforming pole sign be removed. The applicant notes that signs are to be part of a separate permit. We however recommend that signs be considered as part of the site plan approval because Planning Commission input is required on the removal of the nonconforming sign. Further, on other site plans for drive-thru's this information has been provide with the site plan.

## RECOMMENDATION

The 'amended' site plan at this time addresses several major site design questions we had raised, while numerous smaller issues remain to be addressed. In the interest of keeping the project moving forward, we recommend that the Planning Commission grant **preliminary site plan approval only** at this time, subject to the following conditions:

1. Clarification regarding safety "bar" across drive-thru bypass lane and Township Engineer approval of rolled curb design as noted in Comment 4.b, above.
2. Fire Marshal approval of bypass lane design, as noted in Comment 4.b, above.
3. Clarification regarding hours of operation of the drive-thru, to avoid conflict with the truck and tanker delivery areas, as noted in Comment 4.e, above.
4. Remove extra parking space created at southeast corner of site and restore to landscaping, as noted in Comment 5 above.
5. Revise and update landscape plan to match site plan layout design, as noted in Comment 6, above.
6. Demonstrate compliance with outdoor space landscaping requirement, as noted in comment 6.e, above.
7. Provide proper tree survey and clarification regarding tree preservation and tree replacement, as noted in Comment 7, above.
8. Revise lighting plan to provide adequate on-site illumination and include details for all proposed fixtures, as noted in Comment 9, above.
9. Revise labels on elevations to correctly identify them and incorporate revised architectural elements, if any, as directed by the Planning Commission and noted in Comment 10, above.
10. Submit a complete sign package, as noted in Comment 12, above.
11. Note removal of the existing non-conforming pole sign, incorrectly labeled as a 'billboard', from the site, as noted in Comment 12, above.



12. Township Engineer and Wayne County approval of stormwater detention plan, as noted in Comment 8, above.

Respectfully,  
**McKENNA**

Vidya Krishnan  
Senior Principal Planner

cc: Paul Kammer, FTCH, Township Engineer  
Andrew Leneghan, Van Buren Township Fire Marshal

March 29, 2023  
Fishbeck Project No. 200431  
Township Project No. 20-005

Dan Power  
Director of Planning and Economic Development  
Van Buren Township  
46425 Tyler Road  
Van Buren Township, MI 48311

## **Multi-use Building with Self Service Fueling Facilities, 11250 Haggerty Road Preliminary Site Plan Review**

Dear Director Power:

At the request of Van Buren Township (Township), Fishbeck has reviewed the Site Plan dated February 28, 2023, submitted to the Township for Preliminary Site Plan review for the proposed Multi-use Building with Self Service Fueling Facilities located at 11250 Haggerty Road. At this time, Fishbeck examines and reviews the feasibility of the engineering aspects of the site design but will not conduct a full engineering review until the engineering submittal.

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.

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. Add Soil boring locations and logs 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 connecting to the existing water service valve in the northeast corner of the site. The new lead will be 174 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.

## 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. Plans no longer indicate that the contractor is to clean, televise and inspect the existing sanitary sewer service lead. However, the contractor will still be responsible for reporting any poor conditions to the Township for evaluation prior to determining if the line needs to be replaced.
2. The ALTA survey shows the existing sanitary service tapping the existing 10-inch north of the existing manhole (SMH #45125) but the site plans show the existing sanitary service tying into the manhole. Were inverts collected for SMH #45125? The Applicant should verify existing service layout and coordinate plans.
3. The size of the existing sanitary service lead is not labeled on the plans and the Applicant is proposing a new 6-inch sanitary service line that will tie into the existing service line. The existing service line should be confirmed prior to Final Engineering review.

## 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 ultimately discharge into an existing curb catch basin in Haggerty Road.

**Comments:**

1. The Applicant should confirm 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.

2. The Applicant must compare the Township and County requirements and provide storage for the most stringent requirements. However, whether the design is based on County standards or Township standards, the allowable discharge must be **0.10 cfs/acre** per the Township Engineering Manual. The current calculations show the 100-year release rate at 1.00 cfs/acre.
3. An approved Wayne County Stormwater permit will be required prior to Township Final Engineering review.

## Paving and Grading

1. Full review of the detail grading will be completed as part of the Final Engineering review process.
2. An approved Wayne County ROW permit will be required prior to Township Final Engineering review.
3. Maintenance of traffic and/or traffic control plans will be required when working in the Wayne County Road rights-of-way.
4. The Applicant should check vehicle turning movement exhibits. Several turning movements are showing vehicle lines over curbs and onto lawn areas.
5. 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

Fishbeck recommends the Planning Commission grant the Multi-use Building with Self Service Fueling Facilities located at 11250 Haggerty Road Preliminary Site Plan approval based on Engineering feasibility subject to the comments listed above. It is recommended that the Applicant continue to work with Wayne County regarding stormwater management and ROW impacts. Wayne County approvals must be obtained prior to Township Final Engineering review.

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

Sincerely,



**Michael T. Leppek, PE**  
Civil Engineer



**Paul J. Kammer, PE**  
Senior Civil Engineer

By email

Copy: Kevin Lawrence – Township  
Brittney Williams - Township  
Vidya Krishnan– McKenna



# **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*

March 22, 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 ft<sup>2</sup> 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 7<sup>th</sup> 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.**

## **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](http://www.knoxbox.com)

**All Fire Department concerns have been addressed in the March 7<sup>th</sup> letter.**

**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](mailto:alenaghan@vanburen-mi.org)

Andrew Lenaghan  
Deputy Fire Chief/ Fire Marshal  
Van Buren Township

Vidya Krishnan of McKenna Associates suggested maybe a garage door that is textured or staining of the concrete driveway. Mr. Soave inquired if the textured door would be for every garage door or accenting and informed that he could provide options with concrete.

Director Power informed that the Planning Commission did receive all of the home elevations and suggested putting all items together when the Commission comes back for preliminary plan review. Mr. Soave inquired when the next meeting will be. Director Power informed Mr. Soave that after tonight's meeting staff has clear instructions and he will set up a meeting for submittal requirements and planning an engineering reviews.

Resident expressed concern with the accenting of garage doors. Also commented that a number of the existing 44 condominium units have shared driveways and have nowhere to park. In the new plan each unit has a separate driveway which will help to alleviate the parking problem. The homeowners association strives to keep uniform, resident wants to keep uniformity in relation to the garage doors. Resident feels the site plan put forward is a workable site plan and it's more important to have a workable site plan that is uniform, pleasing to the eye than it is to have a lot of aesthetics going into what type of driveway you're going to have. Commissioner inquired to the resident, his position is to ensure that each unit is as identical as possible, he doesn't want modifications on driveways, such as swirls or textures? Correct. Each unit has a separate driveway, each unit can park 2 cars in their driveway. In the front of the development, the shared driveways are parking 4 cars in the drive and on the street and it doesn't work. Commissioner commented in the design reviews there are ordinances and standards that we have flexibility on and one of the reasons to move to table is that some of the information we need to see more detail on as to what can we do under our PRD rules and what we cannot do, need to make sure that we get it right.

No questions or comments from the remote viewers.

**Motion Jahr, Barr second to table New Business Item #2 Cobblestone Creek Villas Revision, until staff and the Planning Commission review of the following items are complete: the terms and amendments to the original PRD agreement document, the limits on creating a new phase for the public improvements of the previous phase are complete , bonding requirements for the project, eligibility for the new phase to use the overarching PRD agreement, the requested modifications are still in line with the full PRD agreement, the new condo documents including the Master Deed, Bylaws and the previous Master Deed need to be reviewed and included in the final PRD, the feasibility of side entry garages, also noting the concerns in the McKenna Associates review letter dated 5-11-22, Director Power's staff letter dated 6-3-22 and Fishbeck Associates review letter dated 6-3-22.**

**Roll Call:**

**Yeas: Cullin, Barr, Jahr and Kelley.**

**Nays: None.**

**Excused: Budd and Atchinson.**

**Motion Carried. (Letters Attached)**

**ITEM #3: EXTENSION REQUEST: 20-005 – PRELIMINARY SITE PLAN REQUEST FOR MOBIL GAS STATION REDEVELOPMENT AND DRIVE THRU.**

**A REQUEST BY NC DESIGNERS ON BEHALF OF OWNER IS REAL ESTATE LLC / BELLEVILLE OIL COMPANY, INC. FOR AN EXTENSION OF A PRELIMINARY 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. APPROVAL WAS GRANTED ON MAY 12, 2021.**

**THE +/- 1.06-ACRE SITE, ZONED C-1 (GENERAL BUSINESS DISTRICT), IS LOCATED AT 11250 HAGGERTY ROAD (TAX PARCEL ID 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 gave the presentation, the applicant was not present for the meeting. NC Designers on behalf of the owner IS Real Estate / Belleville Oil Company brought forth a request for an extension of the preliminary site plan approval granted on May 12, 2021. The project has been delayed due to unforeseen circumstances, the passing of the Principal Engineer to the project and delays due to the back up of work at Wayne County. The applicant's intent is to move quickly to complete all work necessary to start construction of the project. Director Power will need a motion from the Commission to accept an extension of up to one (1) year.

Commissioner inquired how long of an extension, does the request require an extension of the special land use approval and what time frame is the applicant looking at to begin construction? Director Power confirmed that the extension is a one (1) year extension, the applicant is picking up where they left off on the project. The special land use approval is tied to the preliminary site plan approval, no additional request is needed. Director Power is unsure of the applicant's desired time frame for construction, he will reach out the applicant for more information.

No comments from the audience or remote viewers.

**Motion Barr, Jahr second to grant NC Designers a one (1) year extension to the preliminary site plan approved on May 12, 2021 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, located at 11250 Haggerty Road.**

**Roll Call:**

**Yeas: Cullin, Barr, Jahr and Kelley.**

**Nays: None.**

**Excused: Budd and Atchinson.**

**Motion Carried.**

**ITEM #4: DISCUSSION: GASOLINE FILLING STATION AND GASOLINE SERVICE STATION ZONING ORDINANCE TEXT AMENDMENT.**

# PLANNING & ZONING APPLICATION

Case number \_\_\_\_\_

Date Submitted \_\_\_\_\_

## APPLICANT INFORMATION

**Applicant** Derrick Matter, Director of Construction & Facilities  
for Camping World **Phone** (847) 229-6429  
**Address** 250 Parkway Drive, Suite 270 **Fax** \_\_\_\_\_  
**City, State** Lincolnshire, IL **Zip** 60069  
**E:mail** derrick.matter@ganderoutdoors.com **Cell Phone Number** \_\_\_\_\_  
**Property Owner** Same as Applicant **Phone** \_\_\_\_\_  
(if different than applicant)  
**Address** \_\_\_\_\_ **Fax** \_\_\_\_\_  
**City, State** \_\_\_\_\_ **Zip** \_\_\_\_\_  
**Billing Contact** Same as Applicant **Phone** \_\_\_\_\_  
**Address** \_\_\_\_\_ **Fax** \_\_\_\_\_  
**City, State** \_\_\_\_\_ **Zip** \_\_\_\_\_

## SITE/PROJECT INFORMATION

**Name of Project** Camping World - Belleville  
**Parcel Id No.** V125-83- 060-01-0001-001 **Project Address** 43646 N. Interstate 94 Service Drive

### Attach Legal Description of Property

**Property Location:** On the North Side of N. Interstate 94 Service Dr. Road; Between Morton Taylor Road Road  
and Belleville Road Road. **Size of Lot** Width 783 feet Depth 490 feet

**Acreage of Site** 8.794 acres **Total Acres of Site to Review** 8.794 acres **Current Zoning of Site** C-2

**Project Description:** Partial demolition/removal of existing of building with improvements to portion of ex. building that will remain.  
Repaving and expansion of parking lot, with striping modifications and expansion of RV storage areas. Relocation of propane station.  
Installation of sanitary dump station for RV trailers. Storm drain & stormwater detention improvements. Site lighting & fence upgrades.

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

## SPECIAL PERMIT INFORMATION

**Does the Proposed Use Require Special Approval?** YES (if yes complete next line) (NO)  
**Section of Zoning Ordinance for which you are applying** \_\_\_\_\_

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

**List total number of regulated trees outside the Woodland area?** 70 **Total number of trees** 70

**Detailed description for cutting trees** No trees are currently being proposed for removal.

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

## OWNER'S AFFIDAVIT

Brent Moody, President of FreedomRoads Property Company, LLC

Print Property Owners Name

Brent Moody  
Signature of Property Owner

November 4, 2019

Date

STATE OF ~~MICHIGAN~~ Illinois  
COUNTY OF ~~WAYNE~~ Lake

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

Subscribed and sworn before me this 4 day of November 20 19  
Jessica L. Gorski Notary Public, Lake County, Michigan Illinois My Commission expires March 8 20 22  
Rev 1/12/06

JESSICA L GORSKI  
Official Seal

Notary Public - State of Illinois  
My Commission Expires Mar 8, 2022



## MEMO

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TO: Van Buren Township Planning Commission

FROM: Dan Power– Director of Planning and Economic Development

RE: Planning Case 19-038: Camping World Partial Demolition and Site Redevelopment – Amended Preliminary and Final Site Plan

DATE: April 6, 2023

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You may recall that action regarding a proposed amended site plan (“West Wing Plan”) for the Camping World site redevelopment project located at 43646 North Interstate 94 Service Drive (tax parcel number 83 060 01 0001 001) was postponed at the regular meeting on May 11<sup>th</sup>, 2022. The proposed amended site plan dated April 29<sup>th</sup>, 2022 showed the construction of an addition to the west end of the Camping World RV sales and repair building. The proposed site plan amendment was tabled by the Planning Commission, with tabling conditions that included obtaining additional information regarding the various proposed automotive repair processes.

Prior to review of the West Wing Plan, the project previously involved the demolition of the east wing of the building at this site and converting this area for RV sales, with no further building additions proposed (“Original Plan”). Final site plan approval was obtained from the Planning Commission on December 9<sup>th</sup>, 2020 and construction began on the project in January 2021. The east wing of the building was demolished in September 2021. Several design adjustments were considered by Camping World but were never formally approved.

On September 8<sup>th</sup>, 2022, Camping World informed staff that they would revert back to the Original Plan, and would be in contact with staff once they obtain pricing and timing from contractors. Staff is seeking to obtain a clarifying letter from Camping World withdrawing their West Wing Plan from consideration, which the Planning Commission can then use to formally move to withdraw consideration of that Plan. Minor changes were proposed to the original preliminary site plan which do not impact fundamental features of the site including the locations of stormwater detention facilities or the building footprint. These changes have been reviewed over the course of the past several months. Also during the past several months, the Fire Marshal / Deputy Fire Chief and Camping World have worked closely together to establish that the proposed design will include adequate fire separation and will not require new fire suppression. A letter from the Township Planning Consultant dated 4/5/2023, an email from the Township Engineer dated 4/6/2023, and the Fire Marshal’s last Original Plan site plan review letter, dated 2/5/2020, are included with this packet. At this time, staff recommends conditional amended preliminary and final site plan approval of the plans as presented in this packet. For the Planning Commissions

If there are additional questions about this project, please do not hesitate to contact me.

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



April 5, 2023

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

**Subject: VBT-19-038 Camping World/ 43646 I-94 N. Service Drive; Preliminary and Final Site Plan#2; Revised Site Plans Dated 3/15/2023, lighting plan dated 3/17/2023.**

Dear Commissioners:

The applicant, Camping World, has sought numerous approvals from the Township since 2019, to update and improve its existing site. The site is located on the north side I-94 North Service Drive, between Dewitt and Morton Taylor Roads and has a new development area of 8.794 acres. The case history is as follows:

- **Original.** The applicant received preliminary and final site plan approval from the Planning Commission in June 2020 and December 2020 to demolish a portion of the building, retain the remaining position of the building, and create new RV storage and parking area on the site.
- **Amendment #1.** In June 2021, the applicant applied for amended site plan approval to - retain the body shop on the portion of the building that was to be demolished, to be remodeled into service bays; add a paint booth to the body shop; remove previously approved sanitary dump station, washout and propane filling station. The proposal was then abandoned.
- **Amendment #2.** In January 2022, the applicant applied for amended site plan approval to construct a new 12,700 sq. ft addition on the west side of the building and make site improvements. This request was subsequently withdrawn.
- **Amendment #3.** In April 2022, the applicant decided to re-apply for an amended site plan as noted above with a 12,700 sq. foot addition. The plan proposes using the existing building for service bays and the addition of a paint booth. At the May 2022 Planning Commission meeting, the PC expressed concern that the paint booth did not qualify as minor vehicle service and painting operations were permitted only in the industrial districts. The applicant was asked to clarify numerous concerns. The Township did not hear back from the applicant for several months.
- **Present Time.** The applicant is seeking to go back to the original site plan that was approved in December 2020, which includes a proposal to demolish portion of an existing building (east wing - 15,633 sq. ft.), retain 28,139 sq. ft. of the existing building and create new R.V. parking and storage area on site.

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

## COMMENTS

1. **Zoning and Use.** The site is zoned C-2 (Extensive Highway Business District). Section 3.112 of the Zoning Ordinance permits Outdoor Vehicle Sales and Vehicle Service (minor) as special land uses in the C-2 District. The use was previously granted special land use approval by the Township Board of Trustees which is still valid.
2. **Required Information.** Section 12.203 of the Zoning Ordinance includes requirements for information on a site plan. All of the site plan related details have been noted on the plans.
3. **Lot.** The parcel has a total area of 8.794 acres. The legal description is included with the tax parcel ID number.
4. **Dimensional Requirements.** There is no required minimum lot size in the C-2 District.


The minimum required front, rear, and side yard setbacks per Section 4.102 of the Zoning Ordinance are 35 feet, 20 feet, and 25 feet, respectively. The building complies with the minimum setbacks for the C-2 District. Section 4.103 (N) of the Zoning Ordinance states "Off-street parking shall be permitted to occupy a portion of the required front yard setback provided that there shall be maintained a minimum unobstructed and landscaped setback of ten (10) feet between the nearest point of the off-street parking area, exclusive of access driveways and the nearest right-of-way line." The parking lot setback has been provided and is compliant.

Maximum permitted building height in the C-2 District is 4 stories and 40 feet. The existing building has a height of 22' and is within the maximum permissible limit.

### 5. Access and Circulation.

- a. **Location of Curb Cuts.** The site can be accessed by an existing curb cut off North Service Drive measuring 43.9', which is proposed to be retained. The width is adequate for accommodating RV's entering and exiting the site. Ingress/Egress lanes have been striped and have directional arrow markings shown on the revised plans. The submittal includes an Emergency Vehicle Access Plan (Sheet C1A) which reflects changes to the proposed parking layout, curb island modifications, etc. The circulation plan proposed for emergency was previously reviewed and approved by the Fire Department and Township Engineer.
- b. **Cross Access.** The site plan does not propose any cross access with the adjacent properties. It is the Township's policy to require cross access wherever feasible. The site abuts a large vacant parcel to the west and north, and an existing commercial use parcel to the east. The applicant has previously stated that "*Cross-access with neighboring properties is not being proposed due to numerous feasibility issues, including the proposed RV inventory storage areas located on the east & west sides of the site, which are intended to be secured areas.*" The facility will be gated for security purposes in which case cross access would not be feasible.
- c. **Sidewalks.** The site has an existing sidewalk along its Service Drive frontage which has been shown and labeled on the plans. In addition, the plan proposes a new perpendicular sidewalk constructed of pavers to connect the sidewalk along the Service Drive to the sidewalk in front of





the building. A crosswalk has been proposed near the access drive that connects two landscape islands. A crosswalk is shown at the north end of the paver walkway to the front of the building.


## 6. Parking and Loading.

- a. **Space Dimensions.** Customer parking spaces on the site are dimensioned at 9.5 feet wide by 20 feet long and are double striped. The site plan includes nine (9) 12' x 60' RV customer parking spaces in front of the building which are also double striped. The area on the east and west sides of the building are designated for RV parking and storage. A proposed approximate layout for the RV storage areas is also depicted on Sheet C1 along with an emergency vehicle maneuvering diagram depicted on Sheet C1A. All RV inventory striping has been revised to show double-striping per Township standards.
- b. **Number of Parking Spaces.** The parking requirement is one (1) space per two hundred (200) square feet of gross floor space of interior sales room and two (2) per auto service stall in the service room. With 14,070 sq. ft. of gross floor area and 5 service stalls, 80 parking spaces are required. The site plan proposes a total 82 parking spaces.
- c. **Barrier Free Spaces.** The plan includes a total of four (4) barrier free spaces, which meets the requirement for parking lots containing 76-100 parking spaces. The proposed dimensions are ADA compliant.
- d. **Loading.** As the commercial building is between 20,001 sq. ft. and 50,000 sq. ft., two (2) usable loading spaces measuring 10' x 50' are required. Two loading areas have been dimensioned on the north side of the building (one "recessed" area and one "at grade" area).
- e. **Other.** The paving plan proposes concrete curbing at the perimeter of the entire site, at all pavement edges and around all landscape islands within the parking areas.

## 7. Landscaping and Screening.

The site is located in the Extensive Highway Business (C-2) district. All sites are strongly encouraged to exceed Zoning Ordinance minimums for landscaping, site design, and building appearance among others. ***The landscaping comments noted below are from the original approval. It is our understanding that no changes are proposed to the originally approved plan.***


- a. **Landscaping Adjacent to the Right-of-Way.** Section 10.103(A) requires lot frontage landscaping of 1 deciduous tree/40 lineal feet + 1 ornamental tree/100 lineal feet + 8 shrubs/40 lineal feet. The site has a frontage of 783' on N. Interstate 94 Service Drive, which requires a total of 20 deciduous trees + 8 ornamental trees + 157 shrubs. The landscape plan proposes that 10 existing deciduous trees + 4 new deciduous trees + 8 ornamental trees + 232 shrubs will be provided along the road frontage on the Service Drive. The applicant has proposed to substitute the 75 extra shrubs for the deficient 6 deciduous trees due to the location of an existing watermain within the front greenbelt, and overhead electric lines. Section 10.106 of the Zoning Ordinance allows the Planning Commission to modify or adjust the requirements, provided that any such adjustment is keeping with the intent of the Article. We have reviewed the utility plan and, in our determination, the request is reasonable.

- 
- b. **Parking Lot Landscaping.** Section 10.103(B)(1) requires all parking lots to be landscaped and screened from adjoining public or private rights-of-way. Landscaping shall include a landscaped yard at least five (5) feet in width containing an opaque screen of landscaping (evergreen or deciduous hedge) at least three (3) feet in height. A required landscape area is shown and exceeds the minimum requirement. The frontage is shown with a row of 36" tall boxwood shrubs to meet the screening requirement.

**Interior parking lot landscaping.** Section 10.103(B)(2) requires the provision of landscaping within islands in a parking lot. Interior landscaping shall account for a minimum of five percent (5%) of all paved parking areas, including parking and loading spaces, driveways, and aisles. With 258,239 sq. ft. of total payment area, a total of 12,912 sq. ft. of interior parking lot landscaping is required. The landscape plan provides for 14,857 sq. ft., exceeding the minimum required. The applicant has proposed an island at the west end of the 9 customer RV parking spaces and at south end of the row of parking spaces at the east side of the main entrance. One (1) deciduous tree is required to be planted for each three hundred (300) square feet of interior landscaping. Based on the plan, 43 interior landscape trees are required and 11 new trees are proposed with 32 existing trees added to meet Ordinance standards.

- c. **Loading Area Landscaping.** The existing trees that have been detailed on the Landscape Plan provide screening of the loading areas, compliant with Section 10.103 (C) of the Zoning Ordinance.
- d. **Display Area Buffering.** Section 10.103 (D) requires buffering of display areas at the discretion of the Planning Commission. While existing trees on the site provide some screening, the applicant has proposed new tree plantings to ensure the display area is properly screened.
- e. **Greenbelt Buffering.** Per Section 10.103 (E), a 10-foot-wide buffer with one (1) tree per thirty (30) linear feet is required between the building and the commercially zoned parcels to the north, east, and south. The plan indicates a greenbelt buffer, around the site, compliant with the 10-foot-wide buffer required. The greenbelt areas have existing trees which are proposed to be preserved and meet the tree count requirement.
- f. **Extensive Highway Business (C-2) District Landscaping.** Section 10.103 (F) (3) provides landscaping standards for the Extensive Highway Business District and requires contiguous outdoor space, independent of sidewalks, pedestrian circulation areas and required landscaping, in an amount not less than one (1) square foot for each twenty-five (25) square feet of principal building. With the 28,139 square foot building proposal, 1,126 sq. ft. of open space is required to meet this open space landscaping requirement. The brick paver walkway area measuring 1,773 sq. ft is designated to meet this standard. The plan proposes the addition of benches and concrete precast planters in this area as amenities. Detail of a bench and trash container have been provided. Detail of the planter show a decorative metal pre-assembled planter with epoxy coating.
- g. **Detention Pond Landscaping.** The site plan notes the provision of an underground detention system. As such, no landscape requirements are necessary. The proposed drainage system is subject to review and approval by the Township Engineer and Wayne County and the applicant has acknowledged these approvals are required for the proposed storm water detention system.



- 
8. **Tree Removal Permit.** A tree removal permit is required if the applicant proposes to remove any trees 5" caliper or larger. Per the applicant, the proposal does not involve the removal of any trees on-site. Therefore, a tree removal permit is not required.
9. **Stormwater Pond.** Stormwater detention requirements are proposed to be met via installation of an underground detention system." The detention system is subject to review and approval by the Township Engineer and Wayne County. The proposal as submitted received a permit from Wayne County dated 10/28/2020. We defer to the Township Engineer to verify the validity of the approval.
10. **Lighting.** The applicant has submitted a photometric plan sheet E003 showing compliance with illumination standards of the Ordinance. A lighting schedule which was previously included with the original submission, but has not been provided with this set, noted a total of 38 fixtures which include wall and pole mounted lights. Per Section 8.105 (C), maximum permitted pole height is 25'. The original photometric plan showed the 25-foot maximum height requirement being met. Details of the pole material, color and fixture detail were also provided at the time. The fixture locations, pole height, pole detail and fixture style must comply with the details that were shown and approved on the original plan.
11. **Architecture and Building Details.** The applicant has submitted elevations for all facades of the building. The structure is constructed of concrete masonry units which are to be patched, repaired and painted. The building was constructed a long time ago and is in need of some enhancement . The applicant has revised the elevations to include a blue color band on the top of the façade facing the Service Drive. The band extends the entire width of the building. The bollards next to the overhead doors are also to be painted a matching blue. While minimal, the addition of the band provides significant relief to the façade wall and enhances its appearance and was previously deemed acceptable by the Planning Commission.
12. **Dumpster.** The site plan notes the construction of a two-dumpster unit enclosure on the northeast side of the existing building. The rear wall of the dumpster is the building wall.
13. **Fencing.** The site plan notes a 6' tall chain link black vinyl fence within the rear and side yards. The plan includes a 2.5' tall decorative fence along the front lot line in compliance with Ordinance standards. The proposed fence is custom made metal fence with vertical railing.
14. **Signs.** The site currently has a monument/pole sign along its I-94 NSD frontage and has been labeled on the site plan. Per discussions with the Planning Department, the existing signs are allowed to remain as is since the applicant proposes no change to them at this time. Any proposed wall signs must be submitted for Township review and approval of a sign permit, prior to installation.
15. **Other.** The site plan includes a large propane tank in the front parking lot area. The tank is to be placed on a concrete pad, protected by bollards and screened from view of the public r-o-w through landscaping along the frontage. In addition RV's parked on either sides of the tank will also conceal it from view.

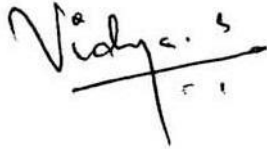


## RECOMMENDATION

The applicant has been through the planning process numerous times and the site plan submitted at this time is compliant with all of the Ordinance requirements. Therefore, we recommend that the Planning Commission grant preliminary and final site plan approval for Camping World located at 43646 I-94 N. Service Drive, subject to the following conditions:

1. Approval of stormwater detention system by Township Engineer and Wayne County.
2. Compliance with light fixture locations, design, pole height and style with the originally approved plan for the site.
2. Approval of all wall signage by Township prior to installation.

Respectfully,  
**McKENNA**

A handwritten signature in black ink, appearing to read "Vidya Krishnan", with a horizontal line drawn across the middle of the signature.

Vidya Krishnan  
Senior Principal Planner

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

April 6, 2023  
Fishbeck Project No. 191629  
Township Project No. 19-038

Dan Power  
Director of Planning and Economic Development  
Van Buren Township  
46425 Tyler Road  
Van Buren Township, MI 48311

**Camping World – 43646 North I-94 Service Drive  
Engineering and Final Site Plan Review – Amended Site Plan No. 2 (2023)**

Dear Director Power:

At the request of Van Buren Township (Township), Fishbeck has reviewed the revised Site Plan dated March 15, 2023, submitted to the Township for a revised Engineering and Final Site Plan approval review for the proposed Camping World project, which is located at 73646 North Interstate Highway 94 Service Drive. Initial plans for the site were approved at the December 9, 2020, Planning Commission Meeting. The preconstruction meeting for this project was held on January 7, 2021, and construction was completed up to the west side of the lot/building. Construction was halted as Camping World went through some design change ideas throughout 2022 the decision to revert to the original site layout as approved. At the start of 2023, updated plans were resubmitted with minor adjustments to certain aspects of the design. This review, and previous reviews done in 2023, are final site plan reviews for any engineering aspects of the site that differ from the previously approved plans in 2020.

From an engineering review perspective, the following items were previously commented on (via email on February 14, 2023), adjusted by the applicant and resubmitted in March 2023.

Our review comments are as follows:

## Water Main

### Plan Updates – Easements:

A note on the plans states: “\*Water main easement note\* Assumed 12’ wd. Public water main easement is shown adjacent to I-94 service drive ROW Line. Coordinate w/ Van Buren Twp to confirm LIBER & PAGE of recorded easement. If no easement has been recorded, property owner shall provide new 12’ wide public water main easement to Van Buren Township.”

1. **Comment (February 14, 2023):** No easement has been found by the Township. Unless the Owner/Applicant can provide the above-mentioned easement, the required water main easement will need to be developed. Fishbeck has already been in touch with the engineer of record regarding this issue.
2. **Comment (March 28, 2023):** The applicant has not found any easement on the property and is currently working with the Township and Camping World to finalize the language of the easement along the property line. This item can be finalized at any time prior to project closeout.

## Sanitary Sewer

### Plan Updates – Sanitary Leads:

The owner has decided to replace the existing sanitary service lead from the building. The dumping station also has a sanitary service lead that also connects to the existing sanitary sewer along the west side of the property.

#### ***Building Lead:***

1. **Comment (February 14, 2023):** The applicant indicates cleanouts along the line, but they need to be adjusted to meet the Engineering Standard Manual requirements. The Sanitary Services section, Ch IV.A.5.b states “Cleanouts shall be provided within five feet of foundation walls, at all bends, and at intervals no greater than 100 feet.” The applicant does not indicate a cleanout at the building and the cleanout near the bend needs to be AT the bend.
2. **Comment (March 28, 2023):** The applicant has updated the sanitary sewer lead design to meet the requirements of the Township as listed above. The applicant has added two additional cleanouts (for a total of four), one within five feet of the building and the remaining within the 100-foot interval limit. While reviewing the overall separation of the cleanouts, it appears the applicant does not need four cleanouts, but could meet the requirements with three cleanouts spaced at the maximum of 100 feet. If the applicant prefers four cleanouts as designed, this is also acceptable.

#### ***Dumping Station Lead:***

1. **Comment (February 14, 2023):** The service lead size must also be labeled. Service leads shall be a minimum of six inches in diameter with a minimum slope of one percent.
2. **Comment (March 28, 2023):** The size of the dumping station lead shall also be indicated as six-inch. This is considered a service lead as well and shall follow the Township minimum standards for size and slope.

## Recommendation

We are recommending the Planning Commission grant the Camping World Project Engineering and Final Site Plan approval for their updated site plans dated 3/15/23, subject to the comments listed above and in accordance with the Township’s Engineering Standards manual. **The applicant will be required to address the comments in an updated Issued for Construction Set prior to moving forward with construction.** If you have any questions regarding this project, please contact me at 248.324.2137 or [pkammer@fishbeck.com](mailto:pkammer@fishbeck.com).

Sincerely,



**Paul J. Kammer, PE**

Senior Civil Engineer

By email

Copy: Brittney Williams – Township  
Vidya Krishnan– McKenna



# **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*

February 21, 2023

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

Catherine Pafford, AIA  
Core States Group  
110 N 11<sup>th</sup> Street  
Tampa, FL 33602

## **Approval granted with the following exceptions:**

### **Fire Alarm Plans will be submitted separately.**

~~Since the building will not have fire suppression, no painting will be allowed to take place.~~

~~The rated fire barrier will need to include separating the storage, mercantile and the special purpose industrial occupancies from each other. **NFPA 1 Table 6.1.14.4.1 b**~~

~~A 2hr rated fire barrier will need to separate the Mercantile from the Storage and the Special Purpose Industrial~~

~~A 1hr rated fire barrier will need to separate the Low Hazard storage from the Special Purpose Industrial.~~

~~An exterior door will need to be added to the North West corner of the repair garage. Currently there is only one door for egress from the garage area.~~

### **All listed concerns have been addressed in the latest submittal.**

If you have any questions regarding this review, please contact me at  
[alenaghan@vanburen-mi.org](mailto:alenaghan@vanburen-mi.org)

Andrew Lenaghan  
Deputy Fire Chief/ Fire Marshal  
Van Buren Township

Andrew R. Lenaghan  
Fire Inspector  
Van Buren Fire Department  
46425 Tyler Rd  
Van Buren Twp, MI 48111  
O: 734-699-8900 ext. 9426



February 5, 2020

Department Building and Planning  
46425 Tyler Road  
Belleville, MI 48111

Re: Camping World  
43646 I-94 Service Dr, Van Buren Township MI.

19-038

To whom it may concern:

I have reviewed a plan set sent to me on 2/4/2020. All items listed below have been addressed within the site plan.

#### Project Overview:

The proposal is to demo the east end of the building and reconstruct the parking lots. The plan set was reviewed for Fire and Life Safety using the township adopted fire code NFPA 1 and NFPA 101 2018 editions.

Again, please note that **all** applicable **NFPA** codes and standards apply as adopted by the Township of Van Buren.

- ~~1. Plan does not reference the proper fire code adopted by Van Buren Township. NFPA 2018 1 and 101 editions are the official fire code for Van Buren Township, not the 2015 Michigan Fire Code~~
  - ~~2. A Knox Box will need to be ordered and installed by owner where fire department indicates.~~  
~~[www.knoxbox.com](http://www.knoxbox.com). This request was put on the previous work done at the store and has not been completed. Any approval of submitted plans will have to have this item addressed first.~~
  - ~~3. Monitored fire alarm system for occupancy.~~
- ~~NFPA 1 16.3.4.3~~  
~~NFPA 1 AHJ~~

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

4. ~~Wall finishes need to meet the requirements of NFPA~~
5. ~~Is the hydrant to the rear of existing building operational? If so, records of required yearly maintenance should be kept on site for review during inspections.~~
6. ~~Fire lanes are a required 20ft wide. Gates shown on plans are only 16ft. FD Knox locks are required for access on all gates.~~
7. ~~Outdoor storage on plans show parking to close to gates for entry.~~
8. ~~Travel paths for deliveries and fire apparatus, should be shown on future plans.~~
9. ~~Emergency lighting inside store needs to meet NFPA 101 2018 Section 7.8 Illumination of Means of Egress.~~
10. ~~Emergency Responder Radio Coverage System is required unless it can be proven after building is constructed, and occupied that coverage is sufficient. This will be verified by AHJ prior to final C/O.~~  

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NFPA72 24.5.2.2.3
11. ~~Wall finishes need to meet the requirements of NFPA~~

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 about this plan review report, please feel free to contact me

Respectfully submitted,

Andrew R. Lenaghan  
Fire Inspector  
Van Buren Fire Department



## MEMO

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TO:	Van Buren Township Planning Commission
FROM:	Dan Power– Director of Planning and Economic Development
RE:	Residential Height Interpretation / Appeal Request
DATE:	April 5, 2023

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Planning Commission Members:

The Planning Commission is requested to consider reviewing a potential Zoning Ordinance text amendment to clarify section 3.106(D) of the Van Buren Township Zoning Ordinance, R-1A, R-2A, R-1B, and R-1C, Single-Family Residential Districts – Dimensional Regulations. Under Section 3.106(D), the maximum building height in feet is 30, and the maximum building height in stories is 2. A request for review of this ordinance was referred to the Planning Commission by the Board of Zoning Appeals (BZA) at their regular meeting on March 14<sup>th</sup>, 2023. This direction is the basis of the request before the Planning Commission in this packet. This discussion was first held at the regular Planning Commission meeting of March 22<sup>nd</sup>, 2023, and is being continued in the meeting scheduled for April 12<sup>th</sup>, 2023. Following the March 22<sup>nd</sup> meeting, the Township's Planning Consultants Vidya Krishnan and Gage Belko of McKenna provided analysis of this issue including findings from comparison communities. Their letter, dated April 2<sup>nd</sup>, 2023, is attached to this packet.

### **INITIAL ANALYSIS**

Staff has researched this topic and has recommended that it would be appropriate for buildings in the R-1A, R-2A, R-1B and R-1C zoning districts to be limited based on height in feet and not limiting such buildings to 2.0 stories. This recommendation was broadly made for the reasons described below:

- **Analysis of comparative standards and building slope.** See the attached findings from the Planning Consultant's report.
- **Maintaining sufficient standards for building height and bulk**, which is highlighted below as being one of the purposes and intents of the Township's Zoning Ordinance, per Section 1.102 of the Zoning Ordinance. Whether a single-family residence has two (2) or 2.5 floors will have no impact on the height and bulk of buildings, so long as the maximum allowable height is maintained:
  - Section 1.102 Purpose and Intent An Ordinance to regulate and restrict the use of land and buildings by dividing the Charter Township of Van Buren into districts; to define certain terms therein; to impose regulations, prohibitions and restrictions governing the location, erection and construction of structures and buildings to be used for business, industry, residence, social purposes and other specified purposes; to regulate and determine the use of lands including the size of yards and other open spaces; to regulate and limit the height and bulk of buildings and other structures...

Additional standards in the Township's adopted Property Maintenance Code (Article V, Chapter 18 of the Township Code of Ordinances), the Township's Zoning Ordinance, and currently adopted Building Codes will ensure that each story of a multi-story structure is built

according to applicable codes and ordinances. For example, Section 18-138 of the Township's Code of Ordinances specifies a minimum required ceiling height of seven (7) feet, with some exceptions. Requiring a minimum ceiling height of seven (7) feet with additional accounting for duct work, flooring, and framing will impose limits on the number of floors that a 30-foot tall building can accommodate. Section 5.114(F) of the Van Buren Township Zoning Ordinance additionally requires that all detached single-family residential dwellings are aesthetically compatible in design and appearance with other residences in the vicinity.

- **Reducing the likelihood of a Zoning Ordinance interpretation rendering properties in the Township non-conforming.** A preliminary search from the Assessor's Office has revealed eight (8) existing single-family dwellings that would be deemed non-conforming if the number of stories is used as a limiter on height, rather than the height in feet.
- **Master Plan consistency.** The requested amendment would also be consistent with some of the residential goals and objectives of the 2020 Van Buren Township Master Plan update. The broad residential goal from this Plan was *to provide an adequate supply of housing that meets the needs of new and existing Township residents of varying income levels, is responsive to changing generational preferences, allows residents to age in place, adds value to the community, and achieves a high standard of excellence in aesthetics and design.*

## **RECOMMENDATION**

At this time, without further study, I would not recommend moving forward with an increase in building height (measured in feet). However, based on the Township Planning Consultant's findings from comparable communities, and based on the other criteria noted in my analysis, an increase in the allowable number of floors in the R-1A, R-2A, R-1B, R-1C and possibly AG zoning districts from 2 to 2.5 stories would be appropriate. I therefore ask that the Planning Commission consider initiating one of the following Zoning Ordinance text amendments:

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- Section 3.106(D) - R-1A, R-2A, R-1B, and R-1C, Single-Family Residential Districts – Dimensional Regulations
- Max. Building Height (ft.) 30. Max. Bldg. Height (stories) ~~2~~-2.5.

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Alternative / additional consideration may be warranted for the following:

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- Section 3.109(D) - AG, Agricultural and Estates Districts – Dimensional Regulations
- Max. Building Height (ft.) 30. Max. Bldg. Height (stories) ~~2~~-2.5.

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The Planning Commission may advise staff to return with further information for their consideration before moving forward with a potential Zoning Ordinance text amendment, or may move forward with posting a public hearing notice for public review of the draft Zoning Ordinance text amendment.

Thank you for allowing me to 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



# Memorandum

**TO:** Planning Commission, Charter Township of Van Buren  
**FROM:** Vidya Krishnan; Gage Belko  
**SUBJECT:** **Building Height and Story Standards**  
**DATE:** April 2, 2023

## BACKGROUND

Recent discussion related to a building permit for a single-family dwelling resulted in the Planning Commission directing staff to research single-family residential building height and story standards. The ordinance currently allows for building heights up to 30 feet and 2 stories; leaving no room in the ordinance for functional attic “half stories”. Under this provision, no new single-family homes may be built with a functional attic above the second story and any home previously built with an attic under the previous ordinance would be considered legally non-conforming structure, which appears to be neither practical nor desirable.

The Planning Commission directed us to research zoning ordinances to consider raising the maximum height requirement for single-family homes from 2 stories to 2.5 stories, while maintaining the nominal height standard of 30 feet. Following is an analysis of residential building height standards in nearby communities. In completing the research for this memo, we attempted to find cases where the height standards were amended from 2 stories to 2.5 stories or vice-versa; however, that data was not readily available, and it appears the standards in the table below were effective as of the most recent ordinance adoption.

## ANALYSIS

We started out by looking at how the Township’s ordinance defines ‘height’ and ‘story.’ We found that although there is slight variation in the quantification of attic space in different communities (i.e., floor to ceiling height, minimum square footage, usable floor area, etc.), all ordinances define a half-story as that portion of a building between a pitched roof and the uppermost full story – the attic. It should be noted that flat-roofed buildings are not allowed an attic space because it would be considered a third story, having the same usable floor area as the story below.

### Current Standards: Section 2.102

**HEIGHT OF BUILDING:** The vertical distance from the established grade of the center of the front of a building to the highest point of the roof surface of a flat roof to the deck line for a mansard roof or to the mean height level between the eaves and ridge for hip, gable and gambrel roofs.

**STORY:** That portion of a building, other than a basement or mezzanine, included between the surface of any floor and the floor next above it or if there be no floor above it, then the space between the floor and the ceiling next above it, provided that a mezzanine shall be deemed a story when it covers more than fifty (50) percent of the area of the story underneath the mezzanine and/or when the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more, and provided further that portion of a building partly below grade shall be deemed a story if:

(a) over fifty (50) percent of its average height from the surface of the floor to the floor next above it is above the grade from which the height of the building is measured; OR



(b) in any case, if the average distance from such grade to the next floor above it is five (5) feet or more;

(c) it is used for business purposes; or

(d) it is it used for dwelling purposes by any persons other than janitorial or domestic employees employed in the same building and their families.

**STORY, HALF:** A part of a building between a pitched roof and the uppermost full story, having finished floor area which does not exceed one half (½) the floor area of the uppermost full story.

### Current Standards, Comparative: Section 3.106(D)

We looked at several community zoning ordinances to provide comparison among nearby townships with populations that are similar, larger, and smaller than Van Buren.

Community (Population)	Van Buren (Subject)	Northville (Similar)	Plymouth (Similar)	Pittsfield (Larger)	Ypsilanti (Larger)	Superior (Smaller)
Stories	2	-	2.5	2.5	2	2.5
Feet	30	35	35	35	25	35

All standards were derived from the schedules of regulations for single-family-zoned lots. Most communities, regardless of size, have less stringent height standards for single-family districts. Two outliers – Northville and Ypsilanti Townships – do not regulate story height at all or have *more* stringent standards for nominal height.

### Slope

The slope of a roof is regulated by the Michigan Building Code, subject to factors such as assembly, finish material, and occupancy characteristics. While some of the communities above have additional zoning regulations for the slope of roofs of accessory buildings and certain buildings in mixed-use districts, most refer to the provisions of the Michigan Building Code.

### CONCLUSION

We do not find that allowing for half-stories, while maintaining nominal height standards for single-family districts, will have a detrimental impact to the surrounding neighborhood(s) or public, health, safety, and welfare. The Township has very stable neighborhoods, with several subdivisions and housing developments and more of these projects to come. Ensuring the community has desirable, yet reasonable provisions for single-family homes – and their overhead storage needs – will benefit residents and developers, allowing for higher and better use of these low-density areas, and lessening confusion while designing single family dwellings.

We will be present at the Planning Commission meeting to discuss the matter when scheduled.

Respectfully,  
**McKENNA**

Vidya Krishnan  
Senior Principal Planner

Gage Belko  
Associate Planner



## REFERENCES

Charter Township of Northville. *Zoning Ordinance, Article 18*:  
<https://ecode360.com/13532451> Web. March 2023.

Charter Township of Plymouth. *Zoning Ordinance, Article 20*:  
[https://cms5.revize.com/revize/plymouthtownshipmi/Community%20Development/Zoning%20Ordinance%2099/202105-20\\_ARTICLE\\_XX\\_ScheduleofRegulations\\_Amended.pdf](https://cms5.revize.com/revize/plymouthtownshipmi/Community%20Development/Zoning%20Ordinance%2099/202105-20_ARTICLE_XX_ScheduleofRegulations_Amended.pdf) Web. March 2023.

Pittsfield Charter Township. *Zoning Ordinance, Section 40-4.08 through 40-4.11*:  
<https://ecode360.com/37334827> Web. March 2023.

Superior Charter Township. *Zoning Ordinance, Article 3*:  
<https://superiortownship.org/wp-content/uploads/2019/03/Article-03-Dimensional-Standards.pdf> Web. March 2023.

Van Buren Charter Township. *Zoning Ordinance, Section 3.106*:  
[https://cms9files.revize.com/vanburentwp/Document\\_Center/Department/Public%20Services/Building,%20Planning%20&%20Economic%20Development/Planning%20&%20Zoning%20Applications/ADOPTED%20ZONING%20ORDINANCE%20\(Effective%202017\\_06\\_02;%20Amended%20-2-8-2021.pdf](https://cms9files.revize.com/vanburentwp/Document_Center/Department/Public%20Services/Building,%20Planning%20&%20Economic%20Development/Planning%20&%20Zoning%20Applications/ADOPTED%20ZONING%20ORDINANCE%20(Effective%202017_06_02;%20Amended%20-2-8-2021.pdf) Web. March 2023

Ypsilanti Charter Township. *Zoning Ordinance, Section 406*:  
[https://library.municode.com/mi/ypsilanti\\_charter\\_township\\_\(washtenaw\\_co.\)/codes/code\\_of\\_ordinances?nodeId=COOR\\_APXAZO\\_ARTIVDIRE\\_S406OMIREDI](https://library.municode.com/mi/ypsilanti_charter_township_(washtenaw_co.)/codes/code_of_ordinances?nodeId=COOR_APXAZO_ARTIVDIRE_S406OMIREDI) Web. March 2023.