

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION AGENDA  
Wednesday, August 23, 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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Webinar ID: 897 9633 3847

International numbers available: <https://us06web.zoom.us/j/89796333847>

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

**MINUTES:** Approval of minutes from the regular meeting of August 9, 2023

**CORRESPONDENCE / ANNOUNCEMENTS:**

**PUBLIC HEARING:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**ITEM # 1                      Case 23-047 – Continental Café / FSC CON Van Buren MI, DST – Fence Modification**

**TITLE:** A request by Kimberly M. Lehr of Continental Café, LLC on behalf of owner FSC CON Van Buren MI, DST for a modification under Section 7.205(B)(2) of the Van Buren Township Zoning Ordinance to allow the installation of chain link fencing up to six (6) feet tall with 3 strands of barb wire on top.

**LOCATION:** The site is located at 7850 Haggerty Road (parcel number 83 041 99 0001 711), on the west side of Haggerty Road between Ecorse Road and Coca Cola Drive.

**ACTION ITEMS:** A. Presentation by the Township Staff  
B. Presentation by the applicant  
C. Planning Commission Discussion

- D. Public Comment
- E. Planning Commission considers fence modification approval.

**Item # 2                      Case 20-005 – Amended Final Site Plan Request for Mobil Gas Station Redevelopment and Drive Thru**

**TITLE:**                      A request by Stonefield Engineering and Design on behalf of owner I.S. Real Estate LLC / Belleville Oil Company, Inc. for an amended 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 final site plan approval.

**Item # 3:                      Zoning Ordinance Amendment Discussion – Child Care Uses.**

**Description:**                      The Planning Commission will review a proposed zoning ordinance text amendment to modify the requirement under Section 5.111 of the Van Buren Township Zoning Ordinance that requires a minimum separation distance of 1,500 feet between two licensed group day care home uses.

- Action Items:**                      A. Presentation from Staff  
B. Planning Commission discussion  
C. Public comment

**Item # 4:                      Administrative Development Project Reviews**

**Description:**                      **Staff will provide updates on Case 22-055 – Administrative Review of DTE Gas Company Projects.** Construction of valves and minor access, fencing and landscaping improvements associated with an underground natural gas pipeline at 7015 Haggerty Road (parcel ID number 83 003 99 0018 001) and 45581 Ecorse Road (parcel ID number 83 033 99 0020 000).

- Action Items:**                      A. Presentation from Staff  
B. Planning Commission discussion and questions

**GENERAL DISCUSSION AND UPDATES**

**ADJOURNMENT:**

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
August 9, 2023  
MINUTES - DRAFT**

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

**ROLL CALL:**

**Present:** Budd, Grant, Creal, Pahl, Jahr and Cullin.

**Excused:** Atchinson.

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

**Planning Representatives:** None.

**Applicant(s) in Attendance:** Case 23-043 – Temporary Land Use Request for Menards (Hot Dog Stand): Shekita Long and Lamar Middlebrooks.

**Audience:** Six (6).

**APPROVAL OF AGENDA:**

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

**APPROVAL OF MINUTES:**

Motion Jahr, Budd second to approve the regular meeting minutes of June 28, 2023 as presented. **Motion Carried.**

**CORRESPONDENCE/ANNOUNCEMENTS:**

**ITEM #1: INTRODUCTION OF NEW PLANNING COMMISSION MEMBER, PETER CREAL.**

Director Power introduced Peter Creal to Commission members and the audience. Mr. Creal has a computer science background and has experience serving on the Environmental Commission in previous years.

**NEW BUSINESS:**

**ITEM #1: CASE 23-043 – SHEKITA LONG – TEMPORARY LAND USE REQUEST FOR MENARDS (HOT DOG STAND).**

**DESCRIPTION: A REQUEST BY SHEKITA LONG TO IMPLEMENT A TEMPORARY HOT DOG STAND FOR A PERIOD NOT EXCEEDING ONE (1) YEAR OUTSIDE OF THE ENTRY OF THE MENARDS STORE.**

**THE SITE IS LOCATED AT 10010 BELLEVILLE ROAD (PARCEL NUMBER 83-061-99-0005-726), ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN WESTLAKE CIRCLE AND TYLER ROAD.**

Director Power presented his staff review letter dated 7-21-23. Applicant, Shekita Long is requesting temporary land use approval to sell hot dogs outside of the Menards store located at 10010 Belleville Road. The proposed use is to start immediately and continue to operate for up

to one (1) year. Per the Zoning Ordinance, temporary uses that operate for more than seven (7) consecutive days require Planning Commission approval. The hot dog stand is proposed to be oriented facing south toward the exit door of the Menards store. The space will include a hot dog cart, two (2) igloo coolers, one (1) 10' x 10' tent, two (2) tables, two (2) chairs, one (1) propane tank, two (2) large totes and a trash can. Applicant, Shekita Long and co-applicant Lamar Middlebrooks have obtained certifications for Food Protection Management. Based on the findings in his review, Director Power recommends that the request by Shekita Long for a temporary hot dog stand at 10010 Belleville Road shall be approved, subject to the following conditions and any additional or revised conditions stated by the Planning Commission:

- The applicant must verify that Wayne County Health Department licensure is not also required.
- All references to the facility's location on issued licenses must correctly identify the site as being in Van Buren Township, Michigan.
- A Peddler's License must also be obtained from the Van Buren Public Safety Department, for a time period that matches the time period imposed by any conditional temporary land use approval by the Planning Commission.
- The proposed use is subject to review and approval by the Van Buren Township Fire Marshal.
- The hot dog stand shall be removed by no later than August 10, 2024.

Applicant, Shekita Long gave a brief presentation informing that she has received Wayne County approval, the address has been corrected on the license to show Van Buren Township and the Fire Department inspection passed, granting approval. The business is woman and veteran owned, when the hot dog stand was previously operated it received positive feedback and they would like to continue serving the community.

Commissioners had the following questions and comments:

- Commissioner inquired if the applicant has any other hot dog carts, if they have plans for seating and if there will be any road signs. Shekita Long informed this is the only hot dog cart, the contract they have with Menards ends on 10-31-23 and they are not sure if they will renew. There are no plans for outdoor seating, the cart is set up as a "grab and go" and there will not be any road signs as they are only serving Menards customers and employees.
- Commissioner inquired if the cart was inside the building, would it still be coming to the Planning Commission? Director Power informed no, it would be handled administratively as a new business special inspection.
- Commissioner commented the hot dog cart seems like an adjunct to Menards and is in favor of granting the temporary land use.
- Commissioner inquired if Menards put in their own hot dog cart, would they have to go through this process as well and commented as long as it is within the confines of the building, they shouldn't have to do this process, as it's much like a contractor to Menards. Director Power commented that it's something to consider.
- Commissioners are ok with the one (1) year timeframe.

- Commissioner commented, the applicant mentioned the contract with Menards is till October 31<sup>st</sup>, is that this year? The applicant confirmed the contract ends 10-31-23 and they would have to apply for a new contract with Menards after that date.

No comments from the audience or remote viewers.

**Motion Jahr, Grant second to grant the applicant, Shekita Long, temporary land use approval to implement a temporary hot dog stand for a period not to exceed one (1) year outside the entry of the Menards store, located at 10010 Belleville Road (parcel number 83-061-99-0005-726), located on the west side of Belleville Road between Westlake Circle and Tyler Road, based on the analysis and subject to the conditions in the staff review letter dated 8-4-23.**

**Roll Call:**

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

**Nays:** None.

**Excused:** Atchinson.

**Motion Carried. (Letter Attached)**

**ITEM #2: ADMINISTRATIVE PROJECT DEVELOPMENT REVIEWS.**

**DESCRIPTION: STAFF WILL PROVIDE UPDATES ON SEVERAL ADMINISTRATIVELY REVIEWED PROJECTS WHICH ARE DESCRIBED BELOW:**

- **CASE 22-018 – 49910 TYLER ROAD EXTENSION.** MINOR DEMOLITION AND CONSTRUCTION OF A NEW 5,290 SQUARE FOOT OFFICE ADDITION TO AN EXISTING HANGAR AND OFFICE BUILDING.
- **CASE 22-023 – 8001 HAGGERTY ROAD.** COMPLETION OF RENOVATIONS TO ROUGHLY 50,165 SQUARE FEET OF INTERIOR SPACE AT THEIR FACILITY IN ORDER TO ACCOMMODATE A RELOCATED MERCHANT SERVICES CENTER FOR DTE ELECTRIC.
- **CASE 22-038 – 11511 BELLEVILLE ROAD.** CONSTRUCTION OF A SMALL STORAGE AREA AND RESTROOM ADDITION TO AN EXISTING RESTAURANT (MIKE'S KITCHEN). THIS CASE ALSO REQUIRED A VARIANCE FORM THE VAN BUREN TOWNSHIP BOARD OF ZONING APPEALS (BZA), OBTAINED OCTOBER 2022.
- **CASE 23-004 – 49345 S. INTERSTATE 94 SERVICE DRIVE.** REMODELING OF AN EXISTING 17,870 SQUARE FOOT EVENT FACILITY, BAR AND FOOD SERVICE USE (FORMERLY THE DIAMONDBACK SALOON) AND CONVERSION TO A DIFFERENT EVENT FACILITY, BAR AND FOOD SERVICE BY APPLICANT, 11:11 VENTURES ON BEHALF OF OWNER ERIC NEMETH.
- **CASE 23-012 – 45520 TYLER ROAD.** REMODELING OF A ROUGHLY 2,600 SQUARE FOOT RETAIL/RESALE TENANT SPACE (BELLEVILLE EXCHANGE) AND CONVERSION TO A DENTAL OFFICE AT THE SITE BY APPLICANT OROW CONSTRUCTION ON BEHALF OF TENANT PURPOSE DENTAL.
- **CASE 23-015 – 10562 BELLEVILLE ROAD.** REMODELING OF A ROUGHLY 191,446 SQUARE FOOT RETAIL STORE INCLUDING THE INSTALLATION OF

OFFSTREET PARKING SPACES IN A DESIGNATED DEFERRED PARKING AREA AND  
OTHER MINOR PARKING, LANDSCAPING AND STRIPING IMPROVEMENTS BY  
SINGLETON CONSTRUCTION ON BEHALF OF WALMART.

Director Power gave the presentation by providing a broad overview of several projects that are reviewed administratively. Projects at the Willow Run Airport are governed by the Wayne County Airport Authority (WCAA), a higher level of government reviews their site plans and Township staff performs an administrative review. The following projects are also administratively reviewed: single family home sites, permitted use changes or re-occupancy with minor site changes and remodeling or reconstruction of an existing building or use, as long as it does not increase the floor area by more than 25% or 1,000 square feet. Director power provided brief updates on the following projects:

- **49910 Tyler Road** – Kalitta Charters recently added 777 flight simulator and training building by using existing office space and adding an addition.
- **8001 Haggerty Road** – DTE Energy completely renovated their entire interior space to accommodate a relocated Merchant Services Center.
- **11511 Belleville Road** – Mikes Kitchen obtained a new variance in 2022 to add restrooms, storage spaces and a patio. The building permit application is currently under review.
- **49345 S. Interstate 94 Service Drive** – Remodeling of an existing an event facility, bar and food service use (Diamondback Saloon). The use is not changing, the facility will still have a bar, some food and line dancing. The event facility is to host smaller concerts, shows and have rental availability for showers and weddings. There are only minor changes to the exterior including additional landscaping.
- **45520 Tyler Road** – Previously the Belleville Exchange is being remodeled and converted into a new dental office, Purpose Dental.
- **10562 Belleville Road** – Walmart is undergoing interior renovations and installing off-street parking spaces in a designated deferred parking area for pickup order fulfillment.

Commissioners had the following questions and comments:

- Commissioner commented that Camping World is finally moving forward. Director Power commented that he has a special inspection scheduled with the Building Official and Fire Marshal.
- Commissioner commented that he met with Our Next Energy (ONE), they plan to have their prototype building up and running by December.
- Commissioner inquired if the Diamondback event facility is going to be a public venue? Commissioner had heard it may be by appointment only. Director Power informed that they have not made a formal distinction, he will follow-up and provide feedback.

No questions or comments from the audience.

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

**DESCRIPTION: THE PLANNING COMMISSION WILL REVIEW A PROPOSED ZONING ORDINANCE TEXT AMENDMENT TO MODIFY THE REQUIREMENT UNDER SECTION 5.111 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE THAT REQUIRES A MINIMUM**

**SEPARATION DISTANCE OF 1,500 SQUARE FEET BETWEEN TWO LICENSED GROUP DAY CARE HOME USES.**

Director Power gave the presentation. There has been a significant interest in family daycare uses in Van Buren Township. The Township has received several recent inquiries by existing proprietors of family day care home facilities accommodating 1-6 children, to increase their capacity to become group day care homes which can accommodate 7-12 children. Group day care homes require special land use approval and an associated site plan be reviewed by the Planning Commission, as well as a procedural requirement of a public hearing. Group day care homes are also required to meet certain dimensional requirements, including minimum separation distance of 1,500 feet from other group child care providers. At the May 24, 2023 Planning Commission meeting, staff and the Planning Consultant were asked to proceed with researching the specific regulations regarding the 1,500-foot separation distance between group child care home providers. The Planning Consultant has completed a preliminary review and provided a first draft of a potential Zoning Ordinance amendment for the Planning Commissions consideration. Director Power opened the meeting for discussion and feedback.

Commissioners had the following questions and comments:

- Commissioner has concerns with parking, if the homes are right next to each other, they would be too close and it could cause a traffic problem.
- Commissioner commented this change basically allows for them to be next to each other, side by side or in a string of houses. The Planning Commission needs to be able to evaluate each of them to determine if its viable.
- Commissioner commented the way the change is proposed, it would allow them to be within 1,500 feet of each other and the Commission may impose additional measures to mitigate any impacts. Commissioner thinks wording should be the Planning Commission may relax the 1,500-foot minimum separation if after reviewing the traffic impact and other considerations, not to just allow it by right, then it grants the Commission the power to review them.
- Commissioner inquired if the State of Michigan changed the law to allow for up to 12 children and if there is a staffing requirement? Director Power confirmed, yes. There are two different uses, family day care homes that accommodate 1-6 children and group day care homes that accommodate 7-12 children and after operating for a certain number of years they are allowed up to 7 in family day care homes and 14 in group day care homes. There is a staffing ratio requirement and parking spaces are required for employees. Commissioner commented that from a parking standpoint there are more drop off and pickup than actual parking.
- Commissioner commented maybe consider a lowering the 1,500 feet to a lower more acceptable number, if there is one.
- Commissioner inquired where the 1,500 feet requirement came from at the State level. Director Power informed that he does not know. Commissioner is willing to look at dropping the number down.
- Commissioner inquired if the 1,500-foot separation distance is measure by vehicular distance or by how the crow flies. Director Power will confirm and bring information back to the Commission.

- Commissioners agree with allowing flexibility with the separation and want to have the ability to put the additional measures on the business requirements, giving the Planning Commission the power to police the use.
- Commissioner inquired how many times in recent memory are there two (2) homes within the 1,500 feet? Director Power informed this is the only time it has come up with the resident in attendance.
- Commissioner thinks we should also take into consideration, residences that back up to each other, that might be within the separation distance.
- Commissioner commented to add the distance to be measured by the road for clarification. Director Power will confirm the measurement method for the next meeting.
- Commissioner inquired if we know the benchmark in other municipalities? Director Power informed in Canton Township there was a case with an applicant with less than 1,500 feet and they went through a similar exercise. Canton's ordinance did not have the 1,500-foot requirement, it was measured by the Zoning and Enabling Act.

Resident and licensed daycare provider for 14-15 years in Van Buren Township commented there is a desperate need for more childcare centers. She already has someone in her subdivision, their backyards are close but they are not located on the same street.

Director Power will make revisions to the draft ordinance to bring back to a future meeting.

**ITEM #4: DISCUSSION ON INDUSTRIAL AND OFFICE FUTURE LAND USE, ZONING AND DEVELOPMENT.**

**DESCRIPTION: THE PLANNING COMMISSION WILL DISCUSS THE SCOPE OF A STUDY OF INDUSTRIAL AND OFFICE FUTURE LAND USE, ZONING AND DEVELOPMENTAL TRENDS.**

Director Power gave the presentation. Commissioners were requested to consider efforts to research industrial and office future land use, zoning, and potential development. The request is driven by observations of development trends that increasingly highlight Van Buren Township as a center for manufacturing. This brings interest by emerging manufacturing businesses, including those in the automotive industry to locate within the Township. The variety of technologies and processes used in these businesses challenge the conventional "light" and "heavy" zoning categorization of assembly, fabrication, manufacturing, compounding, processing, packaging or treatment activities. This trend prompts a study of the geographic sorting of light, heavy and transportation/trucking-focused industrial land uses in the Township and may also compliment some key office and industrial outcomes of the Township's adopted 2020 Master Plan including the creation of a new blended light industrial/office zoning district and the phasing out of trucking and transportation-focused industrial zoning. Director Power inquired if the Planning Commission is interested in staff taking a more in depth look at potential automotive light industrial uses.

Commissioners had the following questions and comments:



- Commissioner is concerned when talking about the chip manufacturing, that it would fall under automotive and be under M-2 zoning. Director Power informed that is a potential problem that he is looking into.
- Commissioner commented that the ordinance does make specific reference to different types of automotive uses and calls out the auto industry. There may be other industries in our area that we would want to bring in. The ordinance may be causing these other industries not to look into our manufacturing areas. Commissioner agrees it's a good idea to look into this.
- Commission commented that electric motors don't take a lot of heavy manufacturing. Fellow Commissioner commented that it is not as intensive of a land use, we need to look into the intensity of the manufacturing use.
- Commissioner inquired what does our ordinance do if its an automotive use? Director Power informed the ordinance makes a distinction between light and heavy processing. The heavy manufacturing and processing district definition is essentially what everything automotive falls under.
- Commissioner commented that business and technology evolve future land use and agrees this is worth looking into. Maybe there is some language that is consistent with both future and current land uses.

Commissioners agreed they are interested in staff taking a more in depth look at potential automotive light industrial uses. Director Power will bring more information back to a future meeting.

**ITEM #5: DISCUSSION ON POTENTIAL JOINT MEETING BETWEEN THE CITY OF BELLEVILLE AND VAN BUREN TOWNSHIP.**

**TITLE: THE PLANNING COMMISSION WILL BE REQUESTED TO PROVIDE STAFF DIRECTION TO EXPLORE MEETING OPTIONS FOR A JOINT PLANNING MEETING INVOLVING REPRESENTATIVES FROM THE CITY OF BELLEVILLE AND VAN BUREN TOWNSHIP.**

Director Power gave the presentation. Commissioner Atchinson had recommended at a previous meeting the idea of having a joint Planning Commission meeting with the City of Belleville. Director Power liked the idea, thought it would be good to have a joint meeting. The City of Belleville Planning Commission meets the 2<sup>nd</sup> Thursday of each month. Director Power can approach them and come up with ideas.

Commissioners agreed the joint meeting is a great idea and presented the following questions and comments:

- Commissioner commented there is a lot of value in having all members in the same room, and knowing who their counterparts are. In regard to the agenda items, Commissioner knows the City of Belleville is working on getting solar chargers. This would be a good item to look at together. Another potential agenda item could be the City of Belleville to tell us about their big projects and what issues they are facing.

- Commissioner inquired if anyone has ever recommended to have one (1) Commissioner of each Planning Commission sit in on each other's meeting each month? Rosemary K. Otzman commented that the City of Belleville Planning Commissioners would love to have a meeting. Their meetings have been cancelled for the past three (3) months and the members would like to meet. Commissioner commented maybe have a representative in attendance each month.
- Commissioner commented there was a meeting several years ago that had all three (3) communities, City of Belleville, Sumpter Township and Van Buren Township.

Director Power will connect with the City of Belleville and Sumpter Township and discuss feedback with the Chairperson of each Commission.

#### **GENERAL DISCUSSION AND UPDATES:**

Commissioner commented with the remodel at Meijer they have cut down the number of handicapped parking spaces by the doors. Director Power informed that he has not completed the final zoning inspection and Fishbeck Associates have not completed their final inspection. Director Power will look into the parking space concern and provide feedback.

Commissioner inquired if Director Power has heard anything on Jiffy Lube? Director Power has not and will check on the dates of their last extension.

#### **ADJOURNMENT:**

**Motion Creal, Grant second to adjourn the meeting at 7:05 p.m. Motion Carried.**

Respectfully submitted,

Christina Harman  
Recording Secretary



# 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: <b>23-047</b>	DATE SUBMITTED: <b>August 14, 2023</b>
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### APPLICANT INFORMATION

NAME: Continental Cafe, LLC	PHONE:
ADDRESS: 7850 Haggerty Road	CELL PHONE: 586-219-2135
CITY, STATE & ZIP Van Buren, MI 48111	FAX:
EMAIL: w.karol@continentalserves.com	

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

NAME: FSC CON Van Buren MI, DST	PHONE: 732-456-6706
ADDRESS: 3349 State Route 138, Bdlg A, Ste. A	CELL PHONE:
CITY, STATE & ZIP Wall, New Jersey 07719	FAX:
EMAIL: MMinton@4SpringsCapitalTrust.com	

### BILLING CONTACT

NAME: Wendy Karol	PHONE:
ADDRESS: 700 Stephenson Hwy	CELL PHONE: 586-219-2135
CITY, STATE & ZIP Troy, MI 48083	FAX:
EMAIL: w.karol@continentalserves.com	

### SITE/PROJECT INFORMATION

NAME OF PROJECT: Fence Installation			
PARCEL ID NO: V125-83-041-99-0001-711		PROJECT ADDRESS: 7850 Haggerty Rd., Van Buren, MI 48111	
*APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY			
PROPERTY LOCATION: On the <u>West</u> Side of <u>Haggerty</u> Road; Between <u>Ecorse</u> Road and <u>Tyler</u> Road.			
SIZE OF LOT WIDTH:	SIZE OF LOT DEPTH:	ACREAGE OF SITE: 4.49 acres	TOTAL ACRES OF SITE TO REVIEW: < 1 acre
CURRENT ZONING: M-1	IS A REZONING OF THIS PARCEL BEING REQUESTED? Y / N No		REQUESTED ZONING: N/A
PROJECT DESCRIPTION: Construction of 6' high chain link fence with 3 strands of barbed wire; plus slide gate at the southwest corner of parking lot along common drive (refer to attached drawing), to facilitate the housing and protection of fleet vehicles.			

**SPECIAL PERMIT INFORMATION**

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

**OWNER'S AFFIDAVIT**

FSC CON Van Buren MI, DST  
PRINT PROPERTY OWNER'S NAME

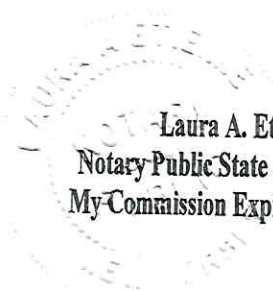
By: [Signature]  
SIGNATURE OF PROPERTY OWNER

7/20/2023  
DATE

STATE OF ~~MICHIGAN~~ New Jersey  
COUNTY OF ~~WAYNE~~ Hammont

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 20 day of July 2023  
Laura A. Etienne Notary Public, Hammont County, ~~Michigan~~ New Jersey My Commission expires 8/11, 2025

  
Laura A. Etienne  
Notary Public State of New Jersey  
My Commission Expires 08/11/2025

Situated in the Township of Van Buren, Wayne County, Michigan, described as:

PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 11, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS; BEGINNING AT A POINT DISTANT SOUTH 89 DEGREES 47 MINUTES 09 SECONDS WEST 60 FEET ALONG THE EAST AND WEST 1/4 LINE OF SECTION 11 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HAGGERTY ROAD (60 FEET WIDE, 1/2 WIDTH); THENCE ALONG SAID WEST RIGHT-OF-WAY LINE NORTH 00 DEGREES 21 MINUTES 00 SECONDS WEST, 1,419.33 FEET FROM THE EAST 1/4 CORNER OF SAID SECTION 11; THENCE FROM SAID POINT OF BEGINNING SOUTH 89 DEGREES 47 MINUTES 09 SECONDS WEST 436.69 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 51 SECONDS WEST 27.50 FEET; THENCE SOUTH 89 DEGREES 47 MINUTES 09 SECONDS WEST 153.31 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 51 SECONDS WEST 321.37 FEET; THENCE SOUTH 88 DEGREES 16 MINUTES 29 SECONDS EAST 589.56 FEET; THENCE SOUTH 00 DEGREES 21 MINUTES 00 SECONDS EAST 328.91 FEET ALONG THE WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PARCEL, AS ESTABLISHED BY DECLARATION OF RECIPROCAL EASEMENTS, DATED DECEMBER 20, 1993, BY AND BETWEEN KIRKWAY INVESTMENT COMPANY AND D R GROUP, FILED FOR RECORD ON FEBRUARY 7, 1994, AND RECORDED IN LIBER 27161 ON PAGE 326, WAYNE COUNTY RECORDS: AN EASEMENT LYING IN PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 11, TOWN 3 SOUTH, RANGE 8 EAST, VAN BUREN TOWNSHIP, WAYNE COUNTY, MICHIGAN, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT A POINT DISTANT SOUTH 89 DEGREES 47 MINUTES 09 SECONDS WEST 60.00 FEET ALONG THE EAST AND WEST 1/4 LINE OF SECTION 11 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HAGGERTY ROAD, 60 FEET WIDE (1/2 WIDTH) AND CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 00 DEGREES 21 MINUTES 00 SECONDS WEST, 879.83 FEET TO THE SOUTHEAST CORNER OF THE PROPOSED WAREHOUSE SITE AND CONTINUING ALONG SAID RIGHT-OF-WAY LINE NORTH 00 DEGREES 21 MINUTES 00 SECONDS WEST, 522.00 FEET TO THE POINT OF BEGINNING OF THE INGRESS/EGRESS EASEMENT; THENCE FROM SAID POINT OF BEGINNING SOUTH 89 DEGREES 47 MINUTES 09 SECONDS WEST, 590.00 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 51 SECONDS WEST, 45.00 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 09 SECONDS EAST, 153.31 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 51 SECONDS EAST, 27.50 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 09 SECONDS EAST, 436.69 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF HAGGERTY ROAD; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE SOUTH 00 DEGREES 21 MINUTES 00 SECONDS EAST, 17.50 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT AS CREATED, LIMITED AND DEFINED IN DECLARATION OF RECIPROCAL EASEMENTS RECORDED IN LIBER 27161, PAGE 326, WAYNE COUNTY RECORDS.

Commonly known as: 7850 Haggerty Road, Belleville, Michigan

Tax Parcel: 83-041-99-0001-711



## MEMO

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

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Planning Commission Members:

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

### Section 7.205 Fences, Walls, and Other Protective Barriers

#### (B) Requirements Applicable to Specific Zoning Districts.

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

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

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

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

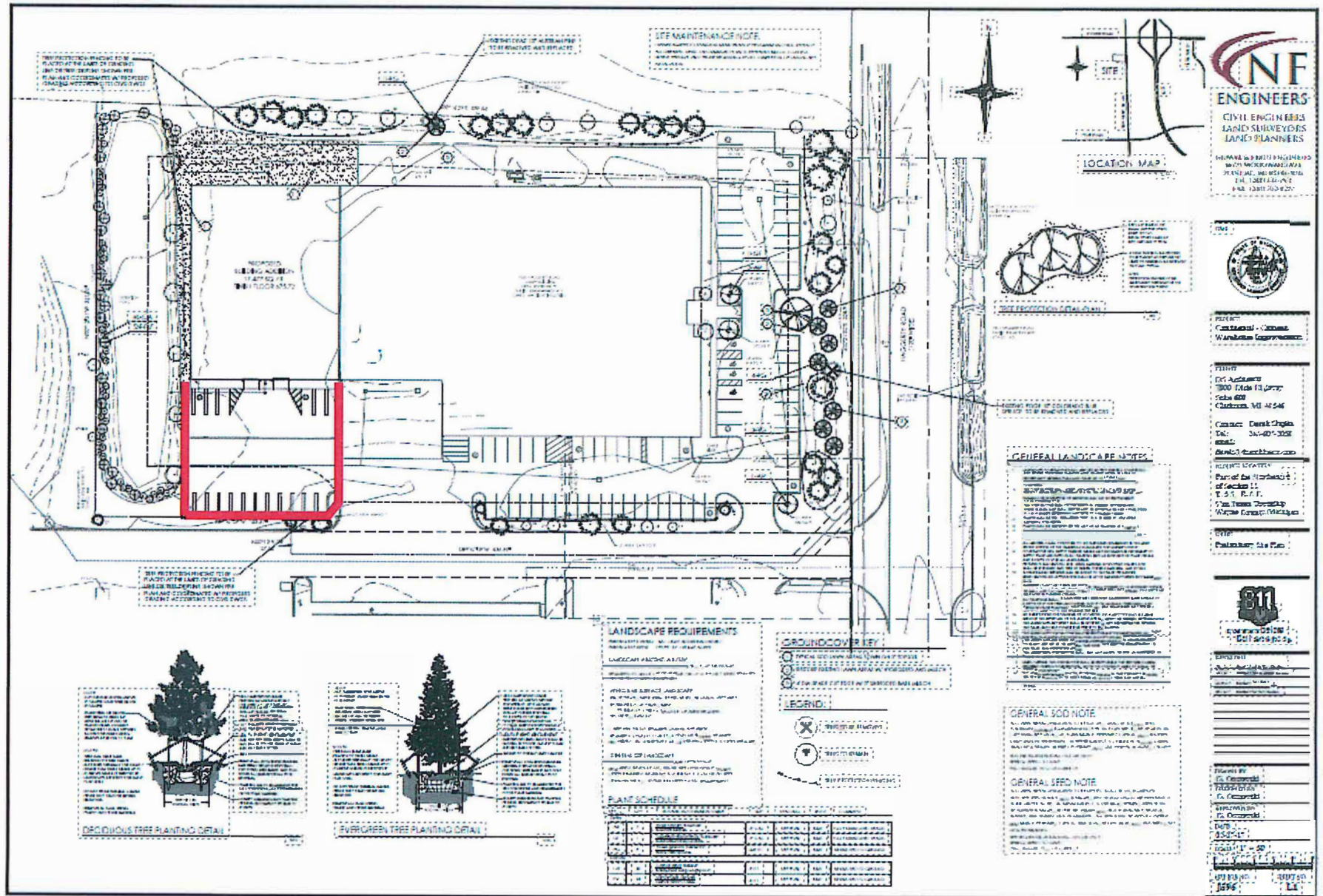
Sincerely,

A handwritten signature in 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  
Municipal Services Department  
Charter Township of Van Buren

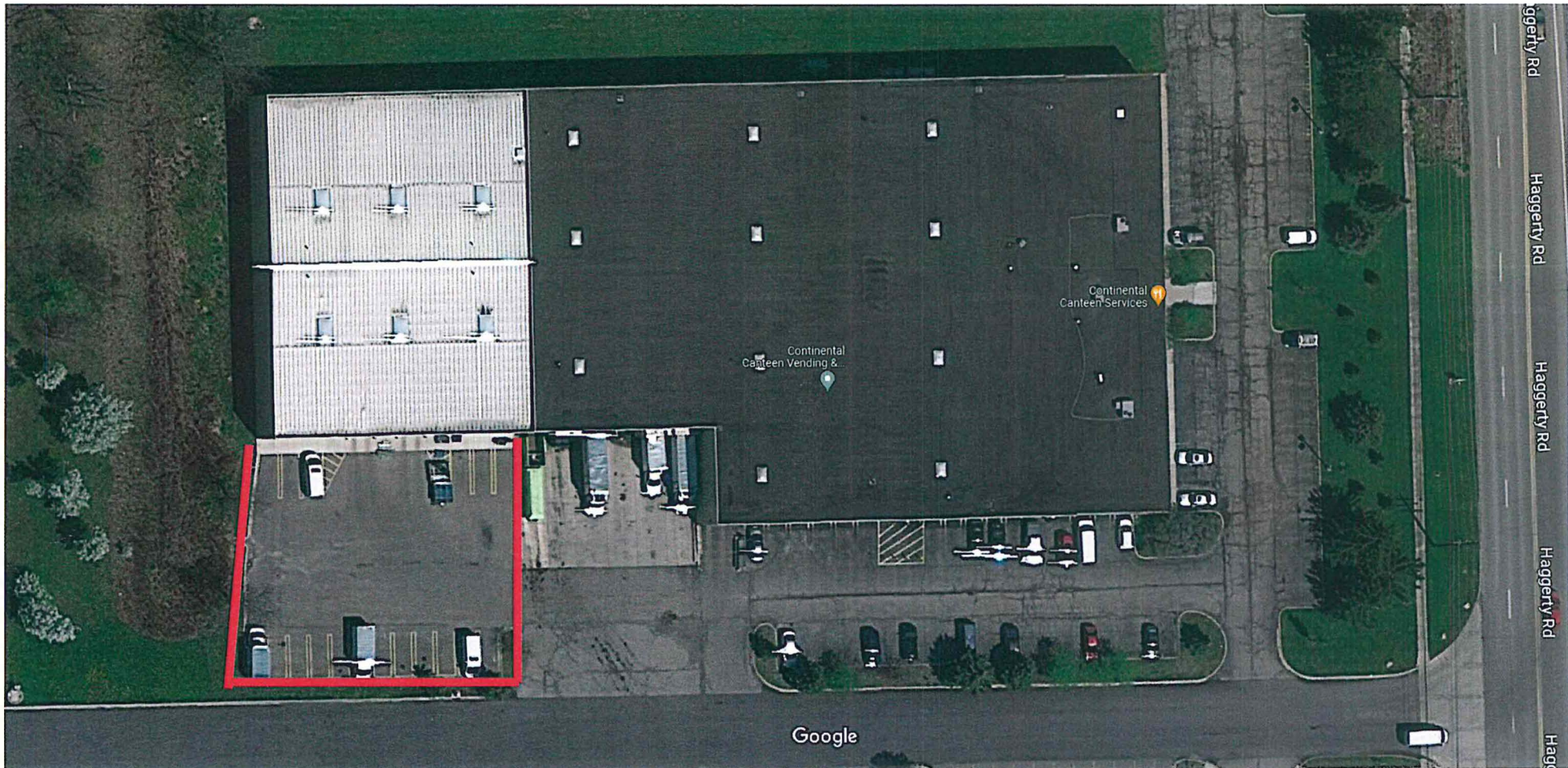


# 7850 Haggerty Road, Belleville, MI 48111 - Location of Fence





Google Maps **7850 Haggerty Road, Belleville, MI 48111 - Location of Fence**



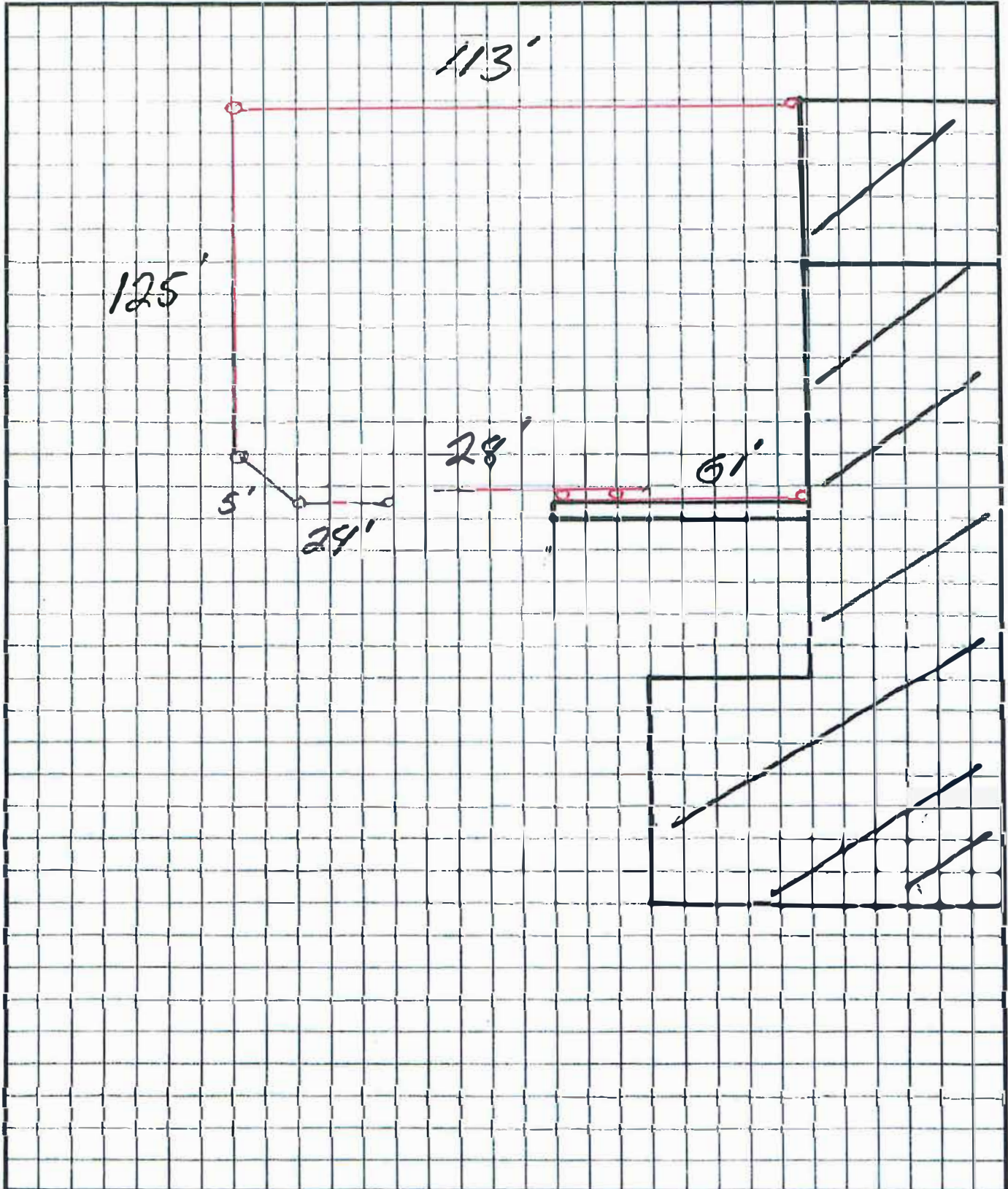
Imagery ©2023 Maxar Technologies, Map data ©2023 20 ft



**CONTRACTORS FENCE SERVICE, INC.**

14900 Telegraph Road  
DETROIT, MICHIGAN 48239  
(313) 592-1300

JOB Continental  
SHEET NO. 7850 Haggerty OF \_\_\_\_\_  
CALCULATED BY \_\_\_\_\_ DATE \_\_\_\_\_  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_  
SCALE \_\_\_\_\_



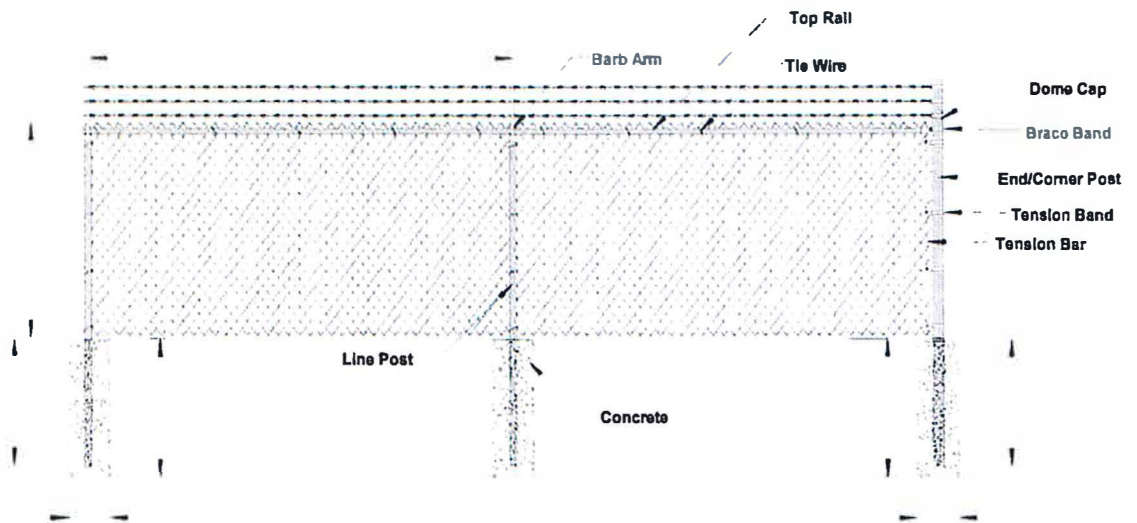






# Chainlink Fence Detail

## 5' - 6' Chain Link with toprail & 3 Strands of Barb Wire



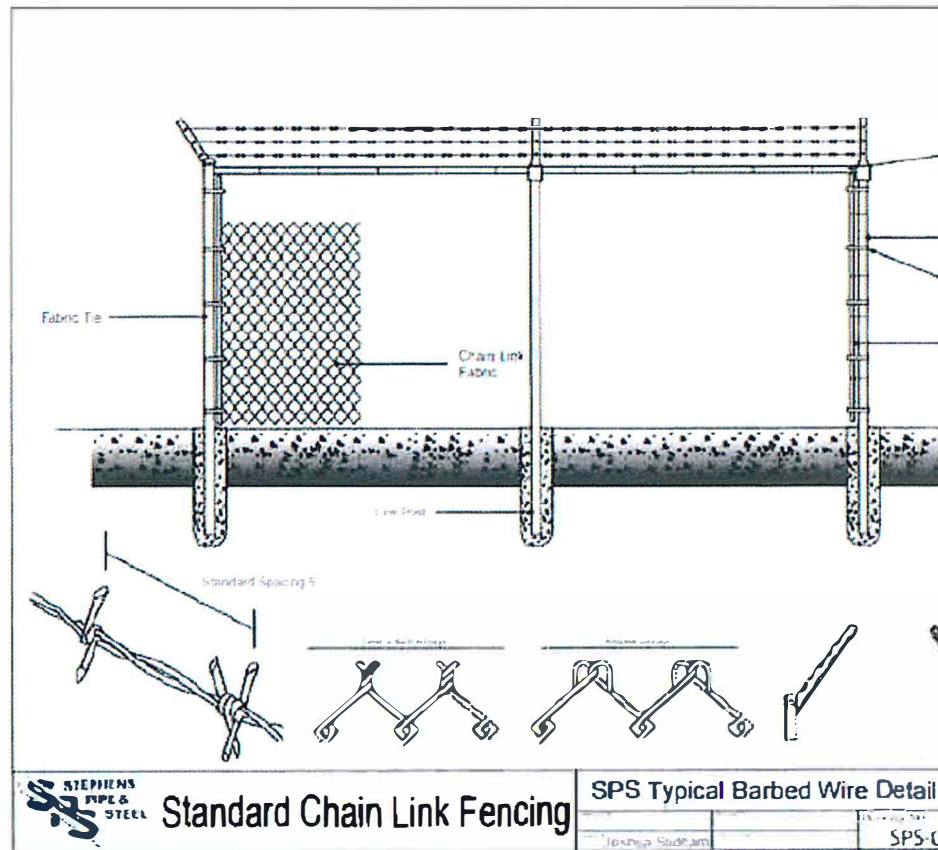
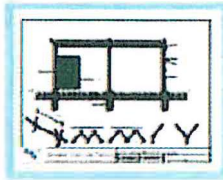
Project:

Site Location:

Submitted by:

Date:

Drawing # **CL-10**



## Power, Dan

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**From:** Kimberly M. Lehr <KM.Lehr@continentalserves.com>  
**Sent:** Tuesday, June 6, 2023 11:17 AM  
**To:** Power, Dan  
**Subject:** [EXTERNAL EMAIL] Fence Installation > Continental - 7850 Haggerty Road - Belleville, MI

**CAUTION:** Please be careful when opening links and attachments.

Good Morning Dan,  
I am following up on my voice message from yesterday (Mon 6/5)...

We (Continental) would like to have a six-foot high chain link fence with barbed wire installed at our Belleville operations (7850 Haggerty Road) to facilitate the housing and protection of fleet vehicles. I understand this variance (barbed wire) requires approval from the Planning Commission.

Will you please forward the required forms for this request and confirm the documentation needed, so I can prepare and submit to the Planning Commission for consideration and approval.

Appreciate your time.

Thank you.  
Kimberly

### Kimberly M. Lehr

Executive Assistant

700 Stephenson Highway  
Troy, Michigan 48083

248-414-1744 (Office)

248-729-3474 (Cell)

[continentalserves.com](http://continentalserves.com)







# 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**

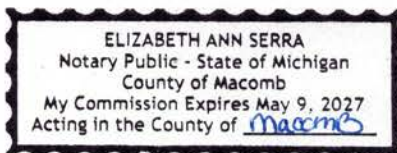
Jim Safiedine  
PRINT PROPERTY OWNER'S NAME  
[Signature]  
SIGNATURE OF PROPERTY OWNER

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 Final Site Plan Review

DATE: August 17, 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. Preliminary approval of the amended site plan was granted by the Van Buren Township Planning Commission on April 12, 2023. The Planning Commission is now requested to consider final site plan approval.

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

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

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

Sincerely,

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

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



**MCKENNA**

August 16, 2023

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

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

Dear Commissioners:

The applicant (Michael Awada, I.S. Real Estate, LLC) proposes to build a new, combined gas station and restaurant with a drive-thru component, on a site with an existing gas station and convenience store, which are to be demolished. The site is located at the northwest corner of N. I-94 Service Drive and Haggerty Road, is zoned C-1 (General Business) District, and has a total area of 1.04 acres.

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

#### **COMMENTS**

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

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

O 248.596.0920  
F 248.596.0930  
**MCKA.COM**

**Communities for real life.**



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

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

#### RECOMMENDATION

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

Respectfully,  
**McKENNA**

Vidya Krishnan  
Senior Principal Planner

Gage Belko, AICP  
Associate Planner

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

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

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

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

Dear Director Lawrence:

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

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

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

Our review comments are as follows:

### **General**

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

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

2. Per Township Engineering Standards Manual Chapter 2, Engineering Review Plan Review Requirements, a quantity list itemizing all proposed public sanitary sewer, storm sewer and water main construction must appear on each sheet showing such construction. A quantity list showing the total quantities of construction for the entire project should also be provided.  
**Update (8/17/2023): Quantity tables have been added to the plans.**
3. A "MISS DIG" note needs to be provided on each sheet.  
**Update (8/17/2023): MISS DIG notes have been added to the plans.**

## Water Main Service

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

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

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

### Comments:

1. The Township Fire Marshall will have ultimate say on fire hydrant spacing and whether or not the singular hydrant location in the NE corner of the site is adequate. If another hydrant is required, the applicant will be responsible for extending the Township water main to accommodate a new hydrant in a location approved by the Township.
2. The Applicant should provide a curb stop box at the property line instead of in the ROW at the existing water main as shown.  
**Update (8/17/2023): The proposed curb stop box has been relocated to the property line.**

## Sanitary Sewer

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

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

### Comments:

1. The Applicant is proposing to tie into the existing sanitary service on site. As stated in previous reviews, the Applicant will be responsible for reporting any poor conditions to the Township for evaluation prior to determining if the line needs to be replaced. The existing sanitary service material should also be noted on the plans. The Applicant will be responsible for providing proper connection to the existing lead.  
**Update (8/17/2023): The Applicant has revised the plans and is proposing to remove the entirety of the existing lead and replacing it with a 6-inch schd. 40 PVC sewer lead.**

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

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

## Storm Sewer

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

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

### Comments:

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

## Paving and Grading

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



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

## Soil Erosion and Sedimentation Control (SESC)

1. The SESC plan provided must be in accordance with the Township *Engineering Standards Manual*, Chapter II, Plan Requirements, Paragraph D, SESC Plan Requirements, and in accordance with Wayne County SESC standards. A permit must be acquired from the Wayne County SESC County Enforcing Agency.  
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>

## Recommendation

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

If you have any questions regarding this project or our comments listed above, please contact me at 248.324.4796 or [mtleppek@fishbeck.com](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: Dan Power – 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*

August 16, 2023

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

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

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

## **Water Supply: See below**

The required fire flow for a 3600 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.**

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

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

**Fire Department Access:**

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

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

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

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

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

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

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

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

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

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

Andrew Lenaghan  
Deputy Fire Chief/ Fire Marshal  
Van Buren Township

consecutive days from the start date, the use shall involve full containment and daily disposal of excess resin that is generated as part of the use, the temporary tent must be inspected by the Van Buren Township Building Department with regard to wind loading and security, the Peddler's license must match the approved duration of use as the temporary land use permit is for, the applicant shall also submit any available liability insurance policy that covers this use on the site, Fire Lanes and Fire Access roads will be kept clear of all obstructions, a clear space shall be maintained around any Fire Hydrants that may be impacted by the Business, and any proposed temporary sign must meet the sign requirements in Article 11 of the Van Buren Township Zoning Ordinance.

**Roll Call:**

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

**Nays:** Budd.

**Excused:** None.

**Motion Carried.**

Following the motion Planning Consultant Krishnan stated that the Planning Commission is full of educated and devoted individuals and it does a disservice to suggest they do not have independence from consultant recommendations. She stated if I did not advise you on the consequences of your actions, I would not be doing my job, which is to make recommendations based on education and experience. She also stated we would not be a planning consulting firm if we were anti-development and we strive to make businesses have long term success. Commissioners expressed support for the Planning Consultant and reiterated the service that she provides.

**NEW BUSINESS:**

**ITEM #1: 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.**

**THE +/- 1.06-ACRE SITE, ZONED C-1 – GENERAL BUSINESS DISTRICT, IS LOCATED AT 11250 HAGGERTY ROAD (TAX PARCEL NUMBER 83-051-99-0003-0020, AT THE NORTHWEST CORNER OF THE INTERSECTION OF THE I-94 NORTH SERVICE DRIVE AND HAGGERTY ROAD.**

Director Power gave a brief presentation summarizing the applicant's request. The Planning Commission review the preliminary site plan in August of 2020 and approved in May of 2021, since then the owner changed design engineers. 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. Staff supports conditional preliminary site plan approval based on the findings that the use has met the zoning ordinance requirements, broadly and specifically in relation to the C-1 zoning district and to the standards for drive-thru restaurants.

Vidya Krishnan of McKenna Associates presented her review letter dated 3-23-23. The amended site plan at this time addresses several major site design questions McKenna had raised, while numerous smaller issues remain to be addressed. In the interest of keeping the project moving forward, McKenna Associates recommends 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.
2. Fire Marshal approval of bypass lane design.
3. Clarification regarding hours of operation of the drive-thru, to avoid conflict with the truck and tanker delivery areas.
4. Remove extra parking space created at southeast corner of site and restore to landscaping.
5. Revise and update the landscape plan to match site plan layout design.
6. Demonstrate compliance with outdoor space landscaping requirement.
7. Provide proper tree survey and clarification regarding tree preservation and tree replacement.
8. Revise the lighting plan to provide adequate on-site illumination and include details for all proposed fixtures.
9. Revise labels on elevations to correctly identify them and incorporate revised architectural elements, if any, as directed by the Planning Commission.
10. Submit a complete sign package.
11. Note removal of the existing non-conforming pole sign, incorrectly labeled as a “billboard”, from the site.
12. Township Engineer and Wayne County approval of stormwater detention plan.

Paul Kammer of Fishbeck Associates presented his review letter dated 3-29-23. 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 in the review letter. 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.

Director Power presented the Fire Department review letter dated 3-22-23 which had the following comments:

**Water Supply:**

- 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:**

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

**510.2 – Emergency responder radio cover in existing buildings.**

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

Owner party, Michael Awada gave his presentation, they have been in business over 20 years and they are planning on staggering the delivery dates. Much of the delivery would be handled during the slowest hours of operation.

Eric Williams of Stonefield Engineering and Design informed that the step bar is just paint on the ground, they have no issue with the removal of the one (1) parking space and the employing marking, will add signage. The applicant had a team on site to televiser the sanitary sewer and has received the review from Wayne County, he will be sending the Wayne County review to the Township Engineer. Wayne County had truck turning radius exhibits that will be updated.

Jay Noonan of J & A Architecture and Engineering informed that the applicant has tried to make significant improvements. They have agreed to eliminate the parking space for connectivity and seating area. The ordinance calls for a 10-foot buffer, due to the proximity to the building they had to make a strategic decision providing a 6-foot buffer creating the separation with landscaping. The applicant will make adjustments to meet the photometric requirements. The exterior façade is concrete and brick with detail banding and cast concrete banding below the windows, materials were added that are permanent and do not require maintenance, using a varied color pallet. The owner has asked to work without the gable style roof on the overhang of the pumps.

Vidya Krishnan of McKenna Associates asked Mr. Noonan to explain the architecture of the canopy columns. Mr. Noonan informed they are all brick with double banding at the top creating a sculptural cube, they are not trying to create a traditional gable. The small banding was added to enhance the top of the canopy.

Vidya Krishnan asked the owner to confirm the removal of the non-conforming sign. Mike Awada informed that he would like to keep the sign. The stormwater retention has been quite costly and they have maintained the sign for over 30 years. Vidya Krishnan informed that the pole sign located in a commercially zoned site is non-conforming. Mr. Awada informed that the site went back and forth with redevelopment to benefit the community. Planning Commissioner commented that special land use permit on July 22, 2020 was conditional upon all items being met, the sign was agreed to being removed. If the applicant wishes to reopen the special land use, would it need to be renewed? Vidya Krishnan informed if it was conditioned upon the sign removal, it is binding. Commissioner reviewed the meeting minutes and confirmed the applicant agreed to remove the sign. Mr. Awada informed that he wasn't able to attend that meeting and the staff member that was present is no longer involved. Commissioner inquired if the applicant

wants to reopen for the pylon sign, does that mean he has to meet the new standards? Vidya Krishnan informed that the applicant can ask for consideration, would have to reopen the special land use. Mr. Awada commented if there's no pylon sign there, we are not enhancing what we have, asking to sympathize with the sign. Commissioner informed Mr. Awada that we are bound by law, we don't have a choice because it was put in and established the way it was. Vidya Krishnan informed Mr. Awada if he wants the sign, he'll have to restart the whole process. Mr. Awada informed that he doesn't have time to delay and will maybe explore getting a variance. Vidya Krishnan informed that the standards for the variance are very stringent, with site plan conditions, the sign will hold the project up. The applicant can apply for the variance, but may not get it.

No comments from the audience or remote viewers.

**Motion Jahr, Grant second to grant Stonefield Engineering & Design on behalf of the owner I.S. Real Estate LLC/Belleville Oil Company, 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 at 11250 Haggerty Road, site is located at the northwest corner of the intersection of the I-94 North Service Drive and Haggerty Road, based on the analysis and subject to the conditions in the McKenna Associates review letter dated 3-23-23, Fishbeck Associates review letter dated 3-29-23, Fire Department review letter dated 3-22-23, Director Power's staff review letter dated 4-6-23 and noting specifically the feedback and concerns with the pylon sign, the sign is to be removed.**

**Roll Call:**

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

**Nays: None.**

**Excused: None.**

**Motion Carried. (Letters Attached)**

**ITEM #2: 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.**

**THE SITE IS LOCATED AT 43646 NORTH INTERSTATE 94 SERVICE DRIVE (TAX PARCEL NUMBER 83-060-01-0001-001), ON THE NORTH SIDE OF I-94 SERVICE DRIVE, BETWEEN DEWITT AND MORTON TAYLOR ROADS.**

Director Power gave a brief presentation summarizing the history of the case. The east wing of the building was demolished in September of 2021 to make room for outdoor RV sales. As of last June, the Planning Commission was considering an amendment to the west wing that was never acted upon. In August/September of 2022 the applicant rescinded those changes and asked to

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

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

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

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

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

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

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

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





## MEMO

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TO:	Van Buren Township Planning Commission
FROM:	Dan Power– Director of Planning and Economic Development
RE:	Child Care Zoning Ordinance Amendments / Adjustments
DATE:	August 17, 2023

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Planning Commission Members:

The State of Michigan has recently promoted efforts to increase child care capacity in communities including Van Buren Charter Township. The Township has received several recent inquiries by existing proprietors of *family day care home* facilities which accommodate 1-6 children\* to increase their capacity to become *group day care homes*, which accommodate 7-12 children\*. The State of Michigan's office of Licensing and Regulatory Affairs (LARA) has recently played a direct supporting role with increasing the capacity of existing day care home facilities in and near Van Buren Township.

The *group day care home* designation requires special land use approval and an associated site plan that is reviewed by the Township's Planning Commission, as well as a procedural requirement for a public hearing. Reflective of rules included in the Michigan Zoning Enabling Act (MZEA) (PA 110 of 2006), Section 5.111 of the Van Buren Township Zoning Ordinance also requires *group day care homes* to meet certain dimensional requirements, including minimum separation distances from other group child care providers.

At their regular meeting on May 24, 2023, the Planning Commission recommended Staff and the Planning Consultant to proceed with researching this topic and exploring the foundation of the specific regulations regarding separation distance between group child care home providers. Our Planning Consultant has completed a preliminary review of this topic and has reviewed the MZEA and other ordinances to make sure there were no unintended consequences in the event of an amended and more flexible zoning ordinance. Based on this research, the planning consultant provided a first draft of a potential Zoning Ordinance amendment for the Planning Commission's consideration at the regular meeting on August 9, 2023. Based on feedback received at that meeting, the draft language was revised, and a second draft of the Zoning Ordinance amendment is now available for review.

The Planning Commission is now invited to review the draft Zoning Ordinance amendment presented in this packet and proceed with requesting staff to either schedule a public hearing for consideration of this Zoning Ordinance amendment and recommendation to the Board of Trustees, or the Planning Commission may request staff to complete additional research on this topic or revisions to the draft ordinance language before proceeding to this step. I look forward to participating in this discussion.

Sincerely,

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

Dan Power, AICP  
Planning and Economic Development Director



Municipal Services Department  
Charter Township of Van Buren

CC: Vidya Krishnan, Senior Principal Planner, McKenna Associates / Van Buren Charter  
Township Planning Consultant

\* Under a recent policy change from the State of Michigan, *family day care home* providers may increase their capacity from six (6) to seven (7) maximum children after 29 months of operation, and *group day care home* providers may increase their capacity from twelve (12) to fourteen (14).

**CHARTER TOWNSHIP OF VAN BUREN COUNTY  
OF WAYNE, STATE OF MICHIGAN  
ORDINANCE NO. xx-xx-20**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE 5-2-17(2) AS AMENDED OF THE CHARTER TOWNSHIP OF VAN BUREN TO AMEND THE LANGUAGE OF SECTION 5.111 DAY CARE OR CHILD CARE, GROUP HOME TO REMOVE SEPARATION DISTNACE REQUIREMENTS FROM ANOTHER SIMILAR USE. THE CHARTER TOWNSHIP OF VAN BUREN ORDAINS:**

**SECTION 1- ORDINANCE AMENDMENT**

Pursuant to this Ordinance, the following sections of the Charter Township of Van Buren Zoning Ordinance shall be amended in accordance with the below text upon the effective date of this Amendment:

**Section 5.111      Day Care or Child Care, Group Home**

- (A)** Group day care homes shall not be located closer than one thousand five hundred (1,500) feet to any of the following:
- (1)** Another licensed group day care home, except that the Board of Trustees may modify this requirement upon recommendation from the Planning Commission, if the Planning Commission finds that traffic, drop-off, pick-up times and other issues that may impact the adjacent neighborhood have been considered and have found not to be of concern based upon the specific circumstances of the request. If the minimum separation distance between licensed group day care homes is modified, the Planning Commission may require additional measures to mitigate any adverse impacts.
  - (2)** Adult foster care, small group home or large group home as defined in this Ordinance and by the State of Michigan.
  - (3)** A facility offering substance abuse treatment and rehabilitation service to seven (7) or more people licensed by the State of Michigan.
  - (4)** A community correction center, residence home, halfway house or other similar facility which houses an inmate population under the jurisdiction of the Federal or State Department of Corrections.
  - (5)** Child care centers, subject to the requirements of [Section 5.108.](#)
  - (6)** Adult day care centers, subject to the requirements of [Section 5.110.](#)

- (B) It has appropriate fencing for the safety of the children in the group day care home as determined by the Planning Commission.
- (C) It maintains the property consistent with the visible characteristics of the neighborhood.
- (D) It does not exceed sixteen (16) hours of operation during a twenty-four (24) hour period.
- (E) The group day care home operator shall provide off-street parking for his or her employees in accordance with [Article 9](#), in the ratio of one (1) parking space for each employee.
- (F) The distances required under this section shall be measured along a road, street, or place maintained by the State, County or a local unit of government and generally open to the public as a matter of right for the purpose of vehicular traffic, not including an alley.

## **SECTION 2 - SEVERABILITY**

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

## **SECTION 3 - REPEALER**

All other provisions of the Zoning Ordinance, or Ordinances or parts of Ordinances, in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

## **SECTION 4- SAVINGS CLAUSE**

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under the Zoning Ordinance, or any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

## **SECTION 5 - EFFECTIVE DATE**

The provisions of this Ordinance are hereby ordered to take effect seven (7) days after publication of the notice of adoption in a newspaper of general circulation within the Township. This Ordinance shall be immediately recorded by the Township Clerk in the Township Ordinance Book as soon as it is adopted, which record shall be authenticated by the signatures of the Supervisor and Clerk and shall be published in a newspaper of general circulation in the Township within fifteen (15) days of passage. A copy of this Ordinance may be purchased or inspected at the Clerk's Office, 46425 Tyler Road, Van Buren Township, MI 48111 during normal business hours.

## **SECTION 6 - ADOPTION**

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren at a meeting duly called and held on the --- day of -----, 2020, and ordered to be given publication in the manner prescribed by law.

I hereby approve the foregoing Ordinance,

Leon Wright, Clerk

Kevin McNamara, Supervisor

Adopted:  
Published:  
Effective:



## MEMO

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TO:	Van Buren Township Planning Commission
FROM:	Dan Power– Director of Planning and Economic Development
RE:	Administratively-Reviewed Development Update: DTE 2023 Natural Gas Valve Projects
DATE:	August 17, 2023

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Planning Commission Members:

DTE Gas Company is installing valves and related site improvements including landscaping and fencing at 7015 Haggerty Road (parcel ID number 83 003 99 0018 001) and 45581 Ecorse Road (parcel ID number 83 033 99 0020 000). The proposed improvements are defined as Essential Services under the Van Buren Township Zoning Ordinance and are not subject to the requirements of the Van Buren Township Zoning Ordinance. I will provide a brief administrative update regarding these projects at our upcoming meeting.

Thank you for allowing me to present this topic.

Sincerely,

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

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