

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION AGENDA (REVISED)
Wednesday, September 11, 2024 – 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:

<https://us06web.zoom.us/j/81035343197>

Dial 1-646-931-3860

Webinar ID: 810 3534 3197

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA:

MINUTES: Approval of minutes from the regular meeting of August 28, 2024

CORRESPONDENCE / ANNOUNCEMENTS:

PUBLIC HEARING:

OLD BUSINESS:

ITEM # 1: Case 24-005: Skilken Gold (Sheetz) / Premier – Dequindre II LLC Special Land Use Request Recommendation

TITLE: A request by applicant Skilken Gold on behalf of property owner Premier-Dequindre II LLC to construct a gasoline fueling station, convenience store and drive-thru restaurant including a 6,139 square foot convenience store and drive-thru restaurant building and a 4,786.7 sq. ft. canopy with twelve (12) fueling pumps. The site is zoned C-1 – General Business District. Gasoline filling stations and drive-thru establishments require special land use approval and a public hearing with the Planning Commission in the C-1 District in accordance with Article 12, Chapter 3 of the Van Buren Township Zoning Ordinance.

LOCATION: The site includes 15.95 acres of property on parcels V-125-83-041-99-0001-001 and V-125-83-041-99-0001-714 at the southwest corner of Ecorse Road and Haggerty Road.

ACTION ITEMS:

- A. Presentation by the Township staff.
- B. Presentation by the applicant.
- C. Planning Commission discussion.

- D. Public Comment.
- E. Planning Commission considers recommendation for special land use to Township Board of Trustees.

ITEM # 2: Case 24-005: Skilken Gold (Sheetz) / Premier – Dequindre II LLC Preliminary Site Plan Review

TITLE: A request by applicant Skilken Gold on behalf of property owner Premier-Dequindre II LLC to construct a gasoline fueling station, convenience store and drive-thru restaurant including a 6,139 square foot convenience store and drive-thru restaurant building and a 4,786.7 sq. ft. canopy with twelve (12) fueling pumps.

LOCATION: The site includes 15.95 acres of property on parcels V-125-83-041-99-0001-001 and V-125-83-041-99-0001-714 at the southwest corner of Ecorse Road and Haggerty Road.

- ACTION ITEMS:**
- A. Presentation by the Township staff.
 - B. Presentation by the applicant.
 - C. Planning Commission discussion.
 - D. Public Comment.
 - E. Planning Commission considers preliminary site plan approval.

NEW BUSINESS:

ITEM # 1: Case 22-010 - Zippy Belleville Real Estate, LLC / Zippy Auto Wash – Final Site Plan Amendment

TITLE: A request by Zippy Belleville Real Estate, LLC for consideration on relocation of a monument sign affiliated with a final site plan to construct a 4,900 square foot automatic car wash and related site improvements on a 1.65-acre site which was approved by the Planning Commission on December 13, 2023.

LOCATION: The project is proposed to be located at 11600 Belleville Road (parcel ID number 83 081 99 0004 711), which is zoned C-2 – Extensive Highway Business District. The property is located on the west side of Belleville Road between Venetian Avenue and Sunrise Lane.

- ACTION ITEMS:**
- A. Presentation by the Township staff.
 - B. Presentation by the applicant.
 - C. Planning Commission discussion.
 - D. Public Comment.
 - E. Planning Commission considers amended final site plan approval.

ITEM # 2: Discussion Topic: Case 22-015: Pulte Homes of Michigan (Cedarchase) / Walden Woods PUD Amendment (Discussion Item).

TITLE: The Planning Commission and staff will discuss a legal opinion regarding the path of review and approval for a plan by applicant Pulte Homes of Michigan, LLC on

behalf of Cedarchase to amend an existing Planned Unit Development (PUD) agreement originally approved for the Walden Woods Apartments by removing 31.85 acres of property from the PUD at the northwest corner of Morton Taylor and Tyler Roads, within the existing Walden Woods PUD.

LOCATION: The site is located at located at Parcel ID# V125-83-040-99-0002-704 and V125-83-040-99-0002-705 on the North side of Tyler Road between Morton Taylor Road and Walden Blvd. The subject site includes 31.81 gross acres of property (28.35 net site acreage).

ACTION ITEMS: A. Presentation by the Township staff.
B. Planning Commission discussion.

ITEM # 3: Housing Readiness Master Plan Update: Project Kickoff

TITLE: In January of 2024 Van Buren Township received a grant from MSHDA to update the Township's master plan to encourage increased housing and affordability. Van Buren Township solicited a proposal from McKenna & Associates to complete the proposed work. Included in the scope is inventorying existing public land, completing a residential market study, evaluating our existing zoning regulations, making recommendations, drafting potential zoning text amendments, performing public engagement, and identification of opportunity sites for missing middle housing best practices. Staff will provide an overview of the proposed project and its proposed timeline.

ACTION ITEMS: A. Presentation by the Township staff.
B. Planning Commission discussion.

GENERAL DISCUSSION AND UPDATES

ADJOURNMENT:

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
August 28, 2024
MINUTES - DRAFT**

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

PLEDGE OF ALLEGIANCE: Commissioners and the audience stood for the Pledge of Allegiance.

ROLL CALL:

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

Excused: Pahle.

Staff: Director Power and Secretary Harman.

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

Applicant(s) in Attendance: Case 24-027 - Costco Beck Road Rezoning: Ryan Hartsuff and Case 23-046 - Woodland Meadows RNG Expansion: Kyle Robbins.

Audience: Nine (9) and One (1) remote.

APPROVAL OF AGENDA:

Motion Jahr, Budd second to approve the agenda of August 28, 2024 as presented. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Budd, Jahr second to approve the regular meeting minutes of August 14, 2024 as presented. **Motion Carried.**

PUBLIC HEARING:

ITEM #1: CASE 24-027: COSTCO BECK ROAD PROPERTY REZONING – PUBLIC HEARING.

TITLE: RYAN HARTSUFF OF MG2 ON BEHALF OF OWNER COSTCO WHOLESALE, INC. HAS APPLIED WITH A REQUEST TO REZONE PARCEL ID NUMBER V-125-83-014-99-0004-704 FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO M-2 (GENERAL INDUSTRIAL DISTRICT).

LOCATION: THE SITE IS 38.80 ACRES OF PROPERTY ON THE EAST SIDE OF BECK ROAD, SOUTH OF MICHIGAN AVENUE.

Motion Jahr, Creal second to open the public hearing. **Motion Carried.**

Director Power provided a brief overview. The applicant is requesting to rezone the parcel to the west of their current parcel from M-1 (Light Industrial District) to M-2 (General Industrial District) for a potential future expansion. The current Costco site is zoned M-2 (General Industrial District). The future expansion to the west will be presented at a later date. Planning Consultant, Vidya Krishnan will present her review letter providing more detail under New Business Item #1. Director Power invited comments from the public.

Daughter of resident/property owner expressed their concerns with noise and lighting. Her mother's property abuts the parcel of the rezoning request on two sides. They would like to know what is going to be done on the property and were present for further clarification.

Motion Jahr, Creal second to close the public hearing. **Motion Carried.**

NEW BUSINESS:

ITEM #1: CASE 24-027: COSTCO BECK ROAD PROPERTY REZONING.

TITLE: RYAN HARTSUFF OF MG2 ON BEHALF OF OWNER COSTCO WHOLESALE, INC. HAS APPLIED WITH A REQUEST TO REZONE PARCEL ID NUMBER V-125-83-014-99-0004-704 FROM M-1 (LIGHT INDUSTRIAL DISTRICT) TO M-2 (GENERAL INDUSTRIAL DISTRICT).

LOCATION: THE SITE IS 38.80 ACRES OF PROPERTY ON THE EAST SIDE OF BECK ROAD, SOUTH OF MICHIGAN AVENUE.

Director Power deferred the presentation to Planning Consultant, Vidya Krishnan for presentation of her review.

Vidya Krishnan of McKenna Associates presented her review letter dated 8-5-24. At this time, the application to rezone the subject sites from M-1 to M-2 meets the following standards of Section 12.504(A) through (L) of the Zoning Ordinance:

1. Section 12.504(A). The proposed rezoning is consistent with the goals, policies, and objectives of the Master Plan and its subsequent amendments. The proposed M-2 zoning designation is consistent with the heavy industrial designation envisioned in the Master Plan for the site and surrounding areas.
2. Section 12.504(B). The proposed rezoning is consistent with the intent of the zoning ordinance and the existing development pattern of the area.
3. Section 12.504(C). The subject parcel is contiguous with the existing Costco facility to the east which has frontage onto Belleville Road, designated as an Urban Other Principal Arterial. Improvements to abutting roadways to handle additional traffic will be considered at the time of site plan review, if deemed necessary by the Planning Commission.
4. Section 12.504(D). McKenna is not aware of any constraints in the ability of public services to serve the site.
5. Section 12.504(E). Van Buren Township has experienced a high demand for additional industrial development and expansion of existing industrial land uses.
6. Section 12.504(F). The proposed rezoning is not causing any exclusionary zoning.
7. Section 12.504(G). The subject site has existing wetlands on the southwest corner and the applicant has no plans to impact the wetlands. Any future development on the site will be subject to full engineering approval and will require approval from EGLE.

8. Section 12.504(H). The uses permitted by right and special land use in the proposed M-2 zoning district are likely to be more consistent with the existing development pattern in the area.
9. Section 12.504(I). If rezoned, the site will be required to be developed in conformance to required standards for the M-2 district.
10. Section 12.504(J). Given the possible options, McKenna believes the M-2 designation is the most appropriate for the subject sites considering its present location.
11. Section 12.504(K). Amending the existing M-1 district to allow for heavy industrial uses would be inappropriate.
12. Section 12.504(L). The proposed M-2 zoning of the subject parcels will be compatible with the zoning currently existing around it. Compliance with any zoning ordinance standards requiring greenbelts, buffering, and landscaping will be reviewed if and when the parcel is redeveloped.

McKenna Associates recommends the Planning Commission recommend approval of the requested amendment to the Zoning Map to rezone the subject parcel from M-1 (Light Industrial District) to M-2 (General Industrial District) designation to the Township Board of Trustees.

Applicant, Ryan Hartsuff of MG2 gave a brief presentation. The goal is to rezone the property to match the current use of their neighboring Costco property to allow for future expansion and to alleviate a lot of the truck traffic. Mr. Hartsuff was present to answer any questions.

Commissioners had the following questions and comments:

- Commissioner inquired with the expansion, will there be more truck traffic or will it absorb the volume? Mr. Hartsuff informed at this time it will absorb the volume by providing triple the bull pen parking to keep the trucks onsite.
- Commissioner inquired with the property zoned M-1 to the west, what are the requirements for landscaping between M-1 to M-2 and M-2 to residential.
- Commissioner inquired if the screening requirements are different between the M-1 to residential and M-2 to residential or are they basically the same? Director Power is fairly certain they are the same, he will verify.
- Commissioner inquired if the applicant knows when they are looking to request the addition? Mr. Hartsuff informed they plan to submit an application for the addition within the next two weeks provided the rezoning moves forward.
- Commissioner inquired if the parcel ID is separate from the existing Costco site and if the site was developed would the parcels be combined. Vidya Krishnan informed yes, the parcels are separate now and when the applicant comes in for preliminary site plan approval to develop the parcel, the parcels would need to be combined.
- Commissioner inquired if Costco were to sell the property and the property was rezoned to M-2, will the rezoning stay with the property and is the property landlocked right now with no road access? Vidya Krishnan confirmed yes, the M-2 zoning would transfer with a sale and there is no road access to the parcel.
- Director Power informed when developing in the M-2 zoning district there is a B type greenbelt requirement when adjacent to an M-1 development. Staff will look at the landscape requirements more closely for residential zoning located next to M-2 zoning.

Vidya Krishnan informed the landscaping requirements will also be looked at when plans come in for preliminary site plan review.

- Commissioner inquired in follow up to a previous meeting, how does the ordinance department and police department know about the truck traffic on Belleville Road, as the truck traffic is in line with the noise and light concerns, was staff able to get more answers. Director Power informed staff began the process of searching for a type of violation to filter and provide data, however there have been challenges in finding a search parameter. Secretary Harman who works in the Police Department informed there is not a specific search parameter to use in searching for the specific type of truck traffic on Belleville Road, the search is done by commercial vehicle citations and pulls all commercial vehicles, it is difficult to identify a truck that is going to the Costco facility. Mr. Hartsuff informed Costco has engaged Kittleson Engineering to perform a traffic study to identify patterns that trucks from the site are taking and identify how many are violating the agreed upon routes. The report will be submitted with their application.

Members of the audience had the following questions and comments:

- Resident inquired why is the parcel being called a parcel on Beck Road, when it has no access to Beck Road. Director Power informed the actual request is just for the parcel, Beck Road is an identifier that was put on it because it was closer to Beck Road than Belleville Road.
- Resident inquired if there are plans to open up access to Beck Road or Michigan Avenue? Director Power informed there are no plans to open up Beck Road.
- Resident commented currently there is property located on the west side of Beck Road where there is a plant, the lights are so bright that it hurts your eyes. They hear truck beeping coming from Beck Road and the other side of Beck Road as well, they have also heard someone coming onto the back of Costco's property blasting a radio and they hear the roaring of truck engines coming from Van Born Road across from the truck plant. Resident inquired if there is future development on the parcel, will they be notified? Director Power informed that truck terminals are a permitted use in the M-2 zoning district, they do not require a public hearing or special land use, therefore notices are not required. Vidya Krishnan took the residents contact information and will notify her of any future development and also informed the resident that some of the noise related issues are handled through code enforcement and she can contact the police department /ordinance department for assistance.

Motion Jahr, Grant second to recommend approval to the Township Board of Trustees of the rezoning request by the applicant, Ryan Hartsuff of MG2 on behalf of owner Costco Wholesale, Inc. to rezone parcel ID number V-125-83-014-99-0004-704 from M-1 (Light Industrial District) to M-2 (General Industrial District) based on the analysis in the staff review letter dated 8-20-24 and McKenna Associates review letter dated 8-5-24.

Roll Call:

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

Nays: None.

Excused: Pahle.

Motion Carried. (Letters Attached)

ITEM #2: CASE 23-046: WOODLAND MEADOWS RNG EXPANSION PROJECT – FINAL SITE PLAN.

TITLE: A REQUEST BY KYLE ROBBINS OF AMERESCO ON BEHALF OF WASTE MANAGEMENT OF MICHIGAN, INC. TO CONSTRUCT A METHANE GAS RECOVERY PLANT. THE APPLICANT SEEKS TO CONSTRUCT A FACILITY THAT WILL RECEIVE LANDFILL GAS FROM THE LANDFILL WHICH WILL BE PROCESSED INTO HIGH-BTU RENEWABLE NATURAL GAS AND DELIVERED TO THE DETROIT-EDISON GAS (DTE) REMOTE METERING STATION FOR INJECTION INTO A NATURAL GAS PIPELINE. THE FACILITY AND ACCESSORY SITE IMPROVEMENTS WILL INCLUDE A 12,652 SQUARE FOOT COMPRESSOR BUILDING, A 2,754 SQUARE FOOT ELECTRICAL BUILDING, COMPRESSORS, TANKS, PROCESS VESSELS, FLARES, PROCESS COOLERS AND WASTEWATER TREATMENT.

LOCATION: THE SITE IS A 5.41 ACRE LEASE PARCEL ON THE WEST SIDE OF HANNAN ROAD NORTH OF ECORSE ROAD. THE PARCEL INCLUDES PORTIONS OF PARCELS WITH PARCEL ID 83-003-99-0003-702 (39670 ECORSE ROAD) AND 83-004-99-0012-000 (6724 HANNAN ROAD). THE SITE IS ZONED C-1 (GENERAL BUSINESS DISTRICT).

Director Power gave a brief presentation. The Planning Commission went over a significant amount of detail during the preliminary site plan review. The architectural elevations were not included in the packet for this meeting, Director Power displayed them onscreen and provided the Commission with an updated Fire Department review letter dated 8-28-24. Director Power deferred the presentation to Planning Consultant, Vidya Krishnan and Township Engineer, Mike Leppek for presentation of their reviews.

Vidya Krishnan of McKenna Associates presented her review letter dated 7-29-24. All of the conditions of preliminary site plan approval have been met at this time. Therefore, McKenna Associates recommends the Planning Commission grant final site plan approval for the proposed Woodland Meadows RNG Gas Plant Expansion project to be located at 39670 Ecorse Road, subject to Fire Marshal and Township Engineer's approval of utilities and circulation and development of an emergency response plan for cell tower failure, if deemed necessary by the Planning Commission.

Paul Kammer of Fishbeck presented his review letter dated 8-1-24. Fishbeck recommends the Planning Commission grant the Woodland Meadows RNG Expansion project site plans dated 7-21-24 final site plan approval based on the engineering review of the site plans. The applicant should also continue to update the Township on the Waste Management stormwater work and County approvals.

Director Power presented the Van Buren Fire Department review letter dated 8-28-24, providing the following comments:

Water Supply:

- A flow test was conducted on 10-4-23. The hydrant used flowed 1167 gpm. Per the IFC, the required fire flow is 2500 gpm. A reduction of 25% for the fire suppression system reduces that required fire flow to 1000 gpm. Eliminating the need for a second fire hydrant. Per the fire code, assessment dated 5-22-24, the existing water supply from the flow test dated 10-4-23 provides adequate flow and pressure to meet the demand of the fire suppression system and fire pump and storage tank are not required on site. **Per the fire code assessment provided by Orcus Fire and Risk Inc. dated 5-22-24, the existing water supply from the flow test dated 10-4-23 provides adequate flow and pressure to meet the demand for the fire suppression system. Per their assessment, a fire pump and storage tank will not be required on-site.**

Fire Department Access:

- If a security gate is to be installed at the entrance to the complex, an approved access control device will be required. The device for Van Buren Township gate access is a Knox padlock if the gate is manually operated. **Per the plans, the gate will be manually operated.**
- Facilities, buildings, or portions of buildings shall be accessible year-round to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds. **Operations notes have been expanded on Sheet 17 to include maintenance details of the ring road.**
- The turning radius of a fire department road shall be approved by the AHJ. An emergency vehicle access plan showing vehicle movement around the entire site shall be submitted using the dimensions of the Van Buren Township Ladder truck. An emergency vehicle access plan showing vehicle movement and the turning radiuses of the access road will need to be verified. **Compliant with the 7-16-24 submittal.**

General Comments:

- In order to comply with the Michigan Building Code restrictions on an H-2 building, the applicant in a letter dated 8-21-24, has agreed to change the type of construction from II-B to I-B. **This change in the type of construction will allow the building to be 12,740 square feet subject to approval by the Van Buren Township Plan reviewer.**
- A hazardous materials inventory statement (HMIS) – where required by the fire code official, an application for a permit shall include a hazardous materials inventory statement, such as Superfund Amendments and Reauthorization Act of 1986 (SARA) Title III, Tier II report or other approved statement. The HMIS shall include the following: product name, component, chemical abstract service (CAS) number, location where stored or used, container size, hazard classification, amount in storage and amount in use in closed systems.
- Per the letter dated 9-28-23, a spill containment and control plan will be submitted as part of the building permit process.
- In the event of a catastrophic failure of the cell tower, the compressor building, condensate treatment building, and outdoor mechanical equipment could potentially be

in the collapse zone radius. For this reason, an emergency response plan will need to be provided and approved by the AHJ.

Applicant, Kyle Robbins of Ameresco gave a brief presentation. Ameresco is a renewable energy company that has been in operation for the past twenty-two (22) years with thirty-nine (39) sites. The facility will take existing landfill gas and process it into high-BTU reusable natural gas delivered to the Detroit Edison (DTE) remote metering station for injection into a natural gas pipeline. Mr. Robbins was present to answer any questions.

Commissioners had the following questions and comments:

- Commissioner inquired about the engineering mention “if there are substantial changes, the applicant will need to come back to final site plan”, how do you know what substantial is and who is going to make that decision? Vidya Krishnan explained it was mentioned from the engineering aspect that if anything changes from the planning aspect (berm design or the way the berm is structured), the Planning Director can bring the information back to the Planning Commission.
- Commissioner inquired if the County has a problem with a drain that hasn't been constructed yet, that will be constructed after approval, is that done by approval of occupancy? Director Power informed the steps following final site plan review are the building permit and preconstruction, as part of preconstruction the applicant will need to submit an issued for construction plan set, what needs to be reflected in that plan set is the County's approved version of all drain/stormwater right-of-way design items. If what the County requires changes anything that affects the layout of the site, it can be brought back to the Planning Commission.
- Commissioner commented on the elevations not being included in the packet, how do we know what we are approving? Vidya Krishnan informed when the Planning Commission approved the preliminary site plan, many changes were made and she will make sure the dates match what was approved. Commissioner inquired if there have been any changes to the elevations since preliminary site plan approval. Vidya Krishnan confirmed there have been no changes.
- Commissioner wants to make sure that the elevations approved in preliminary site plan are included right after the approval. The applicant will resubmit the approved sealed elevations to Director Power.

No questions or comments from the audience or remote viewers.

Motion Jahr, Grant second to grant the applicant, Kyle Robbins of Ameresco on behalf of Waste Management of Michigan, Inc. final site plan approval to construct a methane gas recovery plant, located on a 5.41-acre site on the west side of Hannan Road north of Ecorse Road, including portions of parcels with parcel ID numbers 83-003-99-0003-702 (39670 Ecorse Road) and 83-004-99-0012-000 (6724 Hannan Road), based on the analysis and subject to the conditions in the staff letter dated 8-20-24, McKenna Associates review letter dated 7-29-24, Fishbeck review letter dated 8-1-24 and Fire Department review letter dated 8-28-24, noting the feedback and concerns from civil engineer Lepppek regarding procedural matters around the storm drain approval, with the additional condition of requiring an emergency response

plan for cell tower failure as required by the Fire Marshal and the condition that the approved elevations are to be reviewed by staff for inclusion before preconstruction to be included in the issued for construction (ISC) plan set.

Roll Call:

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

Nays: None.

Excused: Pahle.

Motion Carried. (Letters Attached)

ITEM #3: CASE 21-040: DTE MORTION SUBSTATION – MINOR SITE PLAN AMENDMENT.

TITLE: STAFF SEEKS APPROVAL FOR A MINOR MODIFICATION OF THE APPROVED LANDSCAPING PLAN FOR THE DTE MORTON SUBSTATION PROJECT ON BEHALF OF DTE ELECTRIC. THE APPLICANT GAINED FINAL SITE PLAN APPROVAL FOR CONSTRUCTION OF A 120 – 13.2 KV, 80 MVA NINE CIRCUIT SUBSTATION AND RELATED SITE IMPROVEMENTS AT THE REGULAR PLANNING COMMISSION MEETING OF FEBRUARY 8, 2023.

LOCATION: 42061 ECORSE ROAD, TAX PARCEL 83-041-99-0004-001, ON THE SOUTH SIDE OF ECORSE ROAD BETWEEN HAGGERTY ROAD AND KIRKRIDGE PARK DRIVE.

Director Power gave a presentation. The Morton Substation has been under construction since early 2023. In a recent site visit to verify the quantity of removed trees and check the newly installed landscaping in accordance with the approved site plan, Director Power observed there was some landscaping that was required along the east side of the site that was not yet installed. On further investigation, the approved site plan included landscaping that is off-site to the east of the property line and little space is available for new landscaping to be installed in this area. Where there is a flat gravel area, a storm sewer underdrain lines the gravel area and conflicts with potential plantings within the Morton Substation property. As a solution, Director Power is requesting that the type and volume of required landscaping from the east lot line should be relocated to the north (front) edge of the site. The request will involve relocating eight (8) evergreen trees and twenty-two (22) shrubs from the previously approved location to the east of the site to the mutually agreed upon locations at the northeast corner of the site and along the site's frontage. There is significant screening to the east end of the site from an existing berm installed by the site to the east, in addition to the natural vegetation that provides additional screening.

Commissioners had the following questions and comments:

- Commissioner inquired if the landscaping was required, what the changes do to the setbacks and fencing. Director Power informed the greenbelt is already created, the landscaping is required, the applicant has to accommodate for it, they have determined that the property line is not where it was. Vidya Krishnan informed there was significant discussion on the fencing and modifications were made. The greenbelt modifications are

in the Planning Commissions purview. Director Power informed he can come back with additional findings, taking a further look at the final site plan and field review.

- Commissioner trusts staff to make sure the modifications meet the intent of the screening ordinance.
- Commissioner asked to confirm the number of trees.
- Commissioner asked Director Power to verify the fence is in the right location and if any other significant discrepancies are found, to bring them back before the Planning Commission. Director Power commented there is a wall along with the chain link fencing on the eastern lot line, in a location that is not currently built yet, staff will make sure that its done and corrected. The fencing that was observed on the east lot line was on the property line, the proposes landscaping was outside of the property. Director Power will verify information and bring any findings back to the Commission.

Motion Grant, Jahr second to grant a minor site plan amendment to the DTE Morton Substation project, located at 42061 Ecorse Road, parcel ID number 83-041-99-0004-001, modifying the site plan to move landscaping along the east side to the north side of the property as well as taking a look at any other items that might be on the site that are not consistent with the ordinances and that may be brought before the Planning Commission if not sufficient.

Roll Call:

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

Nays: None.

Excused: Pahle.

Motion Carried. (Letter Attached)

GENERAL DISCUSSION AND UPDATES:

Director Power informed there will be a meeting on 9-11-24.

ADJOURNMENT:

Motion Budd, Jahr second to adjourn the meeting at 6:57 p.m. Motion Carried.

Respectfully submitted,

Christina Harman
Recording Secretary

PLANNING & ZONING APPLICATION

Case number 24-005

Date Submitted 2/14/2024

APPLICANT INFORMATION

Applicant Skilken Gold via Andrew Richlen Phone 937.623.0748
 Address 4270 Morse Road Fax _____
 City, State Columbus, OH 43230 Zip _____
 E-mail drichlen@skilkengold.com Cell Phone Number _____
 Property Owner PREMIER-DEQUINDRE II, LLC Phone 248-362-4666
(if different than applicant)
 Address 560 KIRTS BLVD #100 Fax 248-362-0546
 City, State TROY, ME 48084 Zip 48084
 Billing Contact same as applicant Phone _____
 Address _____ Fax _____
 City, State _____ Zip _____

SITE/PROJECT INFORMATION

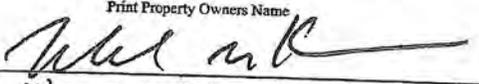
Name of Project Sheetz
 Parcel Id No. V125-83- 83041990001714; Project Address TBD
83041990001001
 Attach Legal Description of Property _____
 Property Location: southwest corner of Haggerty and Ecorse
 and _____ Road. Size of Lot Width 1,344' Depth 538'
 Acreage of Site 15.95 Total Acres of Site to Review 15.95 Current Zoning of Site C-1, General Business
 Project Description: proposed Sheetz development

Is a re-zoning of this parcel being requested? _____ YES (if yes complete next line) NO
 Current Zoning of Site C-1, General Business Requested Zoning n/a

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 Sec. 3.111(C)
 Is there an official Woodland within parcel? No Woodland acreage 0.0 AC
 List total number of regulated trees outside the Woodland area? 125 Total number of trees 248
 Detailed description for cutting trees: Trees to be removed within the proposed development footprint. Significant grading is proposed to raise the site above the surrounding floodplain, resulting in additional removals as the added earth within existing driplines will negatively impact the health of existing trees.
 If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

OWNER'S AFFIDAVIT

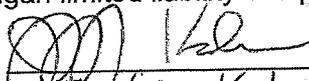
PREMIER-DEQUINDRE II, LLC
 Print Property Owners Name

MICHAEL KAHAN, AUTHORIZED AGENT
 Signature of Property Owner
2-13-24
 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 13th day of February 2024
Kathleen Oberster Notary Public, Oakland County, Michigan My Commission expires 2-12 2030
Rev 1/12/06

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed on the dates set forth below, respectively.

SELLER:

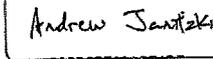
Premier-Dequindre II, L.L.C.,
a Michigan limited liability company

By: 
Name: Jeffrey Kahan
Title: Trustee of the David Kahan Third
Date: Amended and Restated Revocable Living
Trust dated November 24, 2021
Its: Manager
Date: 9/05/23

BUYER:

an Ohio limited

liability company, represented by:

By: 
Name: Andrew Janitzki
Title: General Counsel
Date: 9/5/2023

Index of Exhibits:

A. Legal Description of Property

Bryan Amann
Attorney & Counselor
1777 Stonebridge Way Ct.
Canton, MI 48188

February 26, 2024

Mr. Dan Power
Director
Building, Planning &
Economic Development
Van Buren Township
46425 Tyler Rd.
Van Buren Twp., MI 48111

Re: Proposed Sheetz

Director Power:

I represent Skilken Gold in its pursuit of the Township's approval of the Sheetz proposed for the southwest corner of the intersection of Haggerty and Ecorse roads. This letter is to supplement the Application for Special Use Approval filed earlier this month.

The proposed Sheetz will effectively have the following primary uses: gasoline filling station, quick serve restaurant with indoor and outdoor seating, a 24/7 convenience store with beer, wine, and liquor sales, and a drive thru window. Article 3 of the Township's Zoning Ordinance provides that the gasoline filling station and drive-thru window serving the restaurant will require Special Approval.

This letter will address the application of the Standards for Granting Special Approval provided in Section 12.306 of the Township's Zoning Ordinance to the requested gasoline filling station and drive-thru window. The operative provisions of Section 12.306 are ***boldly italicized*** below in the more detailed explanation to facilitate your review more clearly.

As the Planning Commission reviews the proposed project, including the Site Plan and applicable ordinances, we encourage it to consider the following:

- (A) The proposed Sheetz ***will promote the use of the land in a socially and economically desirable manner for those persons who will use the Sheetz (the customers); and those landowners and residents who are adjacent; and the Township as a whole.***

The criteria of “social and economic desirability” can involve many factors, including efforts to mitigate any potential negative impacts on the neighbors, the environment, the surrounding area, and its stakeholders. As the proposed Site Plan depicts, careful consideration is being given to several elements that will directly assist in ensuring the desirability of the filling station and drive thru, as well as the Sheetz overall. Those include:

- Detailed wetland mitigation and protection measures, including the McClaughrey Drain which traverses front of the site.

- Extensive vegetation in form of trees and bushes placed strategically to buffer the visibility of the usage of the filling station and drive-thru.

- The overall layout of the site with the retention basin parcel being directly across from the residences, and the store/filling station operation to the east demonstrates a “best-efforts” approach in dealing with the convergence of the existing residential, commercial, and industrial uses on the adjacent properties.

- State of the art lighting which will meet and/or exceed all required photometric requirements to prevent seepage to adjacent sites from the filling station and drive-thru.

- While the presence of a Truckstop on the northeast corner of the intersection of Haggerty and Ecorse roads, and the existing logistic centers west of the proposed Sheetz result in a significant ambient noise level from trucks and other traffic, the pumps and the ordering station/menu board uses touchscreen technology and do not primarily rely upon any speaker unless a customer cannot operate the touchscreen. Equally important, menu board will be placed and oriented in a manner near the rear of the store to minimize any risk of off-site detection of communication. There will also be extensive landscape materials and buffering around it.

- Economically, the proposed project will not only enhance property values in the area because of the quality of the development and brand, but also the Township’s tax revenues will benefit because of the millions of dollars Sheetz invests in each project. Equally important will be the value realized by Township residents and those working in the area in having a new high-quality retail operator like Sheetz with a drive-thru and filling station option in this area of the Township, which has less than other areas. To the extent that Sheetz’ national brand attracts users, it will also provide one more reason for those traveling I-275 to exit on Ecorse Road and discover a new dimension of Van Buren Township.

- Another aspect of the social desirability of the proposed Sheetz is that it will offer very affordable dining options on a drive-thru basis in an area that is arguably underserved, especially for those working afternoon and night shifts.

- (B) The proposed Sheetz ***is necessary for greater public convenience at the proposed location and in the area***, as explained above. Options for those who live, work or travel through the immediate area are not as extensive as other areas of the Township. Currently much of the general-public utilize the Truckstop on the northeast corner and are required to interact with semi-trucks and larger vehicles than you would find at a typical convenience-store restaurant operation like Sheetz. Sheetz will provide a welcome alternative to those who currently are in the area and those who prefer not to interact with semi-truck traffic on a confined site to either buy fuel or a drive-thru meal.
- (C) The Township's Master Plan and Zoning Ordinance classify the subject property zoning for commercial-retail use, which demonstrates its inherent ***compatibility with the adjacent uses of land***, which are residential, commercial, and industrial. The proposed uses of a filling station and a drive-thru restaurant operation are designed in a manner and will be operated in a manner (as described above) to further ensure compatibility with the adjacent uses. The layout of the site with the location of a retention basin on the west end to be directly across from the residentially zoned parcels further mitigates any potential conflicts of the proposed special uses with the adjacent uses.
- (D) The proposed uses of a filling station and the drive-thru restaurant operation, and the Sheetz as a whole, ***is designed, located, and proposed to be operated in a manner that the public health, safety, and welfare of all involved will be protected***. As noted above, special precautions have been taken in the site plan to protect the McClaughrey Drain, the wetlands on the site, and provide the most up-to-date storm water retention system in the area. The dedicated storm water retention parcel will also serve a calming function for the residences which abut the other industrial/logistic uses. The location and design of the curb cuts will be through the appropriate design review of the Township and Wayne County Department of Public Services engineers to ensure all safety and design standards are met. The Sheetz facility and related improvements, especially the filling station and drive-thru operation, will be state of the art and industry leading, and beyond the minimum regulatory requirements.
- (E) The proposed Sheetz, as clearly depicted on the proposed Site Plan, including the filling station and drive-thru operation, ***will be more than adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses***. It is anticipated the Township's respective officials from the Building Department, Engineering and Public Safety will raise any concerns which Sheetz will address with more specificity in the Site Plan review process. Sheetz' planned storm water management system will provide an incremental improvement in the area's current storm water management since the site will no longer be allowed to just sheet drain into the

McClaughrey drain without any treatment or flow control. This should help those other sites, including the residences, which also rely upon the drain. To the extent there is any impact on existing wetlands, the mitigation will be in accordance with all applicable requirements.

- (F) The Sheetz, including the proposed special uses of the filling station and drive-thru operation will NOT ***cause any injury to other property in the neighborhood in which it is to be located.*** The proposed Site Plan and the applicable construction and operation standards demonstrate that other properties in the area will not be at any risk of harm from the Sheetz, including the filling station and drive-thru operation. Furthermore, Skilken Gold looks forward to working with any prospective neighbor as to any specific concerns or questions.
- (G) The proposed site plan of the Sheetz, including the respective wetland plans which involve the application of regulations proposed by the Environmental Protection Agency, Michigan's Environment, Great Lakes and Energy Department, the Army Corps of Engineers, Wayne County Department of Public Services, and the Township's own engineers, demonstrate that the proposed uses will thoroughly ***consider the natural environment and help conserve natural resources and energy.*** Any wetland mitigation will be in accordance with all applicable laws, regulations and requirements.
- (H) The proposed project, including the special uses of a filling station and drive thru operation are ***within the provisions requiring special approval as set forth in the various zoning districts..., is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located and meets applicable site design standard(s) for special use approvals.*** We will defer to the more detailed reports of the Township's officials and consultants, but Skilken Gold is committed to addressing all applicable standards and requirements in designing, constructing, and operating the site.
- (I) The Planning Commission's consideration of a recommendation to the Board of Trustees to approve this proposed project, including the special uses of a filling station and a drive-thru operation ***is related to the valid exercise of the Township's police power and purposes which are affected by the proposed uses and activity.*** The settled law of the State of Michigan, and the past practices of Van Buren Township in applying its Zoning Ordinance and these provisions, in particular, support the finding that the detailed representations of this letter, which are further evidenced by the proposed Site Plan and related findings, can be relied upon by the Planning Commission and the Board of Trustees to clearly demonstrate the appropriateness of the proposed application and action being requested.

For the reasons stated herein, Skilken Gold respectfully requests the Planning Commission recommend approval of its Application for Approval of Special Uses under the Township's Zoning Ordinance to allow a filling station and a drive-thru

operation to be a part of the proposed Sheetz, and the other permitted uses, at the southwest corner of the intersection of Haggerty and Ecorse roads.

We look forward to working with the Township, and appearing at any public hearings or other meetings to address any concerns that might arise. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Amann". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bryan Amann
Attorney at law

Cc: Client



MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power– Director of Planning and Economic Development
RE: Case 24-005 – Skilken Gold (Sheetz) / Premier-Dequindre II LLC
DATE: September 4, 2024

Planning Commissioners:

The Planning Commission will review the resubmittal of a request by applicant Skilken Gold on behalf of property owner Premier-Dequindre II LLC to construct a gasoline fueling station, convenience store and drive-thru restaurant. The proposed site plan includes a 6,139 square foot convenience store and drive-thru restaurant building and a 4,786.7 sq. ft. canopy with twelve (12) fueling pumps. The site is zoned C-1 – General Business District. Gasoline filling stations and drive-thru establishments require special land use approval and a public hearing with the Planning Commission in the C-1 District in accordance with Article 12, Chapter 3 of the Van Buren Township Zoning Ordinance.

To assist with this review, the following items have been provided for reference:

- The applicant’s notarized Planning and Zoning Application, purchase agreement execution page, and letter dated 2/26/2024 describing the project’s compliance with Sec. 12.306 of the Van Buren Township Zoning Ordinance;
- Reports from the Township’s Planning Consultant (for the special land use and preliminary site plan requests), Township Engineer (for the preliminary site plan request), and Deputy Fire Chief / Fire Marshal (for the preliminary site plan request);
- A copy of the public hearing notice and mailing labels for this request;
- A copy of the minutes from the public hearing held 7/10/2024; and
- Submittals provided electronically and abridged with the printed packets:
 - o Driveway Exhibit from Stonefield Engineering dated 8/30/2024;
 - o Municipal response letter from Stonefield Engineering dated 8/30/2024;
 - o A 9-page architectural package from Convenience Architecture and Design P.C. dated 5/8/2024;
 - o Letter describing market need from Alexander Siwicki dated 8/30/2024;
 - o Memo describing the EGLE permitting and approval process from ASTI Environmental dated 8/22/2024;
 - o A 21-page site plan sheet set from Stonefield Engineering dated 8/30/2024 including civil and architectural plans, which includes two (2) survey plan sheets from Kem Tec;
 - o A geotechnical report from Materials Testing Consultants dated 3/1/2024;
 - o A revised 77-page Traffic Impact Study from Stonefield Engineering dated 7/31/2024; and

- A 5-page lighting plan set from Red Leonard Associates dated 5/17/2024 (resubmitted).

The project resubmittals were provided with responses to requests from Planning Commissioners for specific information stemming from comments that were made and issues that were raised at the 7/10/2024 public hearing.

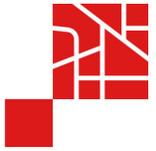
If the requested special use approval is recommended for approval to the Township Board of Trustees, the special use approval will also then be considered by the Board of Trustees. Conditioned upon these approvals, the applicant will then also be expected to work on a fully engineered set of site plans. The project will undergo review by the Wayne County Department of Public Services (WCDPS) and then will undergo engineering review by the Township Engineer. Then, the project will be presented for final site plan review by the Planning Commission prior to the assembly of a preconstruction package, submittal of a building permit application, and start of construction.

Thank you for allowing me to assist with this review.

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 31, 2024

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

Subject: VBT-24-005, 7840 Haggerty Rd. (Sheetz Gas Station, Convenience Store, and Drive-Thru Restaurant) Site Plan Review #4 (Preliminary); Revised Plans Dated: August 30, 2024

Dear Commissioners:

The applicant, Skilken Gold, on behalf of property owner Premier-Dequindre II, LLC, proposes to construct a new gas station with a 6,139-square-foot building containing a convenience store and drive-thru restaurant on undeveloped land located at the southwest corner of the Ecorse Road and Haggerty Road intersection. The overall site is comprised of two parcels zoned C-1 (General Business) with a total area of 15.95 acres and will remain largely undeveloped. The development area is located at the northeast corner of the site and is approximately 3.86 acres.

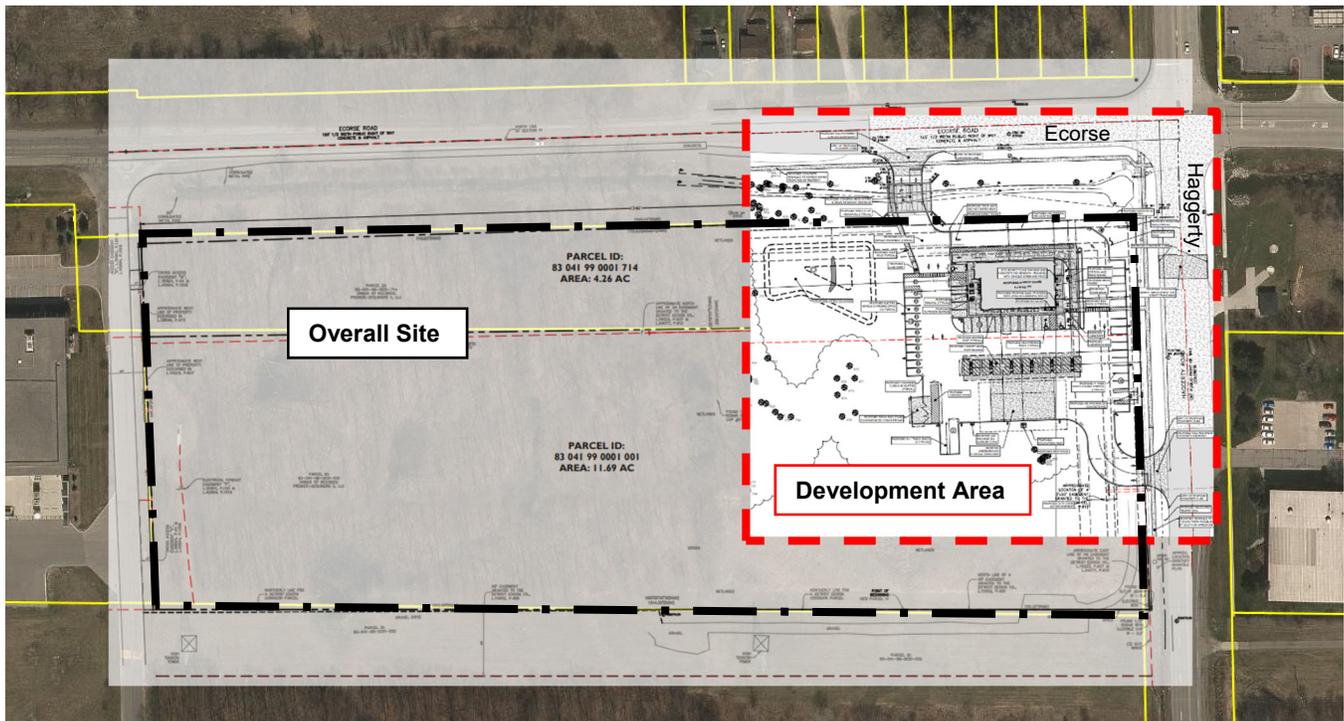


Image source: Wayne County Parcel Viewer (web, clip) & Stonefield Engineering (site plan & parcel exhibit PDF, clip)

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

☎ 248.596.0920
☎ 248.596.0930
MCKA.COM

Communities for real life.



COMMENTS

We have reviewed the revised plans for compliance with the Township's Zoning Ordinance and sound planning and design principles, and we offer the following comments for your consideration (items requiring changes or additional information are underlined):

- 1. Zoning and Use.** The site is currently zoned C-1 (General Business District). Section 3.111 (B) of the Zoning Ordinance permits convenience stores/retail markets as permitted use while gasoline filling stations and drive-thru restaurants are considered special land uses per Section 3.111 (C). Our comments on the proposed special land uses are in a letter under separate cover.

Required Information. All of the items required per Section 12.203 of the Zoning Ordinance have been noted. At the public hearing held on July 10, concerns were raised regarding the final parcel configuration. The site plan continues to note that the lot combination will be completed prior to final site plan approval. The Planning Commission asked for details on the applicants plans for the remaining portion of the parcel, to address concerns that the proposed special land use may eventually be expanded to the whole parcel. In response to that concern, the applicant has added a note to the site plan stating that the special approval being sought will be limited to the proposed uses and construction as shown on the site plan consistent with Section 12.308 of the Township Zoning Ordinance. Previously in a response letter dated August 2, 2024, the applicant has stated "*does not intend to develop the remaining portion of the site due to several limitations on the site including wetlands, floodplains and woodlands.*" As noted in the special land use review letter, although it is not required, clarify if there is any intent to implement a tangible method of restricting use of the parcel through conservation easement, deed restrictions etc.

- 2. Dimensional Requirements.**

The required front, rear and side yard setbacks for the C-1 District are 75 feet, 15 feet and 25 feet, respectively, and are measured from the edge of the property line. The front yard as defined by the Ordinance is the yard on which the parcel has its street address, which in this case is Haggerty Road. Section 5.144 contains specific horizontal dimensional standards for gas station pumps, canopies, and buildings, which are generally stricter than the C-1 standards:

- **Pumps:** Front and side/rear setback requirements are 50 feet and 40 feet, respectively. Side/rear setbacks are increased to 50 feet when abutting residentially zoned property. These standards are satisfied in the proposed plan.
- **Canopy:** Front and side/rear setback requirements are 40 feet and 30 feet, respectively. Side/rear setbacks are increased to 40 feet when abutting residentially zoned property. These standards are satisfied in the proposed plan.
- **Building:** Front and side/rear setback requirements are 85 feet and 30 feet, respectively. Side/rear setbacks are increased to 40 feet when abutting residentially zoned property. These standards are satisfied in the proposed plan.

Building heights in the C-1 District are limited to 40 feet and four stories; the proposed building meets these requirements.

- 3. Access and Circulation.**

- a. Curb Cuts.** The plan proposes two (2) 36-ft. wide access drives: one each off Ecorse Road and Haggerty Road. The proposed access drive off Haggerty is shown aligned with an existing access drive for Die-Namic, Inc. across the street. The applicant has submitted a driveway exhibit which shows the existing



driveways across Ecorse Road from the subject site. As discussed in the special land use letter, the proposed access drive location appears to be the most reasonable location due to maintenance of distance from the intersection and offset from the proposed driveway across the street. No other drives are proposed or existing on the same side of either road, except for Continental Canteen Services further south along Haggerty, which is well over the 300-ft. minimum distance from the Haggerty driveway.

For sites near intersections, Section 9.106 (C)(3) of the ordinance requires an access drive to maintain a 250-foot distance from the nearest throat edge of the driveway to the nearest land edge of the intersecting street. Both driveways comply with the 250-foot clearance requirement.

- b. Cross Access.** It is the Township’s policy to require cross access wherever feasible to ease traffic on the abutting streets. With an existing gas station at the northeast corner, the subject site and a proposed gas station at the northwest corner, access management is an important consideration. The site plan proposes a new 35-foot cross access easement along Haggerty to the south but does not propose cross access along Ecorse.

As previously noted, in a letter dated August 2, 2024, states the applicant stated: “does not intend to develop the remaining portion of the site due to several limitations on the site including wetlands, floodplains and woodlands.” If a permanent easement or restriction is not intended to be placed, we must assume the likelihood of the property to the west being developed at some time in the future. Therefore, a proposed “future cross access” stub must be shown at this time.

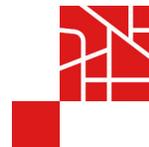
Drive-Thru. The site plan proposes a 12–13-foot- wide drive-thru lane on the north and east sides of the proposed building. To the north, this is adjacent to a one-way drive aisle separated by a 5-foot wide greenbelt. The area is shown with one tree and no other landscaping. A 5’ strip is not a viable area for a tree. We recommend that the area be planted with a continuous row of low shrubs (36” max.) and provided with ground cover (stone/mulching). This would provide for enhanced screening and a means of physical separation of the drive-thru and main access drive.

- c. Pedestrian Circulation.** Brick paver walkways are proposed on three sides of the building with a minimum width of 6’ and additional notes ensuring ADA compliance. A patio is shown on the west side containing outdoor seating. The walkways connect via crosswalks to a new 5-ft.wide concrete sidewalk along the entire length of the property’s Ecorse and Haggerty frontages. A bike rack is proposed within an area adjacent to the Haggerty crosswalk, closer to the building.
- d. Truck Circulation.** Truck turning templates are provided for deliveries, emergency access, and fueling trucks showing clear access through the site and unobstructed parking for delivery and fueling trucks.

4. Parking and Loading. Parking and loading data are tabulated on Sheet C-5.

- a. Number of Required Parking Spaces.** As previously noted, there are three distinct uses on the site: drive-through restaurant, gas station, and retail. The following table provides a summary of the parking requirements per Section 9.102 and what is proposed:

Standard	Measurement	Required	Proposed
Gasoline Filling Station			
1 space / pump	12 pumps	12	12
2 spaces / service stall	No service stalls proposed	0	0



1 space / employee on largest shift	3 employees / gas station	3	3
Retail (Marketplace)			
1 space / 200 SF usable floor area	3,264 SF UFA / 200	16	16
Drive-Through Restaurant			
1 space / 2 seats legal capacity (incl. 2 for RVs)	46 seats / 2	23 (+RV)	28 (+RV)
1 space / employees on largest shift	3 employees / restaurant	3	3
5 stacking spaces at pick-up window	5 spaces	5	7
10 stacking spaces at order station	1 order station	10	3

Although the plan shows less than the required number of stacking spaces at the order station, the traffic impact study, dated July 31, 2024, estimates the probability of more than 3 vehicles queuing at the order station to be less than 1%. This is supported by the applicant's narrative for Sheetz primarily serving as a sit-down family restaurant with a smaller portion of the business coming from the drive-through restaurant. The Planning Commission may modify parking requirements upon sufficient data being provided; we recommend the proposed modification be granted, provided the order station be shifted north by one stacking space to allow for an additional space beyond that anticipated by the study.

- b. Barrier Free Spaces.** Per Section 9.103 of the Zoning Ordinance, three (3) barrier free spaces are required for a parking lot between 51-75 spaces. Two (2) barrier free spaces are proposed south of the building and one proposed to the west. Adjacent sidewalks are flush with the pavement and access aisles. One EV charging space is designed for barrier-free accessibility.
 - c. Parking Space Dimensions.** All spaces are shown to be 10 ft. x 20 ft. with at least 24-ft.-wide maneuvering lanes. Parking spaces are shown to be double striped, as required. Stacking spaces are also dimensioned on the plan.
 - d. Loading.** One (1) 10 ft. by 50 ft. loading area is required and is shown adjacent to the dumpster enclosure. This loading area does not conflict with any required parking or maneuvering.
- 5. Landscaping.** A color-coded landscape plan has been provided. The landscaping requirements of the Zoning Ordinance are as follows:
- a. Frontage Landscaping.** Section 10.103(A) requires a minimum of 1 deciduous or evergreen tree per 40 feet of road frontage, 1 ornamental tree per 100 feet of road frontage, and 8 shrubs per 40 feet of road frontage. Landscaping calculations are tabulated on Sheet C-11. Ecorse frontage is ~293 feet and requires 7 deciduous or evergreen trees, 3 ornamental trees, and 59 shrubs. Haggerty frontage is ~274 feet and requires 7 deciduous or evergreen trees, 3 ornamental trees, and 55 shrubs. The landscape plan demonstrates compliance with frontage landscaping requirements.
 - b. Parking Lot Screening.** 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. Parking on the site faces Haggerty Road. The landscape plan demonstrates compliance with parking lot screening requirements.



- c. Interior Parking Lot Landscaping.** Section 10.103(B)(2) requires the provision of landscaping within islands in a parking lot. The provision of islands is intended to “cut into” the parking area to break up the expanse of pavement. Interior landscaped islands must account for at least 5% of all paved areas and each interior landscaped island must be at least 10 feet wide, 360 square feet in area, and contain at least one (1) deciduous tree, with no less than 1 tree per 300 sq. ft. of interior landscaped area overall. The landscape plan notes 61,396 sq. ft. of paved area, thus requiring 3,070 sq. ft. of landscape islands and 10 trees.

The plan notes 4,535 sq. ft. of interior landscaping (7.4 % of paved area). The requirement of 1 tree/300 sq. ft of landscape area is applicable to the area proposed, not just the area required. Therefore, 4,535 sq. ft requires 15 trees, resulting in the need for 5 additional trees. Most of the interior landscaping along with the trees required are shown within the perimeter of the paved area and frontage. The color coding on Sheet C-11 does not identify the interior landscape area abutting the handicap accessible space or on the east side of the drive-through lane. The summary table on Sheet L-11 notes a minimum island area of 41 sq. ft; however, we are unable to locate this island on the plans. The landscape plan data needs to be clarified in this regard with interior islands and landscape areas clearly identified numerically with associated area. As previously noted, the landscape strip on the north side of the drive-through lane must be planted with a low hedge row of shrubs and provided with ground cover.

The Planning Commission may modify landscaping requirements upon finding that the proposed landscaping meets the intent of the ordinance. The proposed site appears to be well landscaped; however, accurate calculations are required so that the Planning Commission modification of any requirement is clearly understood.

- d. 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 and the loading area is shown at the interior, southwest corner of the development area and not within view of the right of way.
- e. Greenbelt Buffering.** Proposed development is limited to ~3-acres within the northeast corner of the larger ~15-acre site, which abuts a 90-ft. utility easement to the south (C-1) and industrial land to the west (M-1), requiring a 10-foot greenbelt with 1 tree per 30 linear feet along the southern edge and a 20-foot greenbelt with 1 tree per 20 linear feet along the western edge. Greenbelts are required regardless of future development, though the Planning Commission may modify standards. We believe the existing woodlands in the western portion of the site adequately serve as a greenbelt buffer for the M-1 zoning to the west and we recommend the Planning Commission modify this requirement, provided that at least 20 feet of the woodland west of the detention basin is reserved as a greenbelt along this lot line and shown on the plan.

The tree survey shows inadequate tree cover along the southern lot line abutting the utility easement and, on the parcel, extending from the edge of pavement to the easement boundary line. We recommend that the Planning Commission uphold the required 10-foot-wide buffer with one (1) tree planted for every thirty (30) linear feet along this lot line, continuing for the width of the proposed development area.

- f. 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. This space shall be lighted, landscaped, and provided with pedestrian amenities. With a 6,129 sq. ft. building proposed, 250 sq. ft. of open space is required. The

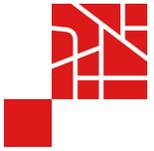


plan shows over 900 sq. ft. of outdoor space in the form of a patio with seating on the west side of the building.

- g. Mechanical and Utility Equipment Screening.** Section 10.103(J) requires all mechanical and utility equipment to be screened, including rooftop equipment. Rooftop equipment appears adequately screened by the intervening parapet and the landscape plan shows proposed vent stacks and air machines to be appropriately screened by shrubs.
- h. Tree Removal Permit.** Section 8.106. A tree removal permit is required if the applicant proposes to remove any trees 5" DBH or larger. Regulated trees must be replaced. The tree survey notes a total of 248 trees in the area of disturbance of which 78 trees are to be removed. Only 7 of those trees are regulated as described by the Ordinance and are proposed to be replaced.
- 6. Lighting.** Lighting is regulated in Section 8.105 of the Zoning Ordinance. A photometric plan is included with cut sheets and details for pole-mounted, wall-mounted, accent, and underside canopy lighting. Pole-mounted lighting will not exceed 23 feet high. The lighting plan previously showed illumination levels throughout the site largely in compliance with required maximum averages. The applicant had stated their intent to seek a variance form illumination for the parking areas. A revised photometric plan has not been submitted; however, the applicant has stated that all lighting will comply with the ordinance and no variances are being sought. An updated lighting plan must be submitted for final site plan review.
- 7. Architectural Features.** The applicant has submitted detailed elevations for the proposed building and gas station canopy. Label the elevations north, south, east, and west. The new gas station/convenience store building is to be constructed of brick veneer and cast stone veneer and provided with a standing seam metal roof. The proposed colors are earth tone shades. The main entrance to the building has a cupola feature to be constructed of red standing seam metal while all of the proposed windows have red awnings. The proposed gas station canopy is to be provided with a sloped metal roof. The support columns are to be covered with cast stone to a height of 6 feet and wrapped with dark bronze aluminum composite. Samples of the proposed façade materials and colors for both the building and the canopy **must be** presented at the Planning Commission meeting for approval.

While the proposed building materials and elevations appear attractive, the main facades facing Haggerty and Ecorse appear to be cluttered. The location of the drive-through window on the north façade and the order station/menu board on the east façade are integral to the use; however, the placement of propane tank cages, a 'future recycling machine,' electrical equipment, downspouts, and a rooftop ladder make the Haggerty Road façade look like a service façade rather than a primary façade which is the first one viewed by westbound traffic on Ecorse Road. Previously, we recommended that the applicant place these units/structures on the south façade concealed from street view. While ice sales have been relocated to the south (rear) side, propane sales are now proposed to be screened by low masonry walls protruding from the building, though they do not appear to wrap around this area. The recycling machine is not shown on the architectural plans.

- 8. Trash Enclosure.** A dumpster enclosure is proposed in the southwest corner of the development area. Drum storage for liquid and solid fuel cleanup is provided within the enclosure; per the applicant, the EPA requires this storage area on-site. Typical details have been noted and are designed to match the building. The gates are proposed to be constructed of steel reinforced, opaque, wolmanized wood gates.



9. **Signs.** Signs must comply with Section 11.108(B) of the Zoning Ordinance. The elevations show wall signage on all four facades (5 signs total), gas station canopy signage (3 sides), a gas price monument sign, and drive-thru signage. Audio/visual equipment are proposed for the pump stations with a note that such will comply with Ordinance standards. Although dimensions for the length of the facades and canopy have not been provided, the monument, wall, and canopy signage appear to comply with height, area, and placement requirements of the ordinance. All signage must be submitted for administrative review and sign permit approval prior to installation.
10. **Engineering and Stormwater Detention.** The applicant has provided a utility plan and storm water calculations and is proposing a detention pond in the northwest corner of the development area; we defer to the Township Engineer regarding proposed grading and utilities. The detention system is subject to review and approval by the by the Township Engineer and Wayne County.

RECOMMENDATION

The applicant has been working with Township Staff for the past several months to change the site design and circulation patterns to conform to ordinance standards. Since the public hearing was held on July 10th, the applicant has provided additional information and made some revisions. While some site plan related items still remain to be resolved, they can be addressed and need not delay action on the preliminary plan.

Therefore, we recommend that the Planning Commission grant preliminary site plan approval or Sheetz gas station with drive-through and restaurant to be located at the southwest corner of Ecorse and Haggerty Road intersection as described, subject to the following conditions:

1. Township Board of Trustees approval of the special land use.
2. Clarification regarding placement of a tangible method of restricting future development of the remaining portion of the parcel, if so intended by the applicant.
3. Provision of a cross-access easement stub to the west of the detention pond if no permanent restriction to future development is intended.
4. Incorporation of shrubs to form a hedge and groundcover within the 5' wide landscape area on the north side of the drive-through lane.
5. Planning Commission approval of a modification for total stacking spaces, with recommendation to shift the order station north by open space.
6. Provision of additional trees based on total interior landscape area proposed and correction to discrepancies on landscape plan as discussed in this letter.
7. Planning Commission modification for the 20-foot greenbelt on the west side provided that at least 20 feet of the woodland west of the detention basin is reserved as a greenbelt along this lot line and shown on the plan.
8. Planting of the required 10-foot buffer along the south property line abutting the utility easement.
9. Submission of a revised photometric plan demonstrating compliance with ordinance illumination standards.
10. Planning Commission approval of the proposed façade materials and colors.
11. Planning Commission decision on placement of propane cage and recycling machine along the building façade.
12. Township Engineer approval of grading and utilities.
13. Township Engineer and Wayne County approval of stormwater detention.



Respectfully,
McKENNA

Vidya Krishnan
Senior Principal Planner

cc: Dan Power, Director of Planning and Economic Development
Paul Kammer, FTCH, Township Engineers
Andrew Lenaghan, Fire Marshal



MCKENNA

August 31, 2024

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

**Subject: VBT-24-005, Sheetz Gas Station, Convenience Store, and Drive-Thru Restaurant
Special Land Use Review #3; Revised Plans Dated: August 30, 2024.**

Dear Commissioners:

The applicant, Skilken Gold, on behalf of Premier-Dequindre II, LLC, proposes to construct a new gas station with a 6,139-square-foot building containing a convenience store and drive-through restaurant on undeveloped land located at the southwest corner of the Ecorse Road and Haggerty Road intersection. The site comprises of two parcels zoned C-1 (General Business) District with a total area of 15.95 acres. The area of disturbance/improvements is located on the northeast corner of the site and is approximately 3.86 acres. Section 3.111 (C) of the Zoning Ordinance permits gasoline filling stations and drive-thru restaurants as special land uses.

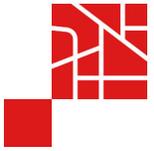


Source: Nearmap, May 2024

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

☎ 248.596.0920
☎ 248.596.0930
MCKA.COM

Communities for real life.



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

SPECIAL LAND USE REVIEW COMMENTS

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

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

The site is located within a larger parcel that has woodlands and wetlands; however, per the applicant most of the parcel(s) will remain undeveloped. The area of development has a cluster of trees and some forested wetlands. The gas station, which includes 12 EV charging spaces, and a restaurant with drive-through will be located in close proximity to nearby industrial uses and to the I-275 freeway ramps. The proposed land use is aligned with the uses that are permissible in the general commercial district and therefore, will promote the use of land in a socially and economically desirable manner as planned for the area and compatible with recent development trends. Any impacts resulting from the proposed development will be mitigated through setbacks, landscaping, and screening, which are reviewed in our site plan review letter under separate cover.

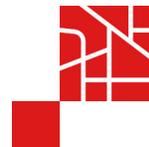
At the Planning Commission public hearing held on July 10, the PC asked for details on the applicants plans for the remaining portion of the parcel, to address concerns that the proposed special land use may eventually be expanded to the whole parcel. The PC requested information to determine the extent of commercial development that may occupy this corner and its impacts on adjacent landowners. The applicant has added a note to the site plan stating that the special approval being sought will be limited to the proposed uses and construction as shown on the site plan consistent with Section 12.308 of the Township Zoning Ordinance. The applicant had previously stated at the meeting and in a letter that they have no plans to develop the remaining portion of the parcels because of environmental constraints. Although it is not required, clarify if there is any intent to implement a tangible method of restricting use of the parcel through conservation easement, deed restrictions etc.

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

The proposed uses are located at the SW corner of Ecorse and Haggerty, just west of I-275 and the greater Detroit metro area. The northeast corner has an existing fast-food restaurant and gas station; however, that structure was built decades ago, is not designed to current ordinance standards, and has not been maintained. The gas station with drive-through and multiple EV charging stations will serve as a clean, new facility/business for the convenience of traffic on the I-275 corridor. As such, we believe it serves as a public convenience; however, questions were raised at the meeting regarding the proliferation of gas stations in the surrounding area. In response, the applicant has submitted a market need statement dated 8/30/24 which provides a summary of the daily traffic using that intersection and also includes rationale based on data for Sheetz’s selection of the proposed site.

3. Is compatible with adjacent uses of land.

As previously noted, while most of the site will remain undeveloped for the time being, the surrounding area is zoned and developed predominantly for industrial uses. Compatibility of the special land uses is evaluated based on the use immediately abutting the portion of the parcel to be occupied by the uses, since the use is occupying only a small portion of the parcel. Vacant land and the ITC corridor abuts the development site to



the south; vacant land with an application currently in the review process for a gas station with a drive-through and a few detached single family dwellings are located to the north; a utility building and industrial site are located to the east; and wooded areas on the larger site are located to the west. Any potential adverse impacts on adjacent uses of land will be mitigated through the addition of greenbelts and landscaping.

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

The land uses involve improvements to the site through landscaping and pedestrian access, which can serve to enhance public health, safety, and welfare. The applicant has worked with the Township Staff to change the circulation pattern on the site such that the gas station canopy is not the most dominant feature of the site at the corner of Ecorse-Haggerty Road, rather the building with its architecture is the highlight. The site is designed in a manner that would place the refueling stations behind the building. The design also maintains the required separation distance from the street intersection, for safety; however, the issue regarding potential conflict with existing residential driveway on the north side of Ecorse Road, across from the subject site was raised at the PC meeting. Per directions received from Township Staff the applicant has provided a driveway exhibit which shows a separation distance of 78' between the center point of the subject site's access drive and the east property line of the residential parcel. We believe the offset proposed is acceptable, since shifting the driveway east would reduce the separation distance from Haggerty-Ecorse intersection, which is not advisable. Shifting the driveway west would result in traffic exiting the site directly across from eth residential dwelling and would also create increased conflicts with the proposed driveway for the parcel to the north.

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

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

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

The proposed special land uses are not likely to cause injury to other properties in the neighborhood in which they are located.

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

The development adds impervious surface area and involves the removal of a portion of wetlands; however, the applicant is mitigating this by adding significant landscaping and buffers to the site. As requested, the applicant has provided a detailed summary of the process they have engaged in with EGLE as relates to approval fo a permit. Per the applicant, with the revisions required by EGLE, the permit application will be submitted by mid-September. Copy of an approved permit will be required before final site plan approval. The plan also proposes the creation of 12 EV charging stations, which will help support electric vehicles which are traveling on the interstate. Provided all ordinance standards related to landscaping, lighting, sound, and other performance standards are complied with, this standard can be met.

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

The gas station and drive-through are within the provisions of uses requiring special approval and are in harmony with the purpose and intent of the C-1 zoning district.



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

The proposed uses are related to the valid exercise of the Township’s police power and purposes which are affected by the proposed uses or activities.

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

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

The distance to the two access drives from Ecorse Road and Haggerty Road intersection has been noted and complies.

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

The drive-thru does have direct ingress and egress through Ecorse and Haggerty Road, both of which are paved major thoroughfares.

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

As there are no abutting residential districts, no lighting will reflect onto any adjacent residential zoning districts. The plan previously noted that the applicant intended to seek approval of variances from illumination standards for certain portions of the site. The revised plan at this time notes that the lighting plan will comply with the Ordinance standards.

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

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

Specific Approval Criteria for Gasoline Filling Stations [Section 5.144]: The ordinance has numerous standards for gasoline filling stations, most of which are related to site plan review requirements, with significant overlap. Therefore, compliance with the standards for this use have been incorporated into the site plan review under separate cover.

RECOMMENDATION

At the Planning Commission public hearing held on July 10th, 2024, the project was discussed, and numerous concerns were raised, which were required to be addressed. The applicant has submitted a revised plan set and additional information which addresses all of the major concerns that were raised.

The proposed uses meet the general standards for consideration of special land use approval and the specific conditions related to drive-thru and gasoline filling stations. Therefore, we recommend the Planning Commission recommend approval of the gas station and drive-through restaurant to the Township Board of Trustees, subject to compliance with the ordinance’s lighting standards and site plan approval.



Respectfully,
McKENNA

Vidya Krishnan
Senior Principal Planner

cc: Dan Power, Director of Planning and Economic Development
Paul Kammer, FTCH, Township Engineers
Andrew Lenaghan, Fire Marshal

August 22, 2024
Fishbeck Project No. 240410
Van Buren Township Project No. 24-005

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

SW Haggerty and Ecorse Gas Station and Convenience Store (Sheetz) Preliminary Site Plan Review #2

At the request of Van Buren Township (Township), Fishbeck has reviewed the Preliminary Site Plan dated August 2, 2024, submitted to the Township for preliminary site plan approval, for the proposed new gas station located at the southwest corner of Haggerty Road and Ecorse Road in Van Buren Township, Wayne County (County), Michigan.

This project entails construction for a gas station and drive-thru restaurant that contains a new 6,139 square foot building, a 14-space fueling area, 45 parking spaces; construction of two driveways, one connecting to Haggerty Road and the other to Ecorse Road; construction of water and sanitary services for the proposed building; construction of a full stormwater collection and management system; and other various site plan improvements.

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 review submittal.

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. Continue coordination and correspondence with EGLE for inland waters and wetland permitting.
2. Has the Applicant submitted for Wayne County permit review for work within the County Right-of-Way (ROW) and crossing the McClaughry drain? Prior to Final Engineering Review, the Applicant must provide County review and approval of the proposed work. All correspondence from the County must be provided to the Township for review and record.
3. The feasibility of all work must be confirmed prior to the start of construction. Several notes direct the Contractor to confirm feasibility of connections with applicable authority. The feasibility of all connections must be determined and approved by the Township during final engineering review and final site plan approval.

Water Main Service

Existing: The Township's geographic information system (GIS) records indicate an existing 12-inch cast iron (CI) water main running north-south on the west side of Haggerty Road that connects to 12-inch asbestos cement (AC) water main running east-west on the north side of Ecorse Road.

Proposed: The Applicant’s plan proposes an 8-inch CL 54 ductile iron (DI) water main connecting to the existing 12-inch CI water main on the east side of Haggerty Rd. The proposed 8-inch water main will cross under Haggerty Rd. and continue into the southeast corner of the Applicant’s site where it will dead end at a hydrant. A 2-inch domestic water service is connected to the 8-inch DI water main and ties into the east side of the building.

Comments:

1. All existing water main must be labeled with size and material.
Update 8/22/2024: Per the Township GIS records, the existing water main in Haggerty Road is cast iron pipe.
2. The water main crossing under Haggerty Rd will need to be reviewed and permitted by Wayne County (County). The Applicant will be responsible for finalizing a design and connection method to the existing water main prior to Township final engineering review.
Update 8/22/2024: The Applicant shall provide all correspondence with the County. It is recommended the Applicant begin conversations and permit reviews with the County if they haven’t done so already.
3. Domestic service two inches in diameter or small shall be seamless copper tubing designated as Type “K”.
4. Profiles of the proposed water main will be required for Final Engineering Review

Sanitary Sewer

Existing: The Township’s geographic information system (GIS) records indicate an existing 30-inch RCP sanitary sewer running east-west on the south side of Ecorse Road. There is also an 18-inch RCP sanitary sewer running north-south along the east side of Haggerty Road.

Proposed: The Applicant’s plan includes a 6-inch PVC sanitary sewer lead connecting to the existing 30-inch RCP sanitary sewer on the south side of Ecorse Rd. The proposed 6-inch sanitary lead will extend into the site and tie into the north side of the building. The sanitary sewer lead includes three building connections and a 2,000 gallon grease trap.

Comments:

1. The sanitary service is proposed to cross under the McClaghrey Drain. This work will need to be reviewed and approved by the Wayne County Drain Commissioner’s Office. All correspondence and the reviews from the County must be provided to the Township for review as well.
Update 8/22/2024: The Applicant shall provide all correspondence with the County to the Township. It is recommended the Applicant begin conversations and permit reviews with the County if they haven’t done so already.
2. Sanitary services should cross other utilities, including storm sewer, water, gas, and electric, with a minimum of 18 inches of clearance measured from outside of pipe to outside of pipe. The Applicant’s plan shows less than 18 inches between the sanitary sewer and storm sewer crossing and encasement is required. Is it possible to adjust the sanitary or storm so that there is 18 inches of vertical separation between the two utilities?
Update 8/22/2024: The Applicant’s revised plan shows 1.1 feet of clearance between the storm and the sanitary. After preliminary review of the elevations, it appears that there is opportunity to provide 18 inches of separation between the sanitary and storm with an alternate design. The Applicant must review all options in order to provide a design that meets Township Engineering Standards.
3. Per the Wayne County Rules, Specifications & Procedures for Construction Permits, all new or replacement utilities shall be installed to provide a minimum depth of cover of not less than 6 feet below the existing bottom of the drain or 3 feet below the original bottom elevation of the drain when crossing a County drain. As stated previously, it is recommended that the Applicant begin conversations and reviews with the County

if they haven't already done so. Prior to Township Final Engineering approval, the Applicant must receive all necessary permits and approvals by the County and other necessary review agencies.

4. Per the Township Engineering Standards Manual and Standard Details, building sewer risers shall be installed to a depth of ten feet below finished ground elevation at the property line.
5. Profiles of the proposed sanitary sewer lead will be required for Final Engineering review.

Storm Water Management

Existing: The Township's geographic information system (GIS) records and the Applicant's plan show the McLaughrey Drain running east-west along the south side of Ecorse Rd and continuing east along Ecorse Rd crossing under Haggerty Rd via a concrete box culvert. There is also a 48-inch storm sewer running north-south on the west side of Haggerty Rd that appears to tap into the concrete box culvert under Haggerty Rd.

Proposed: The Applicant's plan includes a fully enclosed stormwater collection system utilizing catch basins, manholes and sewer to convey collected stormwater to an open detention pond in the northeast corner of the site. The detention pond ultimately outlets into the McClaughrey Drain.

Comments:

1. Identify manhole and catch basin structure diameters.
Update 8/22/2024: Manhole and catch basin structure diameters are not shown on sheet C-8. Please provide structure diameters for engineering review.
2. The structure D-105 label is cut off. Please update the label so all elevations are legible.
3. A 25-foot buffer strip shall be maintained from the top of bank around the detention basin.
Update 8/22/2024: The buffer strip should be labeled with a dimension around all sides of the basin.
4. Plastic storm sewer pipe is not allowed in commercial developments. All storm sewer design shall conform to the standards set forth in the Township Engineering Standards Manual.
Update 8/22/2024: The proposed storm sewer is labeled as HDPE pipe on sheet C-8.
5. All work within the McClaughrey Drain, including the box culvert under the driveway and the sanitary sewer crossing, will need to be reviewed and approved by the Wayne County Drain Commissioners Office.
6. Profiles of all proposed storm sewer will be required for Final Engineering Review.

Paving and Grading

1. Provide fencing atop culvert headwalls.
Update 8/22/2024: The Applicant's plans appear to show fencing on top of the culvert wingwalls but not the headwalls. Fencing shall be provided on the headwalls as well as the headwalls.

Traffic Impact Study

1. The revised Traffic Impact Study dated July 31, 2024 should be submitted to the County for review and approval.

Soil Erosion and Sedimentation Control (SESC)

1. A SESC permit must be acquired from the County SESC County Enforcing Agency. A SESC permit is required prior to final engineering approval.
<https://www.waynecounty.com/departments/environmental/landresources/soil-erosion.aspx>

Recommendation

Fishbeck recommends the Planning Commission grant the Sheetz Site Plans, dated August 2, 2024, Preliminary Site Plan approval based on the engineering feasibility of the site plans and subject to the comments listed above. It is recommended the Applicant begin discussions with the County regarding stormwater management and the McClaughrey Drain if they haven't done so already and include the Township on all correspondence with the County. If you have any questions regarding this project or our comments listed above, please contact me at 248.324.4796 or mtleppek@fishbeck.com.

Sincerely,



Mike Leppek, PE
Civil Engineer



Paul J. Kammer, PE
Senior Civil Engineer

By email

Copy: Brittney Williams – Township
Kevin Lawrence – 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

Aug 14, 2024

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

Stone Field Engineering and Design
607 Shelby Suite 200
Detroit, Michigan 48226

24-005

A preliminary site plan review was performed for the construction of a convenience retail store and automotive fuel sales. 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 codes.

Project Overview:

Type of Construction: V (000)
Use group: Assembly (A2) Mercantile (M)
Roof Height: 26'
Square Footage: 6139ft²

Water Supply:

The site plan shows one fire hydrant on an 8" water main off the east side of the property. This water main feeds off the 12 " water main running along Haggerty Road.

1. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into the jurisdiction. **IFC 2021 507.1**

The required fire flow for this building is 2000 gallons per minute. Per table C102.1 of the 2021, IFC a 2nd fire hydrant will be required to achieve this flow rate.

The latest submittal from 8/2/2024 still shows only one fire hydrant on the site.

Fire Department Access

2. An emergency vehicle access plan showing vehicle movement around the building shall be submitted using the dimensions of the Van Buren Township Fire Department Ladder Truck.

Length: 49 Feet 7 inches
Turning Radius: 44 Feet
Height: 12 feet 8 inches

An emergency vehicle access plan on sheet C-6 has been added to the latest submittal and is compliant.

3. Fire Department access roads shall have an unobstructed vertical clearance of 13 ft 6 inches.
IFC 2021 503.2.1
4. The angle of approach and departure for any means of fire department access shall not exceed 1 ft. drop in 20 ft., and shall be subject to approval by the AHJ.
NFPA 1 2021 18.2.3.5.6.2

Compliant per the latest submittal Sheet C-7

General Comments:

5. A Knox box will be required for the building. A box can be purchased a www.knoxbox.com
6. No Parking Fire lane signage shall be provided as necessary and will be field verified by the AHJ.
NFPA 1 2021 18.2.3.6.1

If you have any questions regarding this review, please contact me at alenaghan@vanburen-mi.org or 734-699-9416.

Andrew Lenaghan
Deputy Fire Chief/Fire Marshal
Van Buren Township

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

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold a public hearing on **Wednesday, July 10, 2024 at 5:30 p.m.** The meeting will be held in person at Van Buren Township Hall, located at **46425 Tyler Road, Van Buren Township, MI 48111**, in the Board Room. Members of the public may additionally participate in the meeting electronically 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. Instructions for attending the meeting electronically are provided in this notice. The Planning Commission will consider the following request:

Case 24-005: A request by applicant Skilken Gold on behalf of property owner Premier-Dequindre II LLC to construct a gasoline fueling station, convenience store and drive-thru restaurant including a 6,139 square foot convenience store and drive-thru restaurant building and a 4,786.7 sq. ft. canopy with twelve (12) fueling pumps on 15.95 acres of property on parcels V-125-83-041-99-0001-001 and V-125-83-041-99-0001-714 for Sheetz. The site is zoned C-1 – General Business District. Gasoline filling stations and drive-thru establishments require special land use approval and a public hearing with the Planning Commission in the C-1 District in accordance with Article 12, Chapter 3 of the Van Buren Township Zoning Ordinance.



Members of the public may access the agenda materials via the Township website – www.vanburen-mi.org by **July 8, 2024**. On the meeting website, members of the public will also gain access to **means of participating in the electronic meeting**. **On the agenda for the meeting**, a unique Zoom weblink and dial-in phone number with a meeting ID for meeting videoconference or teleconference access will be provided. The meeting will be available to view live on the Van Buren Township YouTube Channel which can be reached from the live meeting link located on the Van Buren Township website home page (www.vanburen-mi.org). Closed captioning will be available after YouTube fully renders meeting video.

A complete **procedure for public comment by electronic means** is provided on a guide which is accessible on the Van Buren Township website (www.vanburen-mi.org). Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson. Submit any written comments or questions about the meeting via e-mail to dpower@vanburen-mi.org.

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 16, 2024
Published: June 19, 2024

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
July 10, 2024
MINUTES - DRAFT**

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

PLEDGE OF ALLEGIANCE: Commissioners and the audience stood for the Pledge of Allegiance.

ROLL CALL:

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

Excused: Pahle.

Staff: Director Power and Secretary Harman.

Planning Representatives: Gage Belko, McKenna Associates and Mike Leppek, Fishbeck.

Applicant(s) in Attendance: Case 24-005 – Skilken Gold (Sheetz): David Bruckelmeyer and Case 20-005 – Mobil Gas Station: Michael Awada.

Audience: Twenty-seven (27).

APPROVAL OF AGENDA:

Motion Budd, Jahr second to approve the agenda of July 10, 2024 as presented. **Motion Carried.**

APPROVAL OF MINUTES:

Motion Jahr, Creal second to approve the regular meeting minutes of June 26, 2024 as presented.

Motion Carried.

PUBLIC HEARING:

ITEM #1: CASE 24-005: SKILKEN GOLD (SHEETZ) / PREMIER – DEQUINDRE II LLC SPECIAL LAND USE REQUEST – PUBLIC HEARING.

TITLE: A REQUEST BY THE APPLICANT, SKILKEN GOLD, ON BEHALF OF PROPERTY OWNER PREMIER DEQUINDRE II LLC TO CONSTRUCT A GASOLINE FUELING STATION, CONVENIENCE STORE AND DRIVE-THRU RESTAURANT INCLUDING A 6,139 SQUARE FOOT CONVENIENCE STORE AND DRIVE-THRU RESTAURANT BUILDING AND A 4,786.7 SQUARE FOOT CANOPY WITH TWELVE (12) FUELING PUMPS. THE SITE IS ZONED C-1 (GENERAL BUSINESS DISTRICT). GASOLINE FUELING STATIONS AND DRIVE-THRU ESTABLISHMENTS REQUIRE SPECIAL LAND USE APPROVAL AND A PUBLIC HEARING WITH THE PLANNING COMMISSION IN THE C-1 DISTRICT IN ACCORDANCE WITH ARTICLE 12, CHAPTER 3 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE.

LOCATION: THE SITE INCLUDES 15.95 ACRES OF PROPERTY ON PARCELS V-125-83-041-99-0001-001 AND V-125-83-041-99-0001-714 AT THE SOUTHWEST CORNER OF ECORSE ROAD AND HAGGERTY ROAD.

Motion Jahr, Creal second to open the public hearing. **Motion Carried.**

Director Power presented a brief analysis of where the site is located. The site is roughly 15.95 acres, located on the southwest corner of Ecorse and Haggerty Roads, kitty corner from the existing BP gas station and truck stop, adjacent to Crossroads North Distribution and next to Crosswinds South Distribution by Ashley Capital. The request is for a gas station, convenience store and drive-thru restaurant use, the public hearing is an opportunity for members of the public and neighboring property owners to speak.

Business owner is upset we are considering such a site for another gas station, he is all for competition when there is validity behind it, meaning demand. The business owners' site has been closed for nearly three years, he considered redeveloping the site for many years due to the demand and is now investing 4 million dollars into the site that was blighted to enhance and create opportunity for the Township to make it look better. Business owner is upset the Township is considering bringing in a non-local/out of state developer that doesn't consider what benefits the community.

Resident inquired if anyone on the Planning Commission has walked the site. There is a storm drain parallel to Ecorse Road that runs from Walden Woods past Hannan Road, resident went by the property before the meeting and it was about 3 feet deeper than it was last week and there are turtles, ducks and frogs at the site. Resident looked up Sheetz for spills they have had in the past, they have been cited and fined for spills. Resident doesn't know what else can be put there, but he doesn't see how a gas station benefits the residents of the Township. Resident would deny the special land use for a gas station and inquired what could go on the C-1 zoned property without a special use. Chair Cullin informed a variety of businesses including a restaurant. Resident is concerned about a gas spill and commented there are a variety of other options that can go in without an environmental impact.

Canton resident has resided on Haggerty Road for 44 years, he travels a lot and has experienced Sheetz in other locations. Sheetz has now become a go to stop for him and as a traveler, it's a clean and safe place to go to. He believes the site is more geared towards a regional or state traveler. From what he's experience in Ohio, it's a viable place you can go to and feel safe, have good coffee, sandwiches and food. Canton resident suggests giving them a chance, it's a nice-looking building and is in a great location. It's more than a gas station, it has a convenience store and restaurant.

Resident on Ecorse Road that lives across the street from the site inquired where the driveways are going to be located and if the storm drain should be widened to reduce flooding. Director Power informed the driveways will be located on both Ecorse and Haggerty Roads. Resident is concerned there is a lot of traffic now and inquired if there is going to be another lane added. Resident is also concerned about light coming from the site, including headlights from vehicles. Resident inquired if the applicant would be putting sidewalks in. Chair Cullin informed a lot of the information the resident is seeking will be provided during the presentations for preliminary site plan approval as well as special land use approval.

Resident on Ecorse Road believes putting a gas station there is not going to offer anything new to the community, we already have a lot of gas stations around offering the same services. The

people building this have been cited for environmental violations and there are lawsuits against them that are in progress. Resident believes it's a bad idea to put another gas station where there's so many around already.

Resident on Ecorse Road commented that his biggest concern is the traffic, sometimes you almost getting stuck waiting to get on the freeway, waiting to make a lefthand turn. Resident has seen several accidents including a fatality, it seems like once a month there is an accident and there is flooding in the area. Resident knows business owners in the area, they have been getting destroyed with the traffic flow from the highway for three years and now Haggerty Road northbound is closed. Resident commented with having two gas stations to the north, two to the south and two to the east, do we really need another gas station, it seems like overkill.

Property owner of 20-acre parcel on Haggerty Road and Tim Hortons Franchisee at the BP gas station, commented the Township is trying to bring in a big company with over 700 stores, ran by a private equity. Today the gas station business loses anywhere between 8 to 10 percent every year because the cars and trucks are more efficient and today a lot is being changed to EV. This site is not inviting people from the community to come and get a cup of coffee, they want the diesel and the big trucks that have torn up Haggerty Road and when you put a Sheetz in there, you invite trucks. We have to take into consideration the impact of the area and the flow of traffic on Haggerty Road. In bringing this site to that location, you have to have a traffic impact study to see what the traffic is going to do to that corner.

Owner and operator of gas station at Ecorse and Hannan Roads commented when his site was developed, they had to go through FEMA as it was underneath a flood plain and they had to produce drawings for EGLE, this whole site sits in a flood plain. Even if approved today, they would have an uphill battle. There is flooding in the area and now you are going to place tanks in the ground. The business owner still gets floods downstream from the site. Sheetz does not own their sites, property owner is also a developer and has been approached at multiple sites of his for a ground lease by Sheetz, this enables them to open up stores and leave. He is concerned about someone coming in that only wants to lease the property and not put in the money to purchase it, strongly suggests to deny this project.

Motion Atchinson, Budd second to close the public hearing. **Motion Carried.**

NEW BUSINESS:

ITEM #1: CASE 20-005 – AMENDED FINAL SITE PLAN REQUEST FOR MOBIL GAS STATION REDEVELOPMENT AND DRIVE-THRU.

TITLE: A REQUEST BY OWNER I.S. REAL ESTATE LLC / BELLEVILLE OIL COMPANY, INC. FOR AN AMENDED FINAL SITE PLAN INCLUDING MINOR CHANGES TO THE PROPOSED ARCHITECTURAL ELEVATIONS FOR A NEW CONVENIENCE STORE WITH RETAIL AND FOOD SERVICE, ASSOCIATED WITH A REDEVELOPED GASOLINE FILLING STATION.

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.

Director Power gave a brief presentation. The applicant is requesting an amended final site plan to add materials to the exterior façade, the addition of link and lock cladding is to enhance the building by giving it a grander appearance. A material sample of the link and lock was provided by the applicant, the color is Birchwood. The majority of the building has a brick façade, the nature of the change is to have the vertical cladding added. There are no specific ordinance requirements that apply to the addition of the materials. The requested changes are as follows:

- Replacement of finished fiber cement horizontal siding on a portion of the south/front façade with vertical link and lock cladding;
- Replacement of horizontal fiber cement wall panel on the main entryway column with vertical link and lock cladding.

Applicant, Michael Awada informed he is requesting a minor modification, adding the aluminum fins to enhance the building. Mr. Awada owns the property and the fins to be added are a staple for Zips Market, there are 14 locations opening in Michigan. Mr. Awada was available to answer any questions.

Commissioners had the following questions and comments:

- Commissioner inquired if the fins are going to be 6 inches or 4 inches deep and if the only change is to add the fins? Mr. Awada informed the fins are 6 inches and they are the only change. Commissioner commented that the rendered drawings are not consistent.
- Commissioner commented the addition of the material is very nice, it does enhance the exterior façade and give it additional color.
- Commissioner inquired if this is a replacement of materials, what is behind the fin? Mr. Awada informed it will be the same as was originally presented with the addition of the fin being placed on top. Director Power informed that it replaces the outermost material and is being placed on top.
- Commissioner inquired if it was true that the overhang was being reduced? Mr. Awada informed that it is going from 48 to 36 inches and is shown on the plan.
- Commissioner inquired if the color renderings were to be included with the final site plan if approved? Director Power informed the color renderings are not to be added.
- Commissioner asked for confirmation of the color sample provided for the fins. Mr. Awada confirmed the color is Birchwood and provided a sample.
- Director Power displayed the change to the overhang. Commissioner is not opposed to shrinking the size, just wanted to note that it had been changed on the plan.

No questions or comments from the audience or remote viewers.

Motion Jahr, Atchinson second to grant the applicant, I.S. Real Estate LLC/Belleville Oil Company, Inc. the amended final site plan approval to construct a new convenience store with retail and food service, associated with a redeveloped gasoline filling station, located at 11250

Haggerty Road, based on the analysis and subject to the conditions in the staff letter dated 7-3-24 and noting the discussions at the meeting.

Roll Call:

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

Nays: None.

Excused: Pahle.

Motion Carried. (Letter Attached)

ITEM #2: CASE 24-005 – SKILKEN GOLD (SHEETZ) / PREMIER – DEQUINDRE II LLC SPECIAL LAND USE REQUEST RECOMMENDATION.

TITLE: A REQUEST BY APPLICANT, SKILKEN GOLD, ON BEHALF OF PROPERTY OWNER PREMIER – DEQUINDRE II LLC TO CONSTRUCT A GASOLINE FUELING STATION, CONVENIENCE STORE AND DRIVE-THRU RESTAURANT INCLUDING A 6,139 SQUARE FOOT CONVENIENCE STORE AND DRIVE-THRU RESTAURANT BUILDING AND A 4,786.7 SQUARE FOOT CANOPY WITH TWELVE (12) FUELING PUMPS. THE SITE IS ZONED C-1 (GENERAL BUSINESS DISTRICT). GASOLINE FILLING STATIONS AND DRIVE-THRU ESTABLISHMENTS REQUIRE SPECIAL LAND USE APPROVAL AND A PUBLIC HEARING WITH THE PLANNING COMMISSION IN THE C-1 DISTRICT IN ACCORDANCE WITH ARTICLE 12, CHAPETER 3 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE.

LOCATION: THE SITE INCLUDES 15.95 ACRES OF PROPERTY ON PARCELS V-125-83-041-99-0001-001 AND V-125-83-041-99-0001-714 AT THE SOUTHWEST CORNER OF ECORSE ROAD AND HAGGERTY ROAD.

Director Power gave a brief presentation providing an overview of the site. The applicant is requesting special land use approval to construct a gasoline fueling station, convenience store and drive-thru restaurant. The proposed site plan includes a 6,139 square foot convenience store and drive-thru restaurant building and a 7,786.7 sq. ft. canopy with twelve (12) fueling pumps. The site is located at the southwest corner of Ecorse and Haggerty Roads. Gasoline filling stations and drive-thru establishments require special land use approval and a public hearing with the Planning Commission in the C-1 (General Business District). Director Power deferred the presentation to Gage Belko of McKenna Associates for presentation of his review.

Gage Belko of McKenna Associates presented his special land use review letter dated 6-18-24. The proposed uses meet the general standards for consideration of special land use approval and the specific conditions related to drive-thru and gasoline filling stations, with the exception of illumination intensities. Therefore, McKenna Associates recommends the Planning Commission recommend approval of the gas station and drive-thru restaurant to the Township Board of Trustees, subject to compliance with the ordinance’s lighting standards and site plan approval.

Applicant, David Bruckelmeyer of Sheetz gave a presentation. The site is approximately 2.8 acres with a 6,139 sq. ft. restaurant/convenience store, twelve (12) fueling pumps and a rear restaurant

drive-thru. Sheetz has full section brick material, uses high quality building materials, has enhanced landscaping, multiple pedestrian access points, bike racks, a shrub row along the perimeter and Sheets is maintaining, replacing and adding foliage. Sheetz was founded in 1952 by Bob Sheetz, it started as a convenience store /deli carry-out establishment, expanding to carry fuel in the 80's, there are 700+ stores today and Sheetz is family owned and operated. Sheetz provides 14 outdoor dining spaces, 30 interior spaces, touchpad menus and digital drive-thru. The restaurant offers a full kitchen that operates 24-7, 365 days a year with food that is made to order and includes Sheetz Brothers Coffee Bar which offers an espresso bar with specialty drinks, operating 24-7, 365 days a year. Sheetz gives back to local charities and is very involved in the special Olympics. There are sixty (60) high-definition cameras on every site for safety and security and they are monitored by Sheetz employees. A lot of materials that come onto the site are recycled. Sheets is Tesla's number one third party charging vendor in the country, they are very interested in rolling out into the southeast Michigan market. Sheetz often remediates sites and also has best-in-class monitoring with their UST system and environmental standards, having nearly 100 percent compliance with the EPA. There weren't any contaminations regarding the 2005 lawsuit, the lawsuit was about how Sheetz monitored their sites. Sheetz has worked with staff heavily to provide landscape buffering, there are some flooding issues on the site, they are working with their engineer to mitigate those issues. The Sheetz drive-thru is nothing like a Starbucks or Chick-fil-A in volume, they rarely run about 10 an hour for lunch, which can handle their stacking. The drive-thru is provided for the convenience of the customer, Sheetz is much more focused on having the customer come into the store. Mr. Bruckelmeyer displayed color renderings of the store from different viewpoints along Haggerty and Ecorse Roads and of the lighting at night and noted there are a couple of details to work on in the lighting plan. Mr. Bruckelmeyer wanted to clarify a few items for the audience, the difference in Sheetz is that it is a restaurant and convenience store that is set up to handle EV, which will continue to evolve the business. Sheetz invests into the community, every store has funds available for the community and donates to food banks that are local, in every state they operate in they are partners with the local Special Olympics and in southeast Michigan they are a partner with the Forgotten Harvest. The site is not set up to accommodate large trucks, they do not have high-flow diesel pumps and will not be able to service that type of customer. Sheetz has done a traffic impact study and they do feel confident in the study. Sheetz does purchase sites and this site is going to be purchased, they lease about half of their properties, it is really common in the commercial real estate world.

Commissioners had the following questions and comments:

- Commissioner commented one of the conditions for special land use approval is that the facility can be adequately served by public services and facilities without diminishing or adversely affecting public services to existing land uses in the area, there is a big drain on the property, the McClaughry drain. Commissioner would like it if there was some engineering reporting on it that would pertain to the discussion of public utility before the next discussion. Mike Leppek informed the McClaughry drain is a county drain, the stormwater management plan and flow issues are handled by the County Drain Commissioner, requiring County approval and permitting. Mike Leppek informed Fishbeck did have a lot of preliminary comments and recommended at this time the applicant and design engineer begin conversations with the County.

- Commissioner has a problem with thinking about a special land use with the flooding at the site, Ashley Capital has already cleaned part of that drain into Romulus, with all the extra car surface there is going to be all the extra water. Commissioner has seen 4-feet of water at that intersection. It looks like a nice gas station, likes the restaurant part, but hasn't heard anybody speak on the traffic impact study and how that's going to work. Mr. Bruckelmeyer informed they have taken a look at the stormwater and it is going to comply with the County standards and it will release Sheetz runoff slowly over a 24-hour period. Sheetz has also taken a look at the county drain and know that it is an issue, they have flood plain mitigation areas where they are going to cut material out and build in detention on the property that is just for the flood plain. Mr. Bruckelmeyer informed from the Traffic Impact Study (TIS) perspective, they have engaged a local traffic engineer to do the traffic study and they're confident the access is appropriate and safe.
- Commissioner commented the roads, they are 45 mph and reduce down to 1 lane in sections, is there any discussion of a deceleration lane? Commissioner inquired if there is a presentation of the traffic impact study report? Mike Leppek of Fishbeck informed they did have some comments on the traffic impact study, Fishbeck recommends to setup a separate meeting to request the applicant redo the traffic study based on their recent experience with traffic studies done by Ashley Capital and other developments in the area. Fishbeck felt that the traffic volumes presented were low, lower than the traffic volume presented by Ashley Capital, and with any study done on County roads it will need to also be presented to the County. Director Power agreed with the Township Engineer, there will be more feedback once the County gets engaged.
- Director Power commented on the drains, the way the site is designed is to handle its own drainage and they have an outlet that ties into the overall stormwater drain. This did come up with the Crossroads North Phase II site as well, there are many small drains in Van Buren Township that tie into the McClaughry Drain which ties into the lower branch of the Rouge. Director Power explained what we may be experiencing during major flooding events at the intersection are many pressure-points down the way and these small sites are not necessarily causing those backup issues. Mr. Bruckelmeyer informed he would be willing to put in a condition upon approval that they work on the traffic study with Township staff.
- Commissioner commented the specific requirement is that it can be served by public services not that it currently is, so it may or may not be adequately served today. Can't think of a development where a drainage improvement has made it worse.
- Commissioner commented that it sounds like the traffic impact study was reviewed and found not to be entirely sufficient, it needs more data. What does the status of that do to the Planning Commissions ability to recommend or deny the special land use request? Director Power informed the question pertains to whether the site can handle the traffic volume. There are certain safeguards in the zoning ordinance, we need to get better data.
- Commissioner inquired about the picture in the McKenna letter of the subject site, it shows construction in only one (1) corner, what is happening in the rest of the site. Mr. Bruckelmeyer informed the rest of the property is full of flood plains and wetlands. Commissioners concern when approving is, we are improving the entire site.
- Commissioner inquired if there is one (1) site or two (2) sites and suggested having a drawing that shows the entire site and the areas that will never be developed. Mr.

Bruckelmeyer confirmed that he does not intend for any expansion on the site. The rest of the property is going to be exceptionally difficult and expensive to develop.

- Commissioner commented on the size of the subject site being listed as either 13 or 15 acres, that needs to be ironed out, the applicant is only developing a corner. Commissioners concern is the special land use goes to the entire parcel. What happens if the parcel is subdivided, does the special land use stay with the parcel? Gage Belko of McKenna Associates confirmed the special land use runs with the land.
- Commissioner commented we are not talking about typical zoning, talking about wetlands and would have to accommodate for the wetlands. Mike Leppek of Fishbeck informed that if you disturb or remove any wetlands, you have to go through the state (EGLE) and if you remove wetlands you have to put them back, it would be pretty difficult to mitigate wetlands.
- Commissioner commented that there are two (2) parcels and inquired if there is a discrepancy as to the size of each parcel. If where they're going to build is on one parcel, the you have a second parcel, the two parcels are usually combined, we need to find out how that is going to impact the second parcel. Gage Belko of McKenna commented there will need to be some sort of lot combination. If it suits the Commission, there may also be a condition to split a portion of the land at the outset, so that the special land use only pertains to the portion that is being developed. Commissioner thinks that needs to be settled before granting anything.
- Commissioner commented it looks like both of the parcels will run through the development site. Director Power informed the application is to combine the parcels. Commissioner inquired if applicant combines the parcels, can they split that again or once its combined does it stay as a combined unit? Gage Belko informed there are limits to the number of combinations and splits that can happen. Commissioner commented maybe the applicant needs to look at recreating a parcel that is only where he is going to build. The other parcel would pick up whatever acreage is left. The Commission needs to know exactly what they are approving.
- Commissioner inquired are the wetlands to the south? Mr. Bruckelmeyer informed flood water management is in the south, the wetlands are shown in green.
- Commissioner is concerned about the stacking at the drive-thru and granting special land use to the 15-acre parcel, if the special land use travels with the split land, there is potential for 15 acres of the same use.
- Commissioner commented in the McKenna Associates review letter it was noted that the discrepancy in the total site area must be corrected, why wasn't it corrected. Mr. Bruckelmeyer will address the discrepancy.
- Commissioner commented on tabling the request until there is more information on the acreage, lot size and lot split. Director Power informed procedurally if the special land use it tabled, it would be premised on tabling both special land use and preliminary site plan. Commissioners commented they would rather postpone until more details are worked out.

Comments from the audience:

- Resident commented the worst thing that can happen at the location is a fuel spill. There have been four (4) 100-year floods in the past thirty years. We know there are water

issues in the Township. The building looks nice and it would be nice to have another place to eat. That basin being out front and the amount of land it could potentially contaminate should really be considered and looked at. Resident suggests the Commissioners drive down and at look at the site, there is a lot going on. Resident commented he would deny the request.

- Resident commented the applicant has indicated they would mitigate the damage to the wetlands, you cannot mitigate damage to wetlands, you cannot disturb it or touch it and there is legislation pending that you cannot replace it. This would potentially open the Township to a lawsuit, mitigation is not an option. Resident concurs with the previous speakers comment, the request should be denied not tabled.
- Local business owner inquired how many fuel stations are in Van Buren Township that abut to residential property and commented there are great concerns that should not be ignored. There are three to four residential properties nearby, one of which the resident is in the audience expressing concerns. What is the demand for this project? Business owner welcomes all competition, but it needs to make sense for the greater good. The property is full of wetlands, what happens if there is a fuel spill and by state law you cannot mitigate wetlands. Business owner commented he encourages the Commission to not table, but deny the request.
- Resident on Ecorse Road displayed a picture to the Commission of flooding at the corner of Ecorse and Haggerty Roads from August 23, 2023 and asked the Commission to imagine the site with fuel tanks.
- Business owner on Haggerty Road, commented we're referring to a site that is over 15 acres and they are only looking to develop one corner of the property. There is a Walmart in Shelby Township that has a moratorium that no gas stations were permitted, they got their approval and came back later to put them in. If you give the applicant approval, you give them the entire site. Business owner wants the Commission to consider denying the proposal.
- Canton resident commented there is a lot of passion in the room. Resident came here tonight because he was excited about Sheetz. It's a nice station and they have good coffee.
- Resident displayed a picture of the proposed site and asked what is Van Buren Township's building that is nearby? Commission informed that it is a pump station. Director Power informed it pumps down to the South Huron Valley treatment plant and diverts wastewater to a different district.
- Resident commented on the traffic impact study, when was it done and was it taken into consideration that you can't go north on Haggerty Road and there is highway construction and that may be why the traffic number is low? Once they open up Haggerty Road without a deceleration lane, someone is going to get hit and with the roads closed the numbers are not going to be right. Director Power will verify the dates of when the numbers were taken and commented one of the other issues was projecting growth with other developments. Mike Leppek informed Ashley Capital did a traffic study for buildings 8, 9 and 10, staff directed them to postpone traffic counts for building 11 until I-275 and Haggerty Road construction was complete.

Motion Jahr, Creal second to postpone the special land use request for case number 24-005 Skilken Gold/Premier – Dequindre II LLC, until such time that staff has clarified the issue around the parcel split and the acreage, the traffic study has been revised to staffs satisfaction and an analysis can be presented to the Commission, until such time the stacking issue has had a staff analysis and reports have been made, directing staff to see if there is a wetland issue with the State and presentation of any other mitigating information that the applicant may wish to present.

Roll Call:

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

Nays: None.

Excused: Pahle.

Motion Carried.

ITEM #3: CASE 24-005 – SKILKEN GOLD (SHEETZ) / PREMIER – DEQUINDRE II LLC – PRELIMINARY SITE PLAN REVIEW.

TITLE: A REQUEST BY THE APPLICANT SKILKEN GOLD ON BEHALF OF PROPERTY OWNER PREMIER – DEQUINDRE II LLC TO CONSTRUCT A GASOLINE FUELING STATION, CONVENIENCE STORE AND DRIVE-THRU RESTAURANT INCLUDING A 6,139 SQUARE FOOT CONVENIENCE STORE AND DRIVE-THRU RESTAURANT BUILDING AND A 4,786.7 SQUARE FOOT CANOPY WITH TWELVE (12) FUELING PUMPS.

LOCATION: THE SITE INCLUDES 15.95ACRES OF PROPERTY ON PARCELS V-125-83-041-99-0001-001 AND V-125-83-041-99-0001-714 AT THE SOUTHWEST CORNER OF ECORSE ROAD AND HAGGERTY ROAD.

Motion Jahr, Creal second to postpone the preliminary site plan review for case number 24-005 Skilken Gold/Premier – Dequindre II LLC, based on the postponement of special land use.

Roll Call:

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

Nays: None.

Excused: Pahle.

Motion Carried.

GENERAL DISCUSSION AND UPDATES:

Director Power informed there will be a meeting on 7-24-24.

Commissioner inquired if there is some sort of study that could determine as to whether we are in need of another gas station in the 48111 area. Commissioner doesn't want to put the existing gas stations at a disadvantage or jump through hoops if we don't need another gas station.

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK

THESE PAGES LEFT INTENTIONALLY BLANK



VAN BUREN CHARTER TOWNSHIP

RECEIVED

JUN 22 2022

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

46425 TYLER ROAD, VAN BUREN TOWNSHIP, MI 48111

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

Initial: _____

PLANNING & ZONING APPLICATION

CASE INFORMATION

CASE NUMBER: 22-010	DATE SUBMITTED: June 22, 2022
----------------------------	--------------------------------------

APPLICANT INFORMATION

NAME: David Brewer - Vanston/O'Brien Inc.	PHONE: 734-424-0661
ADDRESS: 8150 Jackson Rd	CELL PHONE: 734-260-9320
CITY, STATE & ZIP: Ann Arbor MI 48103	FAX: 734-424-0677
EMAIL: dave.brewer@vanston.com	

PROPERTY OWNER INFORMATION (If different than the applicant)

NAME: Night Hawk Properties, LLC	PHONE:
ADDRESS: 8717 Edgewood Park Drive	CELL PHONE:
CITY, STATE & ZIP: Commerce Twp., MI 48382	FAX:
EMAIL:	

BILLING CONTACT

NAME: Corey Weaver	PHONE:
ADDRESS: P.O.Box 550	CELL PHONE: 734-904-3869
CITY, STATE & ZIP: Saline, MI 48176	FAX:
EMAIL: mrweaver@comcast.net	

SITE/PROJECT INFORMATION

Following 2023 land division, property address changed to **11600 Belleville Road**

NAME OF PROJECT: Zippy Auto Wash	PROJECT ADDRESS: 11650 Belleville Rd
PARCEL ID NO: V1 25-83- 081-99-0004-709	

*APPLICANT MUST ATTACH LEGAL DESCRIPTION OF PROPERTY

PROPERTY LOCATION: On the W Side of Belleville Rd Road; Between Sunrise Road and Venetian Road.

SIZE OF LOT WIDTH: 275	SIZE OF LOT DEPTH: 261	ACREAGE OF SITE: 6	TOTAL ACRES OF SITE TO REVIEW: 1.65
------------------------	------------------------	--------------------	-------------------------------------

CURRENT ZONING: C-2	IS A REZONING OF THIS PARCEL BEING REQUESTED? Y / N <u>N</u>	REQUESTED ZONING:
---------------------	--	-------------------

PROJECT DESCRIPTION: 4900 SF Express exterior auto wash on a proposed parcel split of 1.65 ac. with vacuum facilities.

SPECIAL PERMIT INFORMATION

DOES THE PROPOSED USE REQUIRE SPECIAL APPROVAL? Y / N <u>Y</u>	
IF YES, SECTION OF ZONING ORDINANCE FOR WHICH YOU ARE APPLYING FOR SPECIAL APPROVAL: Section 6.02, D	
IS THERE AN OFFICIAL WOODLAND WITHIN THE PARCEL? Y / N <u>N</u>	IF YES, WOODLAND ACREAGE:
TOTAL NUMBER OF REGULATED TREES OUTSIDE THE WOODLAND AREA: <u>12</u>	TOTAL NUMBER OF TREES: <u>25</u>
DETAILED DESCRIPTION FOR CUTTING TREES: Grouping of trees are required to be removed for construction of the proposed use and storm water controls on site.	
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

Charles P. Gotberg, President Night Hawk Properties, LLC
 PRINT PROPERTY OWNER'S NAME

Charles P. Gotberg
 SIGNATURE OF PROPERTY OWNER

06/20/2022
 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 20th day of June 2022

TJADER TS GERDOM Notary Public, OAKLAND County, Michigan My Commission expires MARCH 28, 2028

TJADER TS GERDOM
 NOTARY PUBLIC - MICHIGAN
 OAKLAND COUNTY
 ACTING IN THE COUNTY OF OAKLAND
 MY COMMISSION EXPIRES 03-28-2028



MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power– Director of Planning and Economic Development
RE: Case 22-010 – Zippy Auto Wash – Final Site Plan Amendment (monument sign relocation).
DATE: September 10, 2024 (revised)

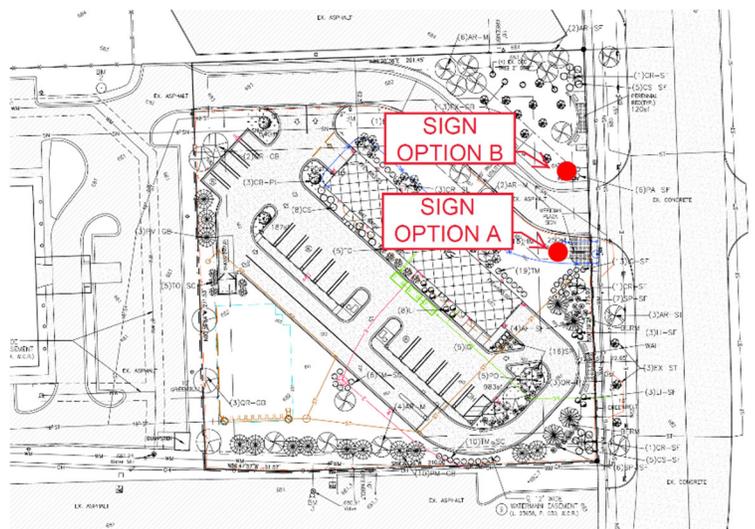
The Planning Commission is asked to consider a request by Zippy Belleville Real Estate, LLC for consideration on relocation of a monument sign affiliated with a final site plan to construct a 4,900 square foot automatic car wash and related site improvements on a 1.65-acre site which was approved by the Planning Commission on December 13, 2023. The project is proposed to be located at 11600 Belleville Road (parcel ID number 83 081 99 0004 711), which is zoned C-2 – Extensive Highway Business District. The property is located on the west side of Belleville Road between Venetian Avenue and Sunrise Lane.

For the Planning Commission’s reference, in this packet, I am including the minutes of final site plan approval from December 13, 2023, an excerpt from the original approved final site plan showing the approved sign location, and an elevation showing the design of the proposed relocated monument sign.

Analysis and Recommendation

The proposed location, size and materiality of the proposed sign will be acceptable under the regulations of the Van Buren Township Zoning Ordinance. In most recent discussions as of September 8, 2024, the applicant indicated they are considering a sign location adjacent to the existing Meridian Plaza sign, behind this sign and to its west (“Option A”). The applicant initially proposed a sign location across the private driveway / private road entrance from the existing Meridian Plaza entryway sign (“Option B”). See the image to the right:

One concern with the Option B sign would be the proximity between the proposed relocated sign and the existing Meridian Plaza multitenant sign. The proposed Option A location would be preferable from a visibility and driver safety standpoint. One item to consider with proposed Option A would be the proximity of the sign to an existing fire hydrant.



In either case, it appears that there is enough space and enough flexibility in the layout of the site to accommodate a monument sign for the Zippy Auto Wash business that meets Zoning Ordinance requirements, subject to certain conditions depending on the location of the sign.

I recommend conditional approval of the requested sign relocation, with the ability for the applicant to make a decision on the final placement of the sign, in coordination with the acting staff Zoning Administrator. This recommendation is subject to the following conditions:

- The final sign placement must meet the approval of the Van Buren Township Fire Marshal Deputy Fire Chief if the sign is to be placed within ten (10) feet of an existing fire hydrant.
- If Option B is pursued, the applicant must provide an analysis of the line of sight northbound toward the proposed Zippy sign and the line of sight southbound toward the existing Meridian Plaza sign. They must show that this line of sight allows adequate stopping sight distance for safe maneuvering into the site from each direction upon recognizing each sign, using [guidance from the US Department of Transportation](#), based on the following factors:
 - o The size of proposed and existing lettering on each sign;
 - o The posted speed limit of 35 miles per hour; and
 - o Average driver reaction time.

If the above conditions are met, as necessary, I have no objection to the requested final site plan amendment, subject to completion of zoning review and building and electrical permit issuance of the proposed sign.

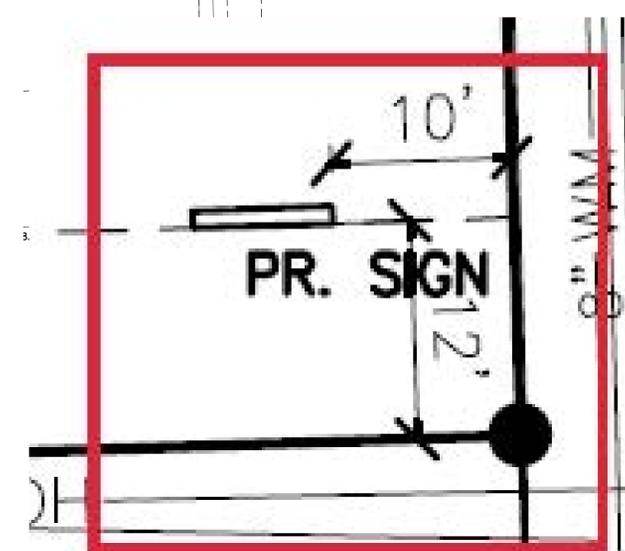
Thank you for your consideration.

Sincerely,

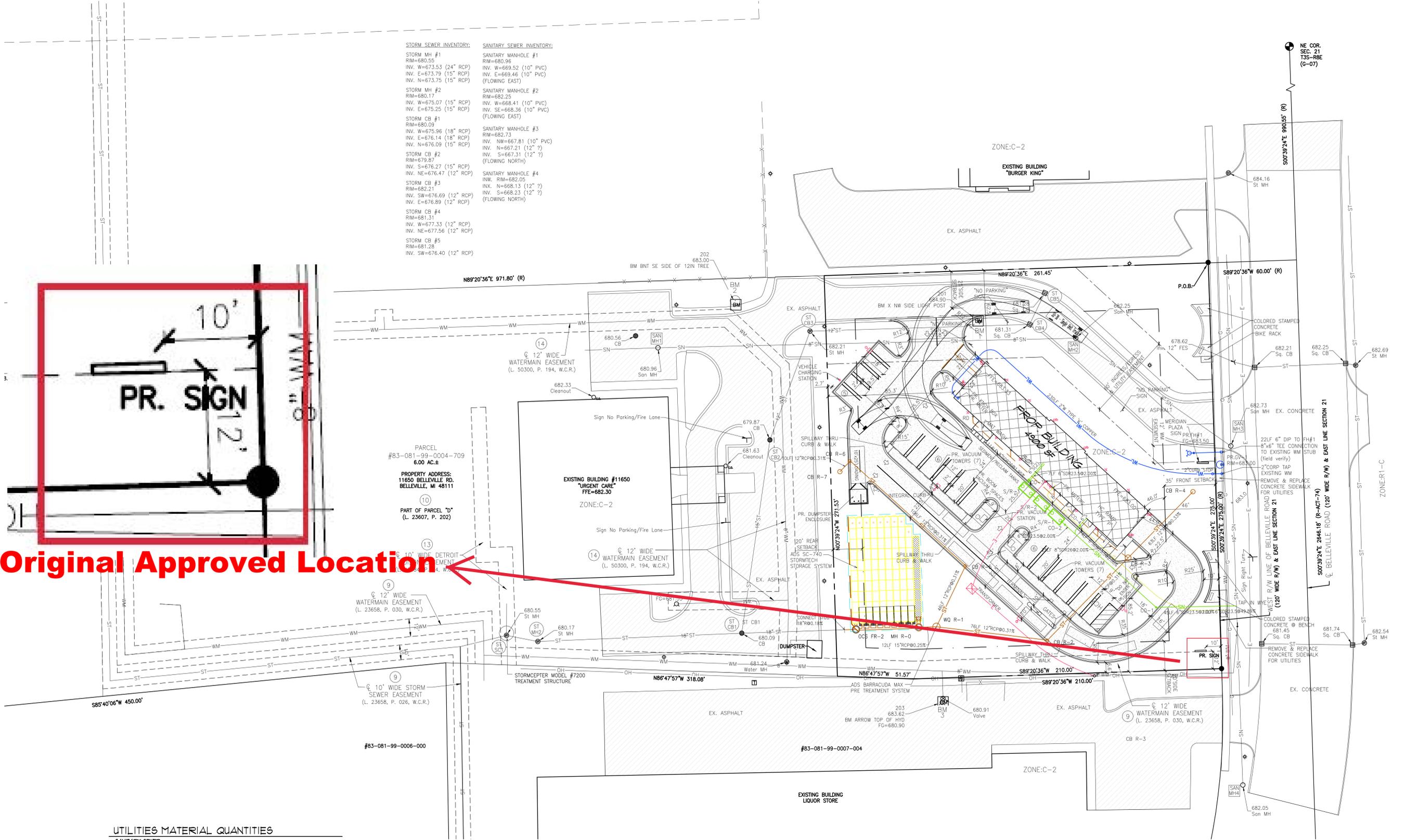


Dan Power, AICP
Planning and Economic Development Director
Public Services Department
Charter Township of Van Buren

STORM SEWER INVENTORY:				SANITARY SEWER INVENTORY:			
STORM MH #1	RM=680.55	INV. W=673.53 (24" RCP)	INV. E=673.79 (15" RCP)	SANITARY MANHOLE #1	RM=680.96	INV. W=669.52 (10" PVC)	INV. E=669.46 (10" PVC)
STORM MH #2	RM=680.17	INV. W=675.07 (15" RCP)	INV. E=675.25 (15" RCP)	SANITARY MANHOLE #2	RM=682.25	INV. W=668.41 (10" PVC)	INV. SE=668.36 (10" PVC)
STORM CB #1	RM=680.09	INV. W=675.96 (18" RCP)	INV. E=676.14 (18" RCP)	SANITARY MANHOLE #3	RM=682.73	INV. NW=667.81 (10" PVC)	INV. N=667.21 (12" ?)
STORM CB #2	RM=679.87	INV. S=676.27 (15" RCP)	INV. NE=676.47 (12" RCP)	SANITARY MANHOLE #4	RM=682.05	INV. N=668.13 (12" ?)	INV. S=668.23 (12" ?)
STORM CB #3	RM=682.21	INV. SW=676.69 (12" RCP)	INV. E=676.89 (12" RCP)				
STORM CB #4	RM=681.31	INV. W=677.33 (12" RCP)	INV. NE=677.56 (12" RCP)				
STORM CB #5	RM=681.28	INV. SW=676.40 (12" RCP)					



Original Approved Location



UTILITIES MATERIAL QUANTITIES

SANITARY SEWER				
DESCRIPTION	QUANTITY	MANUFACTURER	CLASS/MODEL	JOINT
6" PVC	18LF	WESTLAKE	SDR-23.5	RUBBER GASKET
6" CO.	30VF	WESTLAKE	SDR-23.5	RUBBER GASKET
M4 CASTING	6	EJUV	1040 SOLID	
1500 GAL TANK	3	ADVANCE		

WATER				
DESCRIPTION	QUANTITY	MANUFACTURER	CLASS/MODEL	JOINT
2" COPPER	236LF		TYPE K	COMPRESSION
2" CORP STOP	1			COMPRESSION
8" DIP	18LF	US PIPE	PC-350 DIP	COMPRESSION
8" X 8" TEE	1	US PIPE	PC-350 DIP	TYTON
HYDRANT/VALVE	1	EJUV	5BR-250	TYTON

STORM SEWER				
DESCRIPTION	QUANTITY	MANUFACTURER	CLASS/MODEL	JOINT
8" SDR-26 PVC	188LF	WESTLAKE	SDR-26	RUBBER GASKET
12" RCP	378LF	GIP	C-76 CL IV	RUBBER GASKET
15" RCP	12LF	GIP	C-76 CL IV	RUBBER GASKET
18" RCP	8LF	GIP	C-76 CL IV	RUBBER GASKET
48" DIA CB	4	GIP	CL IV	RUBBER GASKET
24" DIA CB	2	GIP	CL IV	RUBBER GASKET
72" DIA MH/DET	1	GIP	CL IV	RUBBER GASKET
74" OCS FR-2	1	GIP	CL IV	RUBBER GASKET
M4 CASTING	4	EJUV	1040A	
CB CASTING	3	EJUV	5080M1	
TB CASTING	3	EJUV	1040M1	
STORMTECH BARRACUDA	91	ADS	SC-140 54X-54	

NOTES:

- THE PROPOSED WATER LEAD AND HYDRANT LEAD CONNECTING TO THE EXISTING WATER MAIN IN BELLEVILLE ROAD ROW SHOWN AS A DEAD END IN THIS AREA. LOCATION SHALL BE VERIFIED AS TO THE WATER MAIN LIMITS AND CONNECTION FEASIBILITY TO THE PROPOSED HYDRANT. IF FIELD CONDITIONS VARY FROM THE PLANS, THE APPLICANT WILL BE FULLY RESPONSIBLE FOR INSTALLING NEW WATER MAIN REQUIRED TO CONNECT PROPOSED HYDRANT. ANY DESIGN CHANGES SHALL BE REVIEWED AND APPROVED BY THE TOWNSHIP.
- ALL SITESWORK AND UTILITIES SHALL BE DONE IN ACCORDANCE WITH THE TOWNSHIP STANDARDS AND DETAILS.

LEGEND

---	PROPERTY LINE	---	NEW SOFFIT LIGHTING	▨	EXISTING BUILDING
- - -	SETBACK EASEMENT	▨	NEW BUILDING MOUNTED LIGHTING	▨	EXISTING ASPHALT PAVING
ST	PROPOSED STORM	▨	NEW POLE-MOUNTED LIGHT	▨	EXISTING CONCRETE PAVING
WM	PROPOSED WATER	▨	EXISTING UTILITY POLE	▨	EXISTING GRAVEL PAVING
E	PROPOSED UNDERGROUND ELECTRIC	▨	ex.mh	▨	PROPOSED CONCRETE
SN	PROPOSED GAS	▨	ex.cb	▨	PROPOSED BUILDING
SN	PROPOSED SANITARY	▨	MH S-1	▨	
WM	EXISTING STORM	▨	CB R-1	▨	
WM	EXISTING WATER	▨	NEW FH #3	▨	
OH	EXISTING STORM	▨	NEW FH #3	▨	
G	EXISTING WATER	▨	NEW FH #3	▨	
SN	EXISTING GAS	▨	NEW FH #3	▨	
---	EXISTING SANITARY	▨	NEW FH #3	▨	
---	EXISTING CENTERLINE OF DITCH	▨	NEW FH #3	▨	
---	EXISTING CONTOUR	▨	NEW FH #3	▨	
---	PROPOSED CONTOUR	▨	NEW FH #3	▨	
---	SILT FENCE/GRADING LIMIT	▨	NEW FH #3	▨	
---	DRAINAGE AREA	▨	NEW FH #3	▨	

SITE PLAN
 SCALE: 1" = 30'-0"



David Straub of M/I Homes gave a brief presentation. Mr. Straub came to the Planning Commission back in October with 1 out of 5 plans. Since the October meeting, the applicant has had the opportunity to work with the architect and has been able to provide side entry models for all of the elevations. Mr. Straub was present to answer any questions.

Commissioners had the following questions and comments:

- Commissioner inquired if the applicant has a picture of the Brooklyn model with side entry? Director Power informed that it was provided in the Commissioners packet and Mr. Straub passed around a photo to the Commission.
- Commissioner inquired if the map that designates the side entry lots was done by staff and if so, is the applicant ok with that? Mr. Straub thinks that it is a good start, with the ability to swap out lots and he is comfortable predicting those.
- Commissioner inquired if the applicant can't meet the thirty-two (32) side entry garage requirement are they committed to come back and look for a change to the PRD? Mr. Staub informed, yes, he plans to come back to the Commission in January/February.
- Commissioner thanked Mr. Straub for coming back with the Commission with the models and elevations.
- Commissioner inquired if there are porch options with the elevations? Mr. Straub informed the porches would be elevation specific and there will be a side entry model available for all elevations.

No comments from the audience or remote viewers.

Motion Jahr, Creal second to grant the applicant, David Straub of M/I Homes of Michigan, LLC an amendment to the site plan for the inclusion of five (5) new single-family architectural models and elevations into the approve project plans, site located at the unfinished Cobblestone Creek Woodlands subdivision on the east side of Hoeft Road, east of the Cobblestone Ridge development, on the south of west Huron River Drive, based on the analysis and subject to the condition detailed in Director Power's staff letter dated 11-21-23.

Roll Call:

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

Nays: None.

Excused: Atchinson and Grant.

Motion Carried. (Letter Attached)

ITEM #4: CASE 22-010 – ZIPPY BELLEVILLE REAL ESTATE, LLC / ZIPPY AUTO WASH – FINAL SITE PLAN REVIEW.

TITLE: A REQUEST BY DAVID BREWER OF VANSTON/O'BRIEN INC. ON BEHALF OF OWNER ZIPPY BELLEVILLE REAL ESTATE, LLC TO CONSTRUCT A 4,900 SQUARE FOOT AUTOMATIC CAR WASH AND RELATED SITE IMPROVEMENTS ON A 1.65-ACRE SITE.

THE PROJECT IS PROPOSED TO BE LOCATED AT 11600 BELLEVILLE ROAD (PARCEL ID NUMBER 83-081-99-0004-711), WHICH IS ZONED C-2 (EXTENSIVE HIGHWAY BUSINESS DISTRICT). THE PROPERTY IS LOCATED ON THE WEST SIDE OF BELLEVILLE ROAD BETWEEN VENETIAN AVENUE AND SUNRISE LANE.

Director Power gave a brief presentation. The project was reviewed in December of 2022, received preliminary site plan approval and special land use approval in January of 2023. A full traffic study was suggested, the traffic study has since been completed and supplied to the Commission. Director Power deferred to the Principal Planner and Township Engineer for presentation of their reviews.

Vidya Krishnan of McKenna Associates presented her review letter dated 12-5-23. Most of the conditions of preliminary site plan approval have been addressed: however, the plan has a major change with the elimination of the detention pond and its replacement with an underground detention system. The County and Township Engineer approval for the pond is a must. Subject to the following items noted in the review letter being addressed prior to the Planning Commission meeting, McKenna Associates recommends final site plan approval for Zippy Auto to be located at 11600 Belleville Road:

- **Approval of the proposed stormwater detention system by the Township Engineer and Wayne County.** This condition can be met. Per email communication received from the Township Engineer on 11/30/2023, the applicant received approval from the County in July, but was unable to meet the Township's detention standards which are more restrictive than the County's. The applicant has revised the plans to accommodate an underground detention system that would meet both the County and Township standards. As a result of the proposed change, the site will no longer have the detention pond previously shown on the preliminary plans in the southwest corner of the site. This area must be maintained as a sodded lawn area.
- **Approval of detention pond landscaping by the County.** This condition can be met. Per the Township Engineer's communication, the revised plan with underground detention is under review by the County at this time.
- **Other.** The landscape plan notes the size of the proposed deciduous trees as 0" – 3". The minimum required size for deciduous trees is 2.5" caliper. Correct the landscape plan legend.

Paul Kammer of Fishbeck Associates presented his review letter dated 12-4-23. Fishbeck recommends the Planning Commission grant Final Site Plan Approval to the Zippy Auto Wash final site plans dated October 27, 2023 contingent on County review and approval. The Applicant shall review the comments listed in the review letter and amend the plans prior to the Applicant moving forward to the Preconstruction Phase. Revised plans shall be submitted for a preconstruction acceptance review by Township Staff at that time. The Applicant must also submit any County review comments to the Township and the Township may request additional reviews if any changes are necessary based on County Comments.

Director Power presented the Fire Department review letter dated 11-15-23.

Greg Heim informed that they have not submitted for the soil erosion permit, as the construction timeline is not set yet. The applicant has addressed the water issue and may not have noted the sodded area on the plan, they will correct that. Dave Brewer informed the tree caliper was an error and the applicant intends to comply. Dave Brewer, Greg Heim and Cory Weaver were available to answer any questions.

Commissioners had the following questions and comments:

- Commissioner is a little concerned with the traffic study rating already being an F and about the amount of stacking.
- Commissioner inquired if the traffic study was conducted when there was one (1) lane shut down to the bridge? Director Power informed the study was done in the last year and he doesn't believe it accounted for that.
- Director Power informed that one of the things that came up earlier in the review process is that if the site configuration of the neighboring property were ever to change, there could be a way to provide access out to the north.
- Commissioner inquired about the neighboring Burger King site, at one point the Commission had seen a change requested. Vidya Krishnan informed that Burger King had proposed a second drive-thru lane. Director Power informed that there has not been any movement with the final site. Vidya Krishnan commented that cross-access would be great, but the Burger King site would need to be redeveloped.

No comments from the audience or remote viewers.

Motion Jahr, Pahle second to grant the applicant David Brewer of Vanston/O'Brien Inc. on behalf of owner Zippy Belleville Real Estate, LLC final site plan approval to construct a 4,900 square foot automatic car wash and related site improvements, at the site located at 11600 Belleville Road, based on the analysis and subject to the conditions detailed in the McKenna Associates review letter dated 12-5-23, Fishbeck Associates review letter dated 12-4-23, Director Power's staff letter dated 12-5-23 and Fire Department review letter dated 11-15-23.

Roll Call:

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

Nays: None.

Excused: Atchinson and Grant.

Motion Carried. (Letters Attached)

ITEM #5: 2023 PLANNING COMMISSION ANNUAL ACTIVITY AND PUBLIC PARTICIPATION REPORT.

Director Power presented the draft 2023 Planning Commission Annual Report dated 12-6-23. The report includes updates on the Planning Commission's progress in implementing the Township-wide 2020 Van Buren Township Master Plan, Engagement Activities and Economic Development Plan (future), as well as an overall listing of the Planning Commissions activities. The Planning Commissions activities include: 25 public meetings (21 regular meetings and 4 special meetings), 10 public hearings, 4 preliminary site plan approvals, 7 final site plan

approvals, 6 combined preliminary and final site plan approvals, 3 special land use approvals, 7 site plan amendments, 6 temporary land use approvals, 3 rezoning recommendations to the Township Board, 2 zoning ordinance text amendment recommendations, 1 tree removal permit, 2 cases for BZA commentary, 2 extensions to previous preliminary or final site plan approvals and 3 discussions on administratively review projects.

Commissioners recommended adding subcommittee information and the new addition at Meijer to the report.

Motion Jahr, Pahle second to approve the annual Planning Commission report dated 12-6-23 with a few minor additions to be made by Director Power. Motion Carried.

ITEM #6: 2024 PLANNING COMMISSION MEETING SCHEDULE.

Director Power presented the 2024 Planning Commission meeting schedule. The Planning Commission regularly meets on the 2nd and 4th Wednesdays of each month at 5:30 p.m., except for November and December have meetings only on the 2nd Wednesday. Commissioners have the option to schedule special meetings if they are needed.

Motion Jahr, Creal second to approve the 2024 Planning Commission Meeting Schedule as submitted. Motion Carried

ITEM #7: ELECTION OF 2024 OFFICERS.

Director Power gave a brief presentation. There are some slight changes in this item the Election of Officers is now the last New Business Item in December and the roles take hold at the first regularly scheduled meeting in January.

Motion Budd, Creal second to nominate Brian Cullin as Chairperson. Cullin accepted the nomination. Motion Carried.

Motion Creal, Budd second to nominate Jeff Jahr as Vice Chairperson. Jahr accepted the nomination. Motion Carried.

Motion Pahle, Budd second to nominate Medina Atchinson as Secretary. Atchinson accepted the nomination. Motion Carried.

Motion Creal, Pahle second to maintain the current liaison members to the Board of Zoning Appeals (BZA), Jahr as the primary liaison and Cullin as the secondary liaison. Jahr and Cullin accepted. Motion Carried.

GENERAL DISCUSSION AND UPDATES:

Commissioner commented on agenda item #4, the agenda says preliminary site plan approval, it needs to be amended to final site plan approval.

Power, Dan

From: mrweaver@comcast.net
Sent: Monday, August 26, 2024 8:05 AM
To: Power, Dan
Subject: RE: [EXTERNAL EMAIL] RE: [preconstruction submittals still required] RE: Zippy Belleville Building Permit / PB23-0438 / 11600 Belleville Road
Attachments: Zippy Sign Proposal - 08-24-24.pdf; Zippy Landscape Proposal - 08-24-24.pdf

Hi Dan,

Hope all is well. Please find attached our proposed sign and associated landscape plan. With other townships, we have submitted a detailed sign application following final site plan approval in order to receive a sign permit. With Van Buren, we were expecting to do the same, and thus the sign shown in the final site plan was a placeholder. If the attached requires a site plan amendment, that's fine, we will re-submit accordingly. Sorry for the misunderstanding.

As shown on the landscape plan:

- The sign location is moved from the southeast corner of the property to north of the driveway. The landscape planting counts are unchanged. The sign setback is unchanged.

Reason 1: As the site plan evolved, we were requested to add additional screening along the queue driveway and south property line. This additional screening has rendered the original sign location nearly completely obscured by trees and the masonry wall.

Reason 2: The southeast corner of the property is very close to the neighboring driveway (feels even more so in person). A Zippy sign in this corner will likely draw customers into the neighboring driveway, leading to unwanted turn-arounds and exits from this curve curb cut.

As shown on the sign plan:

- The sign construction is substantially similar to our other Zippy sites and incorporates a modest 16 sq ft EMC.

Max height permitted = 8' - 0"	Proposed = 6' - 4"
Max area permitted = 60 sq ft	Proposed = 32 sq ft
Min height of base = 2' - 0"	Proposed = 2' - 0"

In summary, we're proposing a sign substantially smaller than permitted, incorporating a modest EMC, in a location that we believe will provide the best directional guidance to customers. Since this is our only sign (no building signs, no window signs, or otherwise), we wish for it to be useful.

Let me know next steps.

Regards,

Corey Weaver

From: Power, Dan <dpower@vanburen-mi.org>
Sent: Wednesday, July 31, 2024 11:29 PM

Item #1-R2

TOTAL SIGN AREA: 32 Sq. Ft.

Monument Sign
Qty: (1) Double Sided

Lead #: P21004320

PROJECT: Zippy Auto Wash-Belleville

FILE: Zippy Belleville-Monument 1-R2

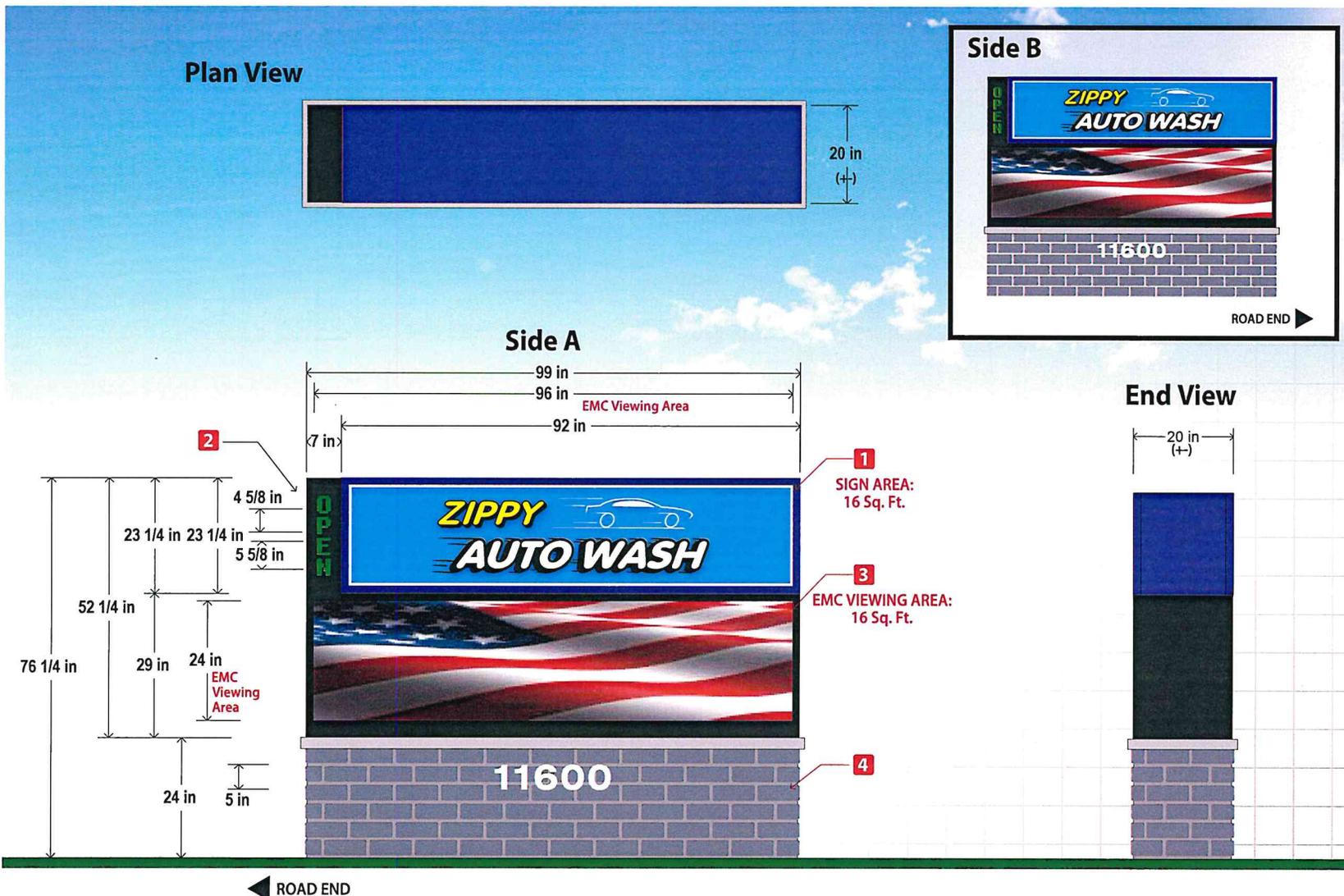
SITE ADDRESS: 11600 Belleville Rd.,
Belleville, MI

LEAD: RG

REVISION:
KP-8-14-24
KP-8-20-24

LAYOUT: KP

Date:
8-7-24



1 Monument Sign:
FF aluminum cabinet and retainers.
Acrylic faces with graphics applied.
Internal L.E.D. illumination.

2 Open Sign:
7" X 20" "OPEN" Sign

3 EMC Unit:
10mm Watchfire Series
Electronic Message Center
Matrix 60 X 240
Full Color L.E.D. Display
Viewing Area 24" X 96"

4 Base:
Faux masonry base.
Sculpted EPS foam with
polyurea hardcoat.

Designs, details and plans represented herein are the sole property of Phillips Sign & Lighting, Inc. All or any part of these designs (except registered trademarks) are protected. Attempts to duplicate designs without written consent may result in Legal Repercussions.

phillips SIGN & LIGHTING inc.



Ph: 586.468.7110

visit us at: phillipssign.com

Approved: _____ Date: _____

Permit: _____

40920 Executive Drive
Harrison Twp., MI
48045-1363

THESE PAGES LEFT INTENTIONALLY BLANK

Search

FHWA Highway Safety Programs

[Home](#) / [Safety](#) / [Speed Management Safety](#)

IN THIS SECTION



CHAPTER 4. ENGINEERING AND TECHNICAL CONCEPTS

A number of technical and engineering techniques are closely associated with traffic speeds. The designed driving environment consists primarily of infrastructure and traffic control devices. The geometric design process is used to define the location and dimensions of road and street infrastructure which consists of the horizontal and vertical alignment, cross section features, intersection type and all the associated details. Traffic control devices are used to regulate, warn and guide drivers through the use of signs, traffic signals, pavement markings and other devices.

Geometric design is an engineering discipline that attempts to account for interactions between drivers, infrastructure and vehicles. The techniques and criteria reflect both theoretical and practical considerations and evolve as new reliable research conclusions are reached. This section of the guide introduces and summarizes several technical topics and techniques that are closely related to speed.

DESIGN SPEED

The design speed is a selected speed used to determine the various geometric design features of the roadway (1). The historical evolution of the design speed definition has been well documented in NCHRP Report 504 (5). The design speed concept was first proposed in 1936 as "the maximum reasonably uniform speed which would be adopted by the faster driving group of vehicle operations, once clear of urban areas (6)." The American Association of State Highway Officials (AASHO) accepted a modified definition of design speed in 1938 as "the maximum approximately uniform speed which probably will be adopted by the faster group of drivers, but not, necessarily, by the small percentage of reckless ones (7)." Beginning with the 1954 version of A Policy on Geometric Design of Rural Highways, the definition of the design speed was "the maximum safe speed that can be maintained over a specified section of highway when conditions are so favorable that the design features of the highway govern. (8)." Inclusion of the "maximum safe speed" was included in the design speed definition until release of the 2001 version of the AASHTO Green Book. Removal of "the maximum safe speed" from the design speed definition was proposed in 1997 as a result of NCHRP Report 400 (9). It was recognized that operating speeds can be greater than the design speed, and the term safe was removed to avoid the perception that speeds greater than the design speed were "unsafe" (5). The revised definition as a result of NCHRP Report 400 is the definition that is presented at the beginning of this section, and is the definition used today. For the purposes of this informational guide, the design speed concept described in this section is referred to as the "designated design speed." The designated design speed is used explicitly for determining minimum values for highway design such as horizontal curve radius and sight distance. The designated design speed is typically included within design documentation and is often shown on the cover sheet of design plans.

A second design speed term is also used in this informational guide. It is referred to as the "inferred design speed." Inferred design speed is applicable only to features and elements that have a criterion based on (designated) design speed (e.g., vertical curvature, sight distance, superelevation). The inferred design speed of a feature will be different than the designated design speed when the actual value is different than the criterion-limiting (minimum or maximum) value. The inferred design speed for a radius-superelevation combination is the maximum speed for which the limiting speed-based side friction value is not exceeded for the designed rate of superelevation and the inferred design speed (determined through an iterative process). The inferred design speed for a horizontal curve may also be limited by horizontal offsets to sight obstructions on the inside of a horizontal curve. The inferred design speed for a crest vertical curve is the maximum speed for which the available stopping sight distance is not exceeded by the required stopping sight distance. The inferred design speed may also be limited by a combination of lane width and average daily traffic. The inferred design speed can be greater than, equal to, or less than the designated design speed.

SIGHT DISTANCE

To maintain vehicle paths and avoid conflicts, drivers need visibility of road and traffic conditions. Drivers continuously and (after a certain level of driving experience is gained) subconsciously process visual information through observation, interpretation and responsive action. Visibility needs are related to the operating environment and vehicle speeds. These are the key factors used in developing geometric criteria for sight distance. The Green Book identifies four types of sight distance: decision, intersection, passing (on two-lane roads) and stopping and provides guidance on where each type is recommended. The Green Book establishes minimum design values for sight distance and above minimum values are encouraged where feasible. As a result, the inferred design speed resulting from the highway geometric design process (i.e., actual roadway geometry that is constructed) is often higher than the designated design speed.

The methods of determining the criterion for a particular situation are also included in the Green Book and are related to speed. A set of assumptions, usually based on research or practical experience, are incorporated into the criteria. One of the key assumptions relates to the object or condition that should be seen. In the case of passing sight distance, the object is a vehicle approaching the passing vehicle in the same lane and opposite direction. The assumption is that the approaching vehicle is a passenger car and the object is assumed to be 3.5 feet above the pavement elevation. This is one of many assumptions used to formulate the relationship between speed and passing sight distance criteria.

Stopping sight distance should be provided along the entire length of every road and street. In that sense, it is the most common type of sight distance. The first and second columns in table 2 indicate the relationship between design speed and the Green Book stopping sight distance criteria on relatively level roadways. The criteria assume a driver perception-reaction time of 2.5 seconds, driver eye height of 3.5 feet and an object height (i.e., tail lights of another vehicle) of 2.0 feet. The assumptions for driver eye height and tail light height reflect the 5th percentile statistics (9). This means that 95 percent of vehicles have a driver eye height and tail light height greater than these values. The assumed perception-reaction time exceeds the 90th percentile driver reaction time. However, normal perception-reaction times vary from about 0.75 to 1.5 seconds (10) depending on the alertness, fatigue level, alcohol consumption, and age of the driver.

Table 2. Comparison of stopping sight distance requirements for various conditions.

Design speed (mph)	AASHTO design stopping sight distance criteria (feet)	Estimated stopping sight distance for mean driver (feet)	Estimated stopping sight distance for dry roadway conditions (feet)
15	80	40	75
20	115	60	110
25	155	80	150
30	200	105	190
35	250	135	235
40	305	165	285
45	360	200	340
50	425	235	400
55	495	275	465
60	570	320	535
65	645	365	605
70	730	415	680
75	820	465	765
80	910	520	850

Another assumption used in developing Green Book stopping sight distance criteria is that braking will result in a vehicle deceleration rate of 11.2 feet/second² [0.35g]. This deceleration rate was developed through research in consideration of developments in vehicle technologies and driver performance. It also assumes that the friction provided by the driving surface is adequate to support this rate. Some vehicles with good tires on good pavement can brake at 0.85g or higher with most able to brake in emergency stops at 0.7g or better. Although most pavements provide adequate friction for the assumed deceleration rate, inclement weather conditions (e.g., snow and ice) may not. On wet pavement, most vehicles can stop at 0.4g or higher even with bald tires. The deceleration rate on ice [0.15g] and snow [0.22g] are lower (11). It has also been shown that

JUN 13 2022

PLANNING & ZONING APPLICATION

Case number **22-015** Date Submitted **6/13/2022**

APPLICANT INFORMATION

Applicant Pulte Homes of Michigan, LLC Phone 248-330-3069
Address 2800 Livernois Road, Building D, Suite 3200 Fax
City, State Troy, MI Zip 48083
E:mail joe.skore@pultegroup.com Cell Phone Number 248-330-3069
Property Owner Hayden Gregory Co., LLC Phone
Address (if different than applicant) 333 W. Fort Street, Suite 1200 Fax
City, State Detroit, MI Zip 48226
Billing Contact Same as applicant Phone
Address Fax
City, State Zip

SITE/ PROJECT INFORMATION

Name of Project Cedarchase PRD
Parcel Id No. V125-83- 040-99-0002-704 & 705 Project Address Tyler Road
Attach Legal Description of Property
Property Location: On the North Side of Tyler Road; Between Morton Taylor Road
and Walden Blvd Road. Size of Lot Width +/-1,570' Depth +/- 1,050'
Acreage of Site 31.81 Gross Total Acres of Site to Review 28.35 Net Current Zoning of Site PUD (R1B)
Project Description: Proposed 88 unit single family planned residential development (PRD) on the multi-family and
commercial portion of the existing Waldon Woods PUD.

Is a re-zoning of this parcel being requested? No YES (if yes complete next line) NO
Current Zoning of Site PUD (R1B) Requested Zoning PRD

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 N/A
Is there an official Woodland within parcel? No Woodland acreage N/A
List total number of regulated trees outside the Woodland area? Total number of trees 406
Detailed description for cutting trees See enclosed site plan and tree survey

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

HAYDEN GREGORY CO, LLC

Print Property Owners Name

Signature of Property Owner

May 25, 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 25th day of May 2022

Notary Public, Jane M. Wagatha, Wayne County, Michigan

My Commission expires Aug 9 2024
Acting in Wayne County



MEMO

TO: Van Buren Township Planning Commission
FROM: Dan Power– Director of Planning and Economic Development
RE: Case 22-015: Cedarchase (Pulte Homes of Michigan, LLC)
Discussion of Amendment to Walden Woods Planned Unit
Development (PUD) Agreement
DATE: September 5, 2024

The Planning Commission and staff will discuss a legal opinion regarding the path of review and approval for a plan by applicant Pulte Homes of Michigan, LLC on behalf of Cedarchase to amend an existing Planned Unit Development (PUD) agreement originally approved for the Walden Woods Apartments by removing 31.85 acres of property from the PUD at the northwest corner of Morton Taylor and Tyler Roads, within the existing Walden Woods PUD.

The site is located at located at Parcel ID# V125-83-040-99-0002-704 and V125-83-040-99-0002-705 on the North side of Tyler Road between Morton Taylor Road and Walden Blvd. The subject site includes 31.81 gross acres of property (28.35 net site acreage).

At a meeting and public hearing held on June 12, 2024, the following was stated as a condition of postponement on an initial request by Pulte Homes of Michigan, LLC for the amendment of the PUD Agreement, based on the following:

(The Planning Commission recommends) to postpone action on the recommendation for Walden Woods' Planned Unit Development (PUD) Agreement amendment until such time as staff and the applicant can: 1) report on the validity of the current PUD, 2) the effect of the removal of the parcel from the PUD will have on the performance status of the modified remaining PUD with respect to the current PUD standards, 3) status of any known preexisting performance bonds specifically regarding paving, 4) the requirement for paving is reviewed by Township legal staff, and 5) identify the zoning of the 31.81 gross acres should it be removed from the PUD.

The attached legal memo from David Greco will affect these requests and broadly addresses the viability of following a process that involves an amendment to the existing PUD Agreement, without the need to establish a standalone project as a new Planned Residential Development (PRD). Enclosed for your reference is also the in-progress draft first amendment to the PUD Agreement, and associated Exhibit drawing. As part of the finalization of the requested PUD Amendment, Township counsel and staff will also work closely on securing specific terms regarding the timing, cost and phasing of completion of paving Morton Taylor Road to the north end of the Heatherfield Boulevard driveway approach.

Pending approval of the requested PUD Amendment by the Van Buren Township Board of Trustees, the PUD Agreement will undergo no further review by the Planning Commission. The Planning Commission will, however, review a preliminary and final site condominium plan in accordance with current Zoning Ordinance requirements, insofar as these requirements do not conflict with the underlying PUD Agreement.

The Planning Commission and Board of Trustees are tasked with completing the following actions regarding the project, with each step relying on approval of the previous step:

- Board of Trustees approves PUD amendment for existing Walden Woods PUD;
- The Planning Commission and Board of Trustees as necessary will consider preliminary Site Condominium plan approval as required under Sections 6.104 and 6.110 of the Zoning Ordinance and preliminary site plan approval;
- Review by Wayne County DPS and Engineering review;
- The Planning Commission and Board of Trustees as necessary will consider final site condominium plan approval as required under Sections 6.104 and 6.110 of the Zoning Ordinance and final site plan approval; and
- Preconstruction, site construction, and unit building construction.

Thank you for allowing me to assist with this review.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Power". The signature is fluid and cursive, with a large initial "D" and "P".

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

Memo

To: Ron Ackers, Dan Power
Planning Commission

From: David F. Greco, Esq.

Date: September 4, 2024

Re: Walden Woods/Cedarchase, First Amendment to Development Agreement

I have been asked to review a request by Pulte Homes of Michigan, LLC (“Pulte Homes”) and Hayden Gregory Co. LLC (“Hayden Gregory”) to amend a Development Agreement entered into on 1/31/94 between Van Buren Township and Hayden Gregory. Pursuant to the terms of the *Original Development Agreement*, the Developer completed Phase I of the Original PUD Site Plan with some items that still need to be completed.

The new developer (Pulte Homes) is under contract to purchase the property comprising of Phase II and wants to amend the Original PUD Site Plan and enter into an *Amended Development Agreement* with the Township. It should be noted that the approved uses under the *Original Development Agreement* were approved pursuant to Sec. 20.524 of Ordinance No. 3-1-74 of the zoning ordinance that was in effect at the time and since been revised/amended/replaced. Section 12 of the *Original Development Agreement* provides that it may be amended, in writing, so long as the parties are in agreement.

Based upon my review of the applicable documents, and the current and past zoning ordinances, I believe that it an acceptable course of action for the Township and the developer(s) to enter into an *Amended Development Agreement*, to be reviewed, and either approved or rejected, by the Township’s Board of Trustees. If the Board of Trustees approves the amended agreement, then the developer(s) shall proceed with submitting a preliminary site plan for review by the Planning Commission, which will ultimately end up with the final site plan to be reviewed and analyzed by the Township’s Planning Commission.

DAVID F. GRECO, ESQ.

Greco Law PLLC

143 Cadycentre, #164

Northville, MI 48167

Tel (248) 380-1975

[e-mail: David.Greco@Greco-Law.com](mailto:David.Greco@Greco-Law.com)

**FIRST AMENDMENT TO
DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (“Amendment”) is made and entered into this ____ day of ____, 2024, by and between the Charter Township of Van Buren, a Michigan charter township, with offices located at 46425 Tyler Road, [Belleville Van Buren Township](#), Michigan 48111 (“Township”); Hayden Gregory Co., LLC, a Michigan limited liability company, successor by conversion to Hayden Gregory Associates, a Michigan partnership, with offices located at 333 W. Fort Street, Suite 1200, Detroit, Michigan 48226 (“Hayden”); and Pulte Homes of Michigan LLC, a Michigan limited liability company, with offices located at 2800 Livernois Road, Building D, Suite 320, Troy, Michigan 48083 (“Developer”).

RECITALS

A. Hayden’s predecessor in interest, Hayden Gregory Associates, a Michigan partnership, and the Township entered into that certain Development Agreement dated January 31, 1994 (“Development Agreement”), pertaining to the real property described in the Development Agreement (“Original Property”).

B. Under the Development Agreement and the Site Plan attached as Exhibit B thereto (the “Original PUD Site Plan”), Hayden is permitted to develop a planned unit development consisting of 301 single family homes on approximately 114.5 acres (“Phase I”), and 200 multifamily units on approximately 19.8 acres and a commercial development on the remaining 8.5 acres (collectively, “Phase II”), subject to Hayden completing certain development obligations under the Development Agreement.

C. Pursuant to the terms of the Development Agreement, Developer completed Phase I of the Original PUD Site Plan, [with some items still left to be completed](#), in accordance with the requirements of the Development Agreement, the PUD Ordinance and the other applicable ordinances of the Township.

D. Developer is under contract with Hayden to purchase the portion of the Overall Property comprising Phase II as further described on Exhibit A attached hereto (the “Phase II Property”). Developer desires to amend the Original PUD Site Plan and Development Agreement in order to develop the Phase II Property and complete certain remaining obligations of Hayden under the Development Agreement. Hayden, as evidenced by its execution of the Agreement, agrees and consents to such amendment to Development Agreement, on the terms set forth in this Amendment.

E. The Developer has submitted a proposal for a preliminary site plan for the Phase II Property (“Amended PUD Site Plan”), to develop a residential condominium consisting of eighty-eight (88) units on the Phase II Property originally planned for high density multi-family and commercial use.

F. Developer and the Township now desire to amend the Development Agreement to amend Phase II of the Original PUD Site Plan and provide for development of the future condominium under the terms of the Development Agreement and Amended PUD Site Plan.

G. Pursuant to Section 12 of the Development Agreement, Hayden and the Township agree to the following amendment to the Development Agreement.

H. Capitalized terms not defined herein shall have the meaning as set forth in the Development Agreement.

AMENDMENT

The Development Agreement is amended as follows:

1. Amended PUD Site Plan. The Phase II Property shall be developed in accordance with the Amended PUD Site Plan attached as Exhibit B hereto. Except as otherwise stated herein, the Phase II Property shall not be subject to the Original PUD Site Plan. Notwithstanding anything contained herein to the contrary, this Amendment and the Amended PUD Site Plan shall be of no force and effect unless and until Developer obtains (i) preliminary and final site plan approval for Phase II from the Township and (ii) any and all any applicable permits, approvals and permissions from any applicable governmental agency with jurisdiction over such improvements (collectively, the "Approvals"). In the event that Developer fails to obtain all of the Approvals and commence development of the Phase II Property by _____, this Amendment shall terminate and be of no further force and effect and development of the Original Property shall be subject to the Original PUD Site Plan and the Development Agreement, unamended by this Amendment.

2. Conditions. Provided Developer obtains (i) preliminary and final site plan approval from the Township as provided below, and (ii) all required easements, rights of way agreements, and any applicable permits, approvals and permissions from the Wayne County Roads Division or applicable governmental agency with jurisdiction over such improvements, Developer shall:

- a. Paving of Morton-Taylor Road. Pave the portion of Morton-Taylor Road as shown on the Amended PUD Site Plan.
- b. Open Space. Phase II shall contain approximately 9.39 acres of open space which will serve and be for the benefit of the future residential condominium established on the Phase II Property.
- c. Pedestrian Connectivity. Install sidewalks along Tyler Road and Morton Taylor Road in addition to the sidewalks located within the future condominium to be established on the Phase II Property, in accordance with the Amended PUD Site Plan and provide pedestrian crossing of McCloughrey Drain as part of the pedestrian connectivity.
- d. Drainage Clean Up. Clear out/clean-out McCloughrey Drain.

3. Liability of Developer. Except with regard to the obligations set forth in Section 2 above, Developer shall have no liability or obligations with respect to any obligations of Hayden under the Development Agreement and the Original PUD Site Plan, including, but not limited to any obligations of Hayden with respect to the development of Phase I or any portion of the Original Property that is not the Phase II Property. For purposes of this Amendment, Developer's obligations shall only relate to the Phase II Property and any terms and conditions set forth by the Township in relation to preliminary and final site plan approval for Phase II as provided under the Amended PUD Site Plan. Once Developer or its assigns has completed the future condominium on Phase II in accordance with the terms of this Amendment and to the satisfaction of the Township, and turned over the Phase II Property to the association established to operate and maintain the future condominium, the Developer shall have no further obligation or liability under this Amendment with respect to obligations or liability first arising under this Amendment after the effective date of such assignment. Notwithstanding anything contained herein to the contrary, upon completion of the condition referenced in Section 2a above, Hayden's obligations under the Development Agreement shall be fulfilled.

4. Zoning Ordinance. To the extent that the development of the Property in accordance with this Amendment and the PUD Plans deviates from existing Township Zoning Ordinances, this Amendment and the Amended PUD Site Plan shall control. All references in this Amendment to Township ordinances shall be deemed to refer to the zoning ordinances in effect as of the date of this Amendment. The Development shall not be subject to any additional zoning requirements contained in any amendment or additions to the zoning ordinances that conflict with the provisions of this Amendment and the PUD Plans,

provided that all construction and development is completed in compliance with this Amendment and approved preliminary and final site plans.

5. Consents/Approvals. Whenever the consent, approval or permit issuance of the Township Board, Planning Commission or any Township commission, department, staff, attorney or representative is required for Phase II pursuant to this Agreement, such consent, approval or permit issuance shall not be unreasonably delayed, conditioned or withheld. The Property may be developed in stand alone phases which phases shall be identified and approved with the approval of the final site plan. Site clearing and mass grading may be conducted prior to final engineering approval subject only to obtaining soil erosion permits. Developer may erect and maintain models on the Property in furtherance of the sales activities of the Developer in relation to the condominium, and in accordance with the terms and conditions of this Amendment. Notwithstanding anything to the contrary contained elsewhere in this Agreement, until all units in the entire condominium are sold by Developer, Developer shall have the right to maintain a sales office, a business office, a construction office, models units, storage areas and reasonable parking incident to the foregoing, and such access to, from and over the condominium as may be reasonable to enable development and sale of units or the entire condominium by the Developer

6. Binding. The conditions of this Amendment are binding on the successors and assigns of the parties and run with the Overall Property, including, but not limited to the Phase II Property.

7. Effect of Amendment. The Development Agreement, as amended by this Amendment continues in full force and effect. The terms of this Amendment supersede any contrary provisions in the Development Agreement. Undefined terms in this Amendment shall have the meaning set forth in the Development Agreement unless the context otherwise requires. The Recitals are incorporated in this Amendment by reference.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed as of the day and year recited above.

[signatures on the following pages]

DRAFT - IN PROGRESS

TOWNSHIP

CHARTER TOWNSHIP OF VAN BUREN
a Michigan charter township

By:
Its: Supervisor

By:
Its: Clerk

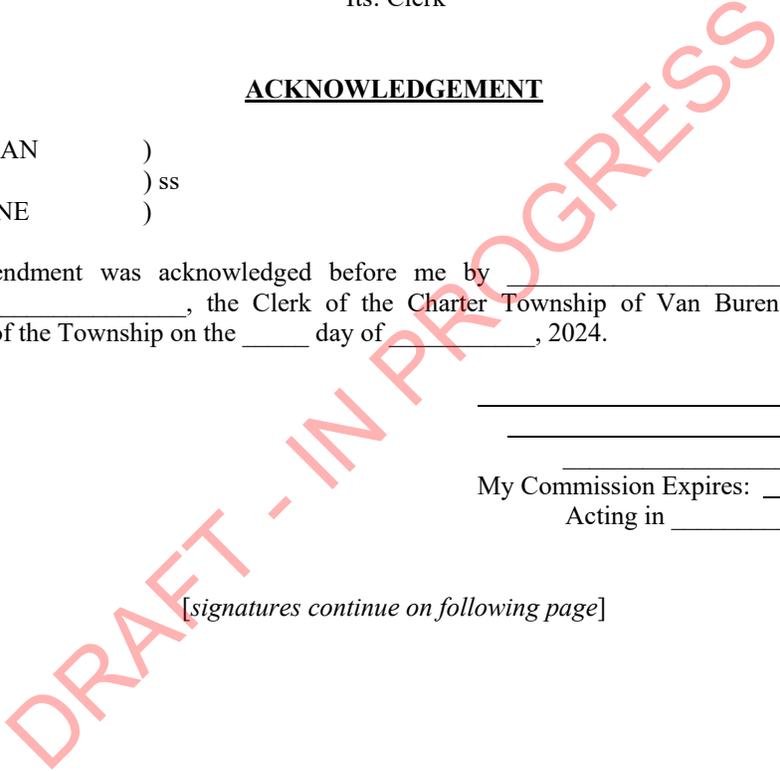
ACKNOWLEDGEMENT

STATE OF MICHIGAN)
) ss
COUNTY OF WAYNE)

The foregoing Amendment was acknowledged before me by _____, the Supervisor, and _____, the Clerk of the Charter Township of Van Buren, a Michigan charter township, on behalf of the Township on the ____ day of _____, 2024.

_____, Notary Public
_____ County, Michigan
My Commission Expires: _____
Acting in _____ County

[signatures continue on following page]



OWNER

HAYDEN GREGORY CO., LLC, a Michigan limited liability company

By: _____
Name: _____
Its: _____

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
) ss
COUNTY OF _____)

The foregoing Amendment was acknowledged before me by _____,
_____ of Hayden Gregory Co., LLC, a Michigan limited liability company, on behalf of the
company on the __ day of _____, 2024.

_____, Notary Public
_____ County, Michigan
My Commission expires: _____
Acting in _____ County

[signatures continue on following page]

DRAFT - IN PROGRESS

DEVELOPER

PULTE HOMES OF MICHIGAN LLC, a Michigan limited liability company

By: _____
Joe Skore
Its: Vice President of Land Acquisition

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

The foregoing Amendment was acknowledged before me by Joe Skore, Vice President of Land Acquisition of Pulte Homes of Michigan LLC, a Michigan limited liability company, on behalf of the company on the ___ day of _____, 2024.

_____, Notary Public

County, Michigan
My Commission expires: _____
Acting in Oakland County

DRAFT - IN PROGRESS

EXHIBIT A

Legal Description of Phase II Property

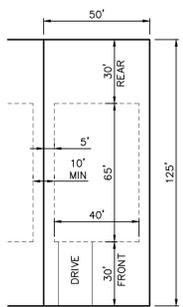
EXHIBIT B

Amended PUD Site Plan

DRAFT - IN PROGRESS

LEGEND

- EXIST. PROJECT BOUNDARY
- EXIST. ADJACENT BOUNDARY
- OHE --- OHE EXIST. OVERHEAD LINE
- EXIST. GRAVEL
- EXIST. WATERS EDGE
- EXIST. UTILITY POLE
- EXIST. BUILDING
- EXIST. LIGHT POLE
- EXIST. SIGN
- EXIST. MAILBOX
- EXIST. REGULATED WETLAND
- PROP. LOT LINE
- PROP. ROW LINE
- PROP. EASEMENT
- PROP. SETBACK
- PROP. ROAD CENTERLINE
- PROP. ASPHALT
- PROP. SIDEWALK
- PROP. CURB
- PROP. BUILDING
- PROP. PHASE LINE
- PROP. LIGHT POLE
- PROP. SIGN



TYPICAL LOT DETAIL
SCALE: 1"=40'

NOTES:
1. DRIVEWAY ON HIGH SIDE OF LOT
2. ADDITIONAL WIDTH REQUIRED WHERE STORM SEWER RUNS ALONG SIDE LOT LINES (FOR 20' MIN EASEMENT)
3. SEE SHEETS AR-1 TO AR-8 FOR TYPICAL PRODUCT DIMENSIONS. SUNROOM OPTION REQUIRES ADDITIONAL DEPTH FROM FOOTPRINT SHOWN ON THIS PLAN.

PHASING

SEE SHEET 01 FOR PHASING SUMMARY
PHASE 1: LOTS 1-41
PHASE 2: LOTS 42-88

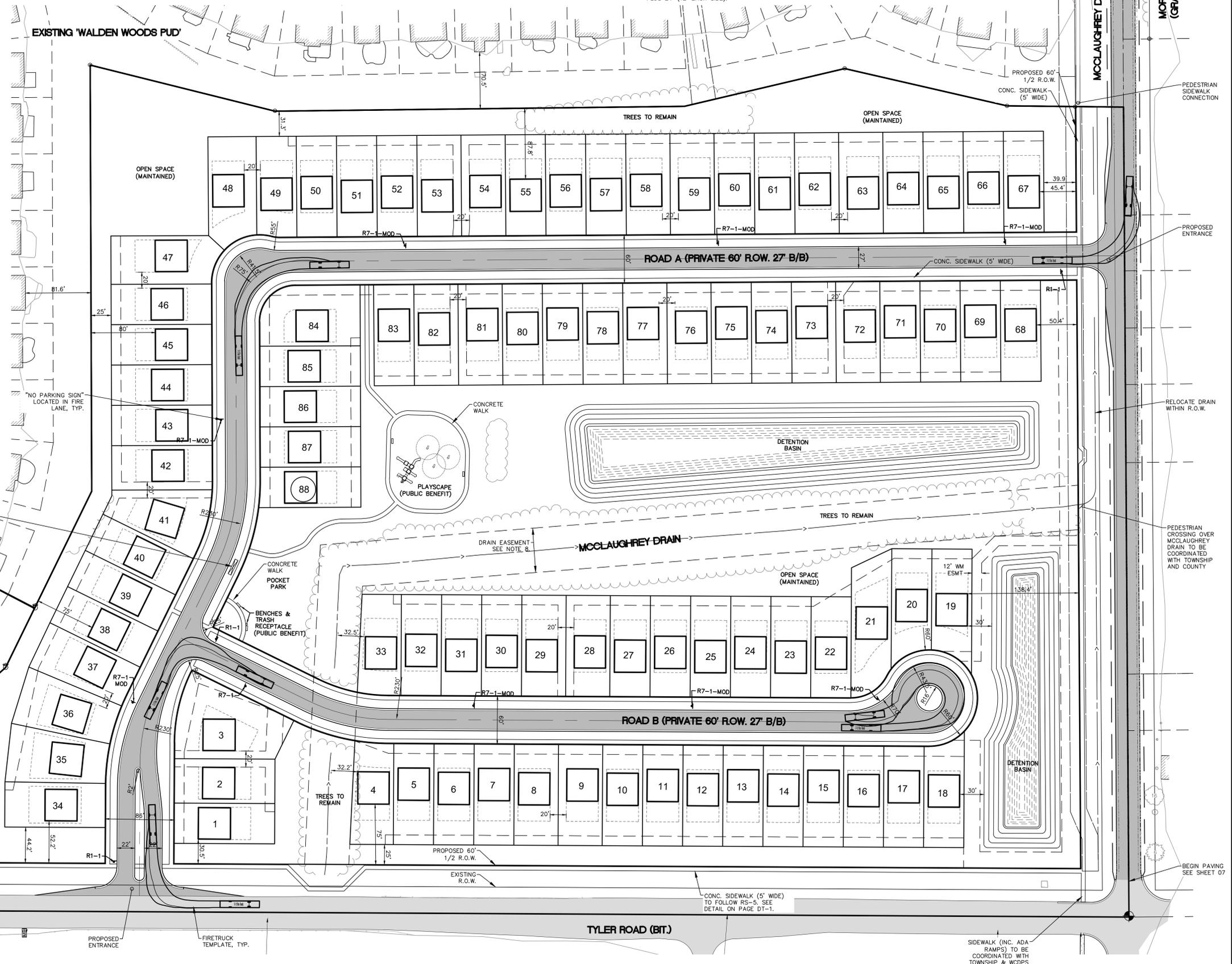
EACH PHASE SHALL BE DESIGNED AS A STAND-ALONE DEVELOPMENT WITH ALL NECESSARY UTILITIES, SERVICES, FACILITIES AND OPEN SPACE IN PLACE.



NOTES

1. PER NWI WETLAND MAP SHOWN ON SHEET 02, THE ONLY WETLANDS ON-SITE ARE ALONG McCLAUGHREY DRAIN. THE ONLY ANTICIPATED WETLAND IMPACTS ARE ASSOCIATED WITH INFRASTRUCTURE NEEDS (ROAD, PEDESTRIAN & UTILITY CROSSINGS AND STORMWATER OUTLETS). ACTUAL IMPACTS WILL BE QUANTIFIED UPON COMPLETION OF FIELD WETLAND DELINEATION.
2. MINIMUM DRIVEWAY LENGTH IS 26 FEET FROM GARAGE TO SIDEWALK. THIS WILL PROVIDE A MINIMUM OF TWO PARKING SPACES PER LOT IN ADDITION TO GARAGE PARKING.
3. SEE SHEETS L-1 TO L-6 FOR PROPOSED LANDSCAPING.
4. SEE SHEET 07 FOR PRELIMINARY MORTON TAYLOR ROAD IMPROVEMENTS.
5. FIRE LANE/NO PARKING SIGNS TO BE PLACED ON ROADSIDE OPPOSITE HYDRANT PLACEMENT.
6. PLAYScape EQUIPMENT LAYOUT SHOWN FOR REPRESENTATIVE PURPOSES ONLY. SUBJECT TO CHANGE.
7. SEE SHEET L-1 FOR MAILBOX CLUSTER DETAIL. LOCATION TO BE DETERMINED BY POSTAL SERVICE.
8. DRAIN EASEMENT ALLOCATION IS BASED ON FIELD SURVEYED TOP OF BANK WIDTH PLUS 24' (12' EACH SIDE).

PUBLIC BENEFIT: PAVE MORTON TAYLOR ROAD FROM TYLER ROAD TO EXISTING WALDEN WOODS ENTRANCE. SEE NOTE 4



Know what's below.
Call before you dig.

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

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

COPYRIGHT © 2024 ATWELL, LLC. NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL, LLC.

ATWELL
866.850.4200 www.atwell-group.com
311 NORTH MAIN STREET
ANN ARBOR, MI 48104
734.994.4000

SECTION 16
TOWN 3 SOUTH, RANGE 8 EAST
VAN BUREN TOWNSHIP
WAYNE COUNTY, MICHIGAN

PULTE HOMES OF MICHIGAN, LLC
CEDARCHASE
LAYOUT PLAN

DATE: JUNE 9, 2022
2/27/24 PER TWP/COUNTY
4/15/24 PER TWP

REVISIONS

NO.	DATE	DESCRIPTION

SCALE: 1" = 60 FEET

DR. --- CH. ---
P.M. M BUSH
BOOK ---
JOB 21004399
SHEET NO. 03

CAD FILE: 21004399SP-03-LDWG

**CHARTER TOWNSHIP OF VAN BUREN
PLANNING COMMISSION
June 12, 2024
MINUTES - DRAFT**

Vice-Chairperson and acting Chair Jahr called the meeting to order at 5:30 p.m., and Chair Cullin arrived and led the meeting soon thereafter.

PLEDGE OF ALLEGIANCE: Commissioners and the audience stood for the Pledge of Allegiance.

ROLL CALL:

Present: Chair Cullin, Vice-Chair Jahr, Atchinson, Creal, Pahle and Board Rep Treasurer Budd.

Excused: Grant

Staff: Director Power and Acting Secretary Murphy.

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

Applicant(s) in Attendance: Case 22-015 – Pulte Homes of Michigan, LLC (Cedarchase): Bill Andersen (Atwell Group), and Case 21-022 – Norlin Investment, LLC / DeBucks Corn Maze And Pumpkin Patch: Scott DeBuck.

Audience: Thirteen (13) in attendance and one (1) ZOOM caller attendee.

APPROVAL OF AGENDA:

Director Power requested New Business Item #1: Case 24-030 – Etzel Engineer and Build, Inc., Fence Modification be removed from today's agenda.

Jarr motioned, Budd seconded to approve the agenda of June 12, 2024 as amended. Motion Carried.

APPROVAL OF MINUTES:

Jahr motioned, Creal seconded to approve the regular meeting minutes of May 22, 2024 as presented. Motion Carried.

PUBLIC HEARING:

ITEM #1: CASE 22-015 – PULTE HOMES OF MICHIGAN (CEDARCHASE) SPECIAL LAND USE REQUEST.

TITLE: A REQUEST BY APPLICANT PULTE HOMES OF MICHIGAN, LLC ON BEHALF OF CEDARCHASE FOR SPECIAL LAND USE TO AMEND AN EXISTING PLANNED UNIT/RESIDENTIAL DEVELOPMENT (PUD/PRD) AGREEMENT ORIGINALLY APPROVED FOR THE WALDEN WOODS APARTMENTS BY REMOVING 31.85 ACRES OF PROPERTY FROM THE PUD AT THE NORTHWEST CORNER OF MORTON TAYLOR AND TYLER ROADS, WITHIN THE EXISTING WALDEN WOODS PUD, AND ESTABLISHING A NEW PLANNED RESIDENTIAL DEVELOPMENT (PRD) PROPOSED FOR CONDOMINIUM OWNERSHIP. THE APPLICANT PROPOSES TO CONSTRUCT 88 DETACHED, SINGLE-FAMILY DWELLING UNITS ON INDIVIDUAL SITE CONDOMINIUM LOTS. THE REQUEST WILL REQUIRE AMENDMENT OF THE EXISTING PUD, AND PRELIMINARY AND FINAL PRD APPROVALS, AND

PRELIMINARY AND FINAL SITE CONDOMINIUM PLAN APPROVALS. THE PROPERTY IS ZONED R-1B – SINGLE FAMILY RESIDENTIAL DISTRICT.

LOCATION: THIS SITE IS LOCATED AT PARCEL ID# V125-83-040-99-0002-704 AND V125-83-040-99-0002-705 ON THE NORTH SIDE OF TYLER ROAD BETWEEN MORTON TAYLOR ROAD AND WALDEN BOULEVARD. THE SUBJECT SITE INCLUDES 31.81 GROSS ACRES OF PROPERTY (28.35 NET SITE ACREAGE).

Jarr motioned, Creal seconded to open the public hearing. **Motion Carried.**

Director Power introduced the project and displayed a proposed site map layout and invited the applicant's representative, Atwell Group, to provide a broad overview of their proposed project in order to provide the public a little more information before opening up floor for public comments.

Bill Andersen of Atwell Group introduced himself and his colleague, Matt Bush. Atwell is the planner/engineer of the Cedarchase project. Quick overview of the proposed development: 31.6 acres and is part of Waldon Wood's PUD; existing public sewer and water; small county drain bisecting the property flowing north on Morton Taylor; land is mostly cleared with some trees along the county banks; property is surrounded by 300 home sites north and west (the Waldon Woods community); Tyler Road is a paved county road and Morton Taylor is dirt/gravel; it is currently part of an existing PUD created in the 1990's that allows up to 200 multi-family attached units and the plan in the old development agreement called for 126 attached residential units, which follows the RMO family zoning; property also includes 10 acres of commercial land, which could create roughly 100k square feet of retail under the C-1 zoning.

After meetings with Township staff, it was conveyed that Township was agreeable to single-family homes. However, Township was opposed to a simple amendment to the existing PUD agreement and further requested a PRD agreement for the subject property. It is being proposed: 88 single-family homes, which is significantly less density than the previously-approved PUD (200 multi-family attached units plus the commercial); typical lot size will have a 50-foot width, 120-foot-deep lot, and the homes will be offset from the frontage in hopes to create interest throughout this proposed community; with every fourth or fifth lot, there will be a 20-foot separation between the homes. Pulte Homes will be the land developer and home builder, which is not typical, but is an advantage to the community and neighbors. Paul Sheck (Pulte), who is also in attendance, will be in charge of the overall project from construction to final restoration (grass and sidewalks). Further summary included the project layout (green space, paved pathways, cul-de-sac, entranceway, etc.). This project also proposes to pave Morton Taylor Road from Tyler Road intersection to Heatherfield Blvd (Walden Woods entrance access point), and a Wayne County Drain clean-out of a significant amount of sediment build-up, and 33% open space is being proposed (two park areas within). Not only will there be sidewalks within the development but also along the perimeter of the property's primary corridor connecting the sidewalks to the west and north. The home sizes will range from 1,800-sf to 2,600-sf and price range will be from mid-\$300k to mid-\$400k (depending on the selected options and upgrades).

Zoom attendee, Sarah Ciccarelli, 43941 Tyler Road, said her family lives essentially across the street from the proposed development's entrance, and that she is opposed to this project because she believes that Tyler Road is already a busy road and with a development of this size, it will make it impossible for her to access her property. If the project moves forward, she requests the developer to consider moving the entrance away from her driveway.

Budd motioned, Jahr seconded to close the public hearing. **Motion Carried.**

NEW BUSINESS:

ITEM #1: CASE 22-015 – CEDARCHASE – WALDEN WOODS PUD AMENDMENT REQUEST.

TITLE: A REQUEST BY APPLICANT PULTE HOMES OF MICHIGAN, LLC; ON BEHALF OF CEDARCHASE, TO AMEND AN EXISTING PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT ORIGINALLY APPROVED FOR THE WALDEN WOODS APARTMENTS BY REMOVING 31.85 ACRES OF PROPERTY FROM THE PUD AT THE NORTHWEST CORNER OF MORTON TAYLOR AND TYLER ROADS, WITHIN THE EXISTING WALDEN WOODS PUD.

LOCATION: THIS SITE IS LOCATED AT PARCEL ID# V125-83-040-99-0002-704 AND V125-83-040-99-0002-705 ON THE NORTH SIDE OF TYLER ROAD BETWEEN MORTON TAYLOR ROAD AND WALDEN BOULEVARD. THE SUBJECT SITE INCLUDES 31.81 GROSS ACRES OF PROPERTY (28.35 NET SITE ACREAGE).

Director Power explained that this project has been under review for quite some time. He further summarized today's agenda, which includes the following four actions:

1. Amendment to the Walden Wood's PUD Agreement from 1994, which would exclude the proposed area from that project.
2. Proposed Special Land Use approval for the Cedarchase project as required for Planned Residential Developments (PRD).
3. Preliminary Site Condominium Approval.
4. Preliminary Site Plan Approval.

Extensive comments on these actions were received from the planning consultant, engineer, and deputy fire chief. Due to questions and concerns, clarification is needed to properly address all parts of the procedures. Director Power will follow-up with the applicant to help clarify what needs to be involved for the PUD amendment, and ensure all vital information is included on the plans for the actions on the 30-acre site for the PRD amendment, site plans and site condo plans. Concerns have also been raised regarding fire truck access on the cul-de-sac road on the southeastern portion of the site. Need additional clarification and/or justification for some of the PRD review standards and criteria.

Staff's recommendation is not to get into the full details of the site plan review today and further recommended postponing consideration on any decisions on the four action items under New

Business to allow more time for staff and consultants to connect with the applicant to determine the best way to bring the information forward. It was further suggested that the Planning Commission work with the Board of Trustees through a joint meeting or work session in hopes to establish direction and open dialogue before any final decisions on this project are made.

In all fairness to the applicant, Commissioners asked for clarification on what exactly they are postponing since the applicant needs further guidance in the meantime.

Under the modification to the existing PUD, Commissioner Jahr explained that he sees some issues. If Walden Woods' PUD allows for modifications or permission not to build the apartments or commercial reverting back to R1B, could it be sold off or developed by someone else (which is not currently allowed because it is under a PUD). If these parcels were removed from the existing PUD, is there any PUD left? Is the remaining portion of property under the PUD already turned over to the property owners or the HOA? Does the original owner, Hayden Gregory LLC have anything to do with the PUD if it gets amended? If the requirements are waived, does the PUD go away? Under the current development agreement as well as a PUD condition with Hayden Gregory, there is a paving requirement on Morton Taylor Road from Tyler Road up to Heatherfield. Staff is asked to help answer what happens to the paving requirement when the PUD is updated. Also, usually under a site redevelopment (gas station or similar use), if it has not been updated for a while, usually the Township would hold them to current development standards during a redevelopment period. Since this PUD has been around for +30 years, what development standards would we end up holding the remainder PUD (if any) up to?

Vidya Krishnan of McKenna Associates explained that this is an amendment to Walden Woods PUD. By removing the corner parcel will not eliminate the status of Walden Woods PUD because under the PUD, it is not only the multiple-family and commercial components, there were also various deviations and modifications already granted. The rest of the Walden Woods PUD does not meet the R1B standards either because they have already taken advantage of all the other deviations that have been granted. When the PUD was amended for Walden Woods, it was essentially removing certain portions of land from the original PUD agreement which in turn amended the master deed and exhibit B along with it. She is not sure if the paving was a condition put upon the original owner or if this owner is still involved at this time.

Staff was tasked to answer the following:

- 1) What would happen if modifications are allowed on the existing PUD and to Walden Woods?
- 2) In terms of the open space requirements in a PRD, how much of the open space in the PUD is counted against the subject property. If the subject property is taken out of the PUD, does the remainder subject property not meet the open space requirement? Analysis needs to be done on the Walden Woods property before Township will allow the separation of the property out of the PUD.
- 3) Need clarification on who the owner of the PUD is because technically, the owner should be requesting changes to it.

Per Commissioner Jahr, according to an agreement he reviewed, if there were not 250 houses completed by January 31, 2003, the entire PUD was null and voided. Is the PUD still in effect?

Staff will confer with Township attorney because it is being asked to modify a recorded, legal document as well as provide direction on the procedural process.

Vidya Krishnan clarified that PUDs with commercial elements attached are no longer allowed in the Township; only PRDs (Planned Residential Developments). The proposed development would revert to an R1B and then someone could petition for a PRD with modifications. If the land can be split from Waldon Woods ultimately creating a stand-alone PRD, the underlining zoning is R1B. When a parcel is developed under straight shot zoning, there is no open space requirements, etc. If not a straight R1B, the Township will want something in order to allow any deviations under a PRD with modifications. Even though staff is recommending postponement, Mr. Andersen would be interested to know if there is anything in the plans they should address or change moving forward.

Jahr motioned, Creal seconded to recommend to postpone action on the recommendation for Walden Woods' Planned Unit Development (PUD) Agreement amendment until such time as staff and the applicant can: 1) report on the validity of the current PUD, 2) the effect of the removal of the parcel from the PUD will have on the performance status of the modified remaining PUD with respect to the current PUD standards, 3) status of any known preexisting performance bonds specifically regarding paving, 4) the requirement for paving is reviewed by Twp legal staff, and 5) identify the zoning of the 31.81 gross acres should it be removed from the PUD.

Roll Call:

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

Nays: None.

Excused: Grant.

Motion Carried.

ITEM #2: CASE 22-015 – CEDARCHASE – SPECIAL LAND USE FOR ESTABLISHMENT OF NEW PLANNED RESIDENTIAL DEVELOPMENT (PRD).

TITLE: A REQUEST BY APPLICANT PULTE HOMES OF MICHIGAN, LLC; ON BEHALF OF CEDARCHASE FOR SPECIAL LAND USE APPROVAL TO ESTABLISH A NEW PLANNED RESIDENTIAL DEVELOPMENT (PRD) PROPOSED FOR CONDOMINIUM OWNERSHIP, PER THE REQUIREMENTS OF SECTION 6.219 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE. THE APPLICANT PROPOSES TO CONSTRUCT 88 DETACHED, SINGLE-FAMILY DWELLING UNITS ON 31.81 GROSS ACRES (28.35 NET ACRES) OF PROPERTY.

LOCATION: THIS SITE IS LOCATED AT PARCEL ID# V125-83-040-99-0002-704 AND V125-83-040-99-0002-702.

As a reference comparison only, Director Power asked the applicant to display the parallel R1B plan with 74 single-family units to help as a visualize what a conventional subdivision with higher density would look like.

Commissioner Jahr stated if you want a PRD with a density adjustment, and in this case, applicant is asking for 88 houses vs 74, there are rules in our zoning plan and ordinance that dictate how many extra houses you are allowed to put into a PRD above and beyond the approved R1B plan.

Mr. Andersen refuted that the parallel plan presented is not an approved plan. The property is currently zoned Residential Multi-Tenant (RM) and Commercial (C-1); not R1B.

Vidya Krishnan clarified that when a property is approved for a PUD, the zoning of that property changes to PUD zoning. This parcel zoning is currently PUD. If this 31.81-acre parcel is taken out of the PUD, she is not sure if it would revert back to R-M and C-1 zoning. More research on this would be required.

Additional Commissioners' comments:

- One of the current PRD's eligibility requirements is that the parcel would have to be a minimum of 40 acres, in which this case, it is not; however, that does not mean it cannot be done. Procedurally, the applicant would have to submit some additional paperwork for Planning Commission for review with justification. The Planning Commission would then make a recommendation to the Board of Trustees for final approval.
- Under the Master Plan, the Future Land Use Map has this parcel listed local commercial. The requirement for entertaining a PUD is that it is not supposed to go against this map. However, there is a clause that allows it but needs justification and more paperwork for Board of Trustees' approval.

Jahr motioned, Budd seconded to recommend to postpone action on the recommendation for a Special Land Use for the Establishment of a New Planned Residential Development (PRD) proposed for condominium ownership until such time as staff and the applicant can: 1) present supporting case for eligibility in accordance with Section 6.204(C) and (E)-- size and Masterplan, and 2) justification for the proposed density increase in accordance with Section 6.206(B) -- six points to earn your density bonus.

Roll Call:

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

Nays: None.

Excused: Grant.

Motion Carried.

ITEM #3: CASE 22-015 – CEDARCHASE – PRELIMINARY SITE CONDOMINIUM APPROVAL.

TITLE: A REQUEST BY APPLICANT PULTE HOMES OF MICHIGAN, LLC; ON BEHALF OF CEDARCHASE FOR PRELIMINARY SITE CONDOMINIUM PLAN APPROVAL TO CONSTRUCT 88 DETACHED, SINGLE-FAMILY DWELLING UNITS ON INDIVIDUAL

SITE CONDOMINIUM LOTS. THE REQUEST IS SUBJECT TO PRELIMINARY AND FINAL SITE CONDOMINIUM PLAN APPROVAL BY THE PLANNING COMMISSION AND PRELIMINARY AND FINAL SITE CONDOMINIUM PLAN APPROVAL BY THE BOARD OF TRUSTEES PER SECTION 6.110 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE.

LOCATION: THE SITE IS LOCATED AT PARCEL ID# V125-83-040-99-0002-704 AND V125-83-040-99-0002-705.

Commissioners' comments:

- Items 3 & 4 should to be postponed until such time as applicant has a recommendation with regard to the waiver of the PRD eligibility.
- Single-family homes by Pulte Homes on this parcel would be great. Even though there are some minor issues with the design (i.e., architecture may need to include some breaks in terms of density bonus) but overall, it is a really nice development and would be a wonderful addition to the Van Buren Twp. community.
- In terms of the Master Plan, this development is exactly what we are looking for in terms of more open space and smaller lots.
- Township Board has to sign-off on any size waiver. The idea of stacking some of these items up is a good idea and if the Planning Commission is convinced, they could recommend the size be waived and consider a site condominium and the site plan simultaneously without having the waiver go through the Board of Trustees to help speed up the process for the applicant.
 - The long cul-de-sac design would need to be addressed in terms of fire department's access. Even though the fire truck's wheels remain on the road, the truck's overhang is going to cross over into the road's right-of-way. Also, if there's a heavy snowfall, it could impede on the fire department's access to the homes within cul-de-sac or an accident at the beginning of the roadway would prevent those homes from getting in or out in case of an emergency.

Mr. Andersen explained that this road is proposed as a private roadway and will be owned/operated by the homeowners. It is designed 27' back-to-back and this road along with all of the geometry associated with it literally the same throughout Wayne County, Oakland County, Livingston County and Washtenaw County. There are millions of homes sitting on the exact roadway geometry and is confident that any fire truck apparatus can get in and out. Also, the length of this road is approximately 1,000 feet. Van Buren Twp. ordinance allows up to 1,200 feet for cul-de-sac roadways and the International Fire Code also allows this design. Residents usually like cul-de-sacs because they are private and not attract a lot of traffic. Mailboxes will be designed in clusters so there will be no obstruction with mailboxes. Also, there will be no overhead utilities to contend with in the right-of-way.

Jahr clarified that he would like to postpone preliminary site plan and site plan approvals until such time as the Planning Commission either viewed a request for and made a recommendation to the Board of Trustees in favor of a waiver to the PRD eligibility requirements for the Cedarchase development. For example, if the Planning Commission believes the applicant can

put it on a 31-acre parcel and think they are eligible, then consideration on the preliminary site plan and site plan approvals can be made because eligibility has been met. The goal is to be able to review these two items in the same meeting.

Vidya Krishnan clarified under the PRD ordinance, one of the modifications that can be granted is for the size of the PRD area. You would want the size of the parcel to be removed from the rest of the deviations to be concerned so that the eligibility can first be established before any of the other modifications are considered.

Commissioner Jahr explained that it does not make sense to him to review a 31-acre PRD site plan that will not be allowed because you have to have a minimum 40-acre site. If the Planning Commission concludes that this 31-acre parcel is acceptable for a PRD, then proceed and discuss the site plan and site condominium plan. However, until such time, why bother discussing the site plan and site condominium plan? As of today, we are not even sure the land is available.

Jahr motioned, Budd seconded to recommend to postpone action on the recommendation for Pulte Homes of Michigan preliminary site condominium plan approval and Pulte Homes of Michigan Cedarchase preliminary site condominium plan approval until such time as the Planning Commission has reviewed a request for and made a recommendation to the Township Board in favor of a waiver to a Planned Residential Development (PRD) eligibility requirements for the proposed development.

Roll Call:

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

Nays: None.

Excused: Grant.

Motion Carried.

ITEM #4: CASE 22-015 – CEDARCHASE – PRELIMINARY SITE PLAN APPROVAL.

TITLE: A REQUEST BY APPLICANT PULTE HOMES OF MICHIGAN, LLC; ON BEHALF OF CEDARCHASE FOR PRELIMINARY SITE CONDOMINIUM PLAN APPROVAL TO CONSTRUCT 88 DETACHED, SINGLE-FAMILY DWELLING UNITS ON INDIVIDUAL SITE CONDOMINIUM LOTS. THE REQUEST IS SUBJECT TO PRELIMINARY AND FINAL SITE PLAN APPROVAL BY THE PLANNING COMMISSION AND PRELIMINARY AND FINAL SITE PLAN APPROVAL PER SECTION 6.104 OF THE VAN BUREN TOWNSHIP ZONING ORDINANCE.

LOCATION: THE SITE IS LOCATED AT PARCEL ID# V125-83-040-99-0002-704 AND V125-83-040-99-0002-705.

[Motion was covered under previous Item #3 motion.]

ITEM #5: CASE 21-022 – NORLIN INVESTMENT, LLC / DEBUCK’S CORN MAZE AND PUMPKIN PATCH – TEMPORARY ONE YEAR LAND USE EXTENSION APPROVAL

TITLE: STAFF IS REQUESTING AN EXTENSION TO A PREVIOUS THREE-YEAR TEMPORARY LAND USE APPROVAL FOR AGRICULTURAL TOURISM AND RECREATION USES GRANTED BY THE PLANNING COMMISSION ON JUNE 23, 2021, NOT-TO-EXCEED ONE (1) ADDITIONAL YEAR, TO ALLOW FOR THE FINALIZATION OF A PENDING TEXT AMENDMENT TO THE VAN BUREN TOWNSHIP ZONING ORDINANCE TO ADDRESS AGRITOURISM USES AND PROCESSING OF A SUBMITTED SITE PLAN.

LOCATION: PARCEL NUMBER 83-121-99-0008-000, ALSO KNOWN AS 50240 MARTZ ROAD AND 83-122-99-0002-000. THE SUBJECT PARCELS ARE LOCATED ON THE NORTH AND SOUTH SIDES OF MARTZ ROAD BETWEEN HOEFT AND RAWSONVILLE ROADS AND ARE ZONED AG – AGRICULTURAL AND ESTATE.

Director Power explained that this request was initiated by staff; however, there are representatives from Norlin Investment, LLC (DeBuck's) in the audience. On June 23, 2021, there was a three-year approval for a temporary land use at the DeBuck's corn maze site, which had been built upon a +9-year period approval for the same site with the intent to allow the continuation of this operation that was a unique temporary land use with reasonable controls ensuring it was a safe operation that could continue without issues. This was intended to give the Planning Commission time to develop our Agritourism Zoning Ordinance. To date, we have received a lot of great feedback on it; however, the Ordinance is not ready. In fairness to the applicant, they provided a new site plan for their operations prior to their expiration date. No fault to the applicant, staff withheld processing their site plan until an established Agritourism Zoning Ordinance was ready for review. This case is a simple administrative request to extend the life of that temporary land use approval for at least one year with hopes to have an ordinance in place within that time frame.

Commissioner comments:

- Apologies were made to the DeBuck family. DeBuck's farm is doing wonderful things for our community. The tulip festival and lavender farm were a big hit.

Director Power explained that once the Agritourism Zoning Ordinance is in place, a formal site plan review process will take place with the applicant. The way this ordinance is structured, it may not be as regimented in terms of having civil engineers involved in every part of the plan because there are a lot of moving parts to an operation like this. It will likely be a preliminary and final site plan review process bundled into one without much in the way of engineering. Also, a special land use requiring a public hearing and action by both the Planning Commission and Board of Trustees for a permanent solution for the site will be involved.

Vidya Krishnan added that this Agritourism Ordinance started because the DeBuck farm is so successful. A minor glitch was caught to address some more things and should have a fix quickly. Once the Ordinance is corrected, and the DeBuck's go through the approval process. Their case will become the benchmark for how new businesses should come in.



Charter Township of Van Buren
Request for Board Action

Agenda Item #:
Work Study Meeting Date:
Board Meeting Date:

Consent Agenda New Business Unfinished Business Public Hearing Presentation

Item (Subject)	
Department	
Presenter(s)	
Phone Number	
Individuals in Attendance (Other than presenter)	
Agenda topic	
Action Requested	
Background – (Supporting and reference Data, Include attachments)	
Budget Implication	
Implementation Next Step	
Department Recommendation	
Committee/Commission Recommendation	
Attorney Recommendation	
<small>(May be subject to Attorney/Client Privilege and not available under FOIA)</small>	
Additional Remarks	
Approval of Supervisor	_____

FOR REFERENCE



VAN BUREN CHARTER TOWNSHIP

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

July 10, 2024

Township Board of Trustees
Charter Township of Van Buren
46425 Tyler Road
Van Buren Township, MI 48111

Re: Proposal to Assist Van Buren Township with the Housing Readiness Project

Honorable Trustees,

In February 2024, the Township was awarded a grant from the Michigan State Housing Development Authority (MSHDA) under the Housing Readiness Incentive Program which has the stated purpose to implement actions that encourage increasing housing supply and affordability. The eligible activities under the grant include costs associated with the adoption of land use policies, master plan updates, zoning text amendments, and similar actions to encourage increasing housing supply and affordability.

The grant was formally awarded in February and we were provided with a draft agreement to accept the grant. The total of the award is \$45,000 with the Township providing a \$5,000 match. This will be a reimbursement-based grant and the Township will need to complete the project by January 2026.

The Township has solicited a proposal from McKenna & Associates to update the Township's Master Plan and to provide potential zoning text amendments which address housing supply and affordability in the Township. The scope of work includes: inventorying existing public land, completing a residential market study, evaluating our existing zoning regulations, making recommendations, drafting potential zoning text amendments, performing public engagement, and identification of opportunity sites for missing middle housing best practices. The Township's overall goal in the project is to update our development regulations related to housing to be consistent with current trends and to encourage regulations which increase housing supply and affordability.

Thank you for your consideration and please let me know if there are any additional questions. I look forward to further discussion about this issue.

Thanks,

Ron Akers
Director of Municipal Services
Charter Township of Van Buren



May 3, 2024

Mr. Dan Power
Director of Planning and Economic Development
Van Buren Charter Township
46425 Tyler Road
Van Buren Township, MI 48111

Mr. Ron Akers
Municipal Services Director

Subject: Proposal to Assist with Van Buren Township Housing Readiness Project

Dear Mr. Power and Mr. Akers,

We are very impressed to hear that the Township secured a Housing Readiness Incentive Grant in the amount of \$45,000! This grant program aids municipalities in covering costs associated with the adoption of land use policies, master plan updates, zoning text amendments, and similar actions to encourage increasing housing supply and affordability (MSHDA).

In order to effectively and efficiently utilize the full extent of this grant, we propose the following work plan as it relates to the eligible activities through MSHDA, for the purpose of creating data-driven residential zoning reform strategies on Township owned land, utilizing residential market analysis, and development conceptual plans for implementing missing middle housing in Van Buren Charter Township.

TASK 1: PROJECT KICK-OFF

McKenna will conduct an initial meeting with designated representatives, to receive input and direction on the work plan and to finalize a structure for review and management of the plan process. At this first, internal meeting, McKenna will:

- A. Establish a working relationship, answer questions, and reach an understanding of expectations for this project (defining basic client desires);
- B. Make mutually agreed upon adjustments in the work plan;
- C. Determine public engagement strategies;
- D. Determine key stakeholders;
- E. Identify preferred method of communication (i.e. email, mail, phone, etc.);
- F. Review current boundary study area;
- G. Review and discuss other plans, projects, and related documents;
- H. Assess available maps and data; collect various documents; and
- I. Define specific project objectives to guide the plan development moving forward.



TASK 2: EXISTING PUBLIC LAND INVENTORY

We propose to conduct a comprehensive inventory of Public Owned Land, in coordination with the staff, to prepare a complete list. We will provide a map of all public owned parcels.

TASK 3: RESIDENTIAL MARKET ANALYSIS

A. Field Analysis & Site Visit

Our market visit and field analysis will be conducted following the project kick-off and will allow for up to three full days of fieldwork in the market. The community-wide field analysis will focus on the market's current residential and commercial supply, existing land uses, and transportation linkages. We will also request and collect available resources from your County, and State agencies.

B. Market Overview

As the foundation of our analysis for the residential study, we will conduct a top-line, county-wide evaluation of population, income, household and family characteristics, unemployment trends, employment by industry sector and major employers, as well as related market factors that influence the market's overall vitality.

C. Trade Area Delineation

A Primary Trade Area will be defined based on a variety of factors that include commuting patterns, a drive-time analysis, accessibility, locations of existing and proposed developments, natural and man-made barriers, and other demographic factors. This trade area will be used to determine the population and income base for the residential market area.

D. Residential - Data Sources and GIS

Our Residential Market Analysis begins with an assessment of the 2010 and 2020 Census, and vendor data provided by ESRI, Inc. Adjustments will be made to reflect local-level population projections, building permit data, recent economic events and other market indices.

E. Demographic and competitive data will be compiled and mapped to aggregate the data for specific geographic areas, enabling us to present the data through maps, and correlate different variables with each other.

F. Residential - Supply Analysis

To complete the Residential Supply Analysis, we will rely on the data collected from field visits and in-house research, which includes projections of home values, monthly rents, vacancy rates, and housing units by tenure (owner vs. renter). We will provide projections of housing supply through 2030.

G. Residential - Demand Analysis

The result of our demand analysis will be projections of the total number of additional residential units demanded annually by population of income ranges and tenures. Variables used in the analysis include resident income levels, rent-to-income rates, mortgage-to-income rates, and known events in the market.

H. Residential - Gap and Opportunity

Results of the supply - demand analysis will reveal the "gap" in the market for residential uses. We will determine the share of housing units that the community can support for both rental and owner-occupied housing units.



I. Residential - Qualifying the Results

The last step of the Residential Market Analysis involves qualifying the results of the opportunity analysis. We will identify supportable placement, scale, and housing types for the community. In addition, we will identify the appropriate price points, size and amenities for new residential units in the study area.

TASK 4: DIAGNOSTIC OF SCHEDULE OF REGULATIONS

Well-conceived zoning can facilitate a responsive housing supply by recognizing the range of housing types and the character of the community (lot sizes, building types, etc.). This issue was addressed in the Township's most recent Master Plan that identified provisions within the current ordinance that can be modified to offer greater flexibility in design criteria and land development regulations. McKenna will review current zoning regulations and their impacts on housing barriers. Such modifications could include, but are not limited to the following topics:

Schedule of Regulations:

- Minimum Lot Sizes
- Setbacks Requirements
- Minimum Floor Area
- Economy Homes
- Bungalow Courts
- Accessory Dwelling Units (ADUs)
- Townhouses/Row Houses
- Emphasis on Aging In Place
- Single Family to Two-Family Dwelling Unit Conversion
- Expanded Mixed-Use
- Residential above Commercial

Such modifications to the types of housing within the Township will also be compliant with the Michigan Economic Development Corporation's (MEDC) Redevelopment Ready Communities (RRC) program. This program, should the Township seek to pursue certification later, offers additional funding opportunities to communities across the State of Michigan. While the focus of the zoning text amendments will be on housing, other items, such as parking, green infrastructure, and development requirements, will also be reviewed to ensure cross-compliance.

TASK 5: RECOMMENDATIONS & ZONING TEXT AMENDMENTS

McKenna will provide recommended updates to the zoning ordinance to meet the Missing Middle conceptual Standards and changes necessary as a result of the Schedule of Regulations Zoning Diagnostic.

TASK 6: PUBLIC ENGAGEMENT

McKenna will work with Township staff and leaders to determine the appropriate public engagement methods for the Housing Strategy. These methods will reflect the information collected and the range and type of various development sites. Stakeholders engaged may range from elected and appointed officials, property owners, potential developers, and housing agencies such as MSHDA, Board of Realtors, or the Home Builders Association.



TASK 7: MISSING MIDDLE CONCEPT PLANNING & SITE SELECTION

Based on the zoning diagnostics, the residential market study, and strategic public input, McKenna will identify opportunity sites for Missing Middle best development practices to be put into place in Van Buren Township. This task will include:

- Summarize Missing Middle best practices.
- Identify areas within the Township that would be suitable for the missing middle housing.
- Explore how Missing Middle may be incorporated on the Ford Land parcel.
 - Develop concept sketches of Missing Middle housing in a walkable neighborhood layout.
 - Incorporate park and public space on the land.
 - Layouts will make natural features assets by incorporating wetland trail and trail stops with amenities.

PROFESSIONAL TEAM

Vidya Krishnan, Senior Principal Planner will continue to be the primary professional assisting Van Buren Township. She will be assisted by **Donovan Smith, Principal Planner**, and other McKenna staff with experience in residential markets, zoning, development attraction, and RRC certification.

SCHEDULE AND FEE

McKenna will conduct its analysis including meetings with the Township and complete its draft report within six months of authorization.

The proposed fee for these services is \$45,000 which will be invoiced monthly payable within 30 days.

We understand that you wish to begin as soon as possible. Our team is available to start immediately upon receiving your written permission to commence the specified tasks by signing below. Thank you.

Respectfully submitted,

McKENNA

John Jackson AICP
President

FOR REFERENCE



**AUTHORIZATION TO PROCEED
CHARTER TOWNSHIP OF VAN BUREN, WAYNE COUNTY, MICHIGAN**

Signature Title Date

Print Name

Signature Title Date

Print Name

FOR REFERENCE