

**MARION TOWNSHIP PLANNING COMMISSION  
AGENDA**

REGULAR MEETING  
May 26, 2020  
7:30 p.m.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

INTRODUCTION OF MEMBERS:

APPROVAL OF AGENDA FOR:            May 26, 2020 Regular Meeting

APPROVAL OF MINUTES FROM:        February 25, 2020 Regular Meeting  
   April 28, 2020 Online Regular Meeting

CALL TO THE PUBLIC:

PUBLIC HEARING:    NONE

New BUSINESS:

- 1) B-line direction on fence for outdoor dining due to distancing. Photo of parking lot.
- 2) SPR#01-20 & SUP#01-20 for Marion D19 LLC Section 17.12 Drive-in Establishment.  
Set Public Hearing for June 23, 2020

Old BUSINESS:

- 1) Section 15.05,06 Signs relating to Home Occupation and Home-Based Business (Text changes).
- 2) TXT#07-17 proposed changes Lots – move thru other issues. (Bring info from past meetings)
- 3) TXT#01-19 Short Term Rentals discussion continued (John & Mike feedback).
- 4) Master Plan Review of latest Draft

Correspondence and Updates and Discussion:

CALL TO THE PUBLIC:

ADJOURNMENT:

\*Approved by: \_\_\_\_\_  
Larry Grunn, *Chairperson*

Date: \_\_\_\_\_

**MARION TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**February 25, 2020 / 7:30PM**

**MEMBERS PRESENT:** LARRY GRUNN – *CHAIRPERSON*  
BOB HANVEY  
CHERYL RANGE – *SECRETARY*  
BRUCE POWELSON – *VICE CHAIR*  
JAMES ANDERSON

**OTHERS PRESENT:** DAVE HAMANN – ZONING ADMINISTRATOR  
JOHN ENOS – PLANNER WITH CARLISLE WORTMAN

**MEMBERS ABSENT:**

**CALL TO ORDER:**

Larry Grunn called the meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA:**

Jim Anderson would like to add "Open Space" to Correspondence and Updates.

Cheryl Range motioned to approve the amended agenda. Larry Grunn seconded. ***MOTION CARRIED***

**APPROVAL OF MINUTES:**

***Approval of the Regular Meeting Minutes for January 28, 2020***

Bruce Powelson said that the spelling of Jim Anderson's last name needs to be corrected throughout the document, along with a few other spelling/grammatical errors.

Bob Hanvey motioned to approve the minutes with the corrections from January 28, 2020. Jim Anderson seconded.  
***MOTION CARRIED***

**CALL TO THE PUBLIC:**

NONE

**OLD BUSINESS:**

***TXT #05-05, 06 Signs / Home Occupation & Home-Based Business***

John Enos said that he does not have anything because in his opinion, the language that we already have is sufficient. One of the concerns was regarding setbacks and freestanding signs. Currently our language states that if you have a

Home Occupation, you can only have a sign if it is attached to the house. It was decided that we wanted Home Occupation's to have the ability to put a sign on their property, within 15 feet off the right of way. This way people can actually see the sign. The only thing the Township needs to do is make an amendment under our signs and regulations language and then have a Public Hearing.

Dave Hamann recommended that if we are going to go through the process of a text change, then we should also change the 15-06 schedule to add Home Based Business along with Home Occupation, along with changing 15-06C to say, Home Occupation/Home Based Business Signs and follow the same rule that is in RR district 1, free standing signs may be substituted for wall signs. Dave then said if we wanted them all to have that option, then we would have to pull out that restriction, by district.

Dave Hamann said that he would put together a text amendment package or we could wait until we have a public hearing for something bigger and then we could just add this change to it.

John Enos said that he can work with Dave on a memo for this, along with some other amendment changes.

John Enos said we should motion to postpone this until he brings language with these changes along with some other text changes, to the next Planning Commission meeting and we can set a Public Hearing at that time.

Cheryl Range motioned to postpone TXT# 15-05 and 15-06 discussion and changes to go forward at a later date. Bruce Powelson seconded. **MOTION CARRIED**

- ***TXT #07-17 Proposed Changes on Lots***

John Enos said the problem with ordinances like this is that "the structure" is the umbrella and underneath that is all of these other terms such as "the accessory use", "the building", "the principle use". We just need to make sure that Dave is interpreting the various terms throughout the ordinance.

Dave asked about these small cell towers popping up all over, are we going to see them before this Board and is it going to be a structure that we have to regulate. Allow them?

John Enos said that what he is hearing is that we have to allow them and most of the time they are in the right of way and considered an essential service. Instead of having large cell towers, they are little micro boxes that are sometimes placed on top of telephone poles. The Road Commission has to regulate them because they are in their right of way.

John said regarding Solar Panels on the ground he looks at them like an accessory use. They are allowed, but they just have to get a Land Use permit or a Zoning permit.

Jim Anderson asked what would happen if a person had two parcels and wanted to put their solar panels on the vacant parcel next to their home.

Dave said because we don't have a solar ordinance, we would consider that an accessory structure so it would have to be on the same parcel as their home. Accessory structures have to be on the parcel where the primary structure is located. A resident would have to combine their two parcels if they wanted to put the solar panels on the vacant parcel next to their home.

Bob asked if a person could make their solar panels the principal use on a vacant lot.

Dave said that we should probably put together solar panel regulations so we can allow something like that. Since we currently don't have anything, John told me to treat them like an accessory use.

John said that if we keep solar panels as an accessory use, then it is easier for Dave to regulate it.

Bob asked if we should change the term "principal building" to "principal structure".

John Enos asked if anyone has come forward to the ZBA with a problem regarding the interpretation of the term *structure verses building?*

Cheryl Range motioned to leave the *TXT#07-17 LOTS* ordinance language as is and not make any changes at this time. Unless we wanted to add *"The following terms may be interchangeably used throughout our articles providing the most specific description to each pertinent situation or usage is determined and agreed upon. Lots / Plats / Parcels / Net / Gross."*

Bob asked Cheryl to clarify what the motion actually is.

Cheryl Range motioned to add the following language to *TXT#07-17 LOTS* ordinance:

*"The following terms may be interchangeably used throughout our articles providing the most specific description to each pertinent situation or usage is determined and agreed upon. Lots / Plats / Parcels / Net / Gross."* Larry Grunn seconded. **ROLL CALL: BRUCE POWELSON-NO, JIM ANDERSON-NO, BOB HANVEY-NO, LARRY GRUNN-YES, CHERYL RANGE-YES 3-NO/2-YES**

John Enos said that he does not like seeing the Board split on decisions like this. He suggested not making any changes right now and would like to see further discussion on this. John said he can bring some examples from other jurisdictions for the Commissioners to look at.

Larry Grunn said that we should be able to rely on John Enos and Phil Westmoreland to guide us through this and interpret this for us.

Cheryl Range made a motion to postpone changes on this until we get some more feedback and input from John Enos and the Township Attorney. Bruce Powelson seconded. **MOTION CARRIED**

Bob Hanvey asked what everyone thought about shipping containers.

Larry Grunn said they should be a temporary use.

Dave said that there is nothing in our ordinance about these, so he cannot tell anyone that they have to remove them.

John Enos said that because these things are inexpensive, they are becoming accessory structures.

John Enos said that he can bring Huron Township's language on Pods and Shipping Containers. Shipping Containers are not allowed in Huron Township but he will bring their language on that.

Jim Anderson said he thinks that these need to be regulated.

Larry said they should be a temporary use or it needs to be prohibited all together.

John Enos said that he has walked through some of these Shipping Container homes and they can be pretty nice. We need to try and separate the idea of people using shipping containers as their home and using shipping containers as an accessory use.

John Enos will work with Dave and get him the language that was just approved in Huron Township about shipping containers and pods.

- ***TXT #01-19 Short Term Rentals***

John Enos said that he brought some language about short-term rentals. The attorneys had some issues with the 30-day minimum.

Jim Anderson wouldn't have an issue with a minimum of a 7-day rental. Usually it is families who are renting for 7 days. That would help eliminate your bachelor parties, birthday parties and weekend parties.

Dave doesn't think anyone on the lake would be happy with a 7-day rental. We were talking about only allowing this in RR and SR and not allowing this in ERS1.

John Enos said that he will bring back some language on short term rentals and the different allowed time-frames.

- ***Master Plan Review Updates***

John Enos said that he changed some maps and pictures in the Master Plan. He looked at our Goals and Objectives and made some updates along with adding a PDR definition. He said that it is still not quite ready for Sandi to review again.

Jim Anderson asked if we have an open space and farmland preservations.

John Enos said yes.

Jim Anderson asked if we had enough to qualify for any of the funds being offered to those who have a certain amount of open space or farmland preservation.

John Enos said that we could throw in a page that talks about open space and farmland. He said there is a lot of opportunity for having designated open spaces and farmland preservations.

- ***April Planning Commission Meeting Date***

Cheryl Range made a motion to change the April Planning Commission meeting to April 20 instead of the 28th due to the MTA conference that is scheduled. Larry Grunn seconded. **MOTION CARRIED**

## **CORRESPONDENCE AND UPDATES:**

### **• DISCUSS PDR DOCUMENTATION**

Jim Anderson said that he spoke to a gentleman named Barry Lonik who does a lot of work for Communities involving their open space and farmland preservation. Barry Lonik formed his own business and does a lot of work in Scio Township near Ann Arbor. He is also starting to do work in Jackson County and Ingham County. Barry has been doing this kind of work for 20 years now and he lives in Dexter. Would the Commissioners be interested in listening to his presentation about what he can offer our Township and discuss the ways that he can help the Township identify, fund and secure open space and farmland preservation. Larry Lonik would only charge \$200 for that presentation.

John Enos said that Barry Lonik is very knowledgeable and thinks that this would be a great opportunity for Marion Township.

Jim also spoke with Sara Thomas who is the President of Livingston Land Conservancy and she is very excited about the opportunity that Marion Township could be the first community in the County to be a part of something like this. She would like to come talk with us and assist in whatever way that she can. Jim provided some brochures and newsletters about various agencies that also do work in open space and farmland preservation.

Les Andersen resides at 4500 Jewell Road and is a Township Board member. Les asked if the Township Board would have to approve spending \$200 for this presentation. Les also asked Jim Anderson if Larry Lonik could attend one of the Board meetings to discuss this opportunity.

Jim Anderson said that he would discuss that option with Larry Lonik.

Les Andersen asked Larry if he was allowed to ask a question un-related to this.

Larry Grunn said yes.

Les Andersen explained that the Township's ordinance language is only useful if we have the enforcement to back it up. Les doesn't think we should be approving any more language without proper enforcement in place to take care of our existing issues. What happened to the idea of offering \$99 special use permits?

John Enos said that he likes the idea behind that and getting all of these business'/occupations to a conforming point however he is concerned that something like this will open the door to a lot of noise and angry neighbors. John is very concerned that because of the public hearing process that has to take place for special use permits, he is concerned that the neighbors are going to get crazy-mad.

John Enos doesn't understand why Marion Township does not have any type of enforcement in place. John thought the Board approved \$50k for enforcement and he doesn't understand why that still hasn't happened.

## **CALL TO THE PUBLIC:**

NONE

## **ADJOURNMENT:**

Cheryl Range made a motion to adjourn the meeting at 9:37pm. Jim Anderson seconded. **MOTION CARRIED.**

\*Approved by: \_\_\_\_\_  
Larry Grunn, *Chairperson*

Date: \_\_\_\_\_

**MARION TOWNSHIP PLANNING COMMISSION**  
**CONFERENCE CALL MEETING MINUTES**  
**April 28, 2020 / 7:30PM**

**MEMBERS PRESENT:** LARRY GRUNN – *CHAIRPERSON*  
BOB HANVEY  
CHERYL RANGE – *SECRETARY*  
BRUCE POWELSON – *VICE CHAIR*  
JAMES ANDERSON

**OTHERS PRESENT:** DAVE HAMANN – ZONING ADMINISTRATOR  
JOHN ENOS – PLANNER WITH CARLISLE WORTMAN  
TODD LEKANDER - OWNER OF MUGG & BOPPS

**MEMBERS ABSENT:**

**CALL TO ORDER:**

Larry Grunn called the meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA:**

*Approval of the Regular Meeting Agenda for April 28, 2020*

Cheryl Range motioned to approve the agenda. Bruce Powelson seconded. **MOTION CARRIED**

**CALL TO THE PUBLIC:**

NONE

## **NEW BUSINESS:**

- **MUGG & BOPPS PRE-APPLICATION FOR DRIVE-THRU SERVICE**

Todd Lekander stated that he would like to have a Dunkin Donut store at his new Mugg & Bopps location. He would also like to add a drive-thru service to this location. The public would really like to see a drive-thru at this location as well. The drive-thru would be where the rear door is located now. Todd is here today for a pre-application review of his drive-thru.

John Enos said that he is seeing these drive-thrus throughout many communities nowadays and that this is very common in a lot of similar businesses. Mr. Lekander's drive-thru would require a special use permit and John does not have any issues with that. There are only a few people within the 300 foot radius that would have to be notified and then it would go through the public hearing process. John said there are two things we need to look at; Drainage and setbacks. We want to make sure that people don't line up along the drive on the left side. John does not have a problem moving forward with this, as long as we have a public hearing and he and Phil Westmoreland get a chance to look at this in more detail.

Larry Grunn is concerned about the drain being put back in place.

Todd Lekander said that the landscaping was originally going to be in the front area along D19 and also along the north side by the driveway. He is hoping to put some evergreens along the west side of the property to help with the wind that comes in through that side. DTE came in and said that they are going to change the way the power lines run through. They did finish that this past Spring. Now the landscapers will be able to start the landscaping work. The stormwater retention was designed to accommodate the hard surface by the drive through. Todd did speak with Bob Dymond and said that he would show Bob where he can put his stormwater drain. He told Bob that it could start at the corner of his property and run over to the wetlands. Bob is now saying that his septic system would be in the way, so he would need to run it through my property. Todd looked into it and believes he would be able to solve this issue without affecting everyone else. Bob doesn't agree and has insisted that he would still need a 40-foot easement on Todd's property. Steve from the Road commission told Todd that they are now going to put in the drain along the east side of the property. The Road Commission, DEQ and Drain Commission have been working together to get this resolved. The northeast corner of Bob Dymond's property is where they are going to put in a pipe and run the drain line along the front of our property, over to the far north side of our property.

Jim Anderson asked if the drain being proposed along D19 near the Marion Township #5 drain, will be open or closed?

Todd Lekander said that this drain will be a closed drain.

Jim Anderson asked if we know how much it will reduce the water level in that pond.

Todd Lekander said that he is not sure.

Todd Lekander said that he has spent more time discussing this drain issue involving Mr. Dymond, then he has spent dealing with his own property. Todd doesn't think it makes sense to dig up his own property for Mr. Dymond, when there is another solution possible.

Jim Anderson would like to know more information about the drain that will run along the west side of D19. He also wants to know what kind of water level changes will happen as a result.

Larry Grunn said that we should consider bringing Dan Lowe into this because he is probably going to have more information regarding this drain. Larry asked if we need to see something from the Road Commission regarding this drain. Larry Grunn agrees with Todd regarding the tree line that will help protect the building from the wind that comes through that side.

Jim Anderson asked if he is going to plant Evergreens in the center circle area as well?

Todd Lekander said they would only be on the outside of the property.

Jim Anderson said we need to see the evergreen trees on the plans.

Larry Grunn thinks they should put the tree line on the west side so we don't risk impacting the view of drivers passing by.

John Enos thinks that Phil and the Road Commission will be able to provide enough detail and suggestions to make this work. John said that we don't need to hold Mr. Lekander hostage or prevent him from moving forward on this. Also, the Township is possibly going to want to set up an Escrow Account for the landscaping work.

Jim Anderson asked if Todd plans to develop the property to the west of him.

Todd Lekander said not at this time, but in the future, he might want to expand to the west.

Jim stated that the traffic will increase dramatically after the drive-thru is put in and is concerned about traffic flow in the parking lot.

Todd said the traffic they will draw into that end of the parking lot, will be very limited during the day. Todd suggested possibly putting in a large mirror or something in that corner. He is confident that they will be able to come up with a solution.

Jim Anderson suggested a median that would separate the drive-thru traffic from the parking lot traffic.

John said that they can work out these kinds of details, when they do a more detailed review.

Todd said that the consumer is pretty resilient and that they are usually pretty good at figuring things like this out. However, he is open to addressing these things as they move along.



Jim asked about the timeline from the Drain Commission in getting this drain put in?

Todd said they plan on starting pretty soon. They told Todd that they would like to have this done before the next school year starts.

Bruce Powelson has always been concerned about the pond in that area, so he is happy to hear that this is going to be resolved. He is still very interested in seeing an electric charging station installed. He thinks Todd should make that a serious consideration.

Bob Hanvey asked if we need to see something that explains what Todd is going to be doing in that part of the building?

Todd said that every interior drawing that he has ever provided, shows the plans for the bakery. It has always shown that space and he has always discussed the use of that space.

Bob asked what the process is for adding a use permitted by right to a special use permit.

John Enos said that we just need to take into consideration the extra parking for the Bakery employees. That is really the only change.

Todd said that this will be a wholesale bakery and they will not be selling them to the public from that area. They are only baking for the DD stores. There is a driver that then takes the donuts to all of our different locations.

Bruce Powelson asked if the generator is in existence right now?

Todd said yes, it is.

John said he is not sure if Dave would be comfortable handling the public hearing and the special use permit process during the same meeting. He asked if the Board gets final approval on this.

Bob said yes, that is correct.

John asked if we can set a public hearing for May?

Dave explained that his job is technically not considered "essential" at this current time and the Township is currently not even open right now. Dave said once that changes and the Township re-opens or my job is considered essential, then we can move forward with a public hearing. Dave asked if this has to go to the County for approval?

John said no it does not. Only re-zoning has to go to the County.

Jim Abraham asked if this was a good time to make some public comments on the project.

Bob Hanvey said yes.

Jim Abraham said he is the future owner of McGowan's Mini Storage. Jim Abraham is in favor of what Todd Lekander is trying to do at his new gas station. He thinks that it looks like a great idea and he completely supports this addition. He said regarding the pond situation, the water is now encroaching onto McGowan's Storage property. It is now starting to cause ingress and egress issues. If we were to have a really bad storm, the storage facility would be under water. He is glad that the Drain Commission has decided to resolve the drain issue but the letter that they sent out, does not explain WHEN they plan on actually making these repairs because of the current COVID19 situation. Jim said, since we do not know when the Drain Commission will be able to resolve this drain issue, my proposal is that we should put a secondary measure in place. Jim suggested that maybe when Todd begins the excavation for his drive through, we could put a pipe in place as a provision. At least this way, if the Drain Commission does not resolve the original drain problems in a reasonable time frame, we have a secondary solution in place.

Cheryl Range asked if the new Dunkin Donut location would take anything away from the existing Dunkin Donuts location.

Todd Lekander said that nothing will change at the current Dunkin Donuts location and that this new facility will be in addition to what they already have set up at the existing location.

John Enos said that the Commissioners can decide to make a motion tonight to set a public hearing for the future but we have to check to make sure that it is legal to have a public hearing during a lockdown over video conference.

Jim Anderson said that we need to make sure that Todd Lekander has a revised site plan available for the Public Hearing. It should contain all of the revisions discussed at tonight's meeting.

Dave Hamann said that Todd Lekander has not yet applied for a special use permit nor has he been able to pay any of the fees, since the Township office is currently not even open. Therefore, the Planning Commission members should not be scheduling any public hearings at this time. Not until the Township reopens and Todd Lekander is able to apply for a special use permit and pay the application fees. The Township office is technically not even open right now. Just because there are still two people in the office answering the phones and taking messages, does not mean that we are technically open. Everything Zoning related is CLOSED right now.

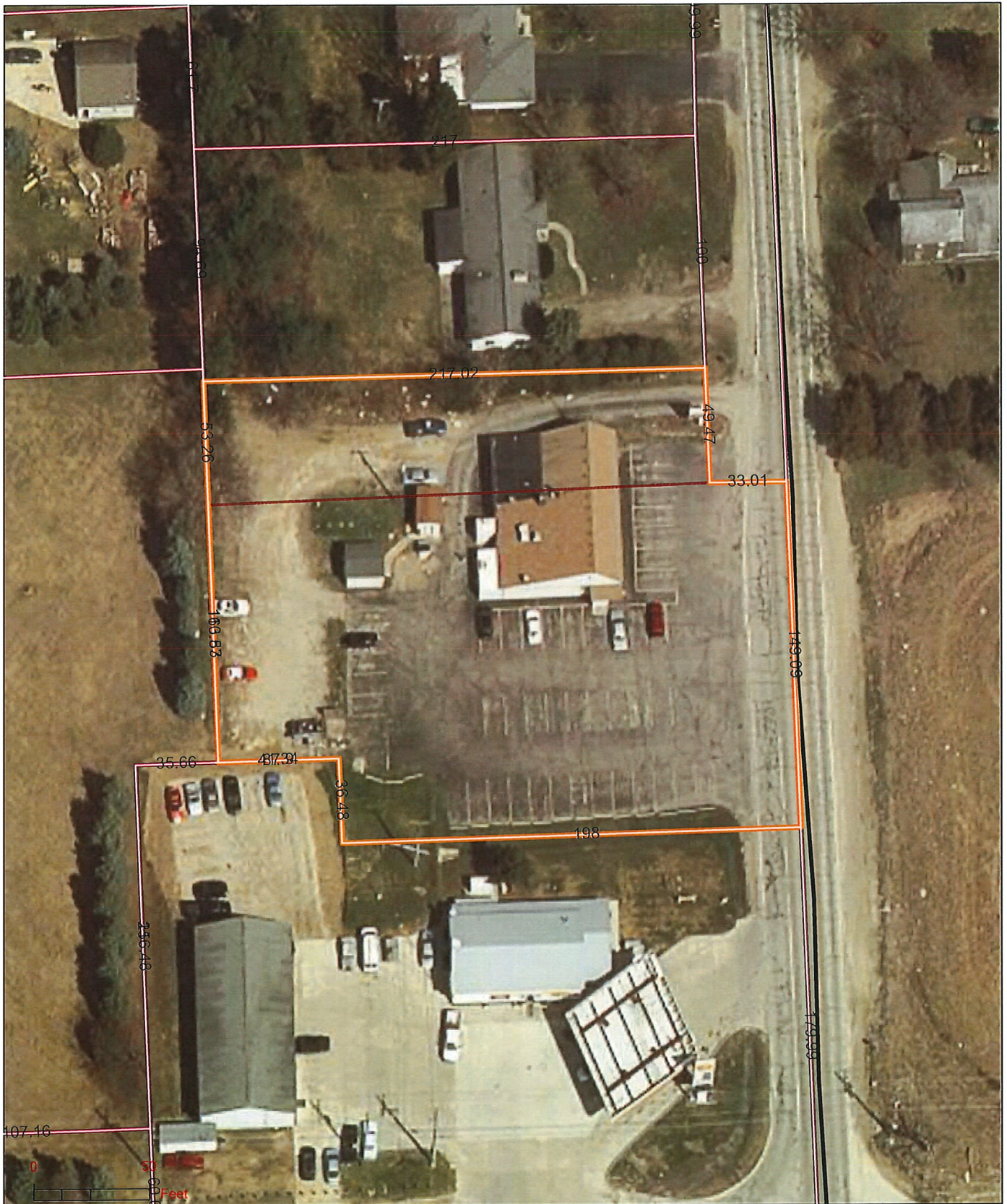
Bob Hanvey said that he is hoping they are allowed to reopen the office on May 18 but that date could change at any time. John Enos said hopefully we will have more answers in a couple days.

Dave Hamann said that we cannot move forward with anything until he is allowed to return to work. Right now, "Zoning" is not considered to be essential and he cannot do anything until that changes.

## **ADJOURNMENT:**

Cheryl Range motions to adjourn the meeting at 8:54pm. Larry Grunn seconded. **MOTION CARRIED**

# MARION MARCH 2019



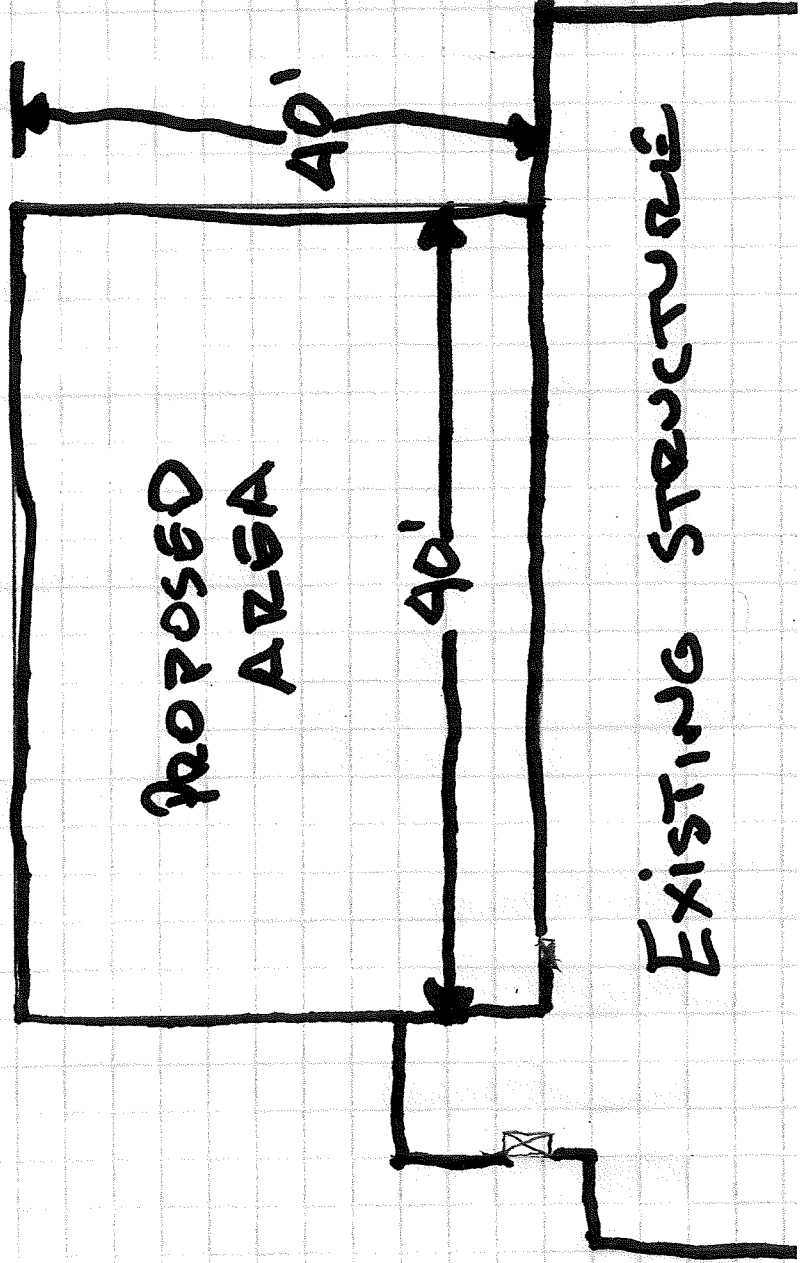
**BACK OF LOT**

**EXISTING  
PARKING**

B-LINE  
BAR & GRAVE

5960  
D-19

OUTDOOR  
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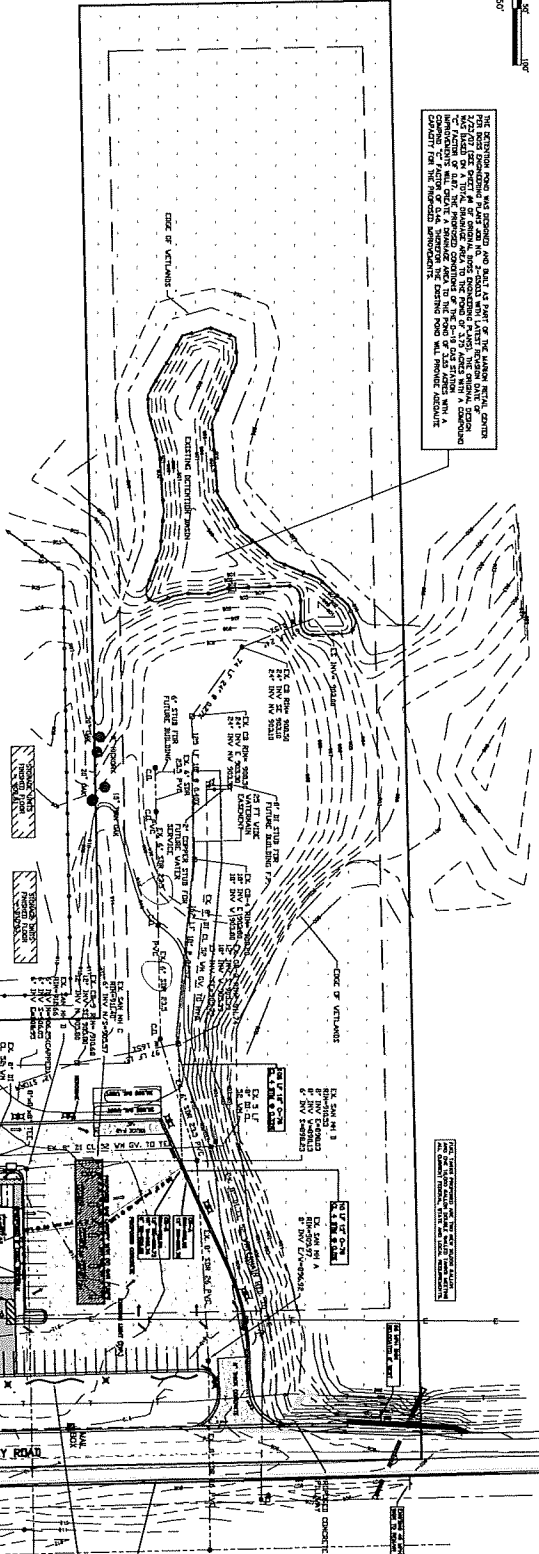






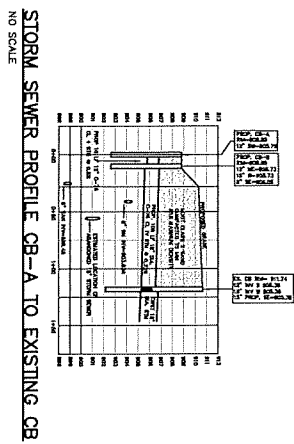
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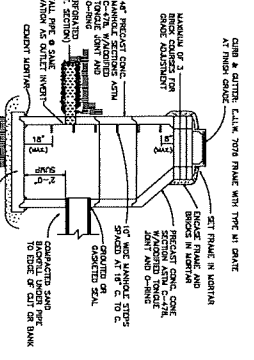


ALL WORK WITHIN THE DRAINAGE DISTRICT SHALL BE APPROVED BY THE DISTRICT ENGINEER. THE DISTRICT ENGINEER'S OFFICE IS LOCATED AT 1000 N. W. 10TH ST., OKLAHOMA CITY, OK 73107. ANY CHANGES TO THIS PLAN SHALL BE APPROVED BY THE DISTRICT ENGINEER.

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STORM WATER FLOW CALCULATIONS (10-YEAR EVENT)

Table with 10 columns: Catchment Area (sq ft), Runoff Coefficient, Peak Discharge (cfs), Time of Travel (min), etc. Includes a note: 'NOTE: THE PIPE FROM EXISTING CB-3 TO EXISTING CB-4 WAS DESIGNED AS PART OF THE WASTEWATER TREATMENT PLANT DESIGN. THIS SECTION OF PIPE WAS 24\"/>

NOTE: THE PIPE FROM EXISTING CB-3 TO EXISTING CB-4 WAS DESIGNED AS PART OF THE WASTEWATER TREATMENT PLANT DESIGN. THIS SECTION OF PIPE WAS 24\"/>

C-2

DATE: 08-03-16
PROJECT:
DRAWN BY:
CHECKED BY:
SCALE: 1"=50'

ACE CIVIL ENGINEERING
1100 N. W. 10TH ST., SUITE 100
OKLAHOMA CITY, OK 73107
PHONE: (405) 517-5455 FAX: (405) 517-5456

D-19 GAS STATION / CONVENIENCE STORE
EXISTING CONDITIONS PLAN

C.D. Okemos 10
P.O. Box 708
Haskell, OK 74544
ATTN: Todd Lekander
517-202-0232

Table with 2 columns: Description, Date. Includes entries for 'REVISIONS' and 'DATE'.







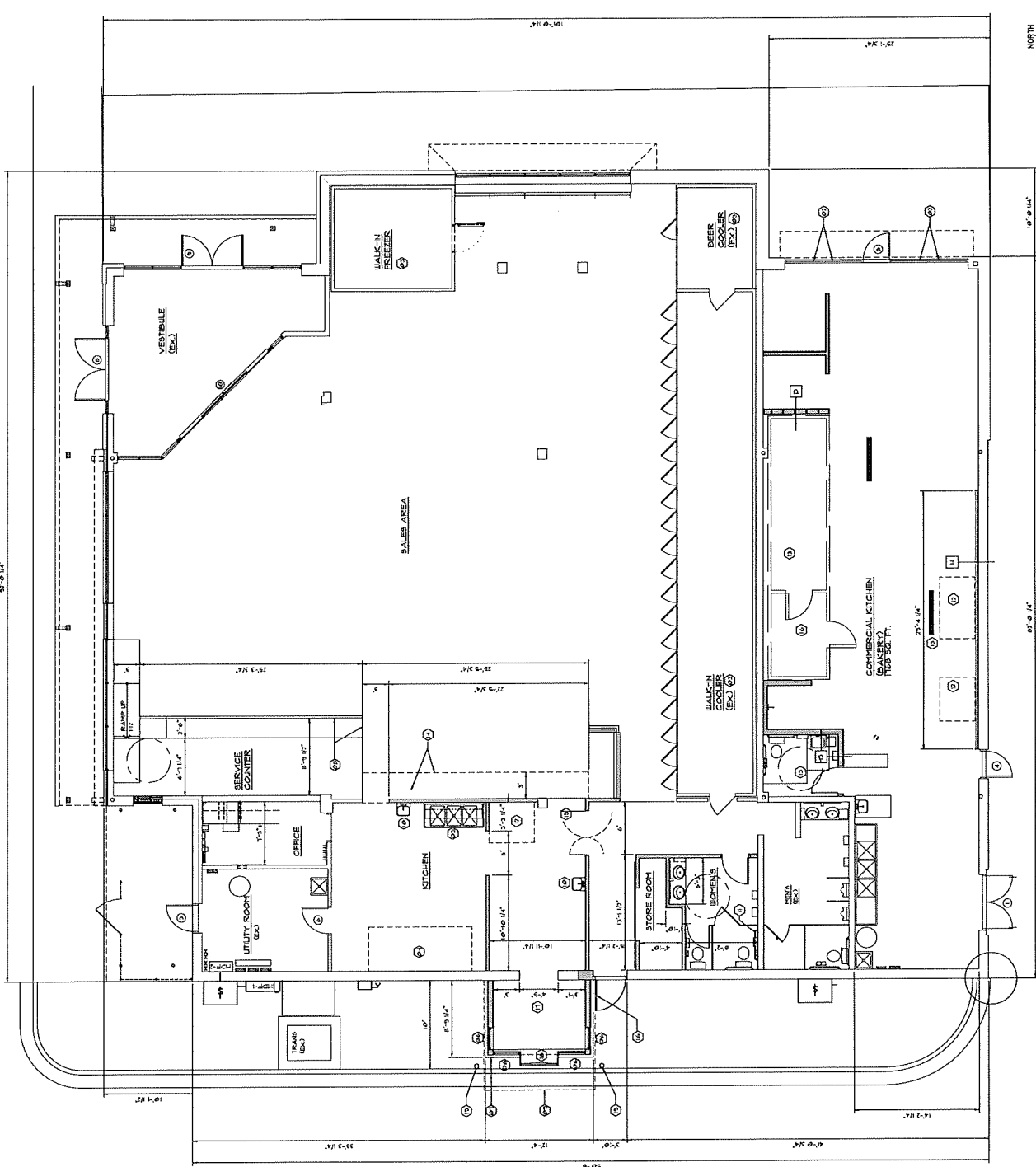




**FLOOR PLAN KEY NOTES**

1. EXISTING EXTERIOR WALL TO REMAIN.
2. EXISTING WALK-IN COOLER/FREEZERS TO REMAIN.
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DO NOT SCALE DRAWINGS



**FLOOR PLAN**  
SCALE 3/8" = 1'-0"  
TOTAL AREA: 8,596 SQ. FT.  
WALK-IN COOLERS: 4,211 SQ. FT.  
WALK-IN FREEZERS: 2,596 SQ. FT.

**FLOOR PLAN GENERAL NOTES**

1. INTERIOR DIMENSIONS ARE FROM FACE OF STUD TO FACE OF STUD OR FACE OF STUD TO FACE OF EXISTING GYPHUM BOARD.
2. EXTERIOR DIMENSIONS ARE FROM FACE OF BRICK TO FACE OF BRICK OR FROM FACE OF BRICK TO FACE OF EXISTING GYPHUM BOARD.
3. WALL FINISH SHALL BE 5/8" GYPHUM BOARD FROM BLAD TO EXISTING CEILING OR 1/2" GYPHUM BOARD FROM BLAD TO EXISTING CEILING.
4. KITCHEN WALLS BEHIND HOODS SHALL BE 5/8" GYPHUM BOARD BLAD TO CEILING, TO EXISTING 24" INCH DEPTH HOOD.
5. INSTALL 1/2" GYPHUM BOARD BEHIND ALL TILE FINISHES.
6. PATCH AND REPAIR ANY EXISTING DAMAGED OR BROKEN GYPHUM BOARD SURFACES WITH SPACKLED AND READY FOR PAINT.
7. ALL PARTITIONS SHALL BE PROVIDED WITH 5/8" FIBROGLASS SUBSTRATE UNDER GYPHUM BOARD.
8. ALL PARTITIONS SHALL BE FINISHED WITH 1/2" GYPHUM BOARD ALL ACCESSORY TRIM AND CORNER PIECES.
9. PROVIDE A THRESHOLD OR 4" WIDE CONCRETE ONE BY EACH DOOR AND ONE IN EACH KITCHEN.
10. INSTALL 2" X 4" STEEL CORNER GUARDS AT ALL BACK-OF-HOUSE EXTERIOR CORNERS, FROM TOP OF CURB TO 6 FEET A.F.F.

**MATTHEW RAY ARCHITECT**

200 S. MAIN STREET  
CHICAGO, IL 60604  
TEL: 312.467.1234  
WWW.MRARCHITECT.COM

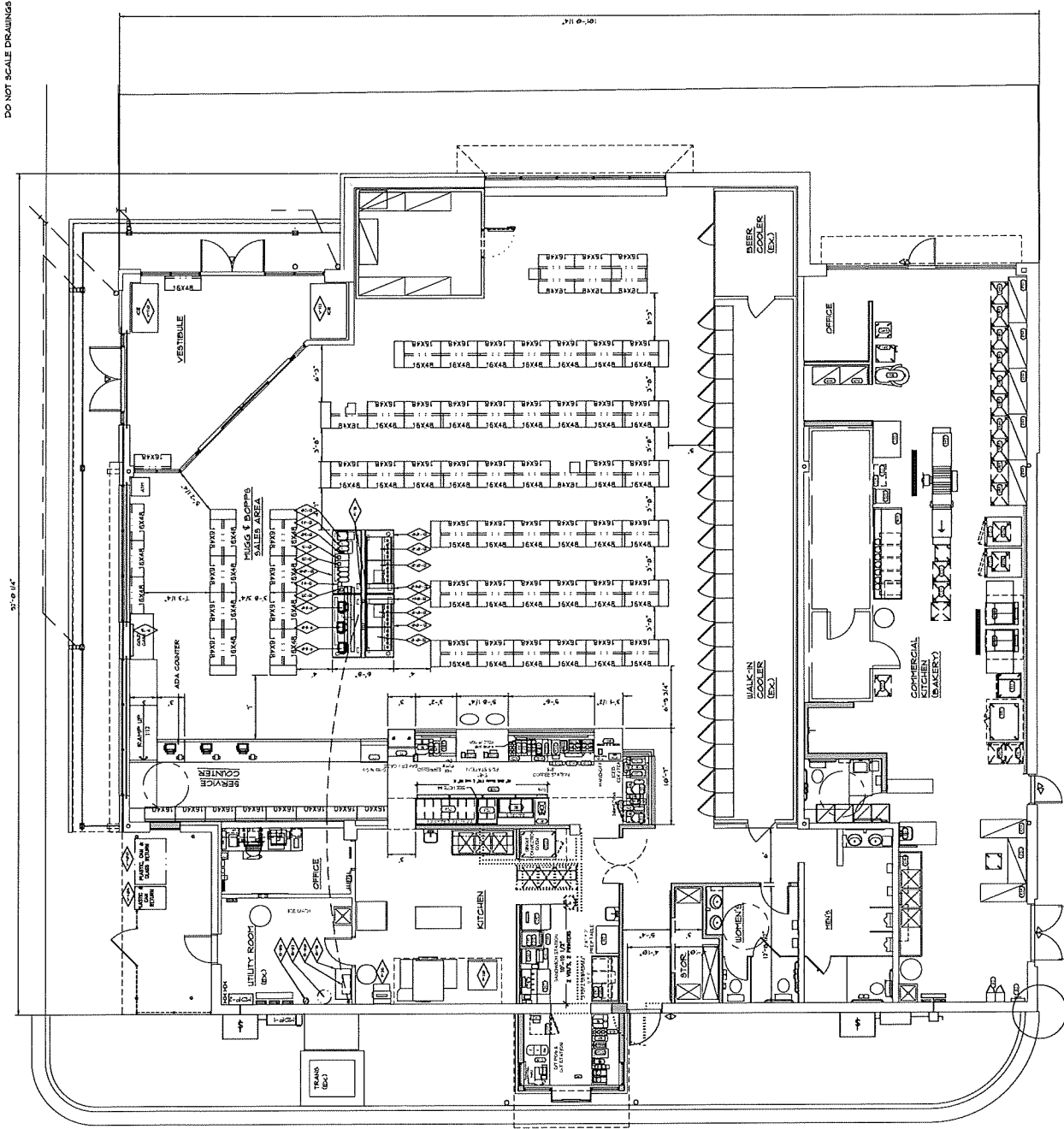
**PROJECT:** PUNKIN-TENANT IMPROVEMENTS  
**PHASE:** 2  
**CLIENT:** PUNKIN-TENANT

**DATE:** 05-15-2020  
**ISSUED/DATE:** 05-15-2020  
**BULLETIN NO.:** 05-15-2020

**CHECKED BY:** PBR  
**DRAWN BY:** PBR  
**DATE:** 05-15-2020

**PROJECT NO.:** 133-11  
**TITLE:** FLOOR PLAN  
**SHEET NO.:** A-31

DO NOT SCALE DRAWINGS



EQUIPMENT PLAN  
SCALE: 3/8" = 1'-0"

- = PRINTER (OPTIONAL)
- = VIDEO DISPLAY UNIT
- = FRONTIER

- 2100 SF (DD Space)
- 2 BENCH TYPES per WK
- 20 SEATS
- 30 LF Dry Storage Shelving

**CAUTIONARY NOTES:**  
 1. Show notes with this equipment.  
 2. Show location with this equipment.

- NOTE:**
1. THIS PLAN MEETS ALL REQUIREMENTS.
  2. FRANCHISEE MUST OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
  3. THIS PLAN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
  4. FRANCHISEE MUST OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
  5. FRANCHISEE MUST OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.
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THE SHAWMEE LANE  
 1000 SHAWMEE LANE  
 WILMINGTON, MA 01897  
 TEL: 508-653-1000  
 FAX: 508-653-1001  
 WWW.SHAWMEE.COM

**MAILED**  
**RAY ARCHITECT**

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 HEREIN ARE THE PROPERTY OF  
 RAY ARCHITECT, P.C.  
 WITHOUT LIMITATION.

**CLIENT:**  
 HARRIS DISTIC  
 471 S. CLEARBORN  
 HOBELL, MA 01834  
 508-528-8100

**PROJECT:**  
 PHASE 2  
 PINKIN-TENANT  
 IMPROVEMENTS  
 1800 PARKER ROAD,  
 WILMINGTON, MA

**DESIGNER:**  
 RAY ARCHITECT, P.C.  
 1000 SHAWMEE LANE  
 WILMINGTON, MA 01897  
 TEL: 508-653-1000

**DATE:**  
 08-13-2020

**SCALE:**  
 3/8" = 1'-0"

SEAL  
 STATE OF MASSACHUSETTS  
 REGISTERED PROFESSIONAL ARCHITECT  
 No. 13331  
 RAY ARCHITECT, P.C.

CHECKED BY: PRR  
 DRAWN BY: PRR  
 DATE: 07/01/20  
 PROJECT NO.:  
 TITLE: EQUIPMENT PLAN  
 SHEET NO.:  
**A-3.2**



DO NOT SCALE DRAWINGS

2021 BIRMINGHAM LANE  
WATERBORO  
MICHIGAN  
48325  
248.230.1625  
HINKALANG@GMAIL.COM

DATE: 01/20/2021

PROJECT NO: 133-11

TITLE: LANDSCAPE DETAILS

SHEET NO: L-2.1

PROJECT: PARKING LOT #1

CLIENT: PARKSON DALLAS

ADDRESS: 4716 CLEARBORN

HOUSTON, TEXAS

PROJECT: PARKING LOT #1

PHASE: 2

DUNKIN' TENDENT

REVISIONS

ISSUED DATE

BULLETIN NO. 5

05-13-2019

SCALE: 1" = 1'-0"

DESIGNED BY: J. H. HARRIS

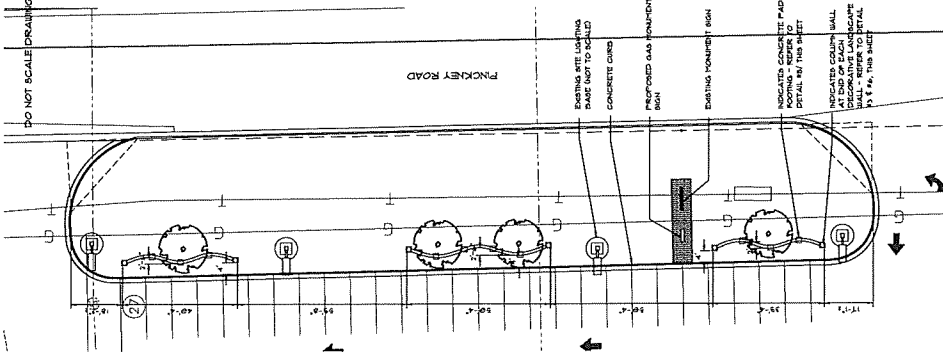
CHECKED BY: J. H. HARRIS

DATE: 01/20/2021

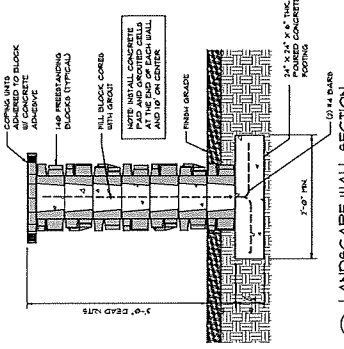
PROJECT NO: 133-11

TITLE: LANDSCAPE DETAILS

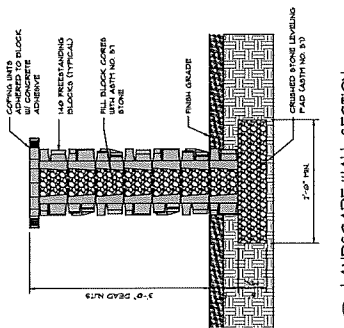
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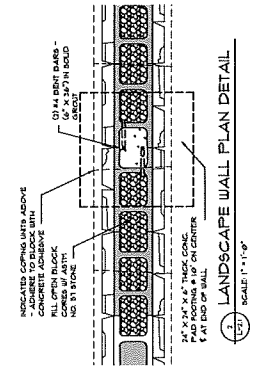
LANDSCAPE WALL PLAN DETAIL  
SCALE: 1" = 1'-0"



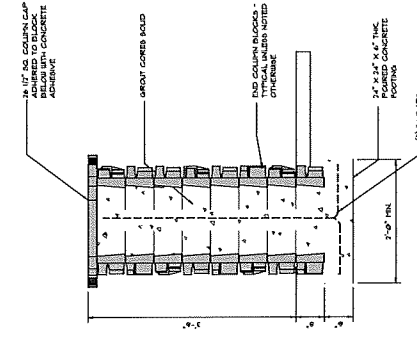
LANDSCAPE WALL SECTION 3  
SCALE: 1" = 1'-0"



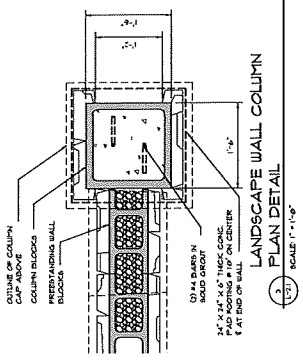
LANDSCAPE WALL SECTION 4  
SCALE: 1" = 1'-0"



LANDSCAPE WALL PLAN DETAIL 3  
SCALE: 1" = 1'-0"



LANDSCAPE WALL COLUMN SECTION 1  
SCALE: 1" = 1'-0"



LANDSCAPE WALL COLUMN PLAN DETAIL 3  
SCALE: 1" = 1'-0"



May 20, 2019

Dave Hamann  
Marion Township  
2877 W Coon Lake Rd  
Howell, MI 48843

RE: Mugg & Bopps Gas Station / Convenience Store  
Final Site Plan Review for Drive Thru Addition

Mr. Hamann:

We have received and reviewed the site plan for the addition of a drive thru-lane for the Mugg & Bopps Gas station / Convenience Store located on the west side of D-19 (Pinckney Rd) north of Francis Rd. The plans were prepared by ACE Civil Engineering of Howell, MI. The revision date of the plans reviewed is April 17, 2020. We offer the following comments:

**General**

The property proposed for improvements consists of approximately ten acres zoned Highway Service, already partially developed with a gas station, convenience store and parking lot in the southeast portion of the site. A legal description is provided on the cover of the plans and closes within acceptable tolerances.

**Utilities**

There are no new water or sewer utilities proposed on this site and no existing utilities are being affected. With the previous expansion to the gas station, a grease trap was installed on the west side of the building and the sewer leads were reconnected. Prior to a bakery being added to the existing building the Owner should verify the operation of the grease trap and submit a routine cleaning schedule.

**Storm Water**

In general, drainage in the proposed parking lot flows northwest to a detention basin located on the west side of the site. Storm water is conveyed from the site through a series of existing catch basins. Drainage areas are shown near the improvements with their associated runoff coefficients, and a compound runoff coefficient is provided. The proposed drive thru-lane will add minimal hard surface to the site and the existing detention basin and storm sewers are capable of handling what little additional run-off is produced.

**Pavement**

A small 16' wide drive thru-lane is proposed near the northwest corner of the building. The lane will be concrete pavement with curb and gutter. Vehicles will enter the drive thru-lane from the

May 20, 2020  
Page 2 of 2

parking lot north of the gas pumps, loop around the fuel storage area to the order board, then cross 2 lanes of traffic to get to the pickup window located on the west side of the building.

The drive thru setup is very awkward. The location of the entry to the lane is not intuitive and the angle is very severe to any vehicles coming from the gas pump area. There is no space to pull out of the lane once you have entered it, which is a good design practice for people who change their mind. Requiring vehicles to cross a two-way maneuvering lane to get to the pickup window is also substandard, and cars at the window are facing opposing traffic with only 1" tall rubberized lane markers to separate them from oncoming traffic while they wait. At a minimum there should be a physical barrier between them like concrete curb. Based on this, we don't recommend the configuration as currently designed.

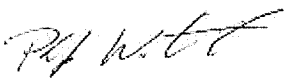
As part of the project, curb is being proposed along the south side of the building with a narrow island next to the building. This will narrow the existing asphalt drive lane. No dimensions are given but the design needs to maintain a minimum of 24' to allow for 2-way traffic at that point.

**Recommendation**

We have completed our careful review of the Final Site Plan. We do not recommend the addition of the drive thru-lane as designed. To be acceptable it should be designed so it does not cross or interfere with any maneuvering lanes around the site.

If you have any questions or require any more comment on this matter, please feel free to contact our office.

Sincerely,



**Philip A. Westmoreland, P.E.**  
Senior Project Manager  
**SPICER GROUP, INC.**  
125 Helle Blvd., Suite 2  
Dundee, MI 48131

CC: SGI File  
Patrick Keough, ACE Civil Engineering  
Ken Recker, P.E., Livingston County Drain Commissioner  
Kim Hiller, P.E., Livingston County Road Commission  
Greg Tatara, MHOG





# Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

## SPECIAL USE REVIEW ANALYSIS

### Marion Township

<b>Applicant:</b>	Marion – D19 LLC
<b>Property Address:</b>	1644 Pinckney Road Mugg & Bopp's
<b>Current Zoning:</b>	Highway Service Commercial
<b>Action Requested:</b>	Approval of Special Use Permit to Construct Drive Through Lane

#### DESCRIPTION

The applicant is requesting a special use to construct a drive thru lane as part of the overall Mugg and Bopp's store site. As the Township may recall there was discussion of a drive-thru during the site plan review process for the recently constructed fueling station. The site is an existing automobile fueling/mixed use, store and station and current uses are permitted by a previous special use permit within the Highway Service District. The Mugg and Bopp's includes a canopy and five (5) gas pumps, employee and customer parking, paving, and landscaping. The site also has sufficient lighting, underground infrastructure, and drive lanes.

The applicant is proposing the new drive-thru on the west side of the building and parcel. They have indicated it will be Dunkin Donuts franchise and will only be accessed from the drive-thru window, no pedestrian customers will be permitted in the store. Most of the space will act as a bakery facility serving the other Mugg & Bopp's throughout the area.

Gasoline stations/drive-thrus have become a successful part of small stores and based on the location. This new drive-thru will be a nice amenity to Township residents accessing I-96 for work or other activities.

**PROPERTY BACKGROUND**

The applicant requests a use permitted by special use permit for a drive-thru lane at the mixed-use station.

<b>Subject Site</b>	
Current Use	Mugg & Bopps
Master Plan Recommended Use	Commercial

**PROJECT LOCATION**

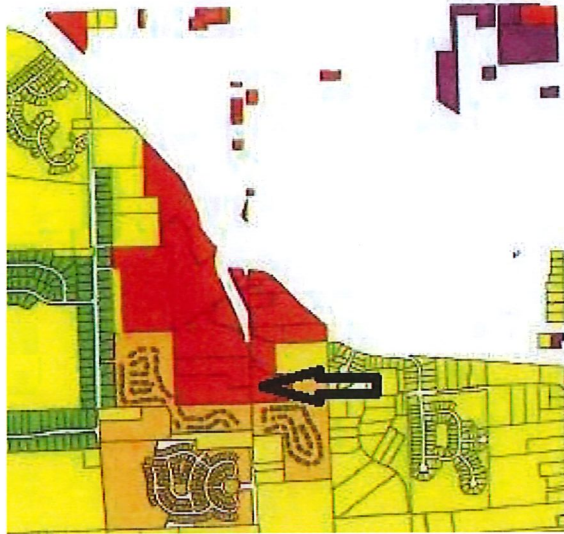
**Aerial (Google 2018)**



**STREET VIEW (Google 2020)**



**ADJACENT PROPERTIES**



All parcels in the immediate vicinity that front along D-19 north of the property are zoned for a variety of commercial uses. Adjacent zoning and land use to the subject property are listed below:

Adjacent Properties		
	Existing Use	Zoning
North	Highway Service Commercial (MVS)	HS Highway Service
South	Residential Uses & Wetland	Suburban Residential
East	Vacant	HS Highway Service
West	Mini-Storage	HS Highway Service

**MASTER PLAN COMPATABILITY**

The future land use plan of the Marion Township Master Plan has designated the subject property as Commercial. The Master Plan indicates that commercial land uses could include but are not limited to: gas stations, large single-use retailers, restaurants and larger retail strip developments. The proposed use is in conformance with the Master Plan.

**Items to be Addressed:** None.

**AREA, WIDTH, HEIGHT, SETBACKS**

The Ordinance outlines the regulations for the HS Highway Service Commercial District. The following table compares the proposed development against these requirements:

	Required	Proposed	Compliance
Minimum Lot Area	1 acre	10.01 acres	✓
Minimum Lot Width	150 ft.	500 ft.	✓
Minimum Front Yard	100 ft. from D-19	114 ft.	✓
Minimum Side Yard	25 ft.	31 ft.	✓
Minimum Rear Yard	40 ft.	144 ft.	✓
Maximum Height	35 ft.	NA	NA

*Items to be Addressed: None.*

**BUILDING LOCATION AND SITE ARRANGEMENT**

The building location (store) is existing the canopy and pumps are just north. Site arrangement is reasonable with direct access off the existing access drives from D-19. The proposed drive-thru will begin at the northwest corner of the property making a semi-circle towards the gas pump area, then vehicles will have to cross a drive to get to the pickup window on the west side of the building. Vehicles will then use the back drive to exit the drive-thru and the property.

The Fire Department should review for circulation and the ability to access all sides of the building during an emergency.

*Items to be Addressed: Fire Department Review.*

**PARKING, LOADING and CIRCULATION**

We consider the site overparked in that many more spaces exist than are required. No new spaces are proposed. As indicated the new bakery will not allow pedestrian access besides employees.

We are concerned however with the entry to the drive-thru and the stub that would eventually provide access to the western portion of the site. The total drive is twenty-four (24') feet. At some point traffic may be driving west and on busy mornings cars may block anyone leaving the site to the east if anything is ever developed in the back portion of the property. This should be discussed.

The applicant had indicated that a delivery truck will be an integral part of the bakery operation. Where will this delivery truck be located when not on the road? There was some discussion that this parking site would be adjacent to the dumpster enclosure and it appears a concrete pad is there

*Items to be Addressed: 1.) Clarify parking for delivery vehicle. 2.) Discuss conflicts with stub street and drive-thru entry.*

## LANDSCAPING, FENCING, SCREENING

The current landscaping on the site is incomplete, the current proposal should address some of the issues agreed upon with the original plan.

The decorative knee wall has been installed; the plan proposes four (4) honey locust trees in front of the knee walls.

The plan indicates that six (6) parking lot landscaping trees are required when only four (4) are shown on plan fronting D-19. This should be clarified or more trees be planted.

The proposed drive-thru is screened by eleven (11) White Pines. We would recommend a combination of White Pines and White Spruce or similar, in case of blight or disease. A few of these proposed trees are near or on the property line of the self-storage facility.

The applicant is required to plant trees within the D-19 Greenbelt based on linear frontage. A plan note requests the Planning Commission waive the requirement for trees and shrubs to the 101 linear feet of wetlands that act as a form of greenbelt. The Planning Commission should discuss whether this is a reasonable trade-off for the required trees and shrubs that would typically be in a greenbelt.

**Items to be Addressed:** 1.) Mix evergreen trees to prevent total loss in case of blight or disease. 2.) Clarify required number of parking lot trees required. 2) Discuss waving greenbelt planting requirements.

## LIGHTING

No lighting plan is provided. We are especially concerned with the drive-thru lighting, if proposed, and the need for it to be down shielded. If any pole lights, wall packs or other is proposed, the applicant should provide fixture, detail including height, location and illumination levels.

**Items to be Addressed:** Provide lighting plan, if applicable.

## SIGNS

The existing signs on building and canopy will remain. A concern for the drive-thru sign is will customers at the gas station know where the drive-thru entrance is if a truck is parked on the truck pad? Another sign directing customers should be taken into consideration.

**Items to be Addressed:** Consider a second drive-thru sign for customers at the gas station pumps when drive-thru is visibly blocked by a semi-truck on the truck pad.

## FLOOR PLAN AND ELEVATIONS

We do not expect any changes to the building elevations will take place besides the installation of a drive-thru window on the west side, not visible from D-19.

**Items to be Addressed:** None.

#### DRIVE-IN PERFORMANCE STANDARDS

1. The outdoor space used for parking and vehicle stacking shall be hard surfaced and adequately drained pursuant to Section 14.04.D. ***The proposed drive-thru will be made with concrete and will be graded.***
2. All areas used for the storage of trash and rubbish shall be screened by a vertical screen consisting of structural or plant materials no less than five (5) feet in height, with a view-obstructing door. ***Storage for trash is screened to the southwest of the parcel.***
3. Drive-in restaurant management shall provide adequate trash and litter policing for the parking lot and the shoulders of adjacent roadways. These areas shall be completely cleared of accumulated debris as often as necessary. ***Mugg & Bopp's has trash and litter policy and have trash cans around to ensure a clean property.***
4. No drive shall be closer to any other drive than seventy-five (75) feet and the maximum number of driveways permitted is two (2). ***Drive-thru is more the seventy-five (75) feet and the property has two driveways.***
5. Vehicular circulation patterns into and out of such businesses shall be located and designed to minimize disruption of and conflicts with through traffic movement on abutting streets. ***No vehicular circulation plan has been submitted. On a busy morning the drive thru might reach capacity and overflow into the gas pump station area. The drive thru also intersects a thru lane for Mugg and Bopp's customers that could cause potential accidents or near misses if the drivers are not paying attention. If the proposed drive thru is approved, there are proposed rubberized curbs that will allow a better delineation of traffic movement the drivers in both directions to control thru traffic. We could also consider the placement of flexible "bendable" bollards to better direct traffic. There should be a stop sign for both the drive thru and the thru lane.***
6. Devices for the transmission or broadcasting of voices or music shall be so directed or muffled as to prevent said sound or music from being audible beyond the boundaries of the site. ***Site plan does not indicate the noise level of the PA. The proposed volume should be at a minimum level so the adjacent properties cannot hear the different orders of customers.***

***Items to be Addressed:*** 1. Include vehicular circulation in site plan. 2. Include markings for traffic flow to avoid drive-thru conflicts. 3. Include a stop signs for drive-thru lane and for the perpendicular through lane to avoid accidents and near misses. 4. Find out the volume of the menu board PA system so adjacent properties cannot hear the different order of customers.

#### CONDITIONAL USE STANDARDS

1. Be harmonious with and in accordance with the general principles and objectives of the Master Plan of the Township. ***The parcel is planned for and currently being used for commercial uses. The proposed use is harmonious with the current Master Plan.***

2. Be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed. ***The existing and proposed commercial uses are appropriate in appearance and fit the area.***
3. Not be hazardous or disturbing to existing or future uses in the same general vicinity and will substantially improve property in the immediate vicinity and in the community as a whole. ***We do not anticipate any hazardous or disturbing issues upon approval of all outside agencies and the Township.***
4. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools. ***Adequate services are available to the site.***
5. Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. ***We do not anticipate any additional potential uses on site as it has been used for a commercial store for several years.***
6. Meet the intent and purpose of the zoning regulations; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards. ***Upon addressing the issues contained in this review and as required by the Planning Commission the proposed project will meet Township requirements.***
7. Ensure that landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications, which result in maximum harmony with adjacent areas. ***Existing landscaping will be preserved.***
8. Ensure that special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties. ***The Township engineer should review for compliance with all infrastructure needs.***
9. Ensure that all exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted. ***New lighting should be clarified.***
10. Meet the site plan review requirements of Article XVIII. If the applicant chooses to submit a preliminary site plan, the special use permit may also be considered preliminary. ***Upon addressing issues as noted in this review the project shall meet Ordinance requirements.***
11. Conform to all applicable state and federal requirements for that use. ***Prior to Township approval the project should meet all outside agency approvals.***

**SUMMARY OF ITEMS TO BE ADDRESSED BY APPLICANT**

The following items shall be addressed by the applicant to the satisfaction of the Planning Commission prior to special use approval:

1. Fire Department Review.
2. Mix evergreen trees to prevent total loss in case of blight or disease.
3. Clarify required number of parking lot trees required.
4. Discuss waving greenbelt planting requirements.
5. Clarify parking for delivery vehicle.
6. Discuss conflicts with stub street and drive-thru entry.
7. Provide lighting plan, if applicable.
8. Down-shield all proposed drive-thru lighting.
9. Include vehicular circulation in site plan. Discuss pavement marking and possible flexible bollards for to improve circulation.
10. Include a stop signs for drive-thru lane and for the perpendicular through lane to avoid accidents and near misses.
11. Clarify volume of the menu board PA system so adjacent properties cannot hear the different order of customers.
12. Township engineer review and approval.
13. Outside agency review and approval.