

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
August 8, 2005
6:30 P.M.
MINUTES

The work session of the Planning Commission was called to order by Chairman Don Pobuda at 6:30 p.m. The following commission members were present constituting a quorum for transaction of business: Don Pobuda, James Mortensen, Curt Brown, Teri Olson, Dean Tengel, and Mark Snyder. Also present was Kelly Kolakowski, Township Planner; Jeff Purdy and Brian Borden from Langworthy, Strader, LeBlanc & Associates, Inc. and Tesha Humphriss from Tetra Tech, MPS. By the end of the work session, there were a few persons in the audience.

Items scheduled for action during the regular session of the commission were discussed.

GENOA TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
7:00 P.M.
MINUTES

The regular session of the Planning Commission was called to order by Chairman Don Pobuda at 7:00 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed.

Moved by Mortensen, seconded by Olson, to approve the Agenda as written.
The motion carried unanimously.

The call to the public was made to discuss items not on the agenda. There was no response and the call to the public was closed at 7:02 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

CALL TO THE PUBLIC: ***(Note: The Board will not begin any new business after 10:00 p.m.)***

OPEN PUBLIC HEARING # 1... Review of sketch plan and impact assessment for a proposed glazed canopy for the Home Depot Garden Center located at 3330 E. Grand River, Sec. 5, petitioned by Home Depot. (05-23)

Planning Commission disposition of petition

A. Recommendation regarding impact assessment (dated 7-6-05)

B. Disposition regarding sketch plan. (dated 7-6-05)

Vicki Lewis, architect, and Mike Shales, Quality Project Management, the project manager for Home Depot.

Ms. Lewis stated that this canopy is for inside the garden center. It will only be as high as the existing 12-foot fence.

They showed samples of the awning and post materials.

Mr. Borden stated their only issue was that the Planning Commission needed to approve the proposed colors and materials for the awning.

Ms. Humphriss has no outstanding issues with regard to this request.

The call to the public was made at 7:05 p.m. with no response.

Moved by Mortensen, seconded by Snyder, to recommend to the Township Board approval of the Impact Assessment dated July 6, 2005 for a proposed glazed canopy for the Home Depot Garden Center located at 3330 E. Grand River, Sec. 5, petitioned by Home Depot.

Moved by Mortensen seconded by Snyder, to approve the Sketch Plan dated July 6 2005 for a proposed glazed canopy for the Home Depot Garden Center located at 3330 E. Grand River, Sec. 5, petitioned by Home Depot with the following conditions:

1. The canopy height will be 12 feet and will not exceed the height of the surrounding fence.
2. It will be contained within the existing outdoor sales area.
3. Building materials as presented this evening are acceptable and will become the property of the Township.

The motion carried unanimously.

OPEN PUBLIC HEARING # 2...Review of impact assessment and sketch plan for a 6000 sq. ft. day care facility located at 4533 E. Grand River, Sec. 9, petitioned by B.M.H. Realty Co. (05-24)

Planning Commission disposition of petition

A. Recommendation regarding impact assessment. (dated 7-19-05)

B. Disposition regarding sketch plan. (dated 7-19-05)

Mr. Mike Corrigan of BMH Reality, the developer, Mr. Anthony Pucci, the architect, and Mr. Byron Hartman, president of Whistle Stop Day Care, were present.

Mr. Corrigan stated that he owns this property, the gas station to the west, as well as the residential site to the rear. When he purchased the residential home,

part of the agreement was that the family living there would be allowed to stay for four years. Mr. Hartman has lost his lease for his day care business because the building he was located in was torn down to allow for the development of the Walgreens Store. He approached Mr. Corrigan to temporarily lease this site until he could find a permanent location for his business. He would be leasing this building for two years, with a one-year option to renew at the end of those two years. Once the four-year time frame is up on the residential home, he will be developing the entire site, including all three adjacent parcels.

Mr. Pucci stated that he has done eight different studies for developing this site, however, now they have plans to develop the entire property with Mr. Corrigan with a quality development that the Township will be pleased with as it is located at the gateway to the Township.

With regard to the outdoor play area, Mr. Pucci stated they can meet the state's requirements for the size of the play area; however, the Township's standards are stricter, which is a requirement of 6,000 square feet of outdoor play area, since the center is licensed for 60 children; however, there are only approximately 12 children outside at one time, so the requirement would be 1,200 square feet for this.

Mr. Hartman stated the State requires a minimum of 1,200 square feet for an outdoor play area, it is not based on the number of children. They are planning a 1,600 square foot area. He has spoken to someone at the state licensing bureau and they said that is adequate. They are licensed for 60 children.

Mr. Corrigan stated that due to the fact this is a temporary use for this site, he is willing to work with some of the requests from the Township Planning Consultant, but some of the improvements would not make sense as he will be re developing the entire site in the near future. He reviewed LSL's letter for August 1st.

- They would be willing to add more landscaping to help the look of the site as well as add a waste receptacle; however, they would prefer to construct it of wood instead of masonry as it will most likely be torn down.
- They feel they have adequate parking for their use.
- Closing off one of the driveways would be difficult as they have a Howell school bus that picks up and drops off kids that attend the day care and they would not back out of the drive, they would need to pull through.
- He would prefer not to do the sidewalk at this time because it will need to be redone when he redevelops the property.

Commissioner Mortensen asked if there is specific terminology in the lease stated when the lease is expired. Mr. Corrigan stated it begins on September 1, 2005 and terminates on August 31, 2007, with an option to extend it until August, 31, 2008. Commissioner Mortensen asked if the petitioner would be willing to

incorporate this language into the Impact Assessment. Mr. Corrigan answered affirmatively.

Commissioner Mortensen noted it is not shown on the plans where the outside play structure would be located. Mr. Corrigan stated that if the 6,000 square foot play area is required, he feels a cross use agreement can be developed where the back of the gas station property can be used to house the play area. Chairman Pobuda has a concern with safety with this. There is a road back there, there is a retention pond and there is a gas station, which could pose a hazard such as a spill, etc. Mr. Hartman showed where the proposed 1,600 square foot playground would be and it would be to the rear of the site. It would not need to go onto the gas station property. Commissioner Mortensen stated the Planning Commission cannot approve the 1600-square foot play area. This would need to go before the ZBA, and that meeting is a month away.

Mr. Corrigan suggested receiving approval this evening based on the 1600-square foot outdoor play area from the ZBA, but they will still fence off 6,000 square feet in the event that the variance is not approved by the ZBA so they can show where it would be located. Commissioner Mortensen stated that his motion this evening would require the 6,000 square foot play area and then the petitioner can seek a variance from the ZBA.

After a brief discussion and review of the ordinance, it was determined that it could be interpreted that the 100 square foot requirement for the outdoor play area is required for each child that would be outside at a time. Mr. Hartman reiterated that he never has any more than 12-14 children outside at one time; therefore, the 1,600 square foot area would be sufficient.

Mr. Borden reviewed his letter of August 1, 2005.

- The existing site is non conforming due to front, side and parking lot setbacks; however, in this case, it does not seem reasonable to require this due to the fact that it is a temporary use.
- They recommend that the southerly driveway be closed. The driveways are very close together and close to Grand River. They currently do not meet Township ordinance. Commissioner Mortensen does not feel this should be an issue because this is a temporary use. That issue can be addressed when the entire site is developed. Ms. Kolakowski suggested having the southerly driveway signed with "Exit Only" and/or "One Way" signs. Ms. Humphriss agrees with this.
- Eight-foot wide sidewalks are required along Grand River. Mr. Mortensen reiterated his issue of this being a temporary use and this should be installed during the redevelopment of the entire site.
- He showed what they are proposing for additional landscaping. Mr. Pucci stated they will add some additional landscaping on the greenbelts of the corner of the site as well as a landscape area

- connected to the building on the southeast corner. All Commissioners agree.
- The waste receptacle is not shown on the plans. After a brief discussion and no sufficient location for the dumpster was found, Mr. Corrigan suggested that an agreement where the day care can use the dumpster located on the gas station property. All Commissioners agree.
 - There is no existing or proposed lighting shown on the plan. Mr. Corrigan stated they do not want to put up any pole lighting; however, they will add some building lighting near the entrance. Mr. Borden noted that the fixtures need to be downward directed and shielded. Commissioner Tengel suggested this be approved administratively. Ms. Kolakowski agrees this is sufficient.
 - The two existing pole signs are prohibited and need to be removed. Mr. Corrigan stated both signs will be taken down and a monument sign will be installed. This will also be approved administratively.
 - There is no floor plan in the packet and day care centers are required to provide 50 square feet of indoor play area per child. Mr. Hartman showed the floor plan, depicting where the play area is located.

Ms. Humphriss reviewed her letter of August 3, 2005.

- They estimate this use to generate 48 trips in the peak am and p.m. hours. Genoa Township standards require a Traffic Impact Assessment be done when there is an estimate of 50 or more trips generated during peak hours so one is not warranted with this project.
- They estimate 3 REU's for this site. Also, if the water main is tapped for fire suppression purposes, a representative of the Township will be required to observe said tap.

Chairman Pobuda feels there may be safety concerns with regard to this location for a child care center. Mr. Hartman stated there are no exits from the building on the west side of the site where the pond is located. He also feels that this traffic situation is better than where they were previously located on Grand River and Gold Club. People drove very fast in the parking lot behind their building.

Mr. Corrigan stated they will be making aesthetic improvements to the site as necessary, such as replacing missing siding, etc.

The call to the public was made at 7:51 p.m. with no response.

Moved by Mortensen, seconded by Snyder, to recommend to the Township Board approval of the Impact Assessment dated July 19, 2005 for a 6000 sq. ft. day care facility located at 4533 E. Grand River, Sec. 9, petitioned by B.M.H. Realty Co. with the following additions:

1. The petitioner has offered to add a sentence to the last paragraph on Page 2, which will read "The day care business will lease the building

for a period ending August 31, 2007 with a potential extension terminating no longer than August 31, 2008”.

2. No more than 16 children will be in the outdoor play area at a time.

The motion carried unanimously.

Moved by Mortensen, seconded by Tengal, to approve the Sketch Plan dated July 19, 2005 for a 6000 sq. ft. day care facility located at 4533 E. Grand River, Sec. 9, petitioned by B.M.H. Realty Co. with the following conditions:

1. The day care center will be subject to the approval of the State and any other appropriate licensing authorities.
2. A fenced in 1,600 square foot play area will be added to the north and east of the main part of the building and will be displayed on the sketch plan to be reviewed by the Township Board.
3. Landscaping and appropriate shrubbery will be added to the greenbelt on the southeast corner of the site as well as at the southeast corner adjacent to the building and will be subject to review by Township staff.
4. Notes will be added to the sketch plan indicating that the waste receptacle at the station to the west will be used by the day care center.
5. Minimal lighting, which will be downward directed, may be added to the building, subject to Township staff review.
6. The two pole signs on the Grand River side of the site will be removed and any additional signs that are added will comply with the Township Ordinance.
7. The interior drawings reviewed with the Planning Commission this evening are acceptable and will be included in the packet to be reviewed by the Township Board.
8. Requirements of the Howell Area Fire Department will be complied with, unless relief or alternatives are agreed to in writing with that authority.
9. REU's as spelled out in the Township Engineer's letter dated August 3, 2005 and a representative of the Township will be required to observe any line taps to the municipal water main.
10. Signage will be removed from the building and siding will be repaired as appropriate and all additional signage will comply with Township Ordinance.
11. The fencing for the 1,600 square foot play area shall be cyclone and no higher than eight feet.
12. Signage will be added indicating that the south drive is an exit only.

The motion carried unanimously.

Moved by Mortensen, seconded by Olson, to approve the minutes of the July 25, 2005 Planning Commission Meeting. **The motion carried unanimously.**

Member Discussion

Chairman Pobuda asked Ms. Kolakowski for an update on the Master Plan update. Ms. Kolakowski stated that the Livingston County Planning Commission will be reviewing it later this month.

Ms. Kolakowski stated there are no items for the second meeting this month so the next Planning Commission meeting will be the second Monday in September.

The meeting adjourned at 8:16 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary