

**GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
September 11, 2000
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, Barbara Figurski, John Cahill, Gary McCririe, and Bill Litogot. Also present was Michael Archinal, Township Manager; and Jeff Purdy from Langworthy, Strader, LeBlance & Associates, Inc. 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.

Moved by McCririe, seconded by Figurski to approve the Agenda with the following changes:

1. Table Open Public Hearing #1 - Review of rezoning application, environmental impact assessment, and site plan to rezone 115 acres at Nixon and Chilson Roads, Section 20, the request is to rezone from CE (Country Estates) RR (Rural Residential) to PUD (Planned Unit Development) for 33 single family residences, petitioned by Sherr Development. (PC 00-28) Tabled from 8-28-00 meeting.
2. Table Open Public Hearing #2 - Review of a site plan for a 2 story, 8,750 square foot office building, 7900 West Grand River, on the southwest side of Grand River, between Hacker and Bendix, Sec 13, petitioned by Mike Bartlett. (PC 00-25) Tabled from 8-28-00 meeting.
3. Table Open Public Hearing# 4...Review of a special use application, a site plan application, site plan, and environmental impact assessment for proposed Victory Lane Quick Oil Change located on the south side of Grand River, west of Dorr Road, petitioned by Equinox. (PC 00-32).

4. Open Public Hearing #3 will become Open Public Hearing #1.
Mr. Archinal stated that these three items will be tabled indefinitely.
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 7:03 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

OPEN PUBLIC HEARING #1..... Review of a special use application, a site plan, and environmental impact assessment for proposed Janet Henry Bed & Breakfast located on the south side of Brighton Road, east of Chilson Road, Section 34 of Genoa Township, petitioned by Doyle Homes Inc. (PC 00-33)

- **Planning Commission disposition of Doyle Homes petition**
 - A. Recommendation regarding special use application.**
 - B. Recommendation regarding impact assessment.**
 - C. Recommendation regarding site plan.**

Mr. Robert Doyle and Mr. Patrick Doyle of Doyle Homes, Inc. and Ms. Janet Henry, the property owner, were present to represent the petitioner. Mr. Robert Doyle gave a brief overview of the proposal.

- They are proposing a Bed & Breakfast (B&B) on this site. Ms. Janet Henry will be the caretaker and the host of the B&B and will also live there as her permanent residence.
- It is on 1 ½ acres and is surrounded by a variety of uses. Oak Point is to the north, single family residential suburbs are to the west and east, and multi-family adult community homes are to the south. The land use of a B&B seems appropriate.
- There are no wetlands on the site. There are many scrub shrubs and scrub trees.
- The home will be in the center of the site.
- The home will appear to be a single-family residence, with the exception of four parking spaces.
- They have proposed adding shrubs and deciduous trees and a majority of the white pine trees will be preserved.
- There is a small sign being proposed along Brighton Road. They are aware that this will require a variance from the ZBA. The petitioner will pursue this. They are asking the Planning Commission to recommend approval of this sign to the ZBA.

Commissioner Figurski asked about the pine trees that can be seen from Glenway Drive. Are they on this site? The petitioner stated they are on this site and most of those will be preserved.

Mr. Purdy reviewed his letter of September 5, 2000. The Planning Commission needs to determine if a special land use is approved for this site.

The call to the public was made at 7:14 p.m.

Ms. Joan McCroy of 5097 Glenway Drive stated this is going to be right in her backyard and she is not happy about it. She has a residential home in a residential area. She does not see any reason to have a B&B four miles out of town. Strangers will be coming into their neighborhood.

Mr. Richard Starns of 5048 Pinewood Drive stated the road goes right through his property. There is an easement that allows this private drive to be used by the residents of the adult community at the end of the drive.

Mr. Jeffrey Smith of 5120 Pinewood stated he owns 40 feet from the center of Kintyre Lane to the other property. How can they use his property? He doesn't have a problem with the B&B; it seems that it will be good quality. He does not want to see the zoning be impacted in this area. He asked what other businesses can be put there if the B&B fails.

Mrs. Dana Smith of 5120 Pinewood stated they have been trying to sell their home and it is being hindered by the road easement that runs through their property. She feels the B&B will make it even harder to sell. She inquired where the customers are going to park if there is a party, etc. at the B&B if there are only four parking spaces.

Mr. Starns stated he has been trying to sell his house also and he feels this will hinder the sale of his house.

Ms. Grace Parrish of 5192 Pinewood stated her property is at the end of Kintyre Lane. There are already vehicles being parked on her property due to the adult community center. She feels this will just increase if the B&B is allowed to be built.

The call to the public was closed at 7:27 p.m.

Commissioner Cahill asked Mr. Starns where he received his information that the road easement is only for access to the adult community center. Mr. Starns stated his attorney told him.

Chairman Pobuda asked Ms. Henry to explain the need for a Bed and Breakfast in this area. Ms. Henry stated the types of people that patron B&B's:

- 80 percent of the people are married.
- They are homeowners who have owned their home for 20+ years.
- They are college graduates, professions, retired, homemakers, etc.
- The average household income is \$75,000 and higher.
- The average age is 25 – 44.

- They are quiet travelers. They usually go out to dinner and then come back.

She stated positive statements made about B&B's:

- They serve the need for quality transient lodging in a rural area.
- Michigan law stated a B&B is considered to be a single-family residential structure and shall not be treated as a hotel or motel.
- B&B's make great neighbors.
- Parking does not seem to be a problem with B&B's.

Chairman Pobuda asked the petitioner about the use of the road. Mr. Tom Keiser, Ms. Henry's attorney, stated he can appreciate the statements from the residents. The drive is a private drive easement that has been granted egress and ingress. They will not be parking on the neighbors land or destroying any of their property. Mr. Purdy stated there is an easement recorded. He suggested having the Township attorney review the easement for this use. Mr. Purdy stated it is a 66-foot wide easement. The roadway is not centered exactly on the easement. Commissioner McCririe stated the private road easement is clearly stated to have no restrictions in the partnering to the use. He does not feel the Township attorney need to review this.

Chairman Pobuda asked Mr. Purdy what other uses can this site be used for if the B&B fails. Mr. Purdy stated if the special land use is granted, this site can continue to be used as a B&B or as a residential home. Other residential uses allowed for the special land use are a care facility for adults or children, a school, or a church. Commission McCririe stated the applicant is requesting a B&B and that is all that should be the issue this evening.

Mr. Doyle stated Doyle Homes has not developed land in Section 34 of Genoa Township and they do not have any other interests on other property.

Commissioner Litogot stated this is a buildable lot and something is going to be put there. If it isn't a B&B, it will be a house. The only question here should be the access of the road.

Moved by Litogot, seconded by McCririe to recommend to the Township Board approval of the Special Lane use for proposed Janet Henry Bed & Breakfast located on the south side of Brighton Road, east of Chilson Road, Section 34 of Genoa Township, petitioned by Doyle Homes Inc. (PC 00-33) with the following conditions:

1. Per a public hearing held this date, it is the findings of the Planning Commission that per section 12.08, the review and approval of special land use standards, the standards, specifically A-# have been met by the applicant. The review is for only a Bed & Breakfast.
2. The recommendation is contingent upon the approval of the site plan and impact assessment by the Township Board.

3. Meals and other services may only be available to residents, employees, and overnight guests.
4. The operator shall keep the property as their own permanent residence and shall live at the residents while the establishment is active.

Discussion

Commissioner Cahill asked if the public is opposing any type of development on this site or just the B&B.

Chairman Pobuda held the motion on the table in abeyance.

The call to the public was reopened at 7:55 p.m.

Mr. Starns stated he has nothing against the B&B or a residence. He just does not want his easement to be used.

Mr. Smith stated he is not opposed to the B&B and realized that something is going to be built there. He can not access his property, but someone else can? He stated his subdivision document states the easement is specifically for use by the senior center. He does not like the idea of a special land use.

Mr. Purdy stated if this property has access to this use then anything that is going to be built there will have use. Commissioner McCririe stated this property is not subject to the restrictions that the neighbors are subject to.

Mrs. Smith asked why the property has to be access from this easement. Can they build a drive off of Brighton Road?

Mr. Keiser stated his client will comply with the law. They do not intend to harass the neighbors or park on their property.

The call to the public was closed at 8:03 p.m.

The motion carried (Figurski – N; Litogot – Y; McCririe – Y; Cahill – Y).

Mr. Purdy reviewed his letter of September 5, 2000 regarding the site plan.

1. The planting details should specify the parking hedgerow will be planted in a mulch planting bed. The petitioner agreed.
2. A variance needs to be given by the ZBA for the sign. The petitioner will seek a variance from the ZBA.
3. A planting bed should be provided around the ground sign, if the sign is approved by the ZBA. The petitioner agreed.
4. A floor plan should be provided for the fifth bedroom. The petitioner stated there will only be a total of four guest bedrooms. The fifth bedroom will be in the finished basement for the resident.

The call to the public was opened at 8:09 p.m.

Mrs. Smith stated her disapproval of a sign being built at the driveway.

Mr. Smith asked how it is possible that the applicant can put a driveway over the easement, which is his property. Commissioner McCririe stated the petitioner has ingress and egress access across the entire 66 feet. There will only be blacktop on a portion of the easement. He stated the petitioner is entitled to build it. Mr. Purdy agreed.

Mr. Starns asked why the property could not be accessed from Brighton Road. Mr. Doyle stated the County Road Commissioner sets the number of driveways and roadways intersecting that road. Whenever it is possible, it is best to access through a local street instead of building a new drive. He also explained the site distance and intersection space for the opening of Oak Point. He added the certified site distance is the northwest corner of the site; however, the restriction is the close proximity to the Oak Point entrance. Mr. Purdy stated it is required to have the driveway aligned with the current drive or offset at least 150 to 250 feet, which then leads to the problem of site distance. They examined the possibility of accessing the site from Brighton Road, but it did not work.

Mrs. Smith does not feel there is enough parking for the four guest bedrooms and the resident. Mr. Purdy stated there are four parking spaces and a three-car garage. This meets the Township ordinance.

Mr. Starns stated all of the residents have restrictions for that easement, why not the petitioner. Commissioner McCririe stated this site is private property and does not have the same restrictions as the other residents.

The call to the public was closed at 8:20 p.m.

Commissioner Cahill questioned the visibility of the parking spaces for the residents. He suggested moving the parking so that it is not directly in their view. Mr. Purdy has suggested trees and a hedgerow to be planted around the perimeter of the driveway and the parking spaces to provide screening. Commissioner McCririe suggested moving the driveway south and putting a curve up to the house and plant pine trees so the residents will not see the parked cars. There was a discussion regarding moving the driveway south and planting trees. After the discussion, the number of trees and the position of the road were agreed upon by the petitioner. Commissioner McCririe feels that Commissioner Cahill's suggestions are good and he appreciates the petitioner's compliance.

Commissioner Litogot stated the lighting plan is not specific. Mr. Doyle stated there will be low-voltage, landscaping lights. He suggested lighting up the front of the home. The Planning Commission did not agree to this. Mr. Doyle stated they will use standard single-family lighting.

Commissioner Litogot stated building materials are required to be presented this evening. Mr. Doyle stated he believed they did not have to provide building materials because it is a single-family home. Mr. Purdy stated the elevations and building materials need to be provided because of the special land use application. Commissioner McCririe stated that the drawings and pictures provided this evening are satisfactory. Commissioner Litogot stated the materials need to be presented. Commissioners Figurski and Cahill agreed. Chairman Pobuda instructed the petitioner he would have to come before the Planning Commission again to provide elevations and building materials.

Commissioner Figurski asked if the sign will have lights. Mr. Doyle stated they will have landscape up lights.

Commissioner Figurski noted some changes that needed to be made to the impact assessment

1. On Page 4, dust control measures utilized during construction need to be stated and added on the plans.
2. One Page 3, "yard lights" should be changed to "landscape lights".

Commissioner Litogot stated Item # 5 of the impact assessment, needs to have "home" taken out of "storage of gasoline".

Mr. Keiser asked if the plans need to be redone based on the changes discussed tonight. Commissioner McCririe stated yes, the plans do need to be redone.

Moved by Litogot, seconded by Figurski to table, at the petitioner's request, the approval of the site plan and environmental impact assessment for proposed Janet Henry Bed & Breakfast located on the south side of Brighton Road, east of Chilson Road, Section 34 of Genoa Township, petitioned by Doyle Homes Inc. (PC 00-33), until further information is provided by the petitioner. **The motion carried unanimously.**

Moved by Figurski seconded by McCririe to approve the minutes of the August 28, 2000 meeting with changes noted by Commissioner Figurski. **The motion carried unanimously.**

The meeting adjourned at 8:45 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary