

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JULY 14th, 2008
6:30 P.M.
AGENDA**

CALL TO ORDER: At 6:33 p.m., the work session of the Genoa Township Planning Commission was called to order. Present constituting a quorum were Chairman Doug Brown, Barbara Figurski, James Mortensen, Chris Grajek, Dean Tenge and Diana Lowe. Also present were Brian Borden of LSL and Tesha Humphriss, Township Engineer, and Kelly VanMarter, Planning Director.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Upon motion by Barbara Figurski and support by Chris Grajek, the agenda was approved as submitted. **Motion carried unanimously.**

WORK SESSION: A work session was not requested.

CALL TO THE PUBLIC: *(Note: The Board reserves the right to not begin new business after 10:00 p.m.)*

OPEN PUBLIC HEARING # 1... Review of request to update the Genoa Charter Township Zoning Map by rezoning parcels 11-13-100-013, 11-13-100-016, 11-13-100-017, 11-13-100-021, 11-13-100-058, 11-13-300-007, 11-13-300-008 and 11-13-300-021 from IND to GCD, petitioned by Genoa Charter Township. (tabled from 6-9-08 meeting)

Chairman Brown gave a recap of the Planning Commission's discussions regarding the above referenced parcels from the June 9th meeting.

Kelly VanMarter indicates that only one property owner doesn't support the rezoning. She notified that property owner, but he did not appear this evening.

John Conley addresses the Planning Commission. He inquires whether he would have to apply for new permits due to rezoning. Chairman Brown indicates that is not necessary unless he makes significant changes in his operations. Kelly VanMarter indicates the use (not the owner) is grandfathered.

Planning Commission disposition of petition

A. Recommendation regarding rezoning

Motion by James Mortensen to recommend to the Township Board the rezoning of the properties identified as parcels 3-10 in the LSL letter of 5/30/08 from industrial commercial, finding it is consistent with the Master Plan and meets the criteria of zoning in ordinance number 22.04. Support by Chris Grajek. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 2...Review of request to rezone parcels 11-28-400-004 & 11-28-400-003 from MUPUD to LRR, petitioned by Genoa Charter Township.

Chairman Brown discusses the nature of the request. It is from mixed use to lakeshore resort residential. There was an error many years ago when Burroughs Farms was being sold to Oak Pointe. This request would correct that oversight.

Kelly VanMarter indicates that Mr. MacDonald was at last month's meeting and she exchanged emails with Mr. Price. She has heard nothing further, so assumes that their concerns are eased.

Planning Commission disposition of petition

A. Recommendation regarding rezoning

Motion by James Mortensen to recommend to the Township Board approval of rezoning the properties bearing tax ID numbers: 11-28-400-002 and 003 from MUPUD to LRR. This motion is made to correct an obvious error in zoning and is consistent with the existing zoning and Master Plan. Support by Chris Grajek. **Motion carried unanimously.**

OPEN PUBLIC HEARING #3...Review of a special use application, impact assessment and sketch plan for a proposed worship facility to occupy 7181 Grand River, Brighton, Dec. 13, petitioned by Lindhout Associates.

Architect, Piet Lindhout, Pastor Jeff Waterman and Holly Osterehout, who is an intern with Lindhout & Associates addressed the Planning Commission regarding this application. The proposed church is a daughter church to Cornerstone Church in Brighton.

Piet Lindhout addresses the LSL letter. The parking calculations seem to be correct. He supports the barrier-free area next to the church. Mr. Lindhout addresses the sidewalk request. He feels it is unfair to require this small tenant to provide sidewalks to a large complex where no other tenant is required to install the sidewalk.

James Mortensen indicates that this situation is unusual. He is willing to waive the sidewalk requirement.

Mr. Lindhout suggests that the landscaping is fairly well established. Chairman Brown addresses the dumpster being surrounded by vegetation. Items five and six should also be waived pursuant to Mr. Lindhout. Number seven has been taken care of pursuant to Chairman Brown. A variance was granted by the ZBA some time ago.

Mr. Lindhout addresses the Engineer's letter. The color of the striping will be added and it will match the color in front of the building.

Mr. Lindhout suggests that he has no issues with the requirements of the Brighton Fire Department and will comply with the items listed in their letter.

Brian Borden indicates that the Planning Commission should require something, and he suggests that it be the landscaping. It only would require 2 trees and a 3' hedge to screen the park along the full length of the lot. Light fixtures or waste receptacle enclosures would be acceptable, as well. Brian Borden suggests that sidewalks would be the most significant cost.

James Mortensen discusses the dumpster. Mr. Lindhout shows where that is in the plans. Brian Borden says they're on pavement, with no enclosure, no gate. The church will most likely use the dumpster closest to Pless Drive. Brian Borden suggests that the enclosure be made of treated lumber, rather than masonry to accommodate the cost issues. Mr. Lindhout has no objection to that. Barbara Figurski suggests that they clean up the existing landscaping and possibly make a street sign.

Petitioner indicates the use will be on Wednesday evenings and Sunday mornings. Sunday evenings may possibly be considered, as well.

Planning Commission disposition of petition

- A. Recommendation regarding special use application.
- B. Recommendation regarding impact assessment.
- C. Recommendation regarding sketch plan

Motion by James Mortensen to recommend to the Township Board approval of the special use permit granting the right for The Well Church to occupy the northwest corner of 7181 Grand River, subject to the following:

1. The services will be as specified in the environmental impact assessment;
2. Approval by the Township Board of the environmental impact assessment;
3. Approval of the Township Board of the site plan.

This recommendation is made because this use is compatible with the use of the building and meets the general requirements of section 19.03 of the Township Ordinance. Support by Barbara Figurski. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend that the Township Board approve the environmental impact assessment and the hours and days should be noted expressly in it. The Planning Commission waives the traffic study. Support by Diana Lowe. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the sketch plan for The Well Church, subject to:

1. Approval of The Board of the use permit and environmental impact assessment;
2. Services provided by the church beyond those envisioned in the impact assessment will require a parking space review by the Township staff;
3. One barrier free parking space will be established adjacent to the church;
4. The waste receptacle from the northwest corner of the site will be enclosed with treated wood;
5. The requirements of the Township Engineer as stated in the letter of July 8, 2008 will be complied with;
6. Requirements of the Brighton Fire Department letter of June 17, 2008 will be complied with.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #4...Review of special use application, impact assessment and sketch plan for a proposed contractors yard with outdoor storage located at 1088 Victory Drive, Howell, Sec. 5, petitioned by Ken Culver.

Mark Schafer of Lee & Associates of Novi, Michigan, addresses the Planning Commission on behalf of the petitioner. He indicates the office was constructed in 1990 and the warehouse was added on in 1998. The property had been marketed as having outside storage and petitioner found that there was, in fact, no outside storage. A prospective tenant has been located, but they will need outside storage.

Sedimentation and water flow was discussed by petitioner. He suggests that additional lighting is not proposed. The berm and fence would be maintained. The berm is natural. The outside storage would be within the "toe" of that berm. There is a natural gas pipeline that runs along Victory Drive. This is the reason for the setback. All landscaping, etc. has to be kept clear of that. Chairman

Brown asks why petitioner doesn't want to change the lighting. Petitioner indicates it is not offensive and therefore, there is no reason.

Tesha Humphriss indicates there were a few items from the original plan that were not installed as it relates to water drainage. Petitioner disagrees with the Township Engineer's letter and requests that the existing drainage patterns be maintained. He would request that the sedimentation be controlled by a sedimentation basin. There are no catch basins or storm sewer lines. New drains and lines would require the concrete to be removed. Tesha Humphriss indicates that the items she requested would not impact off-site properties. Her concerns that will impact other sites are the gravel at the back of the property and the impervious area is being increased. She feels points three and four are not deal breakers. Point five should be indicated on the record. Petitioner indicates six to eight inches, but it depends on how the equipment moves on it. It could be five inches.

The entire area is fenced in on all four sides.

The LSL letter is addressed by Brian Borden. He feels the site is deficient in landscaping on all four sides. Mr. Schaefer did note that there is a large easement running through the front of the property that causes some limitations. The specific use standards require a buffer zone "b" on the sides and "a" to the rear. The top priority is to protect the residential property to the south. The lighting applies to this, as well. There should be no large, intrusive, flood lights. The widths of the buffer zones are fine. The amount of plantings is deficient.

Petitioner suggests that there is already a 6' berm inside the buffer zone. The tree counts given were probably not accurate, but given out of convenience. The numbers came from the landscaping rendering done 10 years ago. The trees planted then have grown to maturity and there is no visibility to the northeast. The southern view has fewer trees, but the adjoining property is an industrial yard.

Petitioner wants to limit outside storage to the toe of the berm. He does not want to go any further to the west. Brian Borden indicates storage cannot be in the setbacks. The toe of the berm varies, but it is 2' to 3' below fence floor.

Petitioner's objection to the landscaping is cost and tenant maintenance. The berm is easier to maintain. Petitioner is willing to increase the height of the berm and work with LSL to come up with a landscaping plan that they are satisfied will meet with the intent of the ordinance. James Mortensen indicates that he feels that the economic times warrant becoming lax on some requirements, but not all and landscaping is something that is necessary to shield outdoor storage. Kelly VanMarter is comfortable with this.

Petitioner indicates that any gasoline and/or chemicals will be appropriately handled if there is a spill. There will be no changes in the impact between Culver and Thompson, other than outdoor storage.

There is no fire suppression in the building. It is serviced by a domestic well. Petitioner has no issue if the fire department requires a suppression system. Kelly VanMarter indicates she has phoned the fire department, but has not heard back yet. The building is less than 12,000 square foot and therefore, is exempt from suppression under S-1 use.

Barbara Figurski asks if there is a lot of noise. Petitioner indicates it will be under the decibel allowances at the property lines.

Jim Lumley of Kicks & Sticks addresses the Planning Commission. They plan to expand their facility. They are hoping to add an outdoor soccer facility with possibly a building over it. This would require the removal of some of the trees. The majority of the trees are on their side of the property line. The gravel trains would no longer travel the property. Kelly VanMarter indicates that Kicks & Sticks would be bound by the same landscaping requirements. The petitioner has agreed to meet with the consultants and come up with a mutually agreeable landscaping plan for this joint property line, as well.

Kelly VanMarter suggests that the west buffer zone is the most important one to address. Landscaping should address the west and north property lines.

Planning Commission disposition of petition

- A. Recommendation regarding special use application
- B. Recommendation regarding impact assessment
- C. Recommendation regarding sketch plan

Motion by James Mortensen to recommend to the Township Board approval of the special use permit to allow Thompson to have outdoor storage on gravel at the site located at 1088 Victory Drive, subject to:

1. Approval by the Township Board of the site plan and environmental impact assessment;
2. The items in outside storage will not exceed the height of the 6' chain link fence.

This recommendation is made because it is an appropriate use in this industrial area and is consistent with the requirements for special use permits contained in section 19.03. Support by Barbara Figurski. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend to the Township Board approval of the impact assessment amended June 18th, subject to:

1. Dust control measures are to be added;
2. The dates should all reflect the amended date of June 18th.

Support by Diana Lowe. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the site/sketch plan for Thompson at 1088 Victory Drive, drawn on a site plan dated August 4, 1998 and reviewed with the Township Planning Commission this evening, subject to:

1. Approval by the Township Board of the special use permit and impact assessment;
2. The gravel will be 21AA aggregate;
3. Landscaping to the west and north of the outdoor storage area will be reviewed by the petitioner with Township staff with the objective of conforming to the Township ordinance, although berming may be substituted for some of the plantings;
4. The items in outdoor storage will not exceed the fence height;
5. The requirements of the Township Engineer set forth in the letter of July 8, 2008 will be complied with, except items three and four;
6. The requirements set forth by the Brighton Area Fire Department in their July 9, 2008 letter will be complied with or acceptable alternatives found that are acceptable to the fire department.

Support by Barbara Figurski. **Motion carried unanimously.**

OPEN PUBLIC HEARING #5...Review of sketch plan for a proposed replacement of an existing showroom with a 2,680 sq.ft. addition located at Krug Ford, 2798 E. Grand River Ave., Howell, Sec. 6, petitioned by Rand Construction.

Mike Krug, Tom Dumond, Andy Kline, David Haskins and Tony of Cityscapes are all present to address the Planning Commission.

Mr. Dumond addresses the Planning Commission and indicates an updated showroom is necessary to draw business. It would increase it to over 8,000 square feet, which would move the building closer to Grand River. They will address the ZBA tomorrow evening.

The letter from the Township Engineer was addressed by Mr. Dumond. He finds there is nothing in the letter that cannot be complied with. The LSL letter was addressed, as well. The opposing drive is addressed. There is a large utility pole that would necessarily have to be moved to accommodate an opposing driveway. Additionally, it would not be the best route to his service area. James Mortensen indicates this driveway situation has been discussed for hours and

hours with regard to Auto Zone (across Grand River). James Mortensen indicates that the driveways are in the best possible position as they currently are. Brian Borden indicates a potential resolution would be to limit that drive to right turns only for both in and out. An island in the middle that prohibits left turns would eliminate that conflict. James Mortensen is not in favor of that. The Planning Commission knew this was a bad situation when it approved Auto Zone's driveway, but any changes in the driveway would be high in cost.

The petitioner will extend the bike path. Landscaping was discussed. Petitioner will add all of the required trees. Petitioner will reduce the lighting on site.

Tony of Cityscapes addresses items 2, 3 and 8 of the LSL letter. As it relates to item two, the materials board is presented to the Planning Commission. The fascia is synthetic plaster in medium tone gray. The sash is gray aluminum and the glass is clear. The show room should look quite handsome at night. The existing brick will be repainted.

The Planning Commission is provided with a scale drawing of the proposed signage. The signage is 100 square feet. A partial parapet will be built on the new showroom, approximately 18 inches high. It will be properly screened and a rendering of that product is provided to the Planning Commission.

Mr. Dumond indicates that the units on the roof will not be as noticeable given the new views of the building.

Dean Tenge indicates he does not care for the look of the proposed screening. He would like to see the Efis material used to screen. Petitioner feels that would work well.

Kelly VanMarter reviews fire department letter with the petitioner. Applicant should be required to work with the fire department to seek approval of their site plan.

The southern buffer zone does not need to be addressed at this time as it relates to landscaping. Tesha Humphriss discusses the proposed retaining wall. She is requesting that design calculations be submitted. Petitioner will do so.

Planning Commission disposition of petition

A. Disposition of sketch plan.

Motion by James Mortensen for approval of the sketch plan for the Krug Ford addition, subject to:

1. Approval by the ZBA of the setback requirement;

2. The renderings and building materials presented this evening are acceptable and will be kept by the Township;
3. The screening of the rooftop equipment will be Efis;
4. The pathway along Grand River will be extended the full width of the property;
5. The front green belt will be extended by 15 canopy trees;
6. The lighting will meet the ordinance;
7. The wall signs are acceptable to the Planning Commission and require staff review.
8. The requirements of the Township Engineer's letter of June 8, 2008 with particular attention to item number one;
9. The petitioner and Township staff will work with the Brighton Area Fire Department to make sure that the requirements of their letter are complied with.

Support by Chris Grajek. **Motion carried unanimously.**

Administrative Business:

- *Planners report presented by LSL Planners*
- *Approval of June 9th, 2008 Planning Commission meeting minutes. Motion by Barbara Figurski to approve the minutes of June 9, 2008 as amended. Chris Grajek indicates a correction should be made to delete "but not the taxes." Support by James Mortensen. Diana Lowe abstained due to her absence at the 6/9/08 meeting. **Motion carried.** 4 ayes, 0 nays, 1 abstained.*
- *Member Discussion*

Adjournment at 9:13 p.m.