

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JANUARY 11, 2010
6:30 P.M.
MINUTES**

CALL TO ORDER: At 6:30 p.m., the Genoa Charter Township Planning Commission meeting was called to order. Present were Dean Tengel, Diana Lowe, James Mortensen, Chairman Doug Brown, John McManus, and Lauren Brookins. Also present were Kelly Van Marter, Township Planner, Tesha Humphriss, Township Engineer, and Jeff Purdy, of LSL.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

WORK SESSION: No work session was required.

ELECTION OF OFFICERS: Kelly VanMarter calls for a motion for election of officers. Motion by James Mortensen to re-elect existing officers. Support by Diana Lowe. Motion carried unanimously.

APPROVAL OF AGENDA: Motion by James Mortensen to approve the agenda as submitted. Diana Lowe supported the motion. Motion carried unanimously.

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 site plan application, environmental impact assessment and site plan for a proposing re-use of an existing 3,321 sq.ft. office building for Michigan Transportation Service, Inc. located at 1800 Dorr Road, Brighton. Sec. 14, petitioned by Van Acker Properties, LLC.

Tesha Humphriss addresses the Planning Commission. She has spoken with the project engineer and believes there is an understanding as to what she is requiring in her letter of January 6, 2010. She indicates the petitioner agrees to do the spillway addressed in the letter. James Mortensen addresses the curb cut with Tesha Humphriss. She believes the Road Commission is more lenient with existing cuts and that they have preliminarily approved this project.

Eric Brauch of Desine Engineers, Mike VanAcker of Michigan Transportation Services, Inc., and Jim Barnwell are all present. Mr. Brauch addressed the Planning Commission regarding the proposed project. There is currently 50 parking spaces on the site. There are some overgrown shrubs and scrub brush. The site has been vacant for two years. The petitioner provides non-emergency transportation services. There are currently 13 fleet vehicles and there's a maximum of 7 clerical staff.

Approximately 60% of existing gravel parking is being removed. This is supported by Tesha Humphriss.

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Three coniferous trees will be provided, as well as 7 maples to provide screening and conform with the ordinance.

The T.C.O.D. requires that the reoccupation plan be approved because it's a new use for an existing building.

Kelly VanMarter indicates that Town Center approval must be acquired if there is a "major" change to the existing use. She doesn't believe the intent of the ordinance was for all existing buildings to match the ordinance just because a new use was going into an existing building. She thinks the ordinance is written in such a way that there is some discretion as it relates to upgrades based upon the scope of what is being proposed. Jeff Purdy indicates this is being viewed as an office building and that it is a permitted use in this district. James Mortensen indicates that it's the architecture of the site that is the basis for discussion.

Mr. Rauch indicates that the petitioner is seeking deviation from the T.C.O.D. They are requesting deviation as it relates to the placement of sidewalks, façade requirements, the loading zone requirements, the dumpster enclosure, and parking spaces.

They plan to have pull carts located within the building for trash. They are requesting 27 parking spaces due to the fleet vehicles. The loading zone adjustment is due to the fact that they don't anticipate any loading/unloading of supplies.

The petitioner has agreed to make all updates/changes requested by the Township Engineer. The petitioner will be finalizing the cross-access agreement with the adjacent property owner.

Chairman Brown asks the petitioner why they are requesting the deviation regarding the sidewalks, façade requirements, and loading zone requirements. Mr. Rauch indicates that there are items in the deviation that are not beneficial to this specific use.

Jeff Purdy indicates that LSL's letter of January 4, 2010 was provided in the packet. There is a requirement of an 8' wide sidewalk along Dorr Road. This is a priority requirement in his view. The architectural requirements are designed to create buildings that are conducive to a pedestrian oriented environment. This building does not comply with the architectural standards of the overlay district. The addition of some windows to the façade facing Dorr Road would aid in breaking up the solid brick wall. The Planning Commission must approve an increase in parking spaces from the 12 provided for in the ordinance. The cross access agreement must be obtained and recorded. Kelly VanMarter recommends that cross access easements be obtained to north and west of site. Lighting must be brought up to TCOD requirements.

The petitioner feels that a sidewalk should not be required at this time because it would not enhance the layout of the property. The petitioner is willing to obtain the cross access easements. He is willing to abide by a condition that any trash containers be indoors if a dumpster is not required. They are not proposing any signage at this time.

Chairman Brown discusses the cleaning of the vehicles and what is involved with that. The petitioner indicates that cleaning is done offsite the vast majority of the time. This will include vacuuming the interior of the vehicle. The oil changes and maintenance of the vehicles is done off-site by a third party. They may cap off the windshield fluid and

vacuum the vehicles, but that would be the extent of it. Shop vacs are utilized for the cleaning.

Dean Tengal indicates he'd like to see the drawings redone to provide for the western access/easement area. He feels with there being no potential use for the asphalted area on the north side of the property, that the asphalt should be removed. Petitioner feels that the cross-access agreement with the neighbor to the west has expired. Dean Tengal would like the petitioner to re-think the parking area to provide for the access, which would eliminate a few parking spaces. The access agreement has not expired according to Kelly VanMarter. The petitioner agrees to do an easement somewhere on the west property line.

Dean Tengal advises petitioner that they should show the sidewalks on their plans so they can place it where they'd like before the adjacent properties do so. James Mortensen indicates that he thinks they should be on the plan, as well. Petitioner agrees to install windows on the façade facing Dorr Road and add them to the concept plan.

The petitioner indicates there are drains in the mechanical room, but the cleaning solutions, oils, etc., will not be stored in that room. The petitioner will state that in the impact statement.

James Mortensen requests language be included in the environmental impact statement that all vehicles used in the business and employee transportation will be properly licensed, registered and in good working order. No other vehicles will be stored on the property.

Planning Commission disposition of petition

- A. Recommendation of Environmental Impact Assessment.
- B. Disposition of Site Plan.

Motion by James Mortensen to table the Site Plan and Environmental Impact Assessment at the request of the petitioner. Support by Dean Tengal. Motion carried unanimously.

OPEN PUBLIC HEARING #2...Request for an extension for site plan and impact assessment approval for a proposed 96-unit condominium development located at the northeast intersection of Chilson Road and the Chesapeake & Ohio Railroad line. Sec. 6, petitioned by Bayfield Homes of Howell, Inc. (Aspen Glen).

Planning Commission disposition of petition.

- A. Disposition of approval extension of the site plan and impact assessment from 1-11-10 thru 1-11-11.

Motion by James Mortensen to approve the extension of the site plan and impact assessment. Support by John McManus. Motion carried unanimously.

Administrative Business:

- *Planners report presented by LSL Planners*

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- *Approval of December 14th, 2009 Planning Commission meeting minutes. **Motion** by Diana Lowe to approve the minutes of the December 14, 2009 meeting as amended. Support by Dean Tengel . Motion carried unanimously.*
- *Member Discussion*

Adjournment. Motion by Lauren Brookins to adjourn at 8:00 p.m. Support by James Mortensen. Motion carried unanimously.