

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
JUNE 14, 2010
6:30 P.M.**

MINUTES

CALL TO ORDER: At 6:30 p.m., the meeting of the Genoa Township Planning Commission was called to order. Present constituting a quorum were Chairman Doug Brown, John McManus, Lauren Brookins, Jim Mortensen, Diana Lowe, Barb Figurski, and Dean Tenge. Also present were Jeff Purdy of LSL Planning, Tesha Humphriss, Township Engineer and Kelly VanMarter, Planning Director.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

WORKSESSION: Commissioner Mortensen inquires as to the Fire Department requirement for a hydrant. He asks if this will require a substantial revision to the site plan. Ms. Humphriss states the asphalt will need to be cut and replaced, but a revised site plan will not be required.

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

CALL TO THE PUBLIC: The call to the public was made at 6:34pm with no response.

OPEN PUBLIC HEARING # 1... Review of special use application, impact assessment and sketch plan for proposed outdoor sales located at 1420 Lawson Drive, Howell Sec. 9, petitioned by Jim Mancuso.

Jim Mancuso with Mancuso Produce and Jason McIntyre with Lindhout Associates, Architects are present on behalf of the petitioner. Mr. McIntyre provides a brief description of the proposal. Mr. Mancuso provides pictures of the proposed display enclosure involving wooden posts placed into a concrete pad. All materials will be brought inside at night. Commissioner Mortensen asked what seasonal means. Mr. Mancuso indicates he would like to place things outside 8 months a year. No Christmas trees, but possibly wreaths. Mr. Mancuso would put things similar to what they have at the eastern market. The barrier fence will be brought inside when nothing is displayed outside.

Chairman Brown asked how close the far east outside display area is to the adjacent tenant. Mr. McIntyre indicates it is approximately 7-8 feet. Mr. Mancuso states that his goal is to stay here a long time.

Ms. VanMarter reviews her letter dated June 9, 2010. She would like to see a 5' sidewalk maintained for pedestrians adjacent to the building. She suggests a barrier between the display area and adjacent parking/drive aisle area on the west side of the building and she finds the proposed fence barrier presented this evening acceptable.

Commissioner Mortensen asked about the landscaping and enclosure requirements. Ms. VanMarter states that it would be difficult to add an enclosure and additional landscaping and she feels the existing landscaping is sufficient. She would like to review the proposed cart corral with the petitioner prior to land use permit issuance. She also recommends the special use be approved for one year with the allowance for one year extensions by Township Staff if the use remains in good standing with the Township.

Chairman Brown suggests the following revisions to the Environmental Impact Assessment: Letter C – impact on national resources...remove “reusing” the building because this is first use. In the end it says “inact” statement instead of impact.

Commissioner McManus would like to specify the dates of display. Mr. Mancuso states he will not have the display in January, February and March. Mr. Mortensen states to change the display to 9 months being closed January – March.

Tesha Humphriss reviews her letter of May 26, 2010 and has no issues with the proposed request.

The call to the public was made at 7:01pm with no response.

Chairman Brown reviews the Fire Department review letter with the petitioner.

Planning Commission disposition of petition

A. Recommendation regarding special use application.

Moved by Mortensen to recommend approval of the special use application for outdoor sales located at 1420 Lawson Drive, Sec. 9, petitioned by Jim Mancuso to the Township Board subject to:

- 1.) Approval by the Township Board of the Environmental Impact Assessment and sketch plan.
- 2.) This recommendation is made because the Planning Commission finds that the proposal for Special Use is generally consistent with Sections 7.02.02 and 19.03 of the Township Zoning Ordinance.
- 3.) This Special Use permit will be granted for one year and is subject to an annual review and potential renewal by Township staff.

Support by McManus. **Motion carried unanimously.**

B. Recommendation regarding impact assessment.

Moved by Figurski to recommend approval of the Environmental Impact Assessment dated 5-17-10 for outdoor sales located at 1420 Lawson Drive, Sec. 9, petitioned by Jim Mancuso to the Township Board subject to:

- 1.) The months of outdoor display (April through December) and times shall be inserted.
- 2.) Dust control shall be added.
- 3.) Two minor corrections as discussed this evening will be made.
- 4.) This recommendation is subject to approval of the Township Board of the Special Use request and Sketch Plan.

Support by Mortensen. Motion carried unanimously.

C. Recommendation regarding sketch plan.

Moved by Mortensen to recommend approval of the sketch plan dated 05-17-2010 for proposed outdoor sales located at 1420 Lawson Drive, Sec. 9, petitioned by Jim Mancuso to the Township Board subject to:

- 1.) Approval by the Township Board of the Special Land Use and Environmental Impact Assessment.
- 2.) The conditions of the Brighton Area Fire Authority shall be met.
- 3.) It shall be noted that no engineering issues were identified in the letter of May 26, 2010.
- 4.) A cart storage area will be provided in the parking area north of building and is subject to approval by Township staff.
- 5.) A 5' sidewalk aisle will be kept clear between the building and display areas. The petitioner may offset the loss by expansion elsewhere subject to the review and approval by Township staff.
- 6.) The fencing as shown in the rendering provided to the Commission this evening is acceptable and its location will be added to plans before going to the Township Board.
- 7.) The Planning Commission finds that it is appropriate to waive the enclosure and screening requirements of Zoning Ordinance Section 7.02.02 due to the adjacent land uses and the distance between the land uses.

Support by Lowe. Motion carried unanimously.

OPEN PUBLIC HEARING # 2...Review of an amendment to approved sketch plan to increase building size by 2,000 sq. ft. to construct an 8,000 sq.ft. storage building at the rear of the existing Conley Rent-A-Car business located at 7208 W. Grand River Brighton. Sec. 13, petitioned by John Conley.

Mr. David LeClair is present on behalf of the petitioner. Mr. LeClair explains the history of this site. They were before the Commission twice last year for a storage building and again for a Special Use Permit. Mr. Conely has since determined that he would like additional storage area and is requesting approval of an additional 20' wide building. Nothing else on the plans has changed. Mr. LeClair states that Mr. Conely is working with the Fire Department on the hydrant issue. Soil borings were done last week and with the Planning Commission's approval they are ready to move forward.

Chairman Brown states the application states 6,000 square feet and he didn't like that the plan says an approved 8,000 square foot building. It was presumptuous. Mr. LeClair apologizes and states this was an oversight.

Chairman Brown states that an earnest effort should be made to screen from the adjacent residential. He asks if anything has been done. Mr. LeClair states that once the building is constructed the Township planner and Mr. Conely will meet on site when the leaves are down to see if additional landscaping is required.

Commissioner Mortensen states that this will be a very large building. Chairman Brown asks if there are any similar size buildings in the area. Mr. LeClair states the rental building to the east is a large building. Mr. Brown wants the previous approvals to be included in tonight's action.

Tesha Humphriss reviews her letter dated June 9, 2010. These items were discussed at the last meeting. Documentation should be provided that the pond can handle the additional flow. Mr. LeClair will comply. She indicates that if an additional hydrant is provided on this site for the Fire Department the Township will own the hydrant and an easement will be required. Also, the MDNRE will need to issue a permit and inspections will need to be completed. There is an additional cost for this and it takes approximately 3 months. Chairman Brown asked if this is costly and Ms. Humphriss states it could cost a couple thousand dollars.

Ms. VanMarter reviewed her letter dated June 9, 2010. She stressed that she would like to see upgrades to the building façade facing Grand River Avenue.

A call to the public was made at 7:31pm with no response.

Planning Commission disposition of petition

A. Disposition of sketch plan amendment.

Moved by Mortensen to approve the amended sketch plan dated 6-1-10 to increase the building size by 2,000 sq. ft. and construct an 8,000 sq. ft. storage building at the rear of the existing Conley Rent-A-Car business located at 7208 W. Grand River, Sec. 13, petitioned by John Conley subject to the following:

- 1.) The Requirements set forth in the Planning Commission's prior review and approval will stand with specific reference to the requirement of landscaping that shall be planted as directed by Township staff upon completion of the larger building.
- 2.) The building materials will be as was previously approved.
- 3.) The new approval date will be June 15, 2010.
- 4.) The requirements set forth in the Township Engineer's letter will be complied with.
- 5.) It should be noted specifically that if a hydrant is required there will be additional engineering fees for this project.
- 6.) The requirements in the June 14, 2010 Brighton Fire Authority letter shall be met or any subject revisions to those requirements will be complied with.
- 7.) Dust control measure will be added to the site plan.

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

OPEN PUBLIC HEARING #3...Discussion regarding ordinance amendments related to electronic message signs.

Jeff Purdy summarizes the information contained within his memo dated June 8, 2010. He suggests electronic signs be limited to ground or monument signs. Commissioner Mortensen likes it when they limit the moveable part to one-third of the approved sign area. He believes they shouldn't say it's only for gas stations because that is not fair. In terms of the changeability he doesn't like 4 times per day but would prefer to say something like every 20 seconds.

The Commission agrees it should be part of a ground sign or a window sign. Jeff said the courts have said that signs that provide price, time, temperature can be allowed but

not allow pictures or other messages. The courts have actually said that you can restrict the message in this instance.

Chairman Brown states the message should not change every day. Commissioner Mortensen asks if there is any merit in including a distance between these things. The Commission supports that concept.

The Commission agrees that it has to be part of a permitted sign but cannot be put on a non-conforming sign. They would allow a canopy sign that is a static digital sign.

Mr. Purdy suggests they limit the sign area that can be changeable message – he suggests 1/3 of the area. The Commission agrees.

Mr. Purdy references restricting the number of colors and the changing of colors. Chairman Brown suggests the signs shall have a black background with 2 colors for text and the Planning Commission agrees that the colors may not change

Mr. Purdy suggests limiting animation and flashing. The Commission agrees that there should be no flashing or animation.

Mr. Purdy addresses the frequency of message change. He states every 20 seconds would be the minimum and the maximum he would recommend would be 4 times per hour. Ms. VanMarter would like to see 4 changes per hour. The commission agrees with message changes no more than 4 times per hour.

Mr. Purdy describes limits to light intensity and explains that we can regulate by Footcandles or NITS. The commission supports limits to intensity.

Mr. Purdy proposes restricting the location of electronic changeable message signs to certain zoning districts. The Commission discusses options in this regard and decided not to limit the location, but to limit the intensity.

Chairman Brown shares with the Commission information regarding scented signs. He recently saw an article about a sign that emitted the smell of steaks. He states that we should add something to deny them.

Administrative Business:

- *Staff report:* Ms. VanMarter reports that she has nothing for the July meeting.
- *Approval of May 10, 2010 Planning Commission meeting minutes:* **Moved** by Figurski, supported by Mortensen to approve the minutes. **Motion carried unanimously.**
- *Adjournment:* **Moved** by Mortensen, supported by Tenge to adjourn the meeting at 8.20 p.m. **Motion carried unanimously.**

Respectfully Submitted by: Kelly VanMarter, Planning Director