

GENOA TOWNSHIP
PLANNING COMMISSION
WORK SESSION
March 28, 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, Barbara Figurski, and Mark Snyder. Also present was Kelly Kolakowski, Township Planner; Mike Archinal, Township Manager; Jeff Purdy 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.

Mr. Archinal reviewed Agenda Item #1. He stated that the current ordinance does not allow gazebos to be enclosed with screens or glass. A condominium in the Oak Pointe Villas had this done and it now blocks the neighbors' view of the green. Due to this, he was asked to do some research on how other communities handle gazebos and he could not find any that speak to them specifically. He feels that they should allow gazebos to be enclosed if they are attached to a deck and limit their size to 150 square feet, which is approximately 13 feet in diameter.

Commissioner Mortensen stated that currently the Township allows much larger structures such as 30 x 30, 18 feet high pole barns to be erected on properties.

Mr. Archinal stated that this issue was brought about due to a condominium association. The zoning ordinance needs to address the entire Township, and condominiums only make up a small portion of the Township. He feels this is not a zoning issue and it should be addressed in the condominium bi-laws and master deed.

Mr. Purdy agreed with Mr. Archinal's comments.

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 7:08 p.m.

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

Moved by Figurski, seconded by Mortensen, 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 7:09 p.m. Chairman Pobuda noted that the Board will not begin any new business after 10:00 p.m.

OPEN PUBLIC HEARING # 1... Consideration of an amendment to Genoa Township Zoning Ordinance Article 11, General Provisions, Section 11.04.02, subsections (a) and (d) to allow gazebos on decks with a maximum size of one hundred and fifty (150) square feet and a maximum height of fourteen (14) feet. (05-17)

- **Planning Commission disposition of petition.**
 - A. Recommendation regarding zoning ordinance amendment.

Ms. Kolakowski reiterated Mr. Archinal's comments during the work session. The proposal is to allow gazebos attached to decks to be allowed to be enclosed; however, they can only be 150 square feet and 14 feet high.

The call to the public was made at 7:11 p.m.

Ms. Cil Buckner of 5310 Versailles is against the proposed change to the ordinance. She would like the Township to consider enforcing the ordinance that is in place now before changing it. A gazebo was built next door to her home two years ago that has screens and windows and it is against the ordinance. She is disappointed as a citizen and a taxpayer that the ordinance was not adhered to.

Ms. Kolakowski is aware of Ms. Buckner's situation and noted that Ms. Buckner has been in contact with Supervisor McCririe and Mr. Archinal and they are the ones who would be able to enforce the ordinance. The Planning Commission has no discretion over this.

Commissioner Mortensen stated that the Township went through a series of steps and researched and determined that currently the Township allows much larger accessory structures that can be enclosed to be built. There is not a practical way the Township can have a gazebo ordinance other than what is being proposed. The homeowners association and architectural control committees should be the ones who control this issue with regard to condominium associations.

Chairman Pobuda agrees.

Mr. Purdy noted that this is a clean up of the ordinance. Currently, if it is connected to the deck, it cannot be enclosed; however, if it is not attached, then it can be as large as the property owner wants and enclosed however they wish.

Moved by Mortensen, seconded by Snyder, to recommend to the Township Board approval of the amendment to Genoa Township Zoning Ordinance Article 11, General Provisions, Section 11.04.02, subsections (a) and (d) to allow gazebos on decks with a maximum size of one hundred and fifty (150) square feet and a maximum height of fourteen (14) feet as reviewed by the Township this evening. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 2... Review of revised site plan, impact assessment and amendment to PUD agreement to change the Northshore Bluffs from 8 to 4 lots, located in Sec. 21, petitioned by Northshore Land Development. (05-11)

- **Planning Commission disposition of petition.**
 - A. Recommendation regarding PUD agreement amendment (fax dated 3/23/05).
 - B. Recommendation regarding impact assessment (dated 3/9/05).
 - C. Recommendation regarding revised site plan (dated 3/7/05).

Mr. Jeff Montpas of Boss Engineering and representing Northshore Land Development was present.

They wish to request a reduction in the density for the Northshore Bluff section from eight smaller units to four larger units. He noted that the road is already installed.

Chairman Pobuda questioned the easement that leads to the small island. Mr. Montpas stated the island is not included in the PUD Agreement and the easement is not part of this subdivision.

Chairman Pobuda stated the Township would like to see the island made a conservation easement and always remain a natural wetland. Mr. Montpas stated he cannot address that request; however, he can ask that question of the applicant. He noted that if it was requested to be developed, they would need to come before the Planning Commission for approval.

Mr. Purdy stated that the request complies with the ordinance requirements, although he wants to ensure the revised PUD notes that the other four units will not be transferred to another part of the development and that this is, in fact, a reduction in density.

Mr. Monpas does not feel the applicant is planning to move the other four units as there is no room to develop more parcels.

Ms. Humphriss noted the petitioner has addressed all of her concerns.

The call to the public was made at 7:25 p.m. with no response.

Moved by Mortensen, seconded by Snyder, to recommend to the Township Board approval of the PUD Amendment with a Township received date of March 23, 2003 for Northshore Bluffs with the following conditions:

1. The amendment be reviewed by the Township Attorney with specific reference to language to assure that the four unit reduction in the PUD is not simply a transfer of them to another part of the PUD and is, in fact, an overall reduction of PUD units.
2. The Township Attorney review the easements and other related documents to the island to see if there is a way the Township can legally be assured that no development take place on said island.

The motion carried unanimously.

Moved by Figurski, seconded by Snyder to recommend to the Township Board approval of the Impact Assessment dated October 2004 for Northshore Bluffs with the following conditions:

1. Dust control measures shall be added.
2. Item #B should be changed from "8" units to "4".

The motion carried unanimously.

Moved by Mortensen, seconded by Snyder, to recommend to the Township Board approval of the Site Plan dated March 7, 2005 to change the Northshore Bluffs from 8 to 4 lots, located in Sec. 21, petitioned by Northshore Land Development with the following condition:

1. Dust control measures shall be added.

The motion carried unanimously.

OPEN PUBLIC HEARING # 3... Review of sketch plan and impact assessment for a proposed glazed canopy for the Wal-Mart Garden Center located at 3850 E. Grand River, Sec. 5, petitioned by Wal-Mart. (05-13)

• **Planning Commission disposition of petition.**

- A. Recommendation regarding impact assessment (dated 3/8/05).
- B. Disposition regarding sketch plan (dated 3/8/05).

Ms. Kolakowski advised that there are currently no site violations with the petitioner; however, there is a propane distribution tank cage outside the front of the store that needs to be removed.

Mr. Ronald Reese of John R. Roberts Architect representing Wal-Mart was present.

He showed colored renderings of what the proposed canopy will look like. He also showed samples of building materials. The canopy's purpose is to provide

shelter and protection from the elements. There are two peaks and the sides roll up and down depending on the weather.

Commissioner Mortensen questioned where it is being placed in the garden center. Mr. Reese showed the location on the Wal-Mart site plan. It will be inside the brick and iron gates currently at the store. It will be approximately 24 feet from the fence inside the current garden center and will be approximately 9 feet above the tip of the decorative fence at the highest peak.

Chairman Pobuda questioned the durability of this type of material, especially in cold states such as Michigan. Mr. Reese stated materials do get worn, but these materials are the best of their type and if maintenance is required, it will be done.

Mr. Purdy stated they have no issues with the proposal and the only requirement is the Planning Commission's approval of the materials.

Chairman Pobuda noted that the propane exchange tank storage area needs to be removed as it is not in compliance with the current agreement.

Ms. Humphriss reviewed her letter of February 24, 2004.

- The petitioner needs to clarify on the plans where drainage from the area of the proposed canopy currently goes as they are proposing to direct the draining from the canopy into an existing 10-inch storm drain.
- With regard to trench details, the petitioner needs to provide a minimum of 3-inches of bedding below the pipe and the granular material directly below the concrete should be specified as MDOT Class III material compacted to 95%.

The petitioner will comply with both of these requests.

The call to the public was made at 7:40 p.m. with no response.

Commissioner Figurski noted to the petitioner that currently there are large folded boxes in the front and rear of the site and there are also three large semi trucks parked there. All of this needs to be removed. Mr. Reese will follow up with Wal-Mart regarding these issues.

Moved by Figurski, seconded by Snyder, to recommend to the Township Board approval of the Impact Assessment dated March 8, 2005 for a proposed glazed canopy for the Wal-Mart Garden Center located at 3850 E. Grand River, Sec. 5, petitioned by Wal-Mart. **The motion carried unanimously.**

Moved by Mortensen, seconded by Snyder, to approve the Site Plan dated March 3, 2005 for a proposed glazed canopy for the Wal-Mart Garden Center located at 3850 E. Grand River, Sec. 5, petitioned by Wal-Mart with the following conditions:

1. Prior to presentation to the Township Board, Wal-Mart will come in compliance with the PUD Agreement in the following ways:
 - a. The propane supply cage will be removed
 - b. The semi's that are currently parked in the lot will be removed
 - c. The folded boxes on the site shall be eliminated.
2. Building materials reviewed this evening are acceptable and will become the property of the Township.
3. Items #3 and 4 from the Township Engineer's letter dated February 25, 2005 shall be complied with.

The motion carried unanimously.

OPEN PUBLIC HEARING # 4... Review of sketch plan and impact assessment for a proposed 2,354 sq. ft. addition for Waldecker Pontiac-Buick located at 7885 W. Grand River, Sec. 13, petitioned by Waldecker Pontiac-Buick. (05-16)

• **Planning Commission disposition of petition.**

- A. Recommendation regarding impact assessment (fax dated 2/17/05).
- B. Disposition regarding sketch plan (dated 2/16/05).

Mr. Stan Schaefer, the builder, and Mr. Jerry Waldecker, the business owner, were present.

Mr. Schaefer stated they are proposing to add a 2,354 square foot addition to the write up alley of the dealership. It will give more room for the service advisors to discuss issues with the customers. They will also be adding a waiting area. They will be using the same materials that are currently on the building. He showed elevation drawings.

Mr. Waldecker added this is for the purpose of customer service as well as safety. They are planning to move the customer consulting area with the service technicians away from the mechanical area.

Mr. Purdy reviewed his letter of February 22, 2005.

- Planning Commission approval is required for the proposed architecture, materials and colors.
- Parking calculations are not provided, although he is sure they have sufficient parking as this is a car dealership.
- All lighting, existing and new, needs to be downward directed, full cutoff, metal halide fixtures. Mr. Waldecker stated all of their lights currently comply and they are not planning on adding any more.

Chairman Pobuda questioned the new strobe lights that have been added to the security system. Mr. Waldecker stated that was required by his insurance company. The other option was invisible fencing that would announce if someone was penetrating the property after hours. He chose the strobe lights. Chairman Pobuda asked if the frequency of the strobe could be reduced. Mr.

Waldecker is not sure, however, he will contact the manufacturer and advise the Township.

Commissioner Figurski stated that the dumpster fencing needs to be repaired. Mr. Purdy added that it is required to be block to match the building. The Planning Commission can allow wood; however, that is only done in industrial areas where it is not seen. Mr. Waldecker stated he will replace the dumpster enclosure.

Commissioner Figurski noted the fire department noted concerns in the March 8th letter. Mr. Waldecker advised that their concerns will be addressed.

Ms. Humphriss stated that the petitioner has addressed all of her previous concerns.

The call to the public was made at 7:59 p.m. with no response.

Moved by Figurski, seconded by Snyder, to recommend to the Township Board approval of the Impact Assessment dated February 17, 2005 for a proposed 2,354 sq. ft. addition for Waldecker Pontiac-Buick located at 7885 W. Grand River. **The motion carried unanimously.**

Moved by Mortensen, seconded by Snyder, to approve the Site Plan dated March 23, 2005 for a proposed 2,354 sq. ft. addition for Waldecker Pontiac-Buick located at 7885 W. Grand River with the following conditions:

1. Materials and colors of addition will match the existing building.
2. Two trees and five shrubs will be added to the entrance of the site.
3. The petitioner will investigate whether there is some way to mitigate the strobe light on the security system.
4. The dumpster enclosure will be constructed of masonry.
5. Requirements in the Brighton Area Fire Department's letter dated March 8, 2005 shall be complied with.
6. Items 6 and 7 from TTMP's letter dated February 28, 2005 will be complied with.
7. Dust control measures will be added.

The motion carried unanimously.

OPEN PUBLIC HEARING # 5... Review of final PUD site plan and impact assessment for a proposed 21,897 sq. ft. Tractor Supply Store with a 26,870 sq.ft. of outdoor display located on northeast corner of E. Grand River and Lawson Drive, Sec. 9, petitioned by Bunnell Hill Development Co., Inc. (05-14)

- **Planning Commission disposition of petition.**
 - A. Recommendation regarding impact assessment (dated 3/7/05).
 - B. Recommendation regarding final PUD site plan (dated 3/9/05).

Mr. John Ketler of Ketler Real Estate, representing Tractor Supply, Mr. Larry Simms of Bunnell Hill Development, Mr. Doug Gardner of SSOE Engineering, and Mr. Harvey Weiss, the property owner, were present.

Mr. Weiss stated he will retain ownership of the building. He will be here to answer any questions but will leave the presentation to the other gentlemen.

Mr. John Ketler stated that Tractor Supply has had a lot of growth and has outgrown their current facility. This proposal will significantly improve the outdoor storage issues that Tractor Supply has had with Genoa Township.

Mr. Larry Simms showed colored site plan and colored building renderings. To assist with the screening of the building and outdoor sales, they have added significant landscaping. They have added screen walls to the front outdoor display and a 12-foot high ornamental fence on the front and then a chain link fence on the east and north sides of the building. The building is high on the site and will be approximately nine feet above Grand River.

Mr. Gardner stated they are proposing an access drive off of Grand River as well as adding landscaping along the detention pond. The fence and brick in the front of the outdoor sales area is five feet and they will not have any items in that area that will be higher than that.

Commissioner Mortensen stated that the decorative fence will also need to be on the east side of the display area as this abuts residential property.

Chairman Pobuda asked Mr. Weiss if he had a full site plan to display this evening as is required by the PUD Agreement. Mr. Weiss showed a conceptual plan this evening; however, they cannot be certain how the site will develop.

Commissioner Mortensen noted that the Township engineer suggests an update to the traffic study. Mr. Weiss agrees that some traffic work should be done, which would be in the best interest of him, the Township, as well as other businesses in the area. Ms. Humphriss noted that another curb cut on Grand River is going to require MDOT approval and they will most likely require a traffic study.

Chairman Pobuda stated that 25% of the site is to remain open space. He asked Mr. Weiss if that is being depicted on the site plan shown this evening. He wants to ensure that it is going to be accomplished. Mr. Weiss ensured the Planning Commission that they will maintain 25% of the site as open space.

Chairman Pobuda noted that a 20-foot greenbelt is required along each property line. Mr. Simms stated there is a 50-foot wide greenbelt on the east side of the property. Mr. Weiss stated that the 20-foot greenbelt will be provided for the rest of the site as it is developed. It will remain natural until it is developed.

Chairman Pobuda questioned the required sidewalks. Mr. Gardner stated they will be installing the sidewalk along Grand River and Lawson Drive at the time of this development.

Chairman Pobuda stated that the PUD Agreement states that no cyclone fencing will be allowed on the property and it is being proposed for the outdoor display area. Commissioner Mortensen stated he would want the ornamental fencing and brick on the east and south sides and would permit the cyclone fencing with the shielding strips and some additional landscaping to the north as that is industrial property. Mr. Purdy suggested wood fencing to the east instead of the ornamental fencing as it has a more residential feel. Commissioner Mortensen would not want the wood as it deteriorates. Mr. Weiss would prefer the cyclone fencing with the slots on the east property line. He feels it will give a better screen to the residents. Chairman Pobuda would like the decorative fencing and Commissioners Figurski, Mortensen, and Snyder agree.

Chairman Pobuda suggested landscaping be added to the north property line to shield the adjoining industrial site to the rear of this site. Mr. Weiss stated he will add additional landscaping on the north side.

A five-minute break was held at 9:03 p.m.

Mr. Purdy reviewed his letter of March 24, 2005.

- They recommend that the outdoor display area west of the store entrance be removed as it is in a prominent location as you drive into the site and could contribute to visual clutter. Commissioner Mortensen stated that none of the items will be higher than the fence so they will be screened.
- The Planning Commission must approve all building materials, architecture, and colors. The petitioner did not present sample building materials this evening.
- The proposed development requires 130 parking spaces; however, the petitioner is proposing 92 spaces, which the petitioner feels is sufficient. All commissioners agree to allow the 92 spaces and it should be noted in the PUD Agreement.
- The westerly parking spaces will interfere with traffic circulation along the access drive. Mr. Purdy feels this could become a major service drive when the remainder of the site is developed and they do not want cars backing out of parking spaces onto a main driveway. After a brief discussion, all commissioners agreed that these parking spaces need to be removed.
- The entrance from Lawson Drive does not meet the driveway separation standard with Whitehorse Drive.
- A shared access easement needs to be provided on the plans for the commercial properties to the southeast.

- The landscape plan is deficient for buffer zone and detention pond plantings.
- Additional detail is needed for the light fixtures.
- The lighting exceeds the maximum site lighting intensity and will impact adjacent residential properties.

Ms. Humphriss reviewed her letter of March 24, 2005.

They have some minor general clean-up issues that need to be addressed; however, they are still numerous (22 total) major drainage and grading, traffic, and utility issues outstanding.

Due to the many outstanding engineering issues, planning issues, and the fact that there were no building materials presented, it was suggested that this item be tabled.

Moved by Mortensen, seconded by Figurski, to table Agenda Item #5 at the petitioner's request. **The motion carried unanimously.**

Moved by Figurski, seconded by Mortensen, to approve the minutes of March 14, 2005 with minor revisions. **The motion carried unanimously.**

The meeting adjourned at 9:43 p.m.

Submitted by: Patty Thomas, Recording Secretary

Approved by: Barbara Figurski, Secretary