

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
NOVEMBER 25, 2013
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were James Mortensen, John McManus, Eric Rauch, Chairman Doug Brown, Dean Tengel, Diana Lowe. Also present were Assistant Township Manager, Kelly VanMarter; Brian Borden of LSL Planning, and Gary Markstrom from Tetra Tech.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: **Motion** by Diana Lowe to approve the agenda as amended to include recommending approval of the special use permit under Public Hearing #1, as well as a recommendation regarding amendment to PUD under Public Hearing #1. The motion was supported by John McManus. **Motion carried unanimously.**

CALL TO THE PUBLIC: Chairman Brown made a call to the public at 6:31 p.m. No one wished to address any item not on the agenda.

OPEN PUBLIC HEARING #1... Review of site plan, special use, and environmental impact assessment to construct a new 2,837 square foot Qdoba drive through restaurant located at the Meijer outlot at 3883 E. Grand River, Howell, petitioned by Kevin Egnatuk of Southwind Restaurants, LLC.

Kevin Egnatuk addressed the Planning Commission as the petitioner. He provided a brief description of the project. They are requesting some amendments to the PUD, mostly setback requirements and signage requirements. They would like a drive-thru at their restaurant.

James Mortensen asked the petitioner whether it would be a single use building. There is some language that indicated multiple use. That is no longer applicable. That was in the August application and it has been updated.

Brian Borden reviewed the petition with the Planning Commission. There is a request for a drive-thru and outdoor seating. Generally speaking, there are no other issues as it relates to the special use component. As it relates to the outdoor seating, specs and plans were submitted. He believes a trash receptacle should be added.

As it relates to the amendment to the PUD, this is a relatively tight site according to Mr. Borden. Under the ordinance, the ZBA has limited authority. Therefore, any

dimensional deviations must go through the PUD amendment process. The test is whether the proposed modifications will significantly alter the intent of the PUD.

The site plan was also addressed by Mr. Borden. There is some general clean-up on this submittal that needs to be done. Sheets one and two of the site plan do not have a revision date and that is required. The requirement for two additional parking spaces to accommodate longer vehicles should be addressed. Chairman Brown suggested that the petitioner make an agreement with Meijer to use their parking lot. The petitioner indicated he has made contact and it was not well received. This ordinance was not in effect at the time of the original petition, so Mr. Mortensen believes this shouldn't be addressed. Kelly VanMarter indicates that a reason for not requiring it should be set forth in the PUD amendment.

Brian Borden addressed the buffer zone agreement with the bank to the east. No agreement is in place and it should be stricken from the plan. The landscape is deficient. The plantings and width are deficient. The width is part of the PUD request. There is a discrepancy between the table and plantings that needs to be corrected.

Mr. Borden addressed signage. Petitioner is requesting three signs. Chairman Brown indicated he would be agreeable to two walls signs and one monument sign. There is a deviation for setback of the monument sign, as well.

The petitioner does not disagree with any of the things Brian Borden has addressed.

Gary Markstrom of Tetra Tech addressed the Planning Commission. The review dated 11/1/13 was addressed. He thinks they are all clean-up items petitioner should address on the plans. The petitioner does not disagree with any of the recommendations by Tetra Tech.

The Brighton Area Fire Department letter was addressed by Chairman Brown. The petitioner does not disagree with any of the things requested in the letter by the Fire Department.

Eric Rauch asked about the grease trap. The petitioner indicated he will follow the ordinance. It will be strong enough to handle the loads. He also addressed sheet water flow. There are issues with water flow and there needs to be confirmation that the water flow is proper given the drainage on adjoining property. The petitioner will confirm this with Tetra Tech.

Kelly VanMarter will review the lighting plan.

Planning Commission disposition of petition

- A. Recommendation of the Special Use Permit.
- B. Recommendation regarding amendment to PUD.
- C. Recommendation of Environmental Impact Assessment (10-28-13).

D. Disposition of Site Plan (10-28-13).

Motion by James Mortensen to recommend to the Township Board approval of the special use permit to allow Qdoba outdoor seating and drive-thru service as depicted on the site plan dated 11/25/13. This recommendation is made because the uses being granted are consistent with other uses in the Lorentzen PUD and Section 19-03. Support by Dean Tengel. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board a revision to Lorentzen PUD regarding Qdoba covering these points:

1. Five setbacks for the driveway and building;
2. An additional setback permitting the ground sign to be less than 10 feet from the property line as depicted on the site plan dated 11/25/13;
3. An additional revision permitting the three parking spaces to the east of that sign to infringe upon the setback to the property line as depicted in the site plan dated 11/25/13;
4. An amendment will be made to eliminate the requirement for 2 RV parking spaces on the site;
5. The changes recommended by the Township Attorney in his letter dated 11/21/13 will be incorporated as well as the additional changes covered this evening and will require a second review by the Township Attorney prior to submission to the Township Board;
6. The agreement will be further modified to eliminate reference to a third wall signing, resulting in no more than two wall signs;
7. The Planning Commission finds that these changes will not have a material adverse impact upon surrounding land uses, services, transportation systems and/or facilities.

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

Motion by James Mortensen to recommend to the Township Board approval of the environmental impact assessment dated 10/28/13, subject to:

1. A change specifying this is a single use facility;
2. The word cubit should be changed to cubic.

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

Motion by James Mortensen to recommend to the Township Board approval of the site plan dated 11/25/13, subject to:

1. The applicant shall update the revision dates on the site plan drawing sheets one and two;

2. The building elevations and materials reviewed this evening by the Planning Commission are acceptable and the display board will become the property of the Township;
3. Two wall signs rather than three will be permitted;
4. The location of the proposed ground sign is acceptable as shown and is to be covered by an amendment to the PUD;
5. A trash container will be added to the outdoor seating area;
6. There is concern about sheet flow and further engineering review will be required with a possibility of an additional catch basin being installed;
7. The requirements of the Township Engineer as set forth in their 11/1/13 letter will be complied with, specifically in reference to a tree being planted above the sanitary sewer lead--the tree is to be relocated;
8. The requirements of the Brighton Area Fire Department letter of 11/7/13 will be complied with;
9. There will be minor adjustments to the landscape plan.

Support by Eric Rauch. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Review of proposed Master Plan Update (10-22-13).

Brian Borden reviews the proposed update to the Master Plan. Chairman Brown referred to the Livingston County Planning Commission meeting that he attended with Kelly VanMarter. He reported that the voted for the project. The proposal was also sent to the City of Brighton, who wanted to see more residential areas addressed. The City of Howell liked the master plan updates. They would like to set signage that will promote the City of Howell and City of Brighton. Both cities commended the Township.

Bruce Baker of 2510 Nixon Road addressed the Planning Commission. He presented various slides to be shown to the Planning Commission. He believes this is not reasonable planning for the Nixon Road corridor. He no longer considers this a rural area. He believes a greater transition area would be needed toward Crooked Lake. He believes that the limitations on space prohibit a large scale growth operation such as a hospital and medical offices. He believes the sewer and water should not stop at the transition zone. He feels that it is no longer realistic to maintain this area as a rural area, and believes big development is prohibited as the Master Plan currently exists.

Kelly VanMarter indicated that there is currently no plan to install water or sewer pipe in the ground. The utility study that was completed is more of a concept plan.

Ed Bishopp, 2455 South Latson Road addressed the Commission. He asked how quickly the Commission could move if a big developer was interested in the property. Chairman Brown assured him the Township was ready to move quickly. Kelly advised that it can be subject to lengthier reviews that could take an additional two or three months if a master plan amendment is required.

Rob Vedro addressed the Commission. He grew up in Novi. He believes money talks and if a big developer appears, the Township will make things happen.

No other audience members wished to address the Commission.

Kelly VanMarter addressed the Providence Park hospital and the ancillary uses discussed. Because we do not yet know what businesses will set up out there, it is impossible to predict ancillary uses at this point.

John McManus addressed the changes he has witnessed in the community in the last 15 years. He is pleased with the flexibility built into the plan.

Planning Commission disposition of petition

- A. Request for Approval of Resolution Adopting Updates to the Master Plan and Future Land Use Map.

Motion by John McManus to adopt the resolution. Support by Dean Tengel. **Motion carried by role call vote as follows.**

Yeas: Tengel, Lowe, Brown, Mortensen, McManus, Rauch
Nays: None
Absent: Figurski

Administrative Business:

- *Staff report. Kelly VanMarter has nothing to report. There is no December meeting at this point.*
- *Approval of September 9, 2013 Planning Commission meeting minutes. **Motion** by Diana Lowe to approve the minutes as submitted. Support by John McManus. **Motion carried unanimously.***
- *Member discussion. Dean Tengel asked about the property for Dakkota. Chairman Brown asked about Maxey Ford. Kelly VanMarter updated the Commission. The interchange will open 12/2/13.*
- *Adjournment. **Motion** by John McManus to adjourn. Support by Diana Lowe. **Motion carried unanimously.***