

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
SEPTEMBER 14, 2015
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:31 p.m. Present were Vice Chair Diana Lowe, James Mortensen, Barbara Figurski, John McManus, Chris Grajek, and Eric Rauch. Also present were Kelly VanMarter, Community Development Director/Assistant Township Manager and Brian Borden of LSL. Absent was Chair Doug Brown.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Upon motion by Barbara Figurski and support by John McManus, the agenda was approved as corrected. There are two #1 agenda items. Change the second #1 to #2. **Motion carried unanimously.**

CALL TO THE PUBLIC: A call was made to the public with no response.

OPEN PUBLIC HEARING #1... Review of a special use, environmental impact assessment, and sketch plan application for a proposed market and storage facility with outdoor sales and display for a property located at 7300 Grand River Ave., Brighton, Michigan 48114, parcel # 4711-13-300-021. The request is petitioned by Simply Rock Properties, LLC.

John Eckstein of Lindhout and Associates, Tony Gilardi and Terry Simpson of Simply Fresh Market addressed the Planning Commission. Mr. Eckstein explained the proposed plans. The building will be brought into conformance with the ordinance. The existing paving will remain and will be re-striped. Some pavement will be added at the new dumpster location. The building will be clad with treated wood and painted red.

The proposed signage is in conformance with the ordinances. The existing businesses in back will be gone. The proposed signage is unique as applied to the ordinance. It is proposed as a tower above the trellis. While it complies with the ordinance, Mr. Borden believes this style may need to be addressed in future ordinance language. The petitioner views it as a wall sign since it is applied to existing surface. It's taller than the front of the structure, but not the back of the structure. The intent is to advertise on the front, but not the sides. Kelly VanMarter has no issue with this. The tower has a solid roof on it.

Brian Borden addressed the Planning Commission regarding the items outlined in his letter of September 9, 2015. This use must meet the general land use standards and a host of special land use standards. Some simply are not met. Some require confirmation from the petitioner. Some may be viewed as existing non-conformities.

The site is short of the one acre requirement. This may be viewed as an existing non-conformity. The site is .83 acres.

The trellis encroaches onto the side setback on the west side by 15'. The trellis structure itself is actually an allowable encroachment. The outdoor storage component beneath it is not meeting the side setback. The screening being provided is to protect a parking lot from viewing the produce stand. Mr. Mortensen agreed it doesn't make sense to screen the vegetables and flowers. Mr. Grajek agreed.

The rendering appears to show the produce stands closer to the lot line. There is a potential those actual stands may encroach into the front setback area. The petitioner indicated this is a matter of the artist's rendering, not a reality.

The adjacent properties east and west do not have sidewalks. The petitioner requests a performance bond rather than installing the sidewalks at that time. The reason for this is the petitioner does not own the entire patch of ground before the building. Therefore, any sidewalk could crumble at the edge.

Brian Borden indicated there are 22 parking spaces. The petitioner corrected him. There are 24. The parking lot will continue as exists. No additional landscaping was added for that reason. The pavement will be re-striped. The petitioner agrees to add directional arrow markings on the pavement.

Lighting issues were addressed.

The waste receptacle complies with requirements, but needs approval for placement and the proposed wooden enclosure. The petitioner agrees to use cedar slats rather than the chain link with wood. If the material is altered to match the building more closely, the Planning Commission would be very pleased.

The ordinance requires that the items for display/sale must be behind the 35' setback line and not necessarily under the trellis.

The petitioner will add directional signs on the pavement to outline the flow of traffic.

Brian VanHall, 3557 Brighton Road addressed the Planning Commission. He is a patron of the market and supports this petition.

Lou Bruno, 7900 Herbst Road addressed the Planning Commission. He is a patron of the market and supports this petition.

Mary Vance, the current property owner of 7300 Grand River addressed the Planning Commission. She obviously supports this petition.

Ivonka Valley, director of Bountiful Harvest addressed the Planning Commission. It's a food pantry, soup kitchen. The petitioner donates foods to Bountiful Harvest. She supports this petition.

Planning Commission recommendation of petition

- A. Recommendation of Special Use
- B. Recommendation of Environmental Impact Assessment (08-26-15)

C. Recommendation of Sketch Plan (08-25-15)

Motion by James Mortensen to recommend to the Township Board approval of the special land use permit, subject to:

1. Conformance with the sketch plan that is to be recommended for approval tonight and further subject to approval of the sketch plan by the Township Board;
2. Approval by the Township Board of the environmental impact assessment;
3. This recommendation is made because the Planning Commission finds that the requirements of 7.02 of the ordinance are generally met.

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

Motion by Barbara Figurski to approve the environmental impact assessment dated 8/26/15, subject to the approval of the special use permit and sketch plan. Support by Chris Grajek. **Motion carried unanimously.**

Motion by James Mortensen to recommend approval of the sketch plan dated 8/25/15, subject to:

1. Approval of the special use permit and environmental impact assessment;
2. The sketch plan is recommended for approval because although several set back issues exist, the Planning Commission finds them to be a result of an existing non-conforming situation and therefore recommends approval;
3. The petitioner will provide a performance bond satisfactory to Township Staff for a 5' sidewalk along Grand River;
4. The greenbelt trees may be spaced further apart subject to the approval of Township Staff;
5. The petitioner will provide Township Staff with details assuring that the existing lighting complies with the ordinance;
6. The waste receptacle location is acceptable, but the chain link fence will be replaced with treated lumber, preferably matching the building;
7. The sketch plan and renderings provided this evening will become Township property;
8. The sign as depicted in the site plan is acceptable because it is part of the tower with a roof on it. Therefore, the Planning Commission concludes it does not exceed the roof line of the building;
9. The parking lot will be double stripes and directional arrows added to improve the traffic flow;
10. The site plan and renderings shall be revised as it relates to the outdoor display area to comply with the setback requirements prior to the submission to the Township Board and will be so noted on the sketch plan.

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

OPEN PUBLIC HEARING #2... Review of a sketch plan application to construct four outside pavilions, located at 7000 McClements, Brighton, Michigan, 48114, parcel # 4711-12-100-002. The request is petitioned by St. Thomas Chaldean Catholic Diocese USA.

Sam Herfy addressed the Planning Commission on behalf of the petitioner.

Brian Borden addressed the setbacks from the road and the water line. They are met.

The plans were submitted over aerial photos. The accuracy is not guaranteed. A more accurate plan should be used for the issuance of a permit. For instance, an engineer could draw on the site plan, to scale, the location of the proposed buildings.

Planning Commission disposition of petition

A. Disposition of Sketch Plan (08-25-15)

Motion by Barbara Figurski to table this item for the petitioner to obtain more accurate measurements of the locations of the buildings. Support by Chris Grajek. **Motion carried unanimously.**

OPEN PUBLIC HEARING #3... Review of the draft Master Plan amendment affecting future land use and growth boundaries in sections 33 and 34 along Chilson Road south of Brighton Road for submittal to the Township Board for distribution and public review pursuant to the Michigan Planning Enabling Act.

Kelly VanMarter gave a history of this item. She will seek the attorney's opinion while in the 42-day review period.

Planning Commission disposition of petition

A. Authorize submittal of the draft master plan amendment to the Township Board.

Motion by John McManus to authorize submittal of the draft master plan amendment to the Township Board and that the same be submitted for a legal opinion.

Administrative Business:

- *Staff report*
- *Approval of August 10, 2015 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes of the August 10, 2015 meeting as amended. Support by James Mortensen. **Motion carried unanimously.***
- *Member discussion*
- *Adjournment. **Motion** by John McManus to adjourn the meeting at 8:27 a.m. Support by James Mortensen. **Motion carried unanimously.***

Respectfully submitted,

Kristi Cox
Recording Secretary