

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
NOVEMBER 12, 2019
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 Chairman Doug Brown, Marianne McCreary, Jim Mortensen, Chris Grajek, and Eric Rauch. Absent was Jeff Dhaenens and Jill Richard. Also present was Kelly VanMarter, Community Development Director/Assistant Township Manager, and Brian Borden of Safebuilt Studio. There were seven audience members present.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

Moved by Commissioner Grajek, seconded by Commissioner McCreary, to approve the agenda as presented. **The motion carried unanimously.**

CALL TO THE PUBLIC: The call to the public was made at 6:32 pm with no response.

OLD BUSINESS:

OPEN PUBLIC HEARING #1... Review of a special use, site plan and environmental impact assessment for outdoor sales, storage and display for Home Depot. The property in question is located at 3330 E. Grand River, Howell. The request is petitioned by Scott A. Mommer. A. Recommendation of Special Use Application. B. Recommendation of Environmental Impact Assessment. (10-2-19) C. Recommendation of Site Plan. (11-21-19)

Brent LaVanway of Boss Engineering was present representing the applicant. He reviewed the changes that have been made to the plans since the last time they were before the Planning Commission. He addressed the two items of concern in Mr. Borden's letter of November 5.

1. Mr. Borden is concerned with the height of the stockade fence that is proposed for the outdoor display area for the rental equipment. Mr. LaVanway showed photographs of the proposed fence, noting that it will be on top of the retaining wall, so it will be higher than most of the equipment that will be in that area. He also provided photos of the type of equipment that will be stored there.
2. The time frames for the temporary seasonal displays will be from March 1 to July 15 and then from November 15 to December 31.

Commissioner McCreary questioned if some of the barrier free parking spaces will be lost with the temporary display. Mr. Borden confirmed that they will not meet the minimum required number of spaces with what is being proposed. It was suggested to move the area so as to not block those spaces.

Mr. Borden reviewed his letter dated November 5, 2019.

He noted that the applicant has addressed their concerns from their previous review letters; however, there are some items that still need to be addressed or approved by the Planning Commission.

1. The Commission may require additional shrub plantings, or allow excess existing trees to count as the required buffer zones.
2. The Commission may allow a 6-foot tall wood fence in lieu of a buffer zone B along the southerly lot line.
3. The height of materials stored within the three parking lot areas will generally exceed the height of screening provided.
4. The applicant must identify the dates/seasons that the temporary sales display area will be in use.
5. At least two of the areas proposed appear to block/disrupt pedestrian circulation to/from the building. Mr. LaVanway stated that the display area to the north will not block any egress locations. For the area to the south, this is the outdoor storage area, and one of the doors is not operable so the egress will not be blocked. He noted that the dimensions shown on the plan are larger than what will be on site.

Mr. Markstrom's letter of October 31 states that all of his previous concerns have been addressed.

The Brighton Area Fire Authority's letter dated October 18 states that all of their previous concerns have been addressed.

Commissioner Mortensen questioned if the meeting between Township Staff and the applicant that was suggested at the July Planning Commission meeting occurred. Ms. VanMarter stated emails were exchanged, but no meeting was held. He does not believe that this plan is much different than what was presented in July or what Home Depot has been doing in the past. He believes approving this will set a precedent for outdoor storage being requested in other locations in the Township.

Mr. LaVanway stated that they have made changes; specifically, the sheds have been relocated to a more "tucked in" location and the number of displays have been decreased from 10 or 12 to 6, the chain link enclosure for the rental equipment has been removed and replaced with a stockade fence, and the applicant has delineated on the pavement to show staff where the outdoor storage will be located.

Commissioner Rauch agrees that this would be the most lenient outdoor storage uses than what has been allowed in the community. He agrees with Mr. Mortensen that allowing this as presented would set a precedent. He would like to see permanent areas made for the storage of these types of items.

Ms. VanMarter stated that when she communicated with Home Depot she advised them that what they were proposing was not well received by the Planning Commission and suggested a more permanent delineated area be developed for these items.

Commissioner Grajek stated that the discussion being held this evening is the same that was had when the applicant was last before the Planning Commission. Mr. LaVanway stated the plans have changed, but perhaps they did not change enough. Commissioner Grajek appreciates the attempt made by Home Depot.

Commissioner Mortensen also appreciates the work done by Home Depot.

Chairman Brown would have liked the applicant to have met with staff and attended tonight's meeting.

Commissioner Grajek agrees that the storage next to the building on the sidewalk could be permitted; however, he is not in favor of the areas that are proposed to be in the middle of the parking lot nor the location of the sheds.

Commissioner Rauch suggested installing a greenbelt area that could screen the seasonal and shed displays and possibly even the equipment.

The call to the public was made at 7:28 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Rauch, to table the request for a special use application, environmental impact assessment, and site plan for outdoor sales, storage and display for Home Depot until the December 9, 2019 Planning Commission meeting. **The motion carried unanimously.**

NEW BUSINESS:

OPEN PUBLIC HEARING #2...Review of a site plan application, PUD application, PUD agreement, environmental impact assessment, and final site plan for a proposed planned industrial development with a new 67,000 sq. ft. indoor climate controlled storage building. The proposed project is located at 2528 Harte Drive, Brighton consisting of 10.62 acres on parcel 4711-13-300-009. The request is petitioned by James Pappas of Fusco, Shaffer and Pappas, Inc.

- A. Recommendation of PUD Agreement
- B. Recommendation of Impact Assessment (10-1-2019)
- C. Recommendation of Final Site Plan (10-25-19)

Mr. Jim Hart, the owner, and Mr. Jim Pappas, the architect, were present.

Mr. Pappas stated that they have addressed the concerns from the Township consultants.

Mr. Borden stated they have addressed all of his previous concerns.

Mr. Markstrom's letter of November 4 states that all of his previous concerns have been addressed.

The Brighton Area Fire Authority's letter dated October 30 states that all of their previous concerns have been addressed.

Commissioner Rauch commended the applicant for their work on this project. He appreciates the high-quality architecture that was done for this type of use, despite the fact that it is in a location far from a major roadway. Ms. VanMarter agrees.. She stated this is the most well-prepared project that she has seen come before the Township in a very long time.

The call to the public was made at 7:42 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Rauch, to recommend to the Township Board approval of the PUD Agreement for an indoor climate-controlled storage building on the Birkenstock property, subject to the following:

- Final review of the PUD Agreement by the Township attorney.
- In making this recommendation, the Planning Commission finds that this Agreement is an appropriate use of this piece of property and will lead to a high-quality development compatible with neighboring properties.

The motion carried unanimously.

Moved by Commissioner Mortensen, seconded by Commissioner Grajek, to recommend to the Township Board approval of the Impact Assessment dated October 1, 2019 for an indoor climate-controlled storage building on the Birkenstock property. **The motion carried unanimously.**

Moved by Commissioner Mortensen, seconded by Commissioner McCreary, to recommend to the Township Board, approval of the Final Site Plan dated October 25, 2019 for an indoor climate-controlled storage building on the Birkenstock property, subject to the following:

- The requirements spelled out in the Township Engineer's letter dated November 4, 2019 and the Brighton Area Fire Authority's letter dated October 30, 2019 will be met.

The motion carried unanimously.

OPEN PUBLIC HEARING #3...Review of a special use, sketch plan, and environmental impact assessment for a proposed indoor recreation use for the addition of golf simulators in the former Burrough's Roadhouse restaurant located on the north side of Brighton Road at 5311 Brighton Road, Brighton. This request is petitioned by Andrew Lerch and Kevin Johnson.

- A. Recommendation of Special Use Application
 1. Recommendation of Special Use Setback Variance to the ZBA
- B. Recommendation of Environmental Impact Assessment (10-21-19)

C. Recommendation of Sketch Plan (10-15-19)

Mr. Andrew Lerch, and Mr. Kevin Johnson were present. Mr. Johnson stated they would like to renovate the building to house office space and golf simulators. He reviewed the submitted colored sketch plan.

Mr. Borden reviewed his letter dated November 6, 2019.

1. The request is generally consistent with the special land use standards of Section 19.03.
2. The applicant must seek a variance from the ZBA for one of the two applicable use conditions in Section 7.02.02(s). A favorable recommendation on the special land use and sketch plan should be conditioned upon the variance request being granted.
3. If exterior building improvements are proposed, details must be provided.
4. There are no details provided with respect to the ADA access improvements proposed.
5. If new signage is proposed, the applicant should provide details for review.
6. The parking spaces are re-painted, they should be double-striped per current Ordinance standards.
7. A sign permit will be required prior to installation of new signage.

Mr. Markstrom's letter dated October 31 stated "The proposed improvements are all internal to the existing structure. The proposed use is less intense than the previous restaurant bar facility and as such, should result in a lower use of the existing parking lot and utilities. There appears to be no site improvements being proposed. Therefore, we have no engineering related concerns to the proposed special land use application".

Chairman Brown reviewed The Brighton Area Fire Authority's letter dated October 30, 2019.

1. The water main location is not indicated on the submittal nor is the location of the proposed fire protection lead or the closest hydrant to the site.
2. A hydrant shall be located within 100' of the fire department connection for the fire sprinkler system.
3. The building will be provided with an automatic sprinkler system. It shall be installed in accordance with NFPA 13, Standard for the Installation of Automatic Sprinkler Systems.
 - a. The FDC shall be located on the front of the building (Brighton Rd.) within 100-feet of the nearest hydrant.
 - b. The location, size, gate valve, and connection of the fire protection lead shall be indicated on the utility site plan.
4. Future project submittals shall include the address and street name of the project in the title block.
5. The building shall include the building address on the building. The address shall be a minimum of 6" high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation.
6. The access road into the site is existing to access the rear parking area. There shall be a fire lane located along the rear-drive adjacent to the building at a minimum of 26-feet wide. With a width of 26-feet wide, the building side of the drive shall be marked as a fire lane. Include the location of the proposed fire lane signage and include a detail of the

fire lane sign in the submittal. Access roads of 26-feet shall circulate the site and back to the exit drive. Access shall be provided and maintained during construction. Access roads shall be constructed to be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

7. Access around the access drive shall provide emergency vehicles with a turning radius up to 30-feet inside and 50-feet outside.
8. A minimum vertical clearance of 13½ feet shall be maintained throughout the access.
9. Provide names, addresses, phone numbers, emails of owner or owner's agent, contractor, architect, on-site project supervisor.

Commissioner Rauch believes that the Fire Authority reviewed this as if it were a site plan and not a sketch plan. He hopes that there will be further conversations with the applicant and the Fire Authority because perhaps not all of these requirements will be needed. Ms. VanMarter suggested that if the Planning Commission recommends approval of this project, it should be noted that the applicant meet with the Fire Authority to discuss their issues, instead of requiring all of their conditions to be met.

Commissioner Rauch stated that as it pertains to the recommendation to the ZBA for the variance request, he would suggest that the Planning Commission make a favorable recommendation as the need for the variance is not self-imposed because the building is existing.

The call to the public was made at 8:14 pm with no response.

Moved by Commissioner Mortensen, seconded by Commissioner Rauch, to recommend to the Township Board, approval of the Special Use Application to permit indoor golf simulators in the former Burrough's Roadhouse Restaurant, subject to the approval by the ZBA of the Special Use Setback Variance, approval of which the Planning Commission finds to be consistent with the intent of the ordinance. This recommendation is made with the following conditions:

- The recommendation is made because the Planning Commission finds that this Special Land Use is consistent with the requirements of Section 19.03 of the Township Ordinance.
- The applicant shall meet the zoning requirements of outdoor events, as operated in the past, if they are to continue.
- The Planning Commission finds that this application meets the intent of Section 7.02.02(s) of the Zoning Ordinance and recommends approval to the ZBA.

The motion carried unanimously.

Moved by Commissioner Mortensen, seconded by Commissioner Rauch, to recommend to the Township Board, approval of the Environmental Impact Assessment dated October 21, 2019 for indoor golf simulators in the former Burrough's Roadhouse Restaurant. **The motion carried unanimously.** **Moved** by Commissioner Mortensen, seconded by Commissioner McCreary, to

recommend to the Township Board, approval of the Sketch Plan dated October 15, 2019 for indoor golf simulators in the former Burrough's Roadhouse Restaurant subject to the following:

- Future exterior building improvements, if made, shall require approval from Township Staff.
- Details regarding the ADA access improvements will require approval from Township Staff.
- If new signage is proposed, the applicant should provide details for review.
- If the parking spaces are repainted, they should be double-striped per current ordinance standards.
- A sign permit will be required prior to installation of any new signage.
- The renderings and sketch plan presented and reviewed this evening by the Planning Commission will become Township property.

The motion carried unanimously.

ADMINISTRATIVE BUSINESS

Staff Report

Ms. VanMarter stated the zoning ordinance update will be on the December Planning Commission meeting agenda. There may also be a Special Land Use request.

There will be a joint meeting of the Planning Commission and the Township Board to discuss the South Latson Corridor on December 10.

There will be a get-together at Aubreys in Howell from 4 pm to 6 pm on Thursday, December 12, to celebrate Mr. Brown's retirement as the Planning Commission Chairman.

Approval of the October 15, 2019 Planning Commission meeting minutes

Moved by Commissioner McCreary, seconded by Commissioner Grajek, to approve the minutes of the October 15, 2019 Planning Commission Meeting as submitted. **The motion carried unanimously.**

Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Commissioner Grajek, seconded by Commissioner Mortensen, to adjourn the meeting at 8:30 pm. **The motion carried unanimously.**

Respectfully Submitted,
Patty Thomas, Recording Secretary