

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
January 9, 2023
6:30 P.M.
MINUTES**

CALL TO ORDER: Chairman Grajek called the meeting of the Genoa Charter Township Planning Commission to order at 6:30 p.m. Present were Chris Grajek, Eric Rauch, Diana Lowe, Marianne McCreary, and Jeff Dhaenens. Absent were: Tim Chouinard and Glynis McBain. Also present was Township Manager Kelly VanMarter, Planning Director Amy Ruthig, and Brian Borden of Safebuilt.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

ELECTION OF OFFICERS:

Ms. VanMarter stated a Chairperson, Vice-Chairperson, and a Secretary must be elected at the first meeting each year.

Moved by Commissioner Lowe, seconded by Commissioner Dhaenens, to elect Chris Grajek as Chairperson, Eric Rauch as Vice-Chairperson, and Marianne McCreary as Secretary. **The motion carried unanimously.**

APPROVAL OF AGENDA:

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

DECLARATION OF CONFLICT OF INTEREST: None

CALL TO THE PUBLIC:

The call to the public was opened at 6:33 pm.

Mr. Robert Vogt of 6265 Grand River, Howell, stated he has been zoned and has used his property as light industrial for at least 60 years; however, the letter he received has his property being rezoned. Ms. VanMarter stated that commercial is the base zoning for Mr. Vogt 's property and it will remain that way, even if the overlay is removed.

The call to the public was closed at 6:35 pm.

OPEN PUBLIC HEARING #1...Consideration of a rezoning application and impact assessment to rezone property at 7777 Bendix Road (parcel 11-13-200-012) from Office Service District (OSD) to Medium Density Residential (MDR). The property consists of approx. 1 acre of land and is located on the northwest corner of Bendix and Grand River Avenue. The request is petitioned by Justin Tobey.

- A. Recommendation of Rezoning.
- B. Recommendation of Environmental Impact Assessment. (11-21-22)

Mr. Tobey stated they would like to return the zoning of this property back to Medium Density Residential to put in a five-unit townhome rental building. They have researched commercial uses; however, there are a lot of already vacant office rentals in the area.

Mr. Borden revised his letter dated December 8, 2022.

- 1. MDR zoning is generally consistent with the rezoning criteria of Section 22.04.
- 2. Though not consistent with the current Future Land Use Map, the case can be made that conditions have changed/the request is consistent with recent development trends. Additionally, approximately 10 years ago, this property was rezoned from MDR to OSD.
- 3. MDR zoning is more compatible with existing site constraints (topography, views, and vehicular access).
- 4. Development under OSD is unlikely due to site constraints and a lack of demand for such uses.
- 5. The request is anticipated to be compatible with the existing and planned uses in the surrounding area.
- 6. Consideration must be given to any technical comments provided by the Township Engineer, Utilities Director and/or Fire Authority with respect to infrastructure compatibility or capacity

The Township Engineer's letter dated December 7, 2022 stated she has no engineering concerns regarding the rezoning request.

The Brighton Area Fire Marshal's letter dated December 5, 2022 stated:

- 1. The building shall include the building address on the building. The address shall be a minimum of 4" high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation. Due to the location and distance from Bendix the address shall be displayed at the entrance to the driveway on a sign that is compliant with and approved by the Genoa Township sign ordinance.
- 2. The driveway to the residences shall be a minimum width of 26-feet. With a width of 26-feet, one side (building side) of the drive shall be marked as a fire lane. Include the location of the proposed fire lane signage and a detail of the fire lane sign in the submittal. Access roads to the site 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 84,000 pounds.

3. The length of the access driveway exceeds 150-feet, requiring a means of emergency vehicle turn-around to be provided. Compliant with Appendix D of the International Fire Code.
4. A minimum vertical clearance of 13 1/2 feet shall be maintained along the length of all apparatus access drives. This includes but is not limited to porte-cocheres, lighting, and large canopy trees.

Mr. Tobey stated they have spoken to the Fire Marshal and his concerns will be addressed during site plan review.

The call to the public was opened at 6:42 pm with no response.

Commissioner Dhaenens requested that the design of this building be similar to what is on the other side of the pond. Mr. Rauch agrees with Commissioner Dhaenens.

Ms. McCreary questioned the easement that the Township has next to this property, which would allow access to the wastewater plant. Ms. VanMarter stated it is owned by the Township and was anticipated to be an open space area for the Water's Edge subdivision.

Ms. McCreary asked where the access to the property will be located. Mr. Tobey showed the proposed location of the entrance on the aerial map.

Moved by Commissioner Rauch, seconded by Commissioner Lowe, to recommend to the Township Board approval of the Rezoning of 7777 Bendix Road (Parcel 11-13-200-012) from Office Service District (OSD) to Medium Density Residential (MDR) as this Commission finds the following:

- The rezoning is generally consistent with the criteria of Section 22.04 of the zoning ordinance
- While not consistent with the current Future Land Use Map, conditions have changed, and the request is consistent with recent development trends
- MDR zoning is more compatible with existing site constraints (topography, views, and vehicular access).
- Development under OSD is unlikely due to site constraints and a lack of demand for such uses.
- The request is anticipated to be compatible with the existing and planned uses in the surrounding area.

The motion carried unanimously

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to recommend to the Township Board approval of the Environmental Impact Assessment dated November 21, 2022 for 7777 Bendix Road (Parcel 11-13-200-012). **The motion carried unanimously**

OPEN PUBLIC HEARING #2...Consideration of a rezoning application and impact assessment to remove the Town Center Overlay District from the following 42 parcels:

| | | | |
|---------------|---------------|---------------|---------------|
| 11-10-400-003 | 11-10-400-02 | 11-10-400-034 | 11-10-401-046 |
| 11-11-300-008 | 11-11-300-019 | 11-11-305-015 | 11-14-100-004 |
| 11-10-400-004 | 11-10-400-025 | 11-10-401-013 | 11-10-401-047 |
| 11-11-300-009 | 11-11-300-020 | 11-11-305-017 | 11-14-100-007 |
| 11-10-400-007 | 11-10-400-028 | 11-10-401-043 | 11-11-300-002 |
| 11-11-300-011 | 11-11-304-012 | 11-11-305-020 | 11-14-100-008 |
| 11-10-400-018 | 11-10-400-030 | 11-10-401-044 | 11-11-300-003 |
| 11-11-300-012 | 11-11-304-013 | 11-11-305-023 | 11-14-100-011 |
| 11-10-400-019 | 11-10-400-033 | 11-10-401-045 | 11-11-300-004 |
| 11-11-300-013 | 11-11-305-010 | 11-14-100-001 | 11-14-100-012 |
| 11-15-200-005 | 11-15-200-018 | | |

The request encompasses approximately 101.61 acres surrounding the intersection of Grand River Avenue and Dorr Road. The request is petitioned by Genoa Charter Township.

- A. Recommendation of Rezoning.
- B. Recommendation of Environmental Impact Assessment. (1-5-23)

Ms. VanMarter stated that there have been numerous properties that are within the overlay district that have requested, and been approved, to have it removed from their property. The draft Master Plan calls for the elimination of the District. All the affected property owners received a letter from the Township advising them of the proposed change.

The call to the public was opened at 6:57 pm.

Mr. Mark Khemmoro of 5580 East Grand River, Middletown Market, stated he would like his property to be rezoned to allow for a gas station. Ms. VanMarter stated the current and draft Master Plan do not allow for this use. Due to the location of the property, there being residential homes across the street, and the lake nearby, she believes it would be difficult to obtain approval for a rezoning for that type of use.

The call to the public was closed at 6:59 pm.

Moved by Commissioner Rauch, seconded by Commissioner Dhaenens, to recommend to the Township Board the removal of the Town Center Overlay District from the 4224 parcels listed on Item #2 on tonight's agenda. **The motion carried unanimously.**

Moved by Commissioner Rauch, seconded by Commission Lowe, to recommend to the Township Board approval of the Environmental Impact Assessment dated January 5, 2023 for the removal of the Town Center Overlay District from the 4224 parcels listed on Item #2 on tonight's agenda. **The motion carried unanimously.**

OPEN PUBLIC HEARING #3...Continuation of public hearing for the proposed Genoa Charter Township Master Plan.

Chairman Grajek read a letter from the Chaldean Diocese, who owns 1391 S. Kellogg Road. The letter noted that their property is currently zoned Public and Recreational Facilities (PRF); however, the new Master Plan and Future Land Use Map shows their property as Large Lot Rural Residential". They would like to have their property planned for "Private Recreation".

Ms. VanMarter stated that this issue was raised in a pre-application meeting earlier today. She provided a history of the zoning and uses for this property and displayed the Future Land Use Map. She noted this was used as a camp under the previous owner, it is currently being used as a camp, and is planned to be used as a camp in the future.

Commissioner Rauch agrees with the Chaldean Diocese and does not want to have the Master Plan designation for an unplanned use. Commissioner Dhaenens agrees.

Commissioner McCreary questioned how this master plan change will affect expansions that may be requested by the owner. Ms. VanMarter stated that this would make future camp project requests more compatible with the master plan. She also indicated the draft master plan language for private recreational uses includes provisions to provide that they be developed as low density residential in the event the recreational land uses ceases which eliminates concerns regarding future land use if the camp is sold. In addition, she added that the parks and recreation zoning for recreational land uses is not up to date with current trends and land use considerations for recreation uses and she will be looking into ordinance amendments to improve regulations. Commissioner Rauch would like to have the different types of recreation that the Township has currently list noted in the Master Plan.

Commissioner McCreary agrees that the text in the Public and Recreational Facilities District of the Township zoning ordinance needs amending to facilitate new trends in recreational uses.

The Commission requested that staff revise the designation in the Master Plan for parcels 11-12-100-002 and 11-11-200-001 from Large Lot Rural Residential to Public and Recreational Facilities (PRF) and update the plan language to reflect current land uses existing in the Township. Ms. VanMarter will work to make the changes discussed this evening.

The call to the public was made at 7:16 pm with no response.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig noted she has included the Annual Report in this month's meeting packet.

Staff is anticipating the approval of the Master Plan at the February Planning Commission meeting.

Ms. Ruthig stated St. Joseph Hospital will have their MRI trailer and their loading area at the front of the building during construction of the hospital expansion.

Approval of the December 12, 2022 Planning Commission meeting minutes

Needed changes were noted.

Moved by Commissioner McCreary, seconded by Commissioner Rauch, to approve the minutes of the December 12, 2022 Planning Commission Meeting as corrected. **The motion carried unanimously.**

Member Discussion

There was a discussion regarding solar panel farms.

Adjournment

Moved by Commissioner Lowe, seconded by Commissioner Dhaenens, to adjourn the meeting at 7:37 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary