

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
February 12, 2024**

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 Eric Rauch, Tim Chouinard, Glynis McBain, Marianne McCreary, Greg Rassel and Jeff Dhaenens. Absent was Eric Rauch. Also present were Planning Director Amy Ruthig, Brian Borden of Safebuilt, and Shelby Byrne of Tetra Tech.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was recited.

APPROVAL OF AGENDA:

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

ELECTION OF OFFICERS:

Moved by Commissioner McBain, seconded by Commissioner Rassel, to maintain the current officer positions. **The motion carried unanimously.**

DECLARATION OF CONFLICT OF INTEREST:

None

CALL TO THE PUBLIC:

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

OLD BUSINESS:

OPEN PUBLIC HEARING #1...REQUEST TO POSTPONE PER TOWNSHIP STAFF

RECOMMENDATION- Consideration of a special land use application, environmental impact assessment and site plan to allow for a proposed automatic car wash located on vacant parcel #4711-04-300-017 Latson Road, east side of Latson Road, south side of Grand River Avenue.

The request is petitioned by CWP West, LLC.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (1-16-24)
- C. Recommendation of Site Plan (1-16-24)

The call to the public was opened at 6:33 pm with no response.

Moved by Commissioner Rassel, supported by Commissioner Chouinard, to postpone Open Public Hearing #1. **The motion carried unanimously.**

OPEN PUBLIC HEARING #2...REQUEST TO POSTPONE PER TOWNSHIP STAFF

RECOMMENDATION- Consideration of a special land use application, environmental impact assessment and site plan to allow for a proposed multi-tenant commercial center including a drive through coffee shop and outdoor seating restaurant located on vacant parcels#:4711- 04-300-017 and 4711-09-100-017 Latson Road, east side of Latson Road, south side of Grand River Avenue. The request is petitioned by Kevin Bahnam, 1015 Latson Road LLC.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (1-16-24)
- C. Recommendation of Site Plan (1-16-24)

The call to the public was opened at 6:34 pm with no response.

Moved by Commissioner Rassel, supported by Commissioner Chouinard, to postpone Open Public Hearing #2. **The motion carried unanimously.**

OPEN PUBLIC HEARING # 3...Consideration of a site plan application, environmental impact assessment and site plan for an expansion, remodel and exterior site improvements for the existing Arby's Restaurant located at 3639 E. Grand River Avenue, between Grand Oaks Drive and Cleary Drive. The request is petitioned Chew Inc, dba Arby's.

- A. Recommendation of Environmental Impact Assessment (12-13-23)
- B. Disposition of Site Plan (12-13-23)

Ms. Cheryl Ball, the architect, and Mr. Joe Crawford, the owner, were present.

Ms. Ball stated they have altered the stacking spaces, changed the parking to meet the requirements, and updated the landscaping plan. They will be removing the pole sign and installing a monument sign. They presented colored renderings, colored photographs showing a newly built Arby's restaurant, which has the materials they would like to use, and sample building materials.

Mr. Borden stated they have met the vehicle parking requirements, but they do not have the RV and semi parking requirements. They do not have that currently so it is an existing condition. He noted the petitioner did a good job meeting his requirements. He reviewed his letter dated February 6, 2024:

1. A variance is needed to match the nonconforming rear yard setback. Ms. Ball stated they have received ZBA approval.
2. Building materials and color scheme are subject to approval by the Planning Commission, noting they do not completely meet the ordinance, but this is a remodel and they are

matching existing materials. Mr. Crawford stated they are proposing to remove all of the EFIS material.

3. He suggests additional shrubs be provided to fill in the gap near the sidewalk connection.
4. Required landscape buffer zone areas are deficient in both widths and plantings; however, the Commission may waive or modify the landscaping requirements, per Section 12.02.13. He noted that there are two greenbelt trees missing. He suggests those be added.
5. There are minor discrepancies between the plant schedule and landscape plan that need to be corrected.
6. The Planning Commission may allow a second wall sign.
7. The applicant must address any comments provided by the Township Engineer and/or the Brighton Area Fire Authority

The petitioner agreed to the landscape and tree planting requirements.

Ms. Byrne's letter stated that the petitioner has addressed her concerns, however, the proposed angled parking adjacent to the drive-through results in a drive aisle less than the required 15 feet. The proposed configuration matches the existing parking layout and there does not appear to be any current issue with vehicle circulation as a result so she has no concerns.

The Brighton Area Fire Authority Fire Marshals letter dated February 2, 2024 states that all his previous concerns have been addressed.

The call to the public was opened at 6:54 pm with no response.

Commissioner Dhaenens does not agree that the two trees need to be added and he would approve two building signs. Commissioner McBain agrees. Commissioner Chouinard agreed that the bushes should be added, but no additional trees are needed.

Moved by Commissioner Dhaenens, supported by Commissioner Rassel, to recommend to the Township Board approval of the Environmental Impact Assessment dated December 13, 2023 for an expansion, remodel and exterior site improvements for the existing Arby's Restaurant located at 3639 E. Grand River Avenue. **The motion carried unanimously.**

Moved by Commissioner Dhaenens, supported by Commissioner Rassel, to approve the Site Plan dated January 22, 2024 for an expansion, remodel and exterior site improvements for the existing Arby's Restaurant located at 3639 E. Grand River Avenue, with the following conditions:

- The requirement for the landscaping per section 12.02.13 is deficient; however, the Planning Commission will allow for shrubs and no canopy trees to be planted. The revised plan shall be reviewed and approved by township staff.
- The applicant is permitted to decrease the amount of EFIS on the building. The revision shall be reviewed and approved by township staff.
- A second wall sign is permitted.

- The building materials presented this evening are acceptable.

The motion carried unanimously.

NEW BUSINESS:

OPEN PUBLIC HEARING #4...Consideration of a special land use application, environmental impact assessment and site plan to use the existing building at 2464 Dorr Road (formerly occupied by Humane Society) as a philanthropic or nonprofit center to assist individuals with social needs. The property is located on the west side of Dorr Road, north of I-96 on parcel #4711-15-200-019 and the request is petitioned by The Salvation Army of Livingston County.

- A. Recommendation of Special Use Application
- B. Recommendation of Environmental Impact Assessment (12-11-23)
- C. Recommendation of Site Plan (1-19-24)

Mr. David Barner, the attorney for the Salvation Army, Lieutenant Colonel Steven Merritt, Lieutenants Roberts and Leach, who would be the core commanders at this location, and Ms. Kelly Wirebaugh, Divisional Property Manager, were present.

He stated the property will be used as a core center. It will have a church and will provide many social services.

Mr. Borden reviewed his letter dated February 1, 2024.

1. Special Land Uses (Section 19.03):
 - a. The special land use standards of Section 19.03 are generally met.
 - b. The applicant must address any comments provided by the Township Engineer or Brighton Area Fire Authority regarding public facilities and services.
2. Outdoor Storage (Section 8.02.02(n)):
 - a. The subject site does not meet the 500-foot spacing from residential zoning. He noted that the applicant intends to apply to the ZBA for a variance. Ms. Wirebaugh stated they will apply for the variance after the purchase of the property is complete.
3. Site Plan Review:
 - a. If parking lot improvements are proposed, the applicant should be required to provide looped striping for parking spaces.
 - b. Removal of the existing structures associated with the Humane Society needs to be noted on the site plan. He stated the applicant has indicated they will be removed; however, it is still shown on the site plan.
 - c. The applicant must address any comments provided by the Township Engineer and/or the Brighton Area Fire Authority.

Ms. Byrne reviewed her letter dated February 5, 2024.

1. The petitioner will need to obtain approval from the Brighton Area Fire Authority prior to final site plan approval.
2. The impact assessment states that the site will be serviced by existing well and septic. The petitioner has noted that they will pursue approval from the Livingston County Health Department for the potential increased use of the existing facilities and approval should be provided to the Township for their records.
3. The existing site drive is close to the Dorr Road and I-96 overpass. The petitioner should confirm with the Livingston County Road Commission that sight distance is adequate at the current drive location and provide that approval to the Township for their records.

She added that the petitioner should provide a cross section of the proposed sidewalk for engineering review.

The Brighton Area Fire Authority Fire Marshal's letter dated February 2, 2024 states that the applicant has or will comply with his concerns. Item #5 states:

5. During the construction process, the building will be evaluated for emergency responder radio signal strength. If coverage is found to be questionable or inadequate; the contractor or the building owner shall hire an approved contractor to conduct a grid test of the facility. If the signal strength coverage is found to be non-compliant, an approved emergency responder radio coverage system shall be provided in the building. (There is a note directed toward the owner's rep regarding this note. This will be resolved during the life safety review with the architectural firm.)

Commissioner Dhaenens questioned if the parking is adequate for large events being held at the building. Ms. Wirebaugh stated that during holidays, they may need to use the greenspace for parking. He stated the township does not like to encourage parking on the grass. He asked the applicant to look into the parking further.

Commissioner McCreary thanked the applicant for the services they provide for the community as they are much needed. She reiterated Commissioner Dhaenens' concerns regarding parking. Ms. Wirebaugh stated that during the week, people visit by appointment only. Lieutenant Colonel Merritt stated they have a maximum number of people who can attend each event.

Mr. Barner stated that the current size of the parking is adequate for their existing services. If the need increases and they require more parking, they will return to the township.

The call to the public was opened at 7:20 pm

Mr. David Yancho of 5658 Evergreen Knoll, is a member of the Salvation Army Board. The services provided here are different from the Salvation Army thrift store. The church only

services a handful of families so it is not a typical church. He reiterated that the parking is sufficient for their current needs for other larger events.

Ms. Marlene Poff with the Salvation Army stated that parents drop off their children for the youth programs so there is no parking needed for that. They usually only have three to four clients in their building at one time.

Mr. Brian Kazak of 11236 Doves Mead, who is on the Salvation Army Board, stated the current location uses 6-8 spaces on a Sunday and this new parking lot doubles this. The appointments are usually one-on-one, and not groups.

The call to the public was closed at 7:25 pm.

Commissioner Chounard thanked the public for the clarification on the parking needs.

Moved by Commissioner Dhaenens, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Special Use Application to use the existing building at 2464 Dorr Road (formerly occupied by Humane Society) as a philanthropic or nonprofit center to assist individuals with social needs for the Salvation Army of Livingston County, with the following conditions:

- The special land use standards of Section 19.03 are generally met.
- The applicant will address the township engineer and Brighton Area Fire Authority Fire Marshal's concerns.
- The applicant shall obtain a variance from the ZBA for the lack of 500-foot spacing from residential zoning.

The motion carried unanimously.

Moved by Commissioner Dhaenens, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Environmental Impact Assessment dated December 11, 2023 to use the existing building at 2464 Dorr Road (formerly occupied by Humane Society) as a philanthropic or nonprofit center to assist individuals with social needs for the Salvation Army of Livingston County. **The motion carried unanimously.**

Moved by Commissioner Dhaenens, supported by Commissioner Chouinard, to recommend to the Township Board approval of the Site Plan dated January 19, 2024 to use the existing building at 2464 Dorr Road (formerly occupied by Humane Society) as a philanthropic or nonprofit center to assist individuals with social needs for the Salvation Army of Livingston County, with the following conditions:

- If there are improvements to the parking the applicant will receive approval from the Township and it will require looped parking spaces.
- All of the existing structures shall be removed, with the exception of the garage.

- The applicant shall comply with the conditions of the Brighton Area Fire Authority Fire Marshal.
- The applicant shall provide the cross section details of the proposed sidewalk for the township engineer's review and approval.

The motion carried unanimously.

ADMINISTRATIVE BUSINESS:

Staff Report

Ms. Ruthig stated there is a Planning Commission meeting tomorrow. Commissioner Dhaenens will not be in attendance.

There may be four items on the March meeting agenda.

Approval of the January 8 and January 9, 2024 Planning Commission meeting minutes

One needed change was noted.

Moved by Commissioner McCreary, seconded by Commissioner Dhaenens, to approve the minutes of the January 8, 2024 Planning Commission Meeting as amended. **The motion carried unanimously.**

Moved by Commissioner McCreary, seconded by Commissioner Rassel, to approve the minutes of the January 9, 2024 Planning Commission Meeting as presented. **The motion carried unanimously.**

Member Discussion

There were no items to discuss this evening.

Adjournment

Moved by Commissioner McCreary, seconded by Commissioner Rassel, to adjourn the meeting at 7:39 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas, Recording Secretary