

**GENOA CHARTER TOWNSHIP  
PLANNING COMMISSION PUBLIC HEARING  
DECEMBER 9, 2019  
6:30 P.M.  
AGENDA**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OF AGENDA:**

**CALL TO THE PUBLIC:** *(Note: The Board reserves the right to not begin new business after 10:00 p.m.)*

**OLD BUSINESS:**

**1. 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)

**ADMINISTRATIVE BUSINESS:**

- Staff Report
- Approval of November 12, 2019 Planning Commission meeting minutes
- Member discussion
- Adjournment



**RECEIVED**  
By Amy Ruthig at 10:50 am, May 09, 2019

# GENOA CHARTER TOWNSHIP Special Land Use Application

This application **must** be accompanied by a site plan review application and the associated submittal requirements. (The Zoning Official may allow a less detailed sketch plan for a change in use.)

APPLICANT NAME & ADDRESS: \_\_\_\_\_  
*Submit a letter of Authorization from Property Owner if application is signed by Acting Agent.*

APPLICANT PHONE: (\_\_\_\_) \_\_\_\_\_ EMAIL: \_\_\_\_\_

OWNER NAME & ADDRESS: \_\_\_\_\_

SITE ADDRESS: \_\_\_\_\_ PARCEL #(s): \_\_\_\_\_

OWNER PHONE: (\_\_\_\_) \_\_\_\_\_ EMAIL: \_\_\_\_\_

Location and brief description of site and surroundings:

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Proposed Use:

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Describe how your request meets the Zoning Ordinance General Review Standards (section 19.03):

a. Describe how the use will be compatible and in accordance with the goals, objectives, and policies of the Genoa Township Comprehensive Plan and subarea plans, and will promote the Statement of Purpose of the zoning district in which the use is proposed.

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b. Describe how the use will be designed, constructed, operated, and maintained to be compatible with, and not significantly alter, the existing or intended character of the general vicinity.

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c. How will the use be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, water and sewage facilities, refuse disposal and schools?

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d. Will the use involve any uses, activities, processes, or materials potentially detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, odors, glare, or other such nuisance? If so, how will the impacts be mitigated?

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e. Does the use have specific criteria as listed in the Zoning Ordinance (sections 3.03.02, 7.02.02, & 8.02.02)? If so, describe how the criteria are met.

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I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AGREE TO DESIGN, CONSTRUCT AND OPERATE, AND MAINTAIN THESE PREMISES AND THE BUILDINGS, STRUCTURES, AND FACILITIES WHICH ARE GOVERNED BY THIS PERMIT IN ACCORDANCE WITH THE STATED REQUIREMENTS OF THE GENOA TOWNSHIP ZONING ORDINANCE, AND SUCH ADDITIONAL LIMITS AND SAFEGUARDS AS MAY BE MADE A PART OF THIS PERMIT.

THE UNDERSIGNED \_\_\_\_\_ STATES THAT THEY ARE THE FREE OWNER OF THE PROPERTY OF PROPERTIES DESCRIBED ABOVE AND MAKES APPLICATION FOR THIS SPECIAL LAND USE PERMIT.

BY: Scott A. Mommer

ADDRESS: \_\_\_\_\_

|                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Contact Information</b> - Review Letters and Correspondence shall be forwarded to the following:</p> <p>_____ of _____ at _____<br/>Name Business Affiliation Email</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p align="center"><b>FEE EXCEEDANCE AGREEMENT</b></p> <p>As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.</p> <p>SIGNATURE: <u>Scott A. Mommer</u> DATE: _____</p> <p>PRINT NAME: _____ PHONE: _____</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**RECEIVED**

By Amy Ruthig at 10:49 am, May 09, 2019



**GENOA CHARTER TOWNSHIP  
Application for Site Plan Review**

**TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:**

APPLICANT NAME & ADDRESS: Scott A. Mommer; 4694 W. Jacquelyn Ave, Fresno, CA 93722  
*If applicant is not the owner, a letter of Authorization from Property Owner is needed.*

OWNER'S NAME & ADDRESS: Home Depot U.S.A., Inc.; 2455 Paces Ferry Rd., Atlanta, GA 30339

SITE ADDRESS: 3330 E. Grand Ave, Howell, MI PARCEL #(s): 11-05-300-027

APPLICANT PHONE: ( 559 ) 978-7060 OWNER PHONE: ( 770 ) 384-3364

OWNER EMAIL: smommer@larsandersen.com

LOCATION AND BRIEF DESCRIPTION OF SITE: The site is an existing Home Depot store located  
at Grand Oaks Drive and Grand River Ave. The site is currently Zoned RCD - Regional Commercial District.

BRIEF STATEMENT OF PROPOSED USE: The proposed Use is for additional storage areas per the  
submitted Site Plan. The proposed request is for area for display of three (3) rental trailers, rental equipment display,  
a 12' fence at the south end of the site for large equipment storage, seasonal sales display areas, and staging areas.

THE FOLLOWING BUILDINGS ARE PROPOSED: No buildings are being proposed.

**I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE  
PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY  
KNOWLEDGE AND BELIEF.**

BY: Scott A. Mommer

ADDRESS: 4694 W. Jacquelyn Ave, Fresno, CA 93722

**Contact Information** - Review Letters and Correspondence shall be forwarded to the following:

1.) Scott A. Mommer of Scott A. Mommer Consulting at smommer@larsandersen.com  
Name Business Affiliation E-mail Address

**FEE EXCEEDANCE AGREEMENT**

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

SIGNATURE: *Scott A. Mommer* DATE: 5/3/2019  
PRINT NAME: Scott A. Mommer PHONE: 559-978-7060  
ADDRESS: 4694 W. Jacquelyn Ave., Fresno, CA 93722

AFFIDAVIT

I, Jessica Borgert certify by my signature below that I hereby authorize Scott A. Mommer to act as my agent regarding the Special Land Use Application of the below described property.

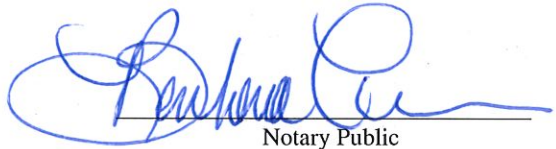
Property described

as: See attached Legal Description.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: HOME DEPOT U.S.A., INC.  
  
Signature of Jessica Borgert  
Senior Corporate Counsel

\_\_\_\_\_  
Date

Subscribed and sworn to me a Notary Public on this 19 day of April 2019.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:  
9/10/22

Barbara Turner  
NOTARY PUBLIC  
Fulton County, GEORGIA  
My Commission Expires 09/10/2022

#2751

## EXHIBIT A

## Legal Description

Part of the Southwest  $\frac{1}{4}$  of Section 5, T2N—R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West  $\frac{1}{4}$  Corner of said Section 5: thence along the East-West  $\frac{1}{4}$  line of said Section 5, N 87°09'05" E, 272.34 feet; thence along Easterly line of Victory Drive (66 foot wide Right-of-Way), as recorded in the Plat of "Grand Oaks West Industrial Park", Liber 30 of Plats, pages 1-5, Livingston County Records, S 01°04'09" E, 8.88 feet; thence along the South line of Lot 1 of said Plat, S 77°41'07" E, 148.07 feet; thence S 86°26'47" E, 226.20 feet; thence S 73°13'50" E, 20.78 feet; thence N 25°07'05" E (previously recorded as N 27°04'E), 240.92 feet; thence along the Southerly line of Grand River Avenue (50 foot wide and 70 foot wide  $\frac{1}{2}$  Right-of-Way), on the following three (3) courses; 1) S 64°54'26" E, 93.60 feet, 2) S 25°05'34" W, 20.00 feet, 3) S 64°54'26" E, 157.49 feet to the POINT OF BEGINNING of the Parcel to be described; thence continuing along the Southerly line of Grand River Avenue on the following four (4) courses: 1) S 64°54'26" E, 117.51 feet, 2) N 25°05'34" E, 20.00 feet, 3) S 64°54'26" E, 61.15 feet, 4) S 64°41'56" E, 657.17 feet; thence S 25°10'07" W, 233.14 feet; thence S 41°41'17" E, 115.37 feet; thence S 52°21'03" E, 57.81 feet; thence S 64°41'56" E, 278.96 feet; thence N 87°53'27" E, 46.62 feet; thence along the Westerly line of Grand Oaks Drive (100 foot wide Right-of-Way), as recorded in the Plat of "Grand Oaks Commercial Park", Liber 21 of Plats, pages 45-47, Livingston County Records, Southwesterly on an arc left, having a length of 70.72 feet, a radius of 500.00 feet, a central angle of 08°06'15", and a long chord which bears S 05°43'50" W, 70.66 feet; thence S 87°53'37" W, 1101.09 feet; thence N 71°04'09" W, 170.00 feet (previously recorded as 169.43); thence N 20°20'51"E, 285.83 feet (previously recorded as 282.65 feet), thence N 02°44'46" E, 405.20 feet (previously recorded as 407.10), thence N 08°08'15"E, 169.00 feet, thence N 84°00'24" E, 39.14 feet to the POINT OF BEGINNING; Containing 15.10 acres, more or less, and subject to the rights of the Public over the existing Grand River Avenue. Also including the use of Grand Oaks Drive, as recorded in the Plat of "Grand Oaks Commercial Park", Liber 21 of Plats, pages 45-47, Livingston County Records.

TAX PARCEL ID NO:

4711-05-300-027

**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 were 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.

UPDATE FROM LIVINGSTON COUNTY PLANNING COMMISSION

Ms. Kathleen Kline-Hudson, Director of the Livingston County Planning Department, and Mr. Bill Anderson, a member of the Livingston County Planning Commission, were present.

Mr. Anderson provided a review of the Planning Commission members, where they live, and the areas that they represent.

Ms. Kline-Hudson provided an update on the projects that the Planning Commission has been working on as well as projects that have been completed since they were here last year.

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. (10-1-19)

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 not 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 agreeing 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:

Planning Commission Meeting  
July 8, 2019 Approved Minutes

1. The Commission may allow building materials that do not comply with Section 12.01 (too much vinyl siding) since they will match the existing building.
2. The parking calculations on Sheet C2.0 need to be corrected and 2 additional barrier-free parking spaces are required. Mr. Rudolph stated he can add the spaces per his suggestion.
3. The applicant should provide specification sheets for the proposed light fixtures.
4. The landscape plan is deficient in buffer zone B and detention pond plantings. The applicant did make modifications to the original plan; however, they are still missing the required amount of plantings. The Planning Commission can modify this requirement; however, he recommends that the buffer zone plantings be required. Mr. Rudolph noted that there are existing plantings in that area; however, they can add additional plantings as required.

The call to the public was made at 6:45 pm with no response.

**Moved** by Commissioner Grajek, seconded by Commissioner Rauch, to recommend to the Township Board approval of the Environmental Impact Assessment dated March 26, 2019 as written. **The motion carried unanimously.**

**Moved** by Commissioner Grajek, seconded by Commissioner Dhaenens, to approve the Site Plan dated July 2, 2019 with the following conditions:

- Allowing the use of vinyl siding, which does not meet ordinance, due to the existing siding used on the building.
- Two barrier free spaces shall be added and approved by staff.
- Lighting will be converted to LED lighting throughout the development and spec sheets shall be provided.
- Additional plantings shall be included in the buffer zone to the rear, which can be approved by staff.
- Compliance with the Engineer's review letter July 2, 2019.

**The motion carried unanimously.**

NEW BUSINESS:

**OPEN PUBLIC HEARING #2...** 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. (6-12-19)
- C. Recommendation of Site Plan. (6-10-19)

Brent LaVanway of Boss Engineering was present. There are three types of storage areas for which they are requesting approval. One is a temporary storage area for materials prior to being brought into the building, permanent product display areas in the front, and then the temporary seasonal storage area, which includes the outside plant and flower area in part of the parking lot.

Mr. Borden reviewed the outstanding issues of his letter dated July 2, 2019.

The revised submittal does not demonstrate full compliance with the landscaping/screening conditions of Section 7.02.02(d). There is not a full Buffer Zone B shown on the plans. The applicant is required to screen the entire height of the outdoor storage.

The applicant should identify the dimensions and square footage of each outdoor area proposed, with an understanding that they will be limited to such areas.

He noted that the reason this item is on the agenda this evening is because the Township has dealt with many years of outdoor storage enforcement issues.

Commissioner Mortensen agrees that this has been an ongoing issue for years and Home Depot is simply doing what they want. He definitely wants the storage in the rear to have screening and what is being proposed is not sufficient.

Commissioner Dhaenens agrees that the specific sizes of the areas for the storage should be noted on the plans. He does not agree with the storage in the middle of the parking lot.

Commissioner Grajek would like to have the sheds moved from the front of the building. He understands that the grade drops and there are trees screening the site, so they can't be seen from the road anyway. He stated that if the items are kept where they are supposed to be and kept organized and neat then there would not be a problem with it, but he agrees with Commissioner Mortensen's comment that it seems Home Depot is doing what they want.

Mr. LaVanway believes that the trees along Grand River provide appropriate screening for the site.

Commissioner Rauch does not agree with the 12-foot chain link fence that is providing security for the rental equipment. He is not in favor of this proposal. He does not want to approve permanent outdoor displays. He suggested that this type of outdoor seasonal storage be reviewed and approved each year as it is done with other uses of this type.

Commissioner McCreary agrees with Commissioner Rauch and she does not approve of the sheds being displayed in the front of the store.

Chairman Brown was surprised when he saw the number of violations that have been issued to Home Depot over many years and that they have not done anything to comply with the ordinance.

Ms. VanMarter referenced Commissioner Rauch's suggestion about the administrative process to obtain a seasonal display. Seasonal display permits area only valid for 28 days, which is why staff recommended that the applicant obtain approval for a formal plan.

She suggested that if the areas are approved, they should be delineated in some way (pavement markings, bollard posts, etc.). When staff is enforcing the site plan, it is difficult to determine if they are staying within the allowable area.

They do receive complaints from drive by traffic due to the staging of the material in the northwest corner of the building.

Commissioner Grajek understands that Home Depot needs to have outdoor storage and seasonal displays in order to do business, but they are good members of the community. He would like the Township to be able to meet with them and come to an agreement. Ms. VanMarter will coordinate a meeting.

Commissioner Rauch noted that the site has over 100 extra parking spaces and suggested that they develop an outdoor and seasonal display area that can be delineated and screened properly.

The call to the public was made at 7:25 pm with no response.

Ms. VanMarter suggested postponing this item until the August 12 Planning Commission meeting.

**Moved by Commissioner Grajek, seconded by Commissioner Mortensen, to postpone Open Public Hearing #2, at the applicant's request, until the August 12, 2019 Planning Commission meeting. The motion carried unanimously.**

**OPEN PUBLIC HEARING #3**...Review of a special use, site plan and environmental impact assessment for outdoor sales, storage and display for Lowe's. The property in question is located at 1100 S. Latson Road, Howell. The request is petitioned by Lowe's Home Centers, LLC.

- A. Recommendation of Special Use Application.
- B. Recommendation of Environmental Impact Assessment (6-18-19)
- C. Recommendation of Site Plan. (6-18-19)

Mr. Todd Simmons of Freeland & Kauffman, the engineer for Lowe's, was present. He is aware of the ongoing issues with the outdoor storage and display at Lowe's. He met with Township staff and developed the plan that was submitted for review this evening. He reviewed the plan, specifically the screening of the areas. Some areas may not have completely met the ordinance; however, they believe their proposal meets the intent of the ordinance.

As it relates to the engineer's concerns that these areas are on utility easements, they understand that if any maintenance needs to be done on the utilities, their items would need to be removed.

Commissioner Mortensen stated he has the same concerns with Lowe's and the numerous violations that they have received that he did with Home Depot.

Mr. Borden reviewed his letter dated July 2.

1. Because this is a PUD, it is suggested that the Township require the applicant to provide a cross-access easement to the outlot adjacent to the east.
2. Aside from the screening requirements (Buffer Zone B), the revised submittal is generally compliant with the conditions of Section 7.02.02(d). There is not a full Buffer Zone B shown on the plans.

**From:** Kelly VanMarter  
**To:** ["Scott Mommer"](#)  
**Cc:** ["Janay Mommer"](#); [Amy Ruthig](#); ["Brian Borden"](#)  
**Subject:** RE: Home Depot - Howell, MI  
**Date:** Thursday, December 05, 2019 12:23:00 PM

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Resending..I missed a **word**.

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**From:** Kelly VanMarter  
**Sent:** Thursday, December 05, 2019 12:19 PM  
**To:** 'Scott Mommer'  
**Cc:** Janay Mommer; Amy Ruthig; Brian Borden  
**Subject:** RE: Home Depot - Howell, MI

You are able to request whatever you want, I'm just **not** able to judge how they will react.

We've got you on the agenda for Monday. The meeting starts at 6:30pm at the Township Hall. I suggest your presence in addition to the local store manager attendance.

One suggestion you might consider – use the vehicle/equipment rental area for your temporary seasonal sales event and move the vehicles/trailers into the parking lot during that time period.

The store has historically used the row of parking you are designating for the equipment rental for the seasonal sales of mulch, top soil, etc. and I think the vehicles are better suited to temporary relocation into the parking lot spaces than the bulk items. NOTE – this is my personal suggestion. I have NO idea how the commission will react.

See you Monday.

Kelly VanMarter, AICP  
Assistant Township Manager/Community Development Director

Genoa Charter Township  
2911 Dorr Road, Brighton, Michigan 48116  
Direct: (810) 588-6900, Phone: (810) 227-5225, Fax: (810) 227-3420  
E-mail: [kelly@genoa.org](mailto:kelly@genoa.org), Url: [www.genoa.org](http://www.genoa.org)

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**From:** Scott Mommer [<mailto:SMommer@larsandersen.com>]  
**Sent:** Tuesday, December 03, 2019 7:56 PM  
**To:** Kelly VanMarter  
**Cc:** Janay Mommer; Amy Ruthig; Brian Borden  
**Subject:** RE: Home Depot - Howell, MI

Kelly

I spoke to the Store and they understand 28 days, in a normal case they need 6 weeks. Can I request

6 weeks at the PC Hearing Monday night?

Thank you

Scott

**Scott Mommer – PE, QSD**  
**President**  
**Lars Andersen & Associates, Inc.**  
**CASp – LEED Accredited – QSD/QSP**  
**4694 W Jacquelyn Avenue**  
**Fresno, CA 93722**  
**(559) 276-2790 Ext. 112 Office**  
**(559) 276-0850 Fax**  
**(559) 978-7060 Cell**  
**[www.LarsAndersen.com](http://www.LarsAndersen.com)**  
**LA TBPE F-18450**

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**From:** Kelly VanMarter <Kelly@genoa.org>

**Sent:** Monday, December 02, 2019 7:29 PM

**To:** Scott Mommer <SMommer@larsandersen.com>

**Cc:** Janay Mommer <JMommer@larsandersen.com>; Amy Ruthig <amy@genoa.org>; Brian Borden <borden@lslplanning.com>

**Subject:** Re: Home Depot - Howell, MI

Scott,

Does the store understand the Township can only give 28 days for a temporary event? I would hate to go through all this and then find out the local manager cannot operate with only 28 days. We'll be right back where we started.

Sent from my iPhone

On Dec 2, 2019, at 10:08 PM, Scott Mommer <[SMommer@larsandersen.com](mailto:SMommer@larsandersen.com)> wrote:

Kelly,

We removed the Seasonal Sales area and just provided the "Bark Pick up" that the City has been "OK" with in the past, per the Store. If that's not going to work for the PC, we will remove it.

Let me know as we would like to move forward with support. Should we set up a call?

Thank you,



Scott

<image003.jpg>

**Scott Mommer – PE, QSD**

**President**

**Lars Andersen & Associates, Inc.**

**CASp – LEED Accredited – QSD/QSP**

**4694 W Jacquelyn Avenue**

**Fresno, CA 93722**

**(559) 276-2790 Ext. 112 Office**

**(559) 276-0850 Fax**

**(559) 978-7060 Cell**

**[www.LarsAndersen.com](http://www.LarsAndersen.com)**

**LA TBPE F-18450**

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**From:** Kelly VanMarter <[Kelly@genoa.org](mailto:Kelly@genoa.org)>

**Sent:** Monday, December 02, 2019 8:02 AM

**To:** Janay Mommer <[JMommer@larsandersen.com](mailto:JMommer@larsandersen.com)>

**Cc:** Scott Mommer <[SMommer@larsandersen.com](mailto:SMommer@larsandersen.com)>; [borden@slplanning.com](mailto:borden@slplanning.com); Amy Ruthig <[amy@genoa.org](mailto:amy@genoa.org)>

**Subject:** RE: Home Depot - Howell, MI

I did receive it but I'm not sure how to respond to your request since it is still not what the Commission asked for. We will put it on the agenda for December 9<sup>th</sup>.

Kelly VanMarter, AICP

Assistant Township Manager/Community Development Director

Genoa Charter Township

2911 Dorr Road, Brighton, Michigan 48116

Direct: (810) 588-6900, Phone: (810) 227-5225, Fax: (810) 227-3420

E-mail: [kelly@genoa.org](mailto:kelly@genoa.org), Url: [www.genoa.org](http://www.genoa.org)

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**From:** Janay Mommer [<mailto:JMommer@larsandersen.com>]

**Sent:** Wednesday, November 27, 2019 12:23 PM

**To:** Kelly VanMarter

**Cc:** Scott Mommer

**Subject:** FW: Home Depot - Howell, MI

Kelly,

I wanted to follow-up to confirm the below email and revised Site Plan was received

and if the project is still to be scheduled for the 12/9 Hearing?

Let me know if there are any questions or concerns.

Thank you!

Janay

<image004.jpg>

**Janay Mommer**

**Project Coordinator**

**Lars Andersen & Associates, Inc.**

**CASp – LEED Accredited – QSD/QSP**

**4694 W Jacquelyn Avenue**

**Fresno, CA 93722**

**(559) 276-2790 Ext. 110 Office**

**(559) 276-0850 Fax**

**[www.LarsAndersen.com](http://www.LarsAndersen.com)**

<image005.jpg>

---

**From:** Scott Mommer <[SMommer@larsandersen.com](mailto:SMommer@larsandersen.com)>

**Sent:** Thursday, November 21, 2019 4:56 PM

**To:** 'Kelly VanMarter' <[Kelly@genoa.org](mailto:Kelly@genoa.org)>

**Cc:** Janay Mommer <[JMommer@larsandersen.com](mailto:JMommer@larsandersen.com)>

**Subject:** Home Depot - Howell, MI

Kelly,

We have reviewed the request to construct a permanent enclosure for the seasonal sales, and Home Depot Criteria does not provide for a permanent structure for the limited time that it would be utilized. Therefore, we have removed the request for the temporary seasonal sales area in the parking lot; which is unfortunate for all Parties due to the loss of additional sales and the customer's experience. With that said, the City has been very generous in the past to permit a temporary mulch/bark area in the parking lot, in which customers can pick up their product that is then loaded by Home Depot's Associates. As you may know, this limited time event is a great sale to the customer and also promotes additional revenue to the store. We are requesting this only for 8 weeks in the Spring season; which I personally identify that between March and July to be what I call Home Depot's "Christmas Season". Therefore, as an alternative to the temporary seasonal sales in the parking lot we have identified on the revised Site Plan the designated location for the 8 week mulch/bark customer pick-up location.

After your review of our revision, let me know if this would be feasible moving forward with the Planning Commission Hearing.

Thank you,  
Scott

<image007.jpg>

**Scott Mommer – PE, QSD**

**President**

**Lars Andersen & Associates, Inc.**

**CASp – LEED Accredited – QSD/QSP**

**4694 W Jacquelyn Avenue**

**Fresno, CA 93722**

**(559) 276-2790 Ext. 112 Office**

**(559) 276-0850 Fax**

**(559) 978-7060 Cell**

**[www.LarsAndersen.com](http://www.LarsAndersen.com)**

**LA TBPE F-18450**



November 5, 2019

Planning Commission  
Genoa Township  
2911 Dorr Road  
Brighton, Michigan 48116

|                   |                                                                                  |
|-------------------|----------------------------------------------------------------------------------|
| <b>Attention:</b> | Kelly Van Marter, AICP<br>Planning Director and Assistant Township Manager       |
| <b>Subject:</b>   | Home Depot – Special Land Use and Site Plan Review #4                            |
| <b>Location:</b>  | 3330 E. Grand River Avenue – south side of Grand River, west of Grand Oaks Drive |
| <b>Zoning:</b>    | RCD Regional Commercial District                                                 |

Dear Commissioners:

At the Township’s request, we have reviewed the revised special land use and site plan submittal from Home Depot (dated 10/1/19) to allow outdoor sales/storage/display areas for the existing business.

As discussed at the July 8, 2019 Planning Commission meeting, there has been a lengthy Ordinance enforcement history for outdoor sales/storage/display at this site. Township staff tracked this history (provided in a separate document with the July agenda packet) noting issues dating back to 2001. As a result, the Township revoked the applicant’s special land use permit for outdoor sales/storage/display in 2015.

Action on the request was postponed at the July 8, 2019 meeting due to several concerns raised by the Commission and Township staff. Concerns included visibility of storage areas from Grand River, a lack of screening required by the Ordinance, and the lack of clear demarcations of these areas.

**A. Summary**

1. In order to make a favorable finding on the general special land use standards of Section 19.03, the use conditions of Section 7.02.02(d) must be met to the Township’s satisfaction.
2. The applicant must also address any concerns provided by the Township Engineer and/or Brighton Area Fire Authority.
3. The Commission may require additional shrub plantings, or allow excess existing trees to count as the required buffer zones.
4. The Commission may allow a 6-foot tall wood fence in lieu of a buffer zone B along the southerly lot line.
5. The height of materials stored within the 3 parking lot areas will generally exceed the height of screening provided.
6. The applicant must identify the dates/seasons that the temporary sales display area will be in use.
7. At least 2 of the areas proposed appear to block/disrupt pedestrian circulation to/from the building.

**B. Proposal/Process**

The revised submittal includes 13 areas of outdoor display/storage/sales accessory to a permitted commercial use (Home Depot). Such uses are allowed with special land use approval (Section 7.02).

Section 7.02.02(d) also includes use conditions for commercial outdoor display, storage and sales.

Procedurally, following the required public hearing, the Planning Commission is to put forth a recommendation on the special land use, site plan review and Impact Assessment. The Township Board has the final review/approval authority over the project.



*Aerial view of site and surroundings (looking north)*

### C. Special Land Use Review

Special land uses are subject to the review criteria of Section 19.03, as follows:

- 1. Master Plan.** The Master Plan identifies the site and adjacent properties as Regional Commercial, which is intended for “higher intensity commercial uses that serve the comparison shopping needs of the entire community and the regional market.”

While the Plan does not specifically address outdoor uses within Regional Commercial, it does note the intent to allow for “big box retail,” which is consistent with the principal use of this site.

Given the nature of the request and the planned uses for the subject area, the proposal is generally compatible with the Master Plan and Future Land Use Map.

- 2. Compatibility.** The inclusion of some outdoor components associated with a big box retailer is not generally expected to adversely impact nearby uses. However, such uses are subject to the conditions of Section 7.02.02(d) to ensure compatibility.

In our opinion, the use conditions must be met to the Township’s satisfaction in order to make a favorable finding under this criterion.

- 3. Public Facilities and Services.** As a developed site, we do not anticipate issues with public facilities and services.

However, the applicant must address any concerns raised by the Township Engineer and/or Brighton Area Fire Authority with respect to this criterion.

- 4. Impacts.** Similar to the comment in paragraph #2 above, provided the use conditions are met, the project would not generally be expected to result in adverse impacts upon surrounding properties.
- 5. Mitigation.** If additional concerns arise as part of the review process, the Township may require mitigation efforts to alleviate/eliminate potential adverse impacts.

**D. Use Conditions**

As previously noted, the proposal is subject to the use conditions of Section 7.02.02(d), as follows:

**1. Minimum lot area shall be one (1) acre.**

The notes on Sheet 1 of 4 identify a lot area of 15.1 acres.

**2. Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials.**

The Impact Assessment states that “any stockpiles of soils, fertilizer or similar loosely packaged materials will be wrapped in visqueen for not only protection of the material, but to the environment.”

**3. All outdoor storage areas shall be paved with a permanent, durable and dustless surface and shall be graded and drained to dispose stormwater without negatively impact adjacent property. The Township Board, following a recommendation of the Planning Commission and the Township Engineer, may approve a gravel surface for all or part of the display or storage area for low intensity activities, upon a finding that neighboring properties and the environment will not be negatively impacted.**

All of the proposed outdoor display/storage/sales areas are located on an existing paved surface.

**4. No outdoor storage shall be permitted in any required yard (setback) of buildings for the district in which the commercial outdoor display, sales or storage use is located. Any approved outdoor sales or display within a parking lot shall meet the required parking lot setback; provided the Planning Commission may require additional landscaping screening or ornamental fencing.**

The current site plan complies with this standard.

**5. The site shall include a building of at least five hundred (500) feet of gross floor area for office use in conjunction with the use.**

The existing building contains 121,265 square feet of floor area, plus a 14,168 square foot garden center and 9,993 square feet of seasonal sales.

**6. All loading and truck maneuvering shall be accommodated on-site.**

This standard is met.

**7. All outdoor storage area property lines adjacent to a residential district shall provide a buffer zone A as described in Section 12.02. A buffer zone B shall be provided on all other sides. The Planning Commission may approve a six (6) foot high screen wall or fence, or a four (4) foot high landscaped berm as an alternative.**

The applicant proposes use of existing landscaping plus 3 new evergreen trees (northwest corner of the property) and a 212-foot length of 6-foot tall wood stockade fencing (along the south lot line) as screening for the outdoor areas.

The areas to the west and southeast do not provide the shrubs required for a buffer zone B; however, the existing tree plantings greatly exceed the number required. The Commission may require additional shrubs (27 total in our estimation), or allow the existing trees in lieu of additional shrubs.

The Commission may also allow the 6-foot screen fencing along the southerly lot line in lieu of a buffer zone B.

- 8. The height of all material and equipment stored in an outdoor storage area shall not exceed the height of any landscape screening, wall or fence. Boats and recreational vehicles may exceed the height of the fence provided that they are setback from the fence a distance equal to their height. Storage of materials up to the height of the adjacent building wall may be permitted in the rear yard if it is illustrated on the site plan, the rear yard does not abut a residential district, will not be visible from an expressway and such storage is confined to within twenty (20) feet of the building.**

The revised submittal notes that items stored within the shed display area, temporary seasonal sales display area and large equipment rental area will not exceed a height of 12 feet.

No screening is depicted for the temporary seasonal sales area and the large equipment rental area is screened by 6-foot tall fencing. The shed display area is partially screened by mature deciduous trees. As such, most, if not all of the materials stored in these areas will exceed the height of screening provided.

#### **E. Site Plan Review**

- 1. Dimensional Requirements.** The revised plans comply with the dimensional requirements of the Zoning Ordinance. Additionally, dimensions are provided for each of the 13 areas proposed, as previously requested.

If approved, the applicant will be held to these locations/dimensions and any expansion will be treated as a violation or will require submittal of an amended site plan. The applicant has acknowledged this in the current submittal.

- 2. Parking.** The revised submittal addresses concerns raised over the parking calculations in the previous submittal (notes on Sheet 4 of 4).

In summary, the development requires 389 parking spaces, while 452 are generally provided; however, the amount provided will temporarily be reduced to 389 while the seasonal sales display area is operational. Since this area is noted as “temporary,” we request the applicant identify the dates/seasons it will be in use.

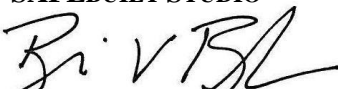
- 3. Vehicular and Pedestrian Circulation.** The revised plans depict compliant drive aisles widths.

The revised submittal states that display areas are not located in front of doors; however, the plan still depicts the “plant seasonal display area” towards the south end of the building in front of doors and the “S/O fence display area” towards the north end is located immediately outside of exit doors.

- 4. Impact Assessment.** The submittal includes a revised Impact Assessment (dated 10/2/19), which states that the project is not anticipated to adversely impact natural features, public services/utilities, surrounding land uses or traffic.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Respectfully,  
**SAFEBUILT STUDIO**

  
Brian V. Borden, AICP  
Planning Manager



October 31, 2019

Ms. Kelly Van Marter  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

**Re: Home Depot Outdoor Storage Site Plan Review No. 4**

Dear Ms. Van Marter:

Tetra Tech has conducted a fourth site plan review of the Home Depot site plan and special land use application submitted on October 10, 2019. The site plans last dated October 1, 2019, were prepared by Scott A. Mommer Consulting on behalf of Home Depot U.S.A., Inc. The development includes 15.1 acres at 3330 East Grand River Avenue. The petitioner is requesting a special land use for additional outdoor storage areas totaling 15,000 square feet.

The Petitioner revised their site plan to include a temporary drive aisle next to the proposed temporary seasonal sales display area to replace the existing aisle and maintain flow of traffic. They also revised their parking calculations to reflect this change. This revision addresses the comment from our previous letters, and we have no further engineering related concerns to the proposed outdoor storage plans.

Please call or email if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gary Markstrom'.

Gary J. Markstrom, P.E.  
Vice President

A handwritten signature in blue ink, appearing to read 'Shelby Scherdt'.

Shelby Scherdt  
Project Engineer

**Tetra Tech**

401 South Washington Square, Suite 100, Lansing, MI 48933  
Tel 517.316.3930 Fax 517.484.8140 [www.tetrattech.com](http://www.tetrattech.com)





# BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.  
Brighton, MI 48116  
o: 810-229-6640 f: 810-229-1619

---

October 18, 2019

Kelly VanMarter  
Genoa Township  
2911 Dorr Road  
Brighton, MI 48116

RE: Home Depot (outdoor storage)  
3330 E. Grand River  
Genoa Twp., MI

Dear Kelly:

The Brighton Area Fire Department has reviewed the above-mentioned site plan. The plans were received for review on October 11, 2019, and the drawings are dated June 10, 2019, with a revision date of October 1, 2019. The project is based on an existing Mercantile-use. The facility has applied for a special land-use permit to increase the quantity of outside storage in the front and rear of the store.

The plan review is based on the requirements of the International Fire Code (IFC) 2018 edition.

**All areas of concern have been substantially addressed and revisions made to reflect them.**

**The fire authority has no further comments regarding the proposal as submitted.**

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). The applicant is reminded that the fire authority must review the fire protection systems submittals (sprinkler & alarm) prior to permit issuance by the Building Department and that the authority will also review the building plans for life safety requirements in conjunction with the Building Department. If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "R. Boisvert".

Rick Boisvert, CFPS  
Fire Marshal

Environmental Impact Assessment  
For  
Home Depot – Special Land Use Application

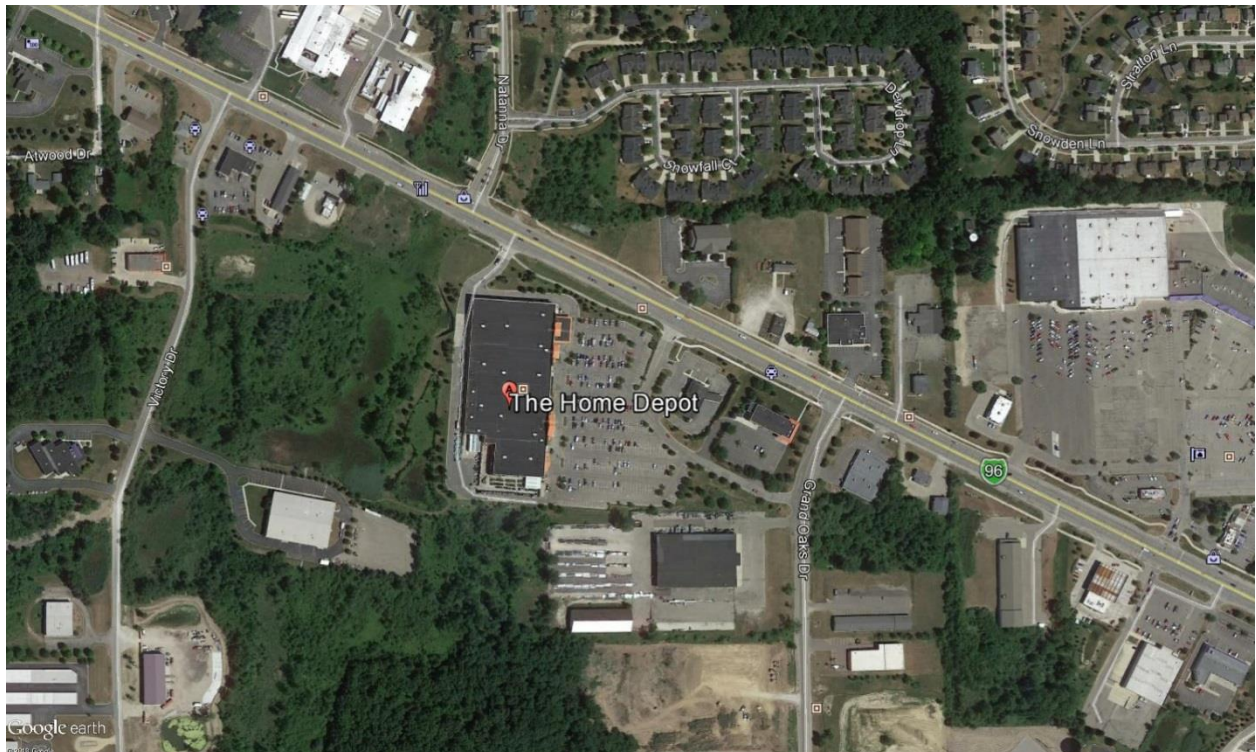
- a. **Name(s) and address(es) of person(s) responsible for preparation** of the impact assessment and a brief statement of their qualifications.

Scott A. Mommer  
4694 W. Jacquelyn Ave.  
Fresno, CA 93722

Scott Mommer is a Professional Engineer and has been involved with the industry for over 30 years. He has prepared Environmental Impact Assessments and Initial Studies for a broad range of projects from commercial, industrial, and residential. He has also prepared and assisted in EIR Assessments related to ground water contamination of heavy metals and gasoline to meet various State requirements. Mr. Mommer has also been responsible for preparing Permits of storage of hazardous materials, tractor repairs on soils, and Discharge Permits (SWPPP).

- b. **Map(s) and written description/analysis of the project site** including all existing structures, manmade facilities, and natural features. The analysis shall also include information for areas within 10 feet of the property. An aerial photograph or drawing may be used to delineate these areas.

The site is an existing Home Depot building. Within 10 feet of the property is E Grand River Avenue to the North, Discount Tire to the East, a commercial/industrial building the South, and vacant land to the West.



c. **Impact on natural features:** A written description of the environmental characteristics of the site prior to development and following development, i.e., topography, soils, wildlife, woodlands, mature trees (eight-inch caliper or greater), wetlands, drainage, lakes, streams, creeks or ponds. Documentation by a qualified wetland specialist shall be required wherever the Township determines that there is a potential regulated wetland. Reduced copies of the Existing Conditions Map(s) or aerial photographs may accompany written material.

There will not an impact to natural features with the proposed Use, as the Home Depot property is fully developed. The request is for additional display areas to the existing Home Depot.

d. **Impact on stormwater management:** Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the Livingston County Drain Commission at (517) 546-0040.

There will be no grading or construction operations that would create soil erosion or sedimentation.

e. **Impact on surrounding land used:** Description of the types of proposed uses and other man-made facilities, including any project phasing, and an indication of how the proposed use conforms or conflicts with existing and potential development patterns. A description shall be provided of any increases of light, noise or air pollution which could negatively impact adjacent properties.

The proposed Use is consistent with the Commercial nature of the surrounding land uses. The proposed Use is for additional display areas for rental equipment and staging areas for deliveries. The equipment will not be used or maintained on the property.

f. **Impact on public facilities and services:** Describe the number of expected residents, employees, visitors, or patrons, and the anticipated impact on public schools, police protection and fire protection. Letters from the appropriate agencies may be provided, as appropriate.

The site is an existing Home Depot and the proposed Use would be for rental for customers. The site will not impact the existing fire, police, and EVA's; therefore, there will be no change to the site conditions affecting these services. No effect to the School District.

g. **Impact on public utilities:** Describe the method to be used to service the development with water and sanitary sewer facilities, the method to be used to control drainage on the site and from the site, including runoff control during periods of construction. For sites serviced with sanitary sewer, calculations for pre- and post development flows shall be provided in comparison with sewer line capacity. Expected sewage rates shall be provided in equivalents to a single family home. Where septic systems are proposed, documentation or permits from the Livingston County Health Department shall be provided.

Existing services for water, sewer, and refuse will not be altered and no additional services being proposed or requested.

h. **Storage and handling of any hazardous materials:** A description of any hazardous substances expected to be used, stored or disposed of on the site. The information shall describe the type of materials, location within the site and method of containment. Documentation of compliance with federal and state requirements, and a Pollution Incident Prevention Plan (PIPP) shall be submitted.

There will be no storage or handling of hazardous material.

Any stockpiles of soils, fertilizer or similar loosely packaged materials will be wrapped in visqueen for not only protection of the material, but to the environment.

- i. **Impact on Traffic and Pedestrians:** A description of the traffic volumes to be generated based on national reference documents, such as the most recent edition of the *Institute of Transportation Engineers Trip Generation Manual*, other published studies or actual counts of similar uses in Michigan. A detailed traffic impact study shall be submitted for any site over ten (10) acres in size which would be expected to generate 100 directional vehicle trips (i.e. 100 inbound or 100 outbound trips) during the peak hour of traffic of the generator or on the adjacent streets. The contents of the detailed study shall include:  
The total proposed square footage display areas are 5,898.5 SF. Therefore, the proposed uses are expected create seven (9) AM peak trips and twelve (14) PM peak trips (91 inbound and 91 outbound).  
Source: ITE Trip Generation Rates - 9th Edition

The proposed display areas will not disrupt proper and safe vehicular access. The proposed display areas are either on existing paved surface or are to be within existing parking stalls; the display areas will not impact aiseways or driveway paths. The proposed temporary seasonal sales area in the parking lot will be surrounded by temporary fencing to ensure safe access and walkway for pedestrian and prohibit access through the aisles to vehicles.

- j. **Special Provisions:** General description of any deed restrictions, protective covenants, master deed or association bylaws.  
N/A.

# OUTDOOR STORAGE PLAN FOR TOOL RENTAL EQUIPMENT AREA HOWELL, MI

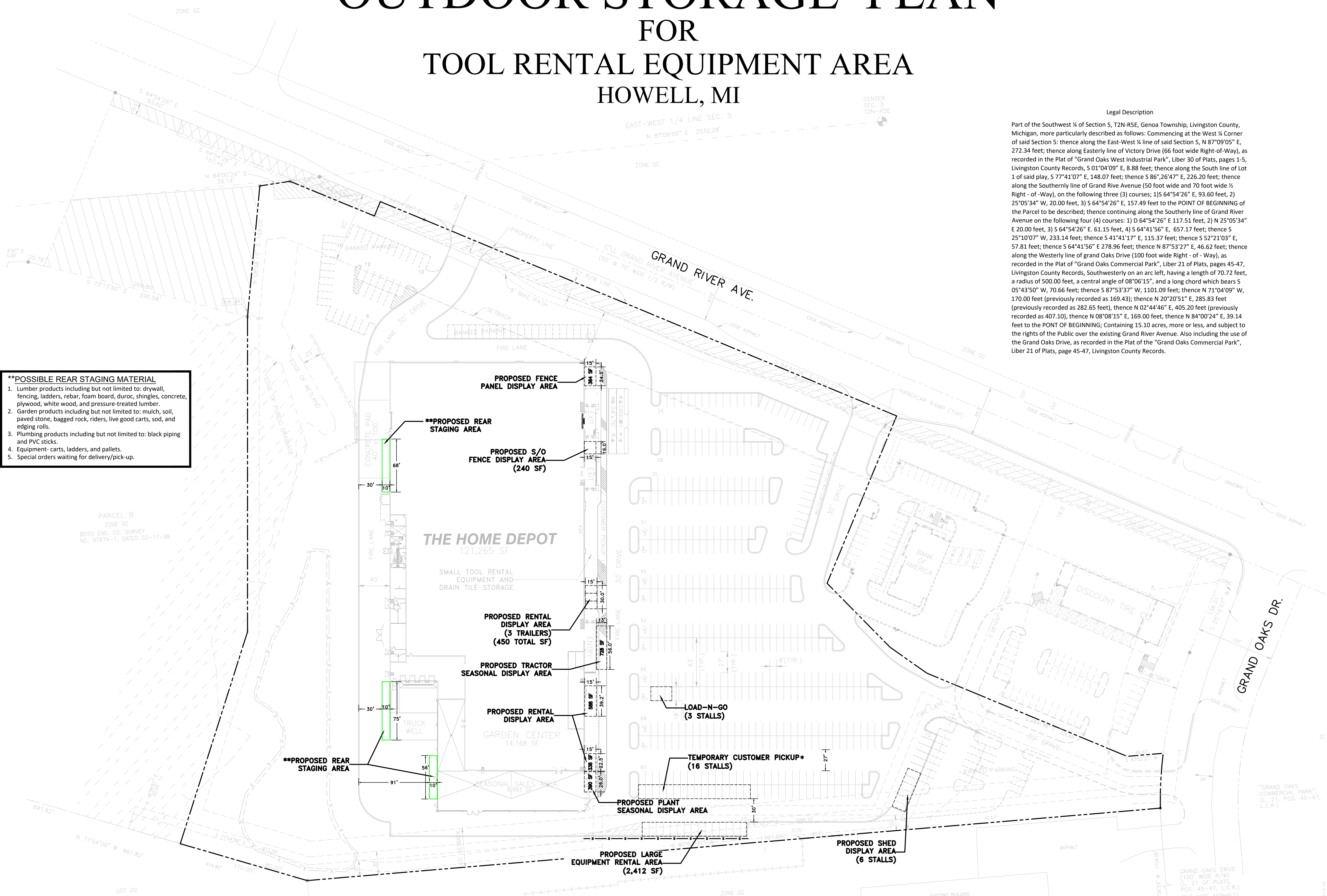


VICINITY MAP  
NOT TO SCALE

## PROJECT INFORMATION

|                           |                                    |
|---------------------------|------------------------------------|
| HOME DEPOT SITE DATA      |                                    |
| HOME DEPOT AREA           | 15.10 AC                           |
| HOME DEPOT BUILDING AREAS |                                    |
| HOME DEPOT BUILDING       | 121,265 SF                         |
| GARDEN CENTER             | + 14,168 SF                        |
| TOTAL HD BUILDING AREA    | 135,433 SF                         |
| ZONING INFORMATION        |                                    |
| APN:                      | 11-05-300-027                      |
| ZONING:                   | RCD (REGIONAL COMMERCIAL DISTRICT) |
| LAND USE:                 | REGIONAL COMMERCIAL                |

**Legal Description**  
Part of the Southwest ¼ of Section 5, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the West ¼ Corner of said Section 5; thence along the East-West ¼ line of said Section 5, N 87°09'05" E, 272.34 feet; thence along Easterly line of Victory Drive (66 foot wide Right-of-Way), as recorded in the Plat of "Grand Oaks West Industrial Park", Liber 30 of Plats, pages 1-5, Livingston County Records, S 01°04'09" E, 8.88 feet; thence along the South line of Lot 1 of said play, S 77°41'07" E, 148.07 feet; thence S 86°26'47" E, 226.20 feet; thence along the Southernly line of Grand River Avenue (50 foot wide and 70 foot wide ½ Right - of -Way), on the following three (3) courses; 1) S 64°54'26" E, 93.60 feet, 2) 25°05'34" W, 20.00 feet, 3) S 64°54'26" E, 157.49 feet to the POINT OF BEGINNING of the Parcel to be described; thence continuing along the Southerly line of Grand River Avenue on the following four (4) courses: 1) D 64°54'26" E 117.51 feet, 2) N 25°05'34" E 20.00 feet, 3) S 64°54'26" E, 61.15 feet, 4) S 64°41'56" E, 657.17 feet; thence S 25°10'07" W, 233.14 feet; thence S 41°41'17" E, 115.37 feet; thence S 52°21'03" E, 57.81 feet; thence S 64°41'56" E 278.96 feet; thence N 87°53'27" E, 46.62 feet; thence along the Westerly line of Grand Oaks Drive (100 foot wide Right - of - Way), as recorded in the Plat of "Grand Oaks Commercial Park", Liber 21 of Plats, pages 45-47, Livingston County Records, Southwesterly on an arc left, having a length of 70.72 feet, a radius of 500.00 feet, a central angle of 08°06'15", and a long chord which bears S 05°43'50" W, 70.66 feet; thence S 87°53'37" W, 1101.09 feet; thence N 71°04'09" W, 170.00 feet (previously recorded as 169.43); thence N 20°20'51" E, 285.83 feet (previously recorded as 282.65 feet), thence N 02°44'46" E, 405.20 feet (previously recorded as 407.10), thence N 08°08'15" E, 169.00 feet, thence N 84°00'24" E, 39.14 feet to the POINT OF BEGINNING; Containing 15.10 acres, more or less, and subject to the rights of the Public over the existing Grand River Avenue. Also including the use of the Grand Oaks Drive, as recorded in the Plat of the "Grand Oaks Commercial Park", Liber 21 of Plats, page 45-47, Livingston County Records.



- \*\*POSSIBLE REAR STAGING MATERIAL**
- Lumber products including but not limited to: drywall, fencing, ladders, rebar, foam board, duroc, shingles, concrete, plywood, white wood, and pressure-treated lumber.
  - Garden products including but not limited to: mulch, soil, paved stone, bagged rock, riders, live good carts, sod, and edging rolls.
  - Plumbing products including but not limited to: black piping and PVC sticks.
  - Equipment- carts, ladders, and pallets.
  - Special orders waiting for delivery/pick-up.

- LEGEND:**
- TOOL RENTAL CENTER DISPLAY AREA
  - 4" WIDE GREEN PAINT STRIPING

\* TEMPORARY CUSTOMER PICK-UP AREA FOR BARK AND MULCH. LIMITED TO 8 WEEKS IN SPRING SEASON.

SITE PLAN NOTES:  
REVISION NOTES:

## COVER SHEET

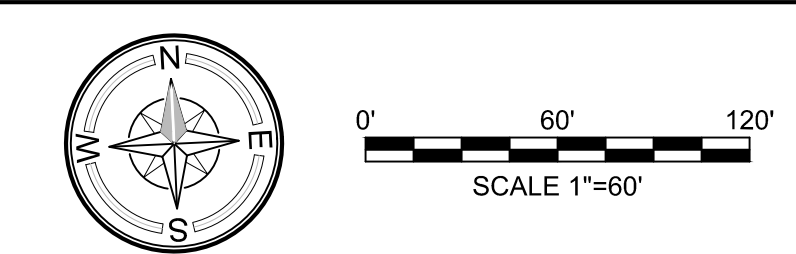
DATE: 6/10/2019  
REVISION DATES: 11/21/2019  
SITE PLANNER: DEREK FINNEGAN  
SITE DEV. COORDINATOR: SCOTT MOMMER  
R. E. MARKET  
R. E. AGENDA NAME  
R. E. MANAGER



MI - HOWELL  
STORE #2751

ADDRESS: 3330 E GRAND RIVER AVE  
HOWELL, MI 48843

LA PROJECT NUMBER 19029.00



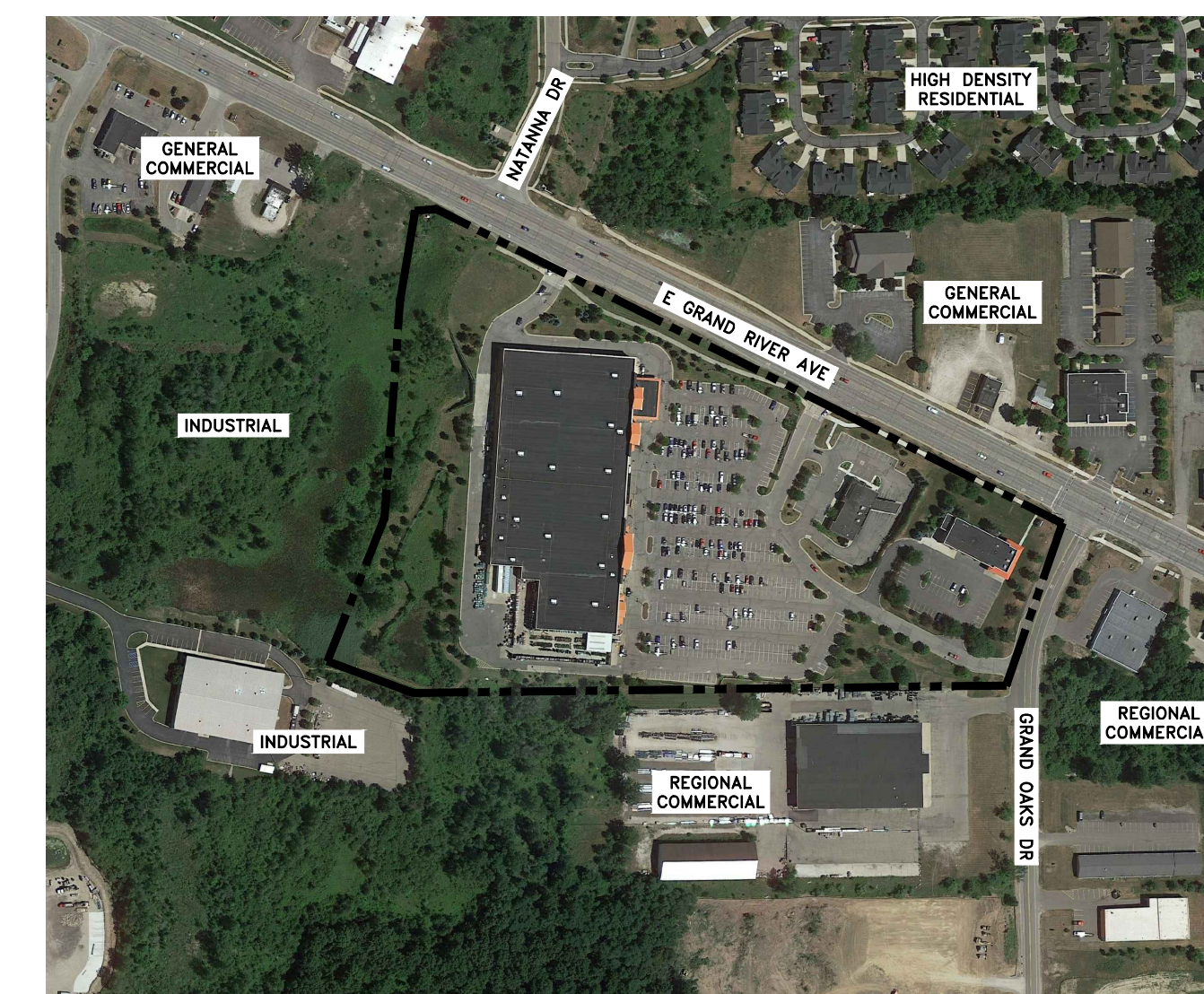
PLAN VIEW  
SHEET 1 OF 4



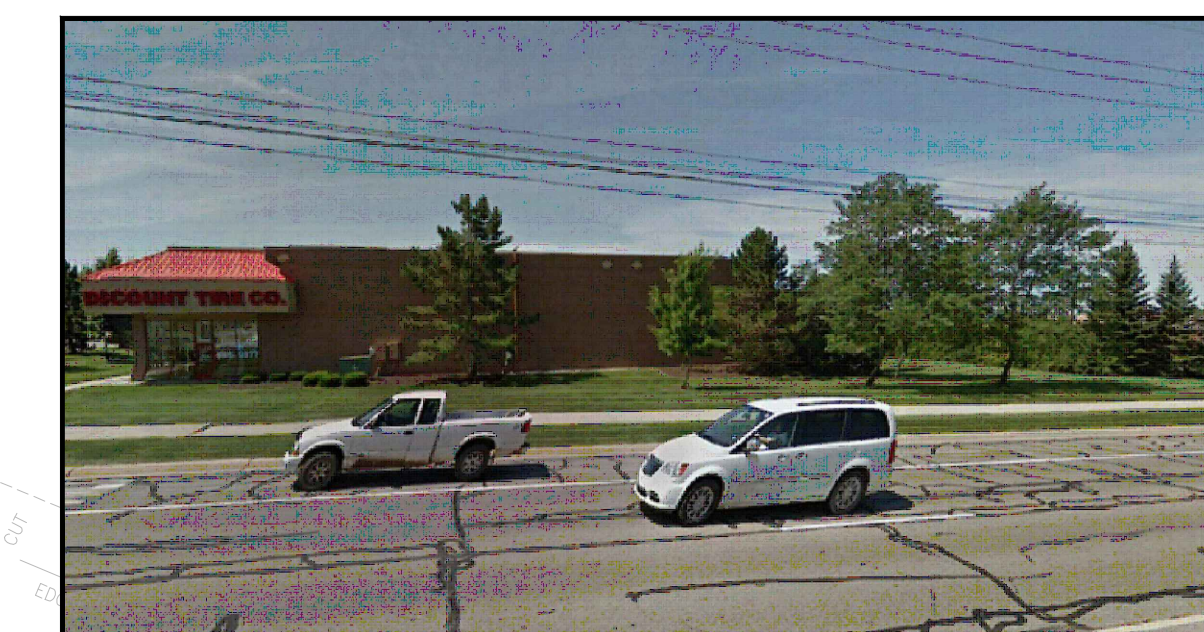
VICINITY MAP  
NOT TO SCALE

PROJECT INFORMATION

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| APN:                      | 11-05-300-027                      |
| ZONING:                   | RCD (REGIONAL COMMERCIAL DISTRICT) |
| LAND USE:                 | REGIONAL COMMERCIAL                |



SITE AERIAL  
NO SCALE



ZONING: GCD - GENERAL COMMERCIAL DISTRICT  
LAND USE: GENERAL COMMERCIAL

ZONING: IND - INDUSTRIAL DISTRICT  
LAND USE: INDUSTRIAL

ZONING: IND - INDUSTRIAL DISTRICT  
LAND USE: INDUSTRIAL

ZONING: GCD - GENERAL COMMERCIAL DISTRICT  
LAND USE: GENERAL COMMERCIAL

ZONING: IND - INDUSTRIAL DISTRICT  
LAND USE: REGIONAL COMMERCIAL

SITE PLAN NOTES:

REVISION NOTES:

EXISTING CONDITIONS SHEET

DATE: 6/10/2019  
 REVISION DATES: 11/21/2019  
 SITE PLANNER: DEREK FINNEGAN  
 SITE DEV. COORDINATOR: SCOTT MOMMER  
 R. E. MARKET:  
 R. E. AGENDA NAME:  
 R. E. MANAGER:

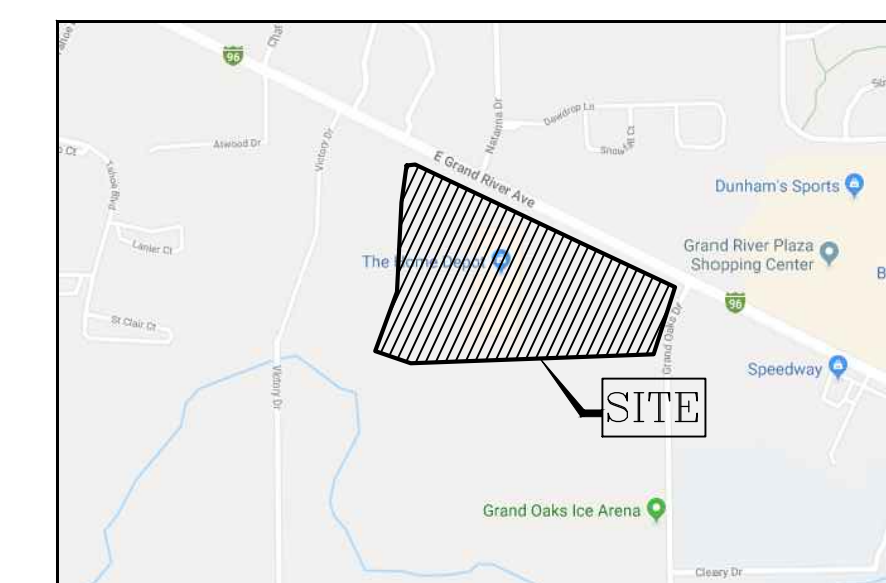


MI - HOWELL  
STORE #2751

ADDRESS: 3330 E GRAND RIVER AVE  
HOWELL, MI 48843

LA PROJECT NUMBER 19029.00





VICINITY MAP  
NOT TO SCALE

PROJECT INFORMATION

BEFORE YOU DIG  
CALL 811  
1-800-487-2777  
www.michigan.gov/811

**BEBOSS**  
Engineering  
Engineers Surveyors Planners Landscape Architects  
3121 E. GRAND RIVER AVE.  
HOWELL, MI 48843  
800.246.6735 FAX 517.548.1670

PROJECT: **HOME DEPOT STORAGE PLAN**  
 PREPARED FOR: **LARS ANDERSON ASSOCIATES, INC.**  
 4694 JACQUELYN AVENUE  
 FRESNO, CA 93722  
 559-276-2790  
 TITLE: **AS-BUILT AND PROPOSED LANDSCAPE PLAN**

| NO. | BY  | REVISION PER | DATE     |
|-----|-----|--------------|----------|
| 1   | JA  | DESIGNED     | 10/01/19 |
| 1   | LAA | DRAWN        | 10/01/19 |
| 1   | LAA | CHECKED      | 10/01/19 |
| 1   | JA  | SCALE        | 1" = 50' |
| 1   | JA  | JOB NO.      | 19-227   |
| 1   | JA  | DATE         | 10/01/19 |
| 1   | JA  | SHEET NO.    | 1        |

DATE: 6/10/2019  
 REVISION DATES: 11/21/2019  
 SITE PLANNER: DEREK FINNEGAN  
 SITE DEV. COORDINATOR: SCOTT MOMMER  
 R. E. MARKET  
 R. E. AGENDA NAME  
 R. E. MANAGER



MI - HOWELL  
STORE #2751

ADDRESS: 3330 E GRAND RIVER AVE  
HOWELL, MI 48843  
 LA PROJECT NUMBER 19029.00

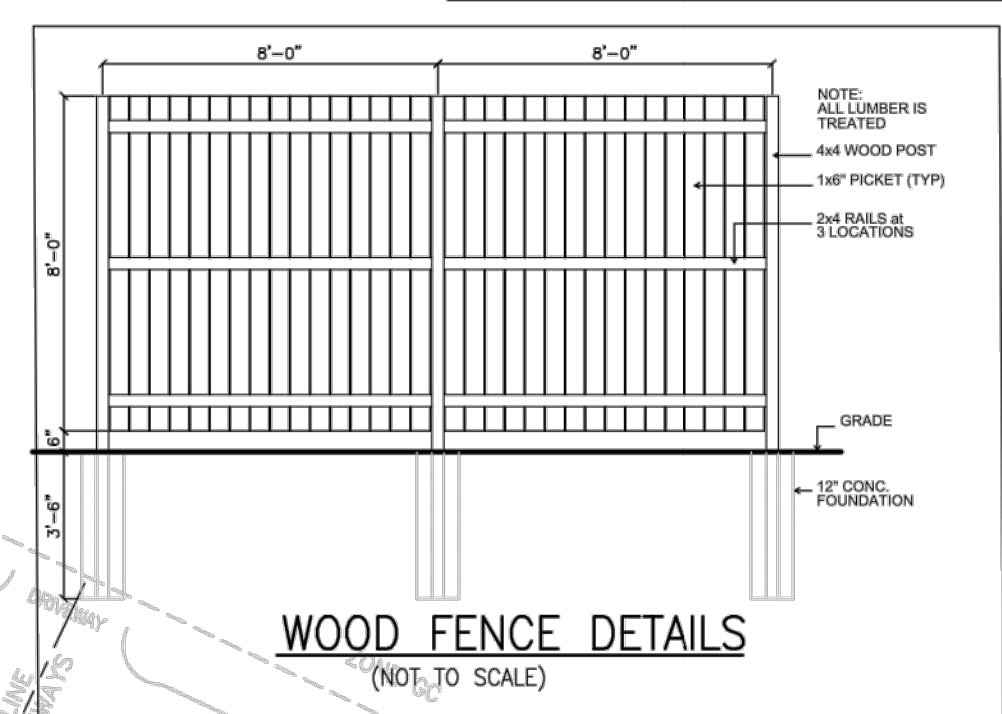


VIEW FACING SOUTHEAST FROM  
GRAND RIVER AVE. OF SCREENING  
AT BACK OF BUILDING

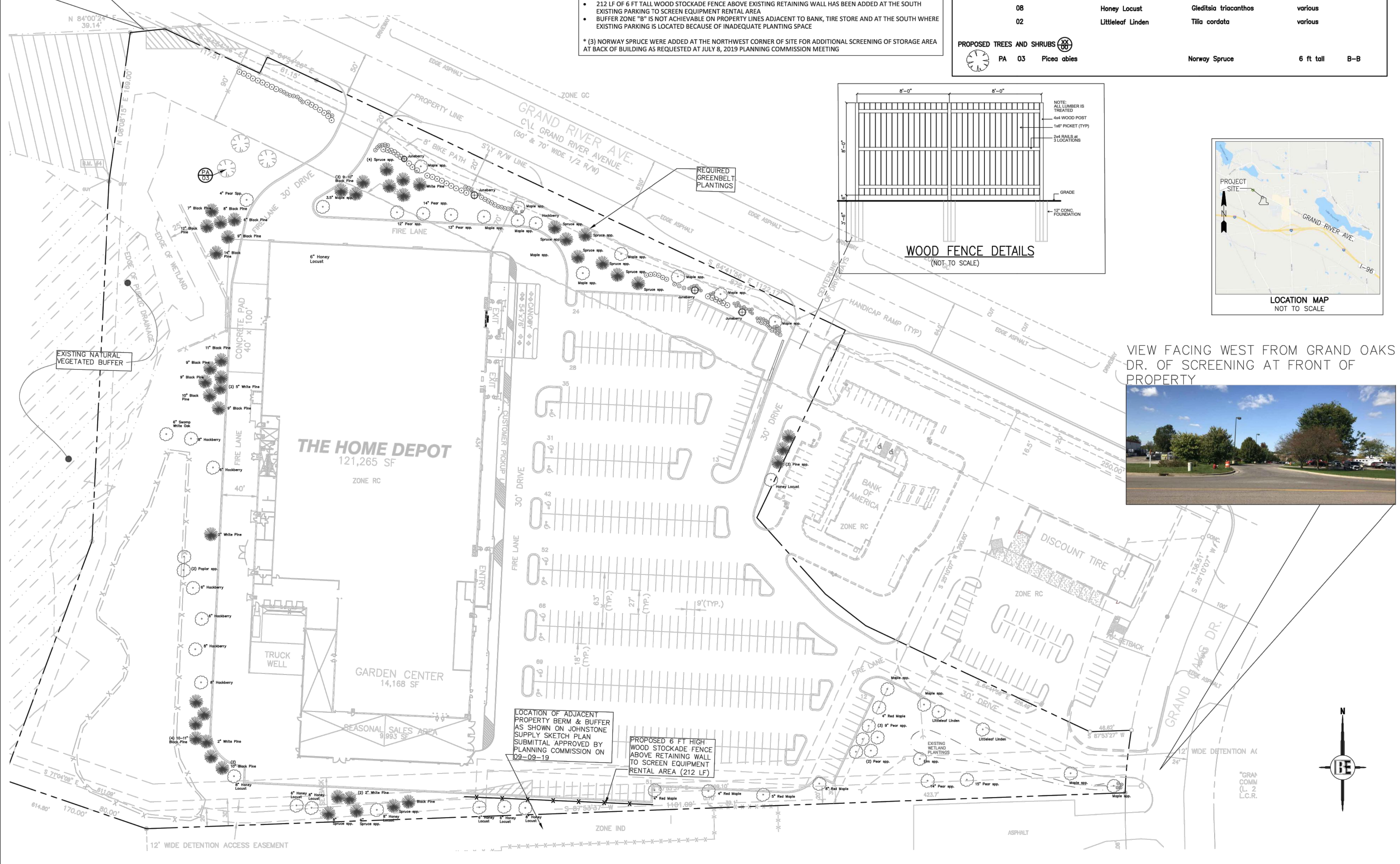
**LANDSCAPE CALCULATIONS:**  
 REQUIRED GREENBELT ALONG STREET FRONTAGE  
 20' WIDE GREENBELT ALONG PUBLIC STREET RIGHT-OF-WAY:  
 (1) CANOPY TREE FOR EVERY 40 LINEAR FEET OF ROAD FRONTAGE. EVERGREEN TREES CAN BE SUBSTITUTED FOR UP TO 50% OF THE REQUIRED TREES.  
 REQUIRED: 24 CANOPY TREES  
 926.99 FT ROAD FRONTAGE / 40 = 23.17 CANOPY TREES ~ 24 TREES  
 EXISTING: 28 TREES  
 (13 CANOPY TREES - 9 MAPLE, 3 PEAR, 1 HACKBERRY) AND (15 EVERGREEN TREES - 11 SPRUCE, 4 PINE)  
 REQUIRED BUFFER ZONE  
 ALL OUTDOOR STORAGE ARE PROPERT LINE ADJACENT TO A RESIDENTIAL DISTRICT SHALL PROVIDE A BUFFER ZONE A AS DESCRIBED IN SECTION 12.02. A BUFFER ZONE B SHALL BE PROVIDED ON ALL OTHER SIDES. THE PLANNING COMMISSION MAY APPROVE A SIX (6) FOOT HIGH SCREEN WALL OR FENCE, OR A FOUR (4) FOOT HIGH LANDSCAPED BERM AS AN ALTERNATIVE.  
 • 212 LF OF 6 FT TALL WOOD STOCKADE FENCE ABOVE EXISTING RETAINING WALL HAS BEEN ADDED AT THE SOUTH EXISTING PARKING TO SCREEN EQUIPMENT RENTAL AREA  
 • BUFFER ZONE "B" IS NOT ACHIEVABLE ON PROPERTY LINES ADJACENT TO BANK, TIRE STORE AND AT THE SOUTH WHERE EXISTING PARKING IS LOCATED BECAUSE OF INADEQUATE PLANTING SPACE  
 \* (3) NORWAY SPRUCE WERE ADDED AT THE NORTHWEST CORNER OF SITE FOR ADDITIONAL SCREENING OF STORAGE AREA AT BACK OF BUILDING AS REQUESTED AT JULY 8, 2019 PLANNING COMMISSION MEETING

**PLANT LIST**

| SYMBOL | KEY | QUAN. | COMMON NAME       | BOTANICAL NAME         | SIZE      | REMARK |
|--------|-----|-------|-------------------|------------------------|-----------|--------|
| 19     |     |       | Maple             | Acer species           | various   |        |
| 07     |     |       | Hackberry         | Celtis occidentalis    | various   |        |
| 04     |     |       | Juneberry         | Amelanchier canadensis | various   |        |
| 31     |     |       | Pine spp.         | Pinus species          | various   |        |
| 14     |     |       | Spruce spp.       | Picea species          | various   |        |
| 11     |     |       | Ornamental Pear   | Pyrus communis         | various   |        |
| 08     |     |       | Honey Locust      | Gleditsia triacanthos  | various   |        |
| 02     |     |       | Littleleaf Linden | Tilia cordata          | various   |        |
| PA 03  |     |       | Norway Spruce     | Picea abies            | 6 ft tall | B-B    |

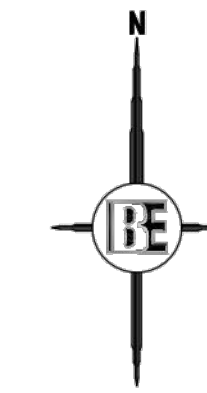


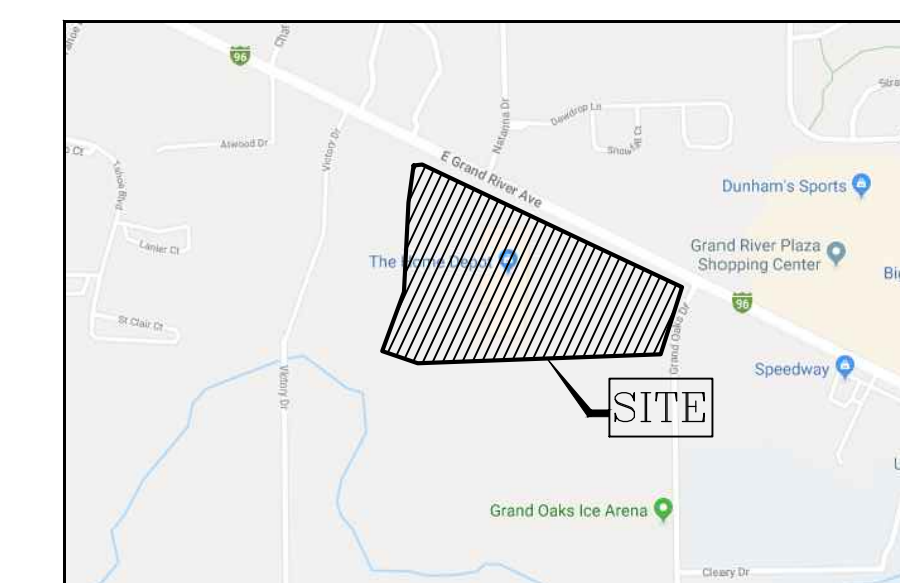
VIEW FACING WEST FROM GRAND OAKS DR. OF SCREENING AT FRONT OF PROPERTY



LOCATION OF ADJACENT PROPERTY BERM & BUFFER AS SHOWN ON JOHNSTONE SUPPLY SKETCH PLAN SUBMITTAL APPROVED BY PLANNING COMMISSION ON 09-09-19

PROPOSED 6 FT HIGH WOOD STOCKADE FENCE ABOVE RETAINING WALL TO SCREEN EQUIPMENT RENTAL AREA (212 LF)





VICINITY MAP  
NOT TO SCALE

PROJECT INFORMATION

|                                                                 |             |
|-----------------------------------------------------------------|-------------|
| HOME DEPOT SITE DATA                                            |             |
| HOME DEPOT AREA                                                 | 15.10 AC    |
| HOME DEPOT BUILDING AREAS                                       |             |
| HOME DEPOT BUILDING                                             | 121,265 SF  |
| GARDEN CENTER                                                   | + 14,168 SF |
| TOTAL HD BUILDING AREA                                          | 135,433 SF  |
| PARKING REQUIRED PER CITY CODE                                  | 381 STALLS  |
| *HOME DEPOT @ 1/300 SF) GFA                                     |             |
| OUTDOOR COMMERCIAL DISPLAY AND SALE @ 1/800 SF OF DISPLAY AREA) | + 8 STALLS  |
| TOTAL PARKING REQUIRED                                          | 389 STALLS  |
| * BASED ON GLA PER ZONING ORDINANCE = 114,424 SF                |             |
| PARKING PROVIDED                                                | 452 STALLS  |
| SPACES PROVIDED                                                 |             |
| LESS SHED DISPLAY                                               | - 6 STALLS  |
| LESS EQUIPMENT RENTAL AREA                                      | - 15 STALLS |
| LESS LOAD-N-GO                                                  | - 3 STALLS  |
| TOTAL PROVIDED                                                  | 428 STALLS  |

|                                     |                                    |
|-------------------------------------|------------------------------------|
| ZONING INFORMATION                  |                                    |
| APN:                                | 11-05-300-027                      |
| ZONING:                             | RCD (REGIONAL COMMERCIAL DISTRICT) |
| LAND USE:                           | REGIONAL COMMERCIAL                |
| BUILDING COVERAGE (35% MAX):        | 20.6%                              |
| IMPERVIOUS SURFACE RATIO (75% MAX): | 66.3%                              |

SITE PLAN NOTES:  
 REVISION NOTES:

PROPOSED OUTDOOR STORAGE AREA

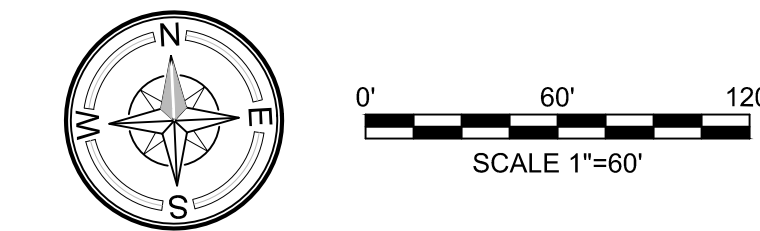
DATE: 6/10/2019  
 REVISION DATES: 11/21/2019  
 SITE PLANNER: DEREK FINNEGAN  
 SITE DEV. COORDINATOR: SCOTT MOMMER  
 R. E. MARKET:  
 R. E. AGENDA NAME:  
 R. E. MANAGER:



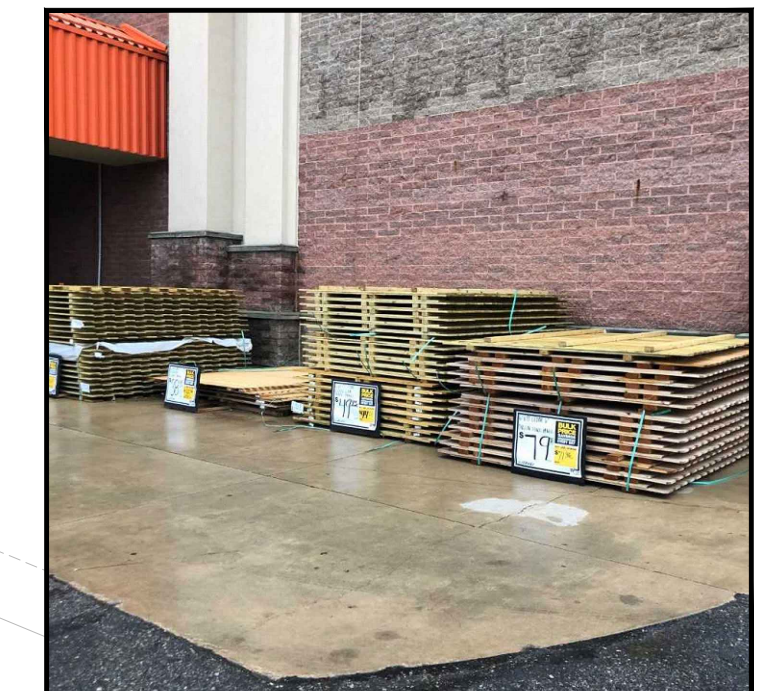
MI - HOWELL  
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ADDRESS: 3330 E GRAND RIVER AVE  
HOWELL, MI 48843

LA PROJECT NUMBER 19029.00



|                                    |            |
|------------------------------------|------------|
| OUTDOOR DISPLAY & SALES AREAS      |            |
| PROPOSED FENCE PANEL DISPLAY       | 364 SF     |
| PROPOSED S/O FENCE DISPLAY         | 240 SF     |
| PROPOSED TRAILER RENTAL DISPLAY    | 450 SF     |
| PROPOSED TRACTOR SEASONAL DISPLAY  | 728 SF     |
| PROPOSED RENTAL DISPLAY            | 928 SF     |
| PROPOSED PLANT SEASONAL DISPLAY    | 390 SF     |
| PROPOSED SHED DISPLAY              | 954 SF     |
| PROPOSED LARGE EQUIPMENT RENTAL    | + 2,412 SF |
| TOTAL OUTDOOR DISPLAY & SALES AREA | 6,464 SF   |
| PARKING REQUIRED (@1/800SF)        | 8 STALLS   |

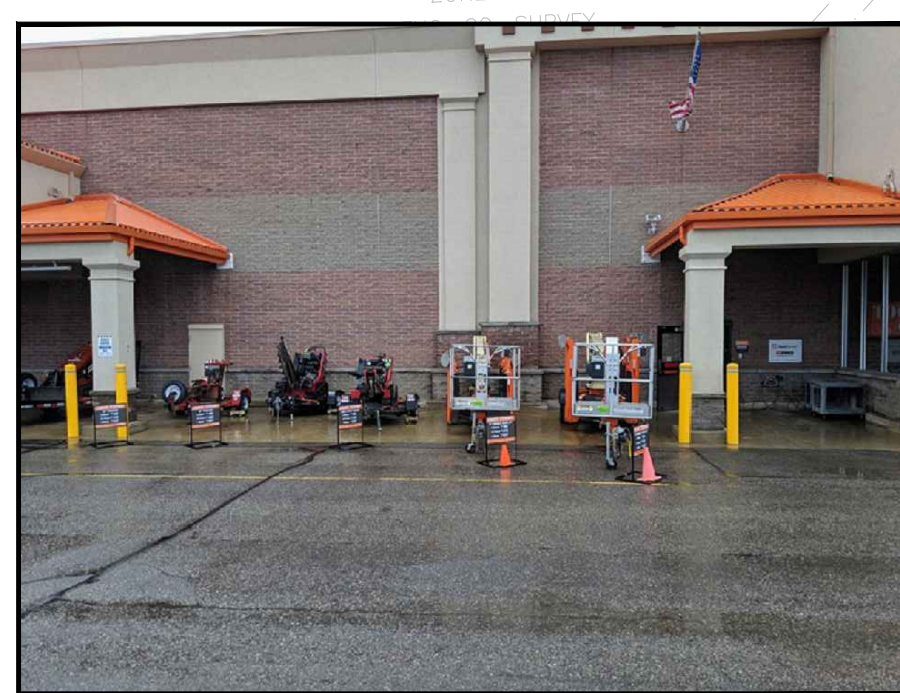
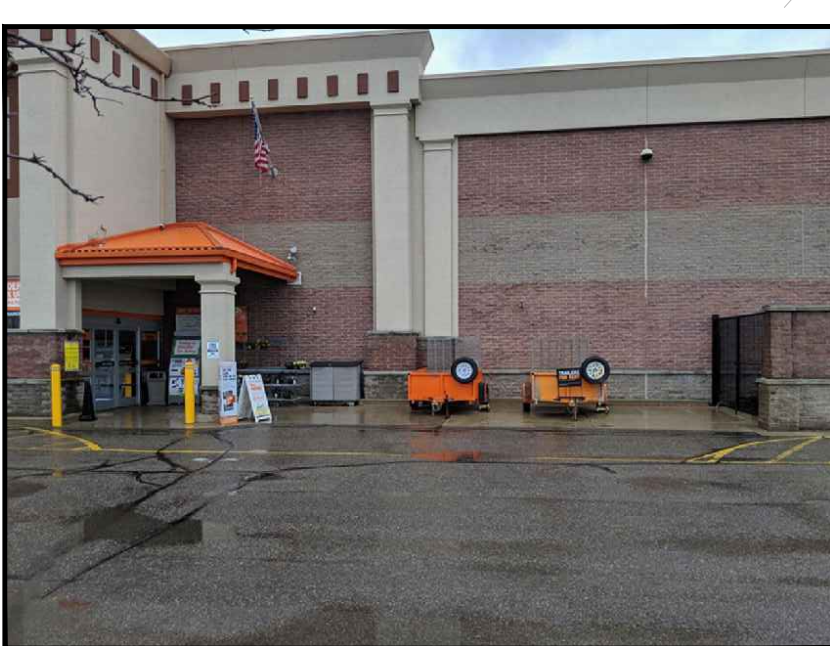


FENCE PANELS STORED OUTSIDE

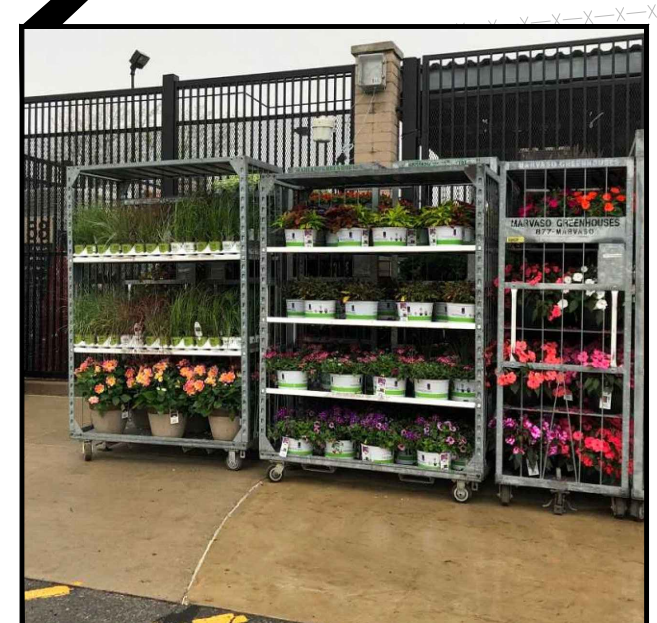


S/O FENCE DISPLAY WHICH IS LOCATED UNDER THE CANOPY BY THE PRO DOORS

- \*\*POSSIBLE REAR STAGING MATERIAL**
- Lumber products including but not limited to: drywall, fencing, ladders, rebar, foam board, duroc, shingles, concrete, plywood, white wood, and pressure-treated lumber.
  - Garden products including but not limited to: mulch, soil, paved stone, bagged rock, riders, live good carts, sod, and edging rolls.
  - Plumbing products including but not limited to: black piping and PVC sticks.
  - Equipment- carts, ladders, and pallets.
  - Special orders waiting for delivery/pick-up.



LEGEND:  
 - - - - - TOOL RENTAL CENTER DISPLAY AREA  
 \_\_\_\_\_ 4" WIDE GREEN PAINT STRIPING



PLANT RACKS & TABLES TO BE DISPLAYED OUTDOORS DURING SPRING/SUMMER SEASON.

\* TEMPORARY CUSTOMER PICK-UP AREA FOR BARK AND MULCH. LIMITED TO 8 WEEKS IN SPRING SEASON.



AREA DESIGNATED IN PARKING LOT TO DISPLAY SHEDS ALL YEAR ROUND.





**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 were 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.

UPDATE FROM LIVINGSTON COUNTY PLANNING COMMISSION

Ms. Kathleen Kline-Hudson, Director of the Livingston County Planning Department, and Mr. Bill Anderson, a member of the Livingston County Planning Commission, were present.

Mr. Anderson provided a review of the Planning Commission members, where they live, and the areas that they represent.

Ms. Kline-Hudson provided an update on the projects that the Planning Commission has been working on as well as projects that have been completed since they were here last year.

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. (10-1-19)

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 not 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 agreeing 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 if 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 Aubrees 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