

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
May 14, 2012
6:30 P.M.**

MINUTES

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:33 p.m. Present constituting a quorum were Barbara Figurski, John McManus, Dean Tenge, Lauren Brookins, Chairman Doug Brown and Diana Lowe. Also present were Township Planner Kelly VanMarter, Brad Strader of LSL Planning, Inc., and approximately three persons in the audience.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Upon motion by Barbara Figurski and support by Diana Lowe the agenda was approved as submitted. **Motion carried unanimously.**

CALL TO THE PUBLIC: A call to the public was made at 6:35pm with no response.

OPEN PUBLIC HEARING#1...Review of a special use application, impact assessment and site plan for proposed outdoor storage at the existing Industrial Resin Recycling Facility located at 1480 Grand Oaks, Howell, Sec. 8, petitioned by Industrial Resin Recycling Inc.

The applicant has submitted a letter asking for this item to be tabled to the next meeting because the owner is out of town and is unable to attend this evening. Chairman Brown opened the call to the public with no response

Planning Commission disposition of petition

- A. Recommendation of Special Use Application.**
- B. Recommendation of Impact Assessment dated 3-28-12.**
- C. Recommendation of Site Plan dated 5-1-12.**

Moved by Barbara Figurski, supported by Dean Tenge to table the review of the special use application, impact assessment, and site plan for Industrial Resin Recycling to the June 11, 2012 Planning Commission meeting as requested by the petitioner. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 2...Review of a rezoning application, impact assessment and site plan for a proposed rezoning from MDR (medium density residential) to OSD (office service district) located at 7777 Bendix, Brighton, Sec. 13, petitioned by Notable Realty.

Tim Adams with Notable Realty is present on behalf of the petitioner. He is working with a physician who would like to build a small medical building of just under 5,000 sq. ft. He is requesting a rezoning from Medium Density Residential to Office Service District. The surrounding land uses include apartments to the east, a medical center to the west, and sewer treatment to the north. The site currently shares the MDR zoning with the apartment complex. However due to the significant grade change between the two properties, the apartment use cannot be continued on the subject site. In addition, Mr. Adams indicates that there is a lack of office zoning in the Township currently, so the proposed rezoning would help fulfill a need for office type uses.

Brad Strader with LSL Planning is representing the planning consultants. There are two review letters: one for the rezoning and one for site plan. The consultants support the proposed zoning change and they agree with the applicant that the multi-family use is difficult to extend due to the grade change. The lower density medical office is a good transition from the residential to the higher intensity office to the west. There is no danger of spot zoning because it would serve as a good transition and the Planning Commission should include lot configuration, lot size, and grade change in the reasons to grant the rezoning.

John McManus asks if the tenants are the owners. Tim Adams states that 2,000 sq. ft. will be owner occupied. Financing for the 2,000 sq. ft. has been approved. The owner is waiting for approval to build the entire 5,000 building.

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

Planning Commission disposition of petition

A. Recommendation of rezoning.

Moved by Dean Tengle, supported by Barbara Figurski, to recommend approval of the proposed rezoning based on lot configuration, lot size, transition of one use less intense to another use more intense and proximity to Grand River Avenue. **Motion carried unanimously.**

OPEN PUBLIC HEARING # 3...Review of a site plan application, impact assessment and site plan for a proposed 5,000 sq.ft. office located at 7777 Bendix, Brighton, Sec. 13, petitioned by Notable Realty.

Tim Adams is representing the petitioner. He explains the project and addresses the attempts to select the safest point of ingress/egress to the project. There was a staff meeting and as a result the driveway has been pushed as far to the east as possible. The driveway is now located as close to the pump station as it can be and they will provide a cut and parking area for Township access to the station. One of the challenges of this site is that Grand River used to come straight through the site so there are several hundred feet of right of way extending into the property. Detention is located on the north side of the property and follows the natural drainage pattern. They will install all the Township requirements for landscaping. The hope is to get approval to build the entire 5,000 sq. ft. building, but if the bank doesn't approve it they will build the 2,000 sq. ft. and prep the site for the remaining 3,000 sq. ft. All infrastructure and site improvement will be installed with phase one.

Chairman Brown asked to show him on the plan where the fence is located that he saw during his site visit. Mr. Adams states that is on the west property line.

Brad Strader with LSL Planning reviews their letter. He states that the site plan approval must be contingent on the rezoning. It wasn't clear from the submittal what improvements will be installed with phase one and as the applicant indicated it should be clarified that it will be installed with phase one. They agree with the petitioner that the access point has been moved to the best possible location. The site plan is deficient by 3 trees and 64 shrubs. These should be added. The waste receptacle should match the building. He suggests that the internal sidewalk for the project connect to the sidewalk along Bendix and Grand River Avenue so that employees or patrons could walk to area food and service uses. Mr. Strader indicates that the following items requiring special approval: the waste receptacle in the side yard, the loading area is smaller than is required due to the smaller delivery vehicles, the PC shall approve the building materials and colors, the proposed fixtures, including the sign and light pole located in the right of way will need ZBA and LCRC approval.

Tim Adams is concerned the grade is too steep going down the driveway to connect the sidewalks. As this is a medical office, the patrons will be arriving by vehicle. He doesn't feel it is safe or necessary to connect them. Chairman Brown agrees with Mr. Adams and doesn't think it is necessary because of the steep slope.

Barbara Figurski asks if the huge pine tree will be cut down. Tim Adams responds that they have been looking into trying to save it, but it will have to come down.

Mr. Adams provides a building rendering and material samples.

Chairman Brown is concerned with the site lighting and the 20' pole on the top of the hill. He is worried the 20' of grade change plus the 20' tall pole will create 40' of height from the medical building which could negatively impact the residential. Mr. Adams states that they have looked at the site photometrics and it has shown that the light does not impact the adjacent residential. Mr. Adams is willing to look at 12' tall fixtures instead of the 20' tall proposed and feels this would alleviate any issues.

Mr. Adams will provide information on the retaining wall when the project is approved. They will comply with the Engineer's requirement in the most recent letter. They also agree to comply with the Fire Department requirements.

A call to the public was held at 7:16pm with no response.

Planning Commission disposition of petition

A. Recommendation of impact assessment dated 1-30-12.

Moved by Dean Tenge, supported by Diana Lowe to recommend approval of the Environmental Impact Assessment dated 1-30-12 for the 5,000 square foot Brighton Specialty Center office building located at 7777 Bendix Road on the following conditions:

1. Approval of the rezoning to OSD by the Township Board;
2. A statement that dust control measures will be used during construction shall be added to the document.

Motion carried unanimously.

B. Disposition of site plan dated 5-2-12.

Moved by Dean Tenge, supported by John McManus, approve the site plan dated 5-2-12 for the 5,000 sq. ft. Brighton Specialty Center medical office building located at 7777 Bendix Road conditioned on:

1. Approval of rezoning to OSD by the Township Board.
2. Approval of the Impact Assessment by the Township Board.
3. The plans shall be updated to include pump station pad.
4. The 400 sq. ft. loading area is approved.
5. The site plan shall comply with any requirements of the Township Engineers.
6. The Site Plan shall be updated to meet township landscaping requirements as stated in LSL letter.
7. The dumpster location is acceptable.

8. The County Road Commission and the Zoning Board of Appeals shall approve any fixtures located in the ROW.
9. The site shall conform to the Township lighting ordinance and 12' tall fixtures are recommended rather than the proposed 20' fixtures.
10. The Fire department letter dated 5-10-12 will be adhered to.

The motion carried unanimously.

OPEN PUBLIC HEARING # 4...Review of special use application, impact assessment and site plan for proposed outdoor sales and a 793 sq.ft. addition to the existing Speedway Gas Station located at 3598 E. Grand River, Howell. Sec. 5, petitioned by Speedway Super America.

David Bradt with Richard Bowen and Chuck Selves with Speedway are present on behalf of the petitioner. They are proposing a 793 sq. ft. addition with 5 additional parking spaces for employee parking. They are also adding the 8' sidewalk except for one area where it will be 6' to avoid the existing sign. The building will be repainted a tan color.

Chairman Brown does not support the outdoor storage of seasonal items as was shown in the photograph depicting building color. Mr. Selves stated the picture was for color only, they do not intend to display seasonal items outside. They are proposing to display outside the same items that they currently display and nothing additional.

Barbara Figurski wants to know what will happen with the shed. Mr. Bradt states they will pour a pad and relocate it on-site behind the building. Mr. Selves states the shed is used for returnable cans and bottles and some ice melt used in the winter.

Brad Strader went over the LSL Planning letter dated May 8, 2012. This is an older site that is lacking in landscaping. The applicant is proposing to add a significant amount of landscaping to bring the property into compliance with the ordinance. The outdoor display is required to be screened, and they are requesting a waiver from the screening requirements. Mr. Strader believes the request to waive the screening is reasonable in this case due to the location of the proposed display materials and the extensive landscaping they are adding. The canopy trees are being substituted for ornamental trees because of the overhead utilities. The Township may consider asking for some additional shrubs along Grand River Avenue. The Planning Commission also will need to approve the use of an LED light rather than metal halide.

Chairman Brown asks for clarification on the Kerosene dispenser. Mr. Bradt stated that the kerosene dispenser as shown was an error. It does not apply to this location and it will be removed if it is on the plans.

Mr. Strader states that the final planning issue is the screening of the rooftop equipment. Mr. Bradt states the existing units are not screened and they are not proposing to make any changes to these units at this time. They are adding two new condenser units which will be screened by the canopy in front of the building. There is an increased cost to screening and the unit there now is not screened so they would prefer not to screen the units. Mr. Tenge indicates the units should be screened.

Barbara Figurski said the three trees on the east side look in poor health and wants to know if they will stay. She also questions if there will be landscaping installed on the west side towards SWAT. The applicant and Mr. Strader explained the landscaping and showed that there is quite a bit of new landscaping proposed.

Chairman Brown feels the waiver from the required outdoor storage landscaping is justified because of the distance from Grand River Avenue and the proposed new landscaping along the Grand River frontage will significantly screen the display areas.

A call the public was made at 7:44pm with no response.

Planning Commission disposition of petition

A. Recommendation of Special Use Application.

Moved by Dean Tenge, supported by Lowe to recommend approval of the special use application for outdoor sales and display at the existing Speedway Gas Station located at 3598 E. Grand River based on the following:

1. The comments and concerns of the Fire Department shall be satisfied.
2. The Planning Commission approves the use of existing building materials on the proposed expansion for consistency.
3. All existing and proposed roof top equipment shall be screened.
4. The ornamental trees rather than canopy trees are acceptable due to overhead lines.
5. The LED light fixtures are approved based on the LSL recommendation.
6. All reference to Kerosene dispenser shall be removed.

Motion carried unanimously.

B. Recommendation of Impact Assessment dated 4-9-12.

Moved by Barbara Figurski, supported by Diana Lowe to recommend approval of the Environmental Impact Assessment dated 4-9-12 for a 793 sq. ft. addition with new parking and outdoor sales at the existing Speedway Gas Station located at 3598 E. Grand River with the following conditions:

1. A statement indicating that dust control measures shall be used during construction and be added in Item E.

2. Any reference to Kerosene Dispenser shall be removed.

Motion carried unanimously.

C. Recommendation of Site Plan 5-1-12.

Moved by Dean Tenge, supported by Barbara Figurski to recommend approval of the site plan dated 5-1-12 for a 793 sq. ft. addition with new parking and outdoor sales at the existing Speedway Gas Station located at 3598 E. Grand River with the following conditions:

1. All the items required as conditions of the Special Land Use approval shall be satisfied.
2. The outside sales area is approved and the screening requirement is waived because the proposed front greenbelt landscaping is adequate.
3. All requirements of the Township Engineers shall be met.

Motion carried unanimously.

Administrative Business:

- *Staff report:* Kelly VanMarter stated that the June 11th meeting only has Industrial Resin Recycling on the agenda.
- *Approval of April 9, 2012 Planning Commission meeting minutes:*
Moved by Barbara Figurski, supported by Dean Tenge to approve the minutes except under Public Hearing #1, 3rd paragraph “on” should be changed to “no”. **Motion carried unanimously.**
- *Member Discussion:* Chairman Brown states that when we update the Zoning Ordinance, Section 12.02.13 should be reworded. It has three “shalls”. He also would like to see the Planning Commission having more discretion over outside storage for convenience stores.

Adjournment.

Moved by Barbara Figurski, supported by Diana Lowe to adjourn the meeting at 7:53 pm. **Motion carried unanimously.**

Submitted by:

Kelly VanMarter