

**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
NOVEMBER 10, 2014
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Township Planning Commission was called to order 6:30 p.m. Present were James Mortensen, Barbara Figurski, Chairman Doug Brown, Eric Rauch, Chris Grajek and John McManus. Also present was Kelly VanMarter, Township Community Development Director; Brian Borden of LSL.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: John McManus moved to approve the agenda as amended to remove item #2. The motion was supported by Barbara Figurski. **Motion carried unanimously.**

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

OPEN PUBLIC HEARING #1... Review of a sketch plan, special use, and environmental impact assessment for a proposed 6,000 sq ft baseball facility, located within an existing building at 7341 W. Grand River Avenue, Brighton, Michigan 48116, parcel # 4711-13-100-006. The request is petitioned by Batter Up Batting Cages, LLC.

Abby Cooper addressed the Planning Commission on behalf of the petitioner. It is proposed that the batting cages operate in the 6,000 square foot retail center which was vacated in February by English Gardens. She explained what the batting cages consist of. The building will be rented for one to two hours on a team basis. The busy season will be November through March. They've met with Piet Lindhout and the fire officials.

The cages will go up and come down seasonally. There are no construction changes that need to be made to the building. This will not be a franchise.

Brian Borden indicated if there's a change in use, the petitioner will have to go through the Zoning process. If the rest of the property converts to another use, they will have to go through the process for that, as well. He feels that the petitioner has addressed the questions outlined in his letter. He believes this plan fits well within the general commercial classification. The standards specific to indoor recreational facilities have been met. The plan lacks a lot of detail since it's 16-years old. Therefore, he has not been able to accurately assess whether the property needs to be brought up to current standards under the ordinance. There is an allowance for parking reduction because the two businesses would have differing peak hours.

Ms. Cooper indicated they do have a proposed sign, but it has not yet been installed. The rendering that was submitted is the design they are proposing. The signs will be changed as is appropriate depending on the season. The appropriate permits will be sought. The pole sign may be altered, as well.

There is currently a waste receptacle on the site. It is used by Leppek's. The lighting on the site is as approved in '98. The peak times would not be overlapping. It is unknown how exactly it will play out. The petitioner believes there will be more than enough parking.

The zoning ordinance has three separate scenarios for change of use permitting. Those were explained by Brian Borden.

The petitioner explained that materials are often stored in piles in the back of the yard on the property. There is a concrete pile, building materials pile, natural materials pile (leaves, trees, etc.); and dirt pile. When the piles begin to get high, arrangements are made for retrieval of the materials.

The fire department letter was discussed. The petitioner will do what is necessary to comply. There are no underground storage tanks. The engineers requested that the petitioner hook up to the sewer and water. There are currently two wells, and two septic tanks with corresponding fields. Mr. Rauch suggested the petitioner have the septic field that isn't used inspected due to age and non-use. The petitioner indicated there has been some use. Mr. Grajek suggested both fields be inspected since they are asking the Township to forego the requirement that they hook into sewer and water.

Kelly VanMarter questioned if snow removal will be performed to allow access to the dumpster in the winter. The petitioner will maintain access to the dumpster in the rear of the site.

Mr. Grajek inquired as to whether the petitioner could be required to provide a better drawing and allow Township Staff to review that.

No member of the public was present to address the Planning Commission.

Planning Commission disposition of petition

- A. Recommendation of Special Use.
- B. Recommendation of Environmental Impact Assessment. (10-20-14)
- C. Recommendation of Sketch Plan. (10-20-14)

Motion by James Mortensen to recommend to the Township Board approval of the special use permit for three batting cages to be located inside the existing permanent retail store at Leppek Nursery subject to:

1. This permit will allow three batting cages to be used in the retail facility for the months of October through April;

2. The site plan is the aerial photograph and will be confirmed by Township Staff as to compliance with such areas as lighting, landscaping and dumpsters as it relates to the Batter Up facility;
3. This recommendation is made because the proposed use is consistent with the existing zoning, it meets conditions 19.03 of the ordinance and is consistent with surrounding uses.

Support by Barbara Figurski. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend to the Township Board approval of the environmental impact assessment dated 10/20/14, subject to septic inspection but hook up to the water and sewer is not required and subject to approval of special use permit and site plan approval. Support by Chris Grajek. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board acceptance of the aerial photo reviewed by the Planning Commission this evening as the site plan for Batter Up Batting Cages on the Leppek Landscaping site subject to:

1. Confirmation by Township Staff that the building to be modified conforms in other respects to the ordinance in such areas as lighting, landscaping, etc;
2. The Planning Commission recommends against requiring the site to hook up to the public water and sewer. However, the two septic systems on the site must be inspected and accepted by the Livingston County Health Department prior to the issuance of a land use permit;
3. The proposed signage must conform to the Township ordinance;
4. The requirements of the Brighton Area Fire Department letter of 10/29/14 will be complied with;
5. This recommendation is contingent upon the special use permit and the environmental impact assessments recommended by the Planning Commission this evening approved by the Township Board.

Support by John McManus. **Motion carried unanimously.**

OPEN PUBLIC HEARING #2... Review of a site plan, environmental impact assessment, rezoning, and planned unit development amendment for a proposed 3,848 sq ft Red Olive Restaurant, located at 3838 E. Grand River Avenue, Howell, Michigan 48443, parcel # 4711-05-400-025. The request is petitioned by PKJJ, LLC.

Planning Commission disposition of petition

- A. Recommendation regarding Rezoning from RCD to NR-PUD.
- B. Recommendation regarding PUD Agreement.
- C. Recommendation of Environmental Impact Assessment.
- D. Recommendation of Site Plan.

Motion by Barbara Figurski to table this item to the December 8, 2014 meeting as requested by the petitioner. Support by Chris Grajek. **Motion carried unanimously.**

Administrative Business:

- *Staff report - 2013 ZBA Annual Report. Kelly VanMarter gave a staff report. Ron Akers put together an executive summary.*
- *Approval of October 27, 2014 Planning Commission meeting minutes. **Motion** by Barbara Figurski to approve the minutes as amended. Support by John McManus. **Motion carried unanimously.***
- *Member discussion*
- *Adjournment, **Motion** by Barbara Figurski to adjourn. Support by Chris Grajek. **Motion carried unanimously.** Meeting adjourned at 8:25 p.m.*